

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
March 24, 2008**

**PRESENT: GERALD "JERRY" WINKLE) CHAIRMAN
FRANK W. ELD) COMMISSIONERS
GORDON L. CRUICKSHANK)**

ARCHIE N. BANBURY, CLERK

Claims were approved as follows:	General Fund	\$120,680.88
	Road and Bridge	\$41,304.96
	Ambulance	\$43,221.45
	District Court	\$2,906.57
	Probation	\$773.19
	Indigent	\$5,530.16
	Junior College	\$5,250.00
	Revaluation	\$1,247.05
	Solid Waste	\$ 6,541.54
	Tort	\$68,220.00
	Veterans Memorial	\$6,000.00
	Weeds	\$12,796.5
	Snowmobile	\$7,804.38
	Waterways	<u>136.14</u>
Total		<u>\$321,511.49</u>

On motion of Commissioner Cruickshank, and second by Commissioner Eld, all bills were approved.

Glenna Young, Treasurer, reported. She is working through the tax deed process, started with 74 delinquent individuals, since reduced to 19 individuals.

As Human Resources Director, she will be setting round table discussions with all supervisor, department heads and elected officials on April 1st, 9 a.m.

Karen Campbell, Assessor reported on progress on this years assessment roll. Has retained and is working with Merrilee Fuller

Tax cancellations 118 and 119 were presented for approval. They result from decisions by the Board of Tax Appeals. Motion by Commissioner Cruickshank, second by Commissioner Eld to approve the cancellations.

Kevin Gaither presented the 2008 operating plan for Edwards Mosquito Abatement District. He is working on a contract to provide services to them, with a contract for mosquito abatement. Kevin will be asking Clarke for bid for 2008.

Concerning weeds, Kevin took Commissioner Eld to a weed seminar in Boise. The grant process has been reworked. Valley County was funded 100%.

Snowmobile grooming is diminishing with the warming trend. There seems to be some dissatisfaction by the McCall Snowmobile Club. We will be working toward better communication.

Cynda Herrick had nothing to report. Commissioner Eld asked concerning a sign at a Texaco station. Cynda advised that the Planning and Zoning Commission has approved. It is recorded in the P & Z Commission minutes.

Steve Brown reported that he had met with Matt Williams and the approval of the Codes is ready and will be ready at the next meeting.

Sally Gossi requested permission to take her daughter on a day-long trip with her to see how the building inspection process works, similar to a "ride along" as used by many police agencies. The Commissioners indicated their approval, (Clerk to check with ICRMP) Policy to be in the future that a waiver be signed by the guest.

Paula Fodrea reported, she still seeks a handyman for routine work on homes, as well as a replacement clerical person. Energy assistance has increased by about 25 homes. She noted that there is a loss of residents due to decline in construction activity. They should receive salmon from fish hatchery for distribution and it looks like as good salmon season.

Sheriff Bolen reported that the floor in the jail is still a little slick when wet, and they are working on that. Jail population was up to 64 over the weekend.

Deb Deree reported that this is district court week Has also stated she is getting 200 to 500 files to the archives, but will retain all felony files.

Matt Williams, Prosecuting Attorney reported 16 cases set for Wednesday, 24 for Thursday. He has 38 civil issues outstanding as of last week, finished 6, and was interrupted by major case involving a prominent individual.

Doug Miller reported Jim Lawless back as a juvenile probation officer. Is planning to install security cameras (3 or 4) in the hallways and courtroom

Mayor Dick Carter briefed the commission on intentions and plans for the White Water Park in Cascade. He expressed his appreciation to John Blaye. He provided two pamphlets "Payette River Whitewater Improvements Project" and "Cascade Whitewater Park, Cascade, Idaho, Economic Impact"

Chairman Winkle indicated his support of the water park.

Ronn Julian, accompanied by Carol McCoy-Brown, gave a presentation concerning avalanche control and the need for controls. He cited, by example, the use of the Anderson Creek snowmobile trail which cuts under the Deer Creek avalanche chute.

No such authorization presently exists throughout the National Forests for Forest Service to do such work. However, ski resorts have been authorized for avalanche control activities.

Motion to support the snowmobile advisory committee in their efforts to gain approval of an avalanche control study on Anderson Creek Road. Motion by Commissioner Cruickshank to approve the avalanche control study at a cost not to exceed \$2,000, second by Commissioner Eld and carried.

Motion by Commissioner Eld for Executive session. Advice by Matt, suit is pending, if you are talking about strategy, should be in executive session. If not, no need for executive session. Executive session approved by second of Commissioner Cruickshank. Matt to address the issue in Executive session.

11:10 a.m. Executive Session Idaho Code 67-2345 (b?) pending litigation.

Mr. Moore was excused.

11:45 a.m. Reconvened general session.

Mr. Moore returned.

Chairman Winkle pointed out that he wished to apologize to Mr. Moore, because they had not been well prepared to discuss the issues when they last met. Commissioner Eld stated he had hoped that the realtors group would come in and withdraw their lawsuit and ask the Commission withdraw its ordinance and then the two parties could collaborate on a new ordinance. He was disappointed in that the realtors did not have such a conciliatory attitude. Commissioner Cruickshank concurs.

Commissioner Cruickshank moves that the ordinance be repealed, and that property obtained after the enactment of the ordinance, to be returned. This motion

approves the proposed ordinance to rescind the affordable provisions of the LUDO and other documents. Voluntarily contributed property will be retained by the County. Second by Chairman Winkle and carried.

A discussion was held with Ray Moore as to how to work together.

Commissioner Eld wants further discussion. He agrees that with pending legislation (suit has been filed) it would be wisest for the county to rescind that ordinance. He believes that we could not successfully stand the challenge. We do have a critical issue in our county, an affordable housing crisis that has manifested itself in various areas of the county and continues to manifest itself. Officials have spent 3 years effort in drafting the present ordinance, He is sad to see it fail. He wants to expand it to work with our developers and provide them with something back. We should work on it. Because he feels that if new developments should come along we should support the developers.

He thinks we should have a moratorium. Asks that Commissioner Cruickshank add it to his motion, and moves for an amendment. Discussion. Matt adds it would be difficult to sustain a moratorium. Commissioner Cruickshank doesn't feel we should approve a moratorium and rejects an amendment to his motion. Final vote, Commissioner Cruickshank and Chairman Winkle yea, Commissioner Eld. "nay".

Chairman Winkle moves to cancel the public hearing. Seconded by Commissioner Cruickshank.

In favor Chairman Winkle and Commissioner Cruickshank. Opposed by Commissioner Eld.

Cynda was asked by the Board to work with developers for key people to start working on the re-write.

Chairman Winkle asks for support from realtors, and thanks Prosecutor Matt Williams for his help.

Adjourn for lunch at 12:05 p.m.

Reconvene at 1:05 p.m.

Closed session for indigent and charity.

Reconvened regular session at 1:52 p.m.

Executive Session convened on motion of Commissioner Eld, 2nd by Commissioner Cruickshank, re Idaho Code 67-2345(b) pending litigation.

Reconvened regular session at 2:15 p.m.

Craig Wyden funding was discussed by Commissioner Cruickshank. He has been invited to Reno for discussions with the National Forest Counties and Schools Coalition.

Mary Hart appeared to discuss recycling. She read a 3 page letter prepared for the Commission, (attached).

Chairman Winkle pointed out that a prior commissioners meeting, it was reported by Lakeshore that 17 loads had been brought to be recycled. Road Department superintendent Jerry Robinson confirmed there were 7 loads.

Adam Johnson asked if he wanted to do recycling. He replied in the affirmative. Mary Hart was asked if Recycle Partners wanted to take over the recycling. She said they were, but they weren't ready yet. At this point, Recycle Partners is only concerned with McCall.

Chairman Winkle said he believed that matching funds of \$50,000 were budgeted by Valley County.

Commissioner Eld suggested more stringent controls to insure that recyclable materials not be contaminated with other materials, it renders the materials useless.

Adam Johnson said one load had been taken down this Saturday. Since November, none had been taken down due to being snowed in.

Contamination of recyclables is about 70% of the loads. Lakeshore removes some contamination, but can't remove all of it without sorting the whole load.

Mary Hart wants to know, is there a way for the County to get out of the contract. McCall is about 50% of the recyclables, with 25% each to Donnelly and Cascade.

The commission reviewed Section D, Recyclables, from the contract with Matt Williams and Jerry Robinson.

Adam Johnson. Recounts problems Lakeshore has had. People have failed; he doesn't catch it in time. The county people are doing their part, we are at fault. Matt to review the contract and report back at the April 14th meeting

Mary Hart to provide costs and benefits calculation prior to the meeting.

Adam wants to know if the county wants full-on separation, 100% recycle, sorted out.

Commissioner Eld inserts another issue, regarding contaminated pile up there on top (of the hill at the MRF). He has heard a story that Fred would take that down there with no tipping charge. What's happening there?.

Answer – they are no longer accepting that stuff. Lost opportunities, we now have to pay for something we received virtually nothing for. A loss to the county.

Public hearing convened at 3:30 p.m. for Transportation Plan

Commissioner Cruickshank reads list of corrections to the plan, mostly small suggestions and clarifications

Public Hearing for Transportation, presented by Sai Sarepalli. No questions, no comments. Public Hearing closed at 3:50 p.m. Motion by Commissioner Cruickshank to accept the plan, seconded by Commissioner Eld and carried.

County Engineer report. No changes from Parametrix. Completed 2 C. U. P. reviews for Planning and Zoning administrator. Completed Gold Fork Crossing Phases I and II, comments to Parametrix. YMCA Camp is getting the legal descriptions for the C. U. P.

Alpha Nursery to present 4/14. Buffalo Basin has revised RDA numbers.

Road department to give presentation for 319 grant. Standard routine.

The 404 permits, first to Corps of Engineers, then Water Resources areas required.

Jerry Robinson reports from ITD on Gold Dust road.. They want to add a turn bay for southbound intersection.

Commissioners voted to approve rescinding the Memorandum of Understanding with South Lake Recreational Water and Sewer District as requested buy the DEQ and communicated to us by Keller Engineering.

GERALD WINKLE, CHAIRMAN

ATTEST:

ARCHIE N. BANBURY, CLERK