

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS  
CASCADE, IDAHO  
April 13, 2009(1<sup>st</sup> Amended)**

**PRESENT: GERALD “JERRY” WINKLE) CHAIRMAN  
GORDON L. CRUICKSHANK)  
FRANK W. ELD)  
KATIE DURFEE, ACTING CLERK**

Meeting called to order by Chairman Winkle at 9:00 a.m.

Commissioner Cruickshank moved, Chairman Winkle seconded to approve Resolution 09-18, to move monies to cover unexpected boiler repairs. Motion carried.

Commissioner Cruickshank moved, Chairman Winkle seconded to approve Resolution 09-19, to move money from the A budget to the B budget to cover additional expenses from the Smith Ferry snowgroomers. Motion Carried.

Claims were read by Commissioner Cruickshank as follows:

General Fund	\$101,036.38
Road and Bridge	\$47,679.09
Magistrate Court	\$1,490.94
Probation	\$546.32
Indigent and Charity	\$26,325.20
Junior College	\$4,989.00
Revaluation	\$46,369.90
Solid Waste	\$47,128.54
Tort	\$75,967.00
Weeds	\$2,715.88
Pest Control	\$5,129.50
Waterways	\$7.58
Snowmobile – 43A	\$6,357.17
Snowmobile – 43B	\$933.24
Snowmobile – 43D	<u>\$3,244.62</u>
Total	<u>\$369,920.36</u>

John Russell asked for clarification on billing when several County departments are involved. In particular, a plat review bill for \$195.00. He also asked the Commissioners if he should mitigate disputes, as this is a current practice with other counties, as well as handled by the prior County Surveyor, Les Ankenman.

Chairman Winkle would like this scheduled on an upcoming agenda, to discuss clarification of job duties and billing for County surveyor.

Commissioner Eld moved, Commissioner Cruickshank seconded to hold out payment of claim to John Russell for \$3,069.96, until further discussion can provide clarification as to the responsible payer of this claim.

Commissioner Cruickshank moved, Commissioner Eld seconded to approve payment of claim to Olson's Excavating for \$29,756.90, as a board ordered claim. Motion carried.

On motion of Commissioner Cruickshank, second by Commissioner Eld, payment of the claims was approved and carried, except as noted above.

Pledge of Allegiance was led by Chairman Winkle.

Assessor Campbell presented two Tax Cancellations for 89-102 and 112-118, as a result of the Board of Tax Appeals. Commissioner Eld moved, Commissioner Cruickshank seconded to approve the Tax Cancellations. Carried to approve.

Major Mike Keithly presented Veterans Service Officer Report. Chairman Winkle added Mike was awarded Man of the Year at an American Legion ceremony on Friday, April 10, 2009.

Kevin Gaither requested taking on the continuing education program to obtain weed spray licensing from the Extension office. He asked permission to put a sign up on his building identifying it as the County Weed building. Commissioners agreed to both requests.

Cynda Herrick, P&Z Administrator, discussed a Complete Count Committee for the Census meeting on April 23, 2009 at 6 p.m. She also explained that a change to the historic overlay district of the LUDO needs to be made official with a motion to initiate a change to the LUDO. Then, the P & Z Commission can hold a public hearing to allow the music festival in Roseberry from 10 p.m. to 11 p.m.

Commissioner Eld moved to change the time on the Historic Overlay District from 10 p.m. to 11 p.m., Commissioner Cruickshank seconded. Carried to approve.

Glenna Young, Treasurer, asked the Commissioners to sign a contract for the Sheriff's Dept. to start taking credit cards for driver's licensing. Commissioner Eld moved to accept the contract, Commissioner Cruickshank seconded. Carried to approve.

She then explained a parcel of land was taken off the tax roll as a result of it being a common area in 2006, tax bill lingering from 2005. Commissioner Cruickshank moved, Commissioner Eld seconded. Carried to approve cancellation for \$28.00.

Commissioner Eld moved, Commissioner Cruickshank seconded to approve Resolution 09-17, to clean up signatories on the US Bank account. Carried to approve.

Glenna also pointed out that National Association of Counties Government Week was coming up and she would like to send a letter to local schools, inviting them to an open house here at the County.

Prosecutor Matt Williams explained a new district court trials were coming up. He would like to work with the Board of Community Guardians, to have better communication for some of their clients.

Commissioner Cruickshank provided clarification about the two incidences that prompted Matt's concerns.

Steve Brown, Building Department, starting to see new construction plans coming in. Plans are now being approved in house to try to save the County money.

Probation Director, Doug Miller stated there were currently 3 juveniles in detention and juvenile court began on Wednesday. Public thank you to Greg Malmen for new sound system in court. The State may be taking money back that was previously used to fund the Juvenile Detention Clinician project, which checked out all juveniles coming in for mental health needs or drug/alcohol treatment. Only Doug and Skip are currently handling adult probation.

Commissioner Eld asked if Health and Welfare could pick up funding that the State will be dropping. Doug stated it was 2.3 million dollars and that was probably too much.

Greg Malmen said modifications were made to the 2<sup>nd</sup> floor courtroom. Xerox contracts needed Commissioner's signatures to purchase new Xerox machines. There is also a new server for the Sheriff's office.

Deb Deree with Court Services, 37 juvenile cases were set for juvenile court. Judge McLaughlin starting with 16 cases his first week and then see how things go. Judge Boomer was requesting security for domestic violence and divorce cases.

Sheriff Bolen attended IAC Legislative Update session. The Jail Standard's Coordinator resigned and they didn't have their jail inspection as a result. Requested Commissioners to come over for quarterly jail inspection with herself and Captain Coombs. Hepatitis B shots required for all jailers, discontinuation of this service by Central District Health has resulted with utilizing St. Lukes mobile unit temporarily, until it can be budgeted for next year to use a local facility. It is National Emergency Communications Week and she requested recognition for dispatchers. Captain Coombs is working to get grants for cameras in the Sheriff's vehicles, which will reduce the time officers are in court and officer liability. Cameras are digital thus reducing a bouncing effect during playback.

Joe Harper, Krassel District Ranger and Lisa Klinger, McCall District Ranger with the Payette National Forest. Two months ago, implemented a new wildlife conservation strategy. Discussion on vegetation disturbed by 2007 fires. Lisa stated there is a Payette Powder Guides outfitters company who would like to use County roads 412, 340, 378, 85 465 for a bike trip this summer.

Commissioner Cruickshank asked if they were aware of Big Creek to Pony Creek road conditions in their plan, to get bikers to private campsites or be sure they won't need to use Forest Service campgrounds, as this is a very long stretch to be done in one day.

Lisa provided her background, as she is the new director.

Commissioner Cruickshank stated there will be some stimulus funds coming down to the Forest Service for hazardous fuels, especially woody biomass. How will the Payette use this for job creation?

Not all of the projects they requested were selected but a biomass project and a Boise National Forest project were combined. Payette is trying to get help on South Fork Road for repairs/chip sealing, trails and woody biomass. Will keep in touch, may be monies the county can obtain as well. Joe said this may be aid in the millions.

Commissioner Cruickshank requested a trail clearing project schedule for Salmon/Challis.

Lisa said contractors can sign up with the small business administration to become HUB contractors for their projects. Finally, she said at Three Mile Road a gate will be put up this spring. It will be the Forrey's (private inholder) responsibility to turn in a Use Permit to the Forest Service, to get to their property. The FS is not recognizing the County has maintained this road for 5 years making it statutorily the counties.

Commissioner Cruickshank stated Hamilton Bar Road, aka Three Mile Road, was historically used by the public back to 1879.

Lisa explained the terms of conditions in the records for this decision, being closed due to reduction of sediment. Property owners can obtain a special use permit to go behind the gate but will not be able to take full sized vehicles, instead can take pack stock or atv.

Chairman Winkle moved and Commissioner Cruickshank seconded. Carried to approve to convene into Executive Session, as per Idaho Code 67-2345(f) at 11:15 a.m.

Commissioner Eld moved, Chairman Winkle seconded to reconvene into regular session.

Commissioner Eld moved, Chairman Winkle seconded. Carried to approve Matt's attendance to the Career Prosecutor's class.

Recessed at noon for lunch.

Reconvened at 1:05 p.m.

Laura Beal, P.O. Box 5, Council, Idaho 83612. Laura stated their business, Mountain Multi-Services, was sold to Tom Horn and she did not see the 2007 tax bill. She thought this new owner had taken care of the bill, which resulted in a double-penalty on the assessed value of the personal property. Assessor Campbell noted in 2008, no one filled out the declaration of personal property, as per Idaho code 63-1401.

Chairman Winkle asked to table for half an hour to get this matter straightened out and have all parties come back.

Legal Counsel advised commissioners would have to convene into BOE, to excuse the double-tax, but could not handle as BOCC. Commissioner Cruickshank said it needed to be on the agenda that the BOCC would meet as BOE.

Commissioner Cruickshank moved to table until April 27, 2009 at 2 pm. Commissioner Eld seconded and motion carried.

Laura then asked if she should go ahead and pay her tax bill, would it confuse the matter, as a good faith measure for the 1<sup>st</sup> half. Glenna said it wouldn't confuse the issue.

Boise National Forest Service representatives appeared and presented the Culvert Replacement Project and South Fork Salmon River Subbasin Noxious and Invasive Weed Management Program. Advised of roads to be closed mid-July through August 15, due to Chinook salmon and are aware of the imposition on recreation at that time of the year.

Commissioner Cruickshank asked if what the Cascade/Boise areas are doing to help contractors. Could an ad be put out in the paper to direct contractors to apply for contracting opportunities?

Margaret Soulen Hinson discussed RAC Grant proposal for Payette Bighorn Sheep. Margaret would like a letter of support from Valley County, to get this grant.

Commissioner Cruickshank said private producers should be allowed to have some feedback in this project as well. He would like to conduct a prior, mid and final meeting on status of this project.

Commissioner Eld moved to support the Payette Bighorn Sheep project, Chairman Winkle seconded. Carried to approve.

Closed session for Indigent and Charity.

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| Case 08-RD058 | Findings of Fact, Conclusions of Law, and Final Determination signed |
| Case 07-EE001 | Findings of Fact, Conclusions of Law, and Final Determination signed |
| Case 09-VT061 | Approved for Assistance and Request for Medical Lien                 |
| Case 09-VB052 | Assistance Denied  |
| Case 09-RG063 | Assistance Denied  |
| Case 09-CM069 | Assistance Denied  |
| Case 09-ML056 | Request for Medical Lien/New Application                             |

Commissioner Eld moved to allow a party to enter into a hardship for cancellation of their taxes for 2005 totaling \$835.98. Requested a letter be sent out that they must remain current on their 2006 taxes. Commissioner Cruickshank seconded and carried.

MRF Report by Jerry Robinson, discussed plans for extending the MRF for future waste handling.

Congressman Minnick appeared. Chairman Winkle applauded his work on back country support to fix \$46,000 contract with Arnold Aviation for mail delivery that is to be cancelled. Commissioner Cruickshank appreciates his work and taking the time to understand and explain how things work with the people back in DC.

The Congressman stated they have been in session for a few weeks and that meetings like this allow him to hear real people and real concerns, which allows him to understand what he needs to take back to the federal government for assistance.

Commissioner Eld said employment is a big issue. We have put in for stimulus monies for programs but are we actually going to see any of these monies, as it seems they get siphoned off as they get down to the counties. The Congressman explained stimulus monies were assigned priorities.

Commissioner Cruickshank inquired on the reduction of biomass for farm based operations.

The Congressman said he was co-sponsoring a bill which would look at grain as a byproduct.

Chairman Winkle asked for his opinion on biomass.

Congressman Minnick stated corn ethanol is a clear reason why the Governor should allow private enterprise to sort it out. Anything with cellulose can make ethanol and we should allow it is an appropriate use.

Commissioner Cruickshank discussed the future of Craig-Wyden.

Commissioner Eld requested from the congressman that support from his office was needed to provide education for keeping the roads used to access the backcountry, open.

The Congressman added he is on the Agricultural Committee who has jurisdiction over the Forest Service.

On a last note, Jerry Robinson commented that the Forest Service does not have a quick enough reaction to back burning. If the forest is going to be managed like this versus the way it used to be handled, there needs to be accountability.

After the congressman left, the session came back to Planning and Zoning, to address an application for Anderson Creek. Staff stated the Commissioners never made a decision based on the sewer being fixed. Cynda suggested taking no action. The applicant was given a year to get the septic fixed and in the meantime they split their property into 20 parcels, the application expires May 5, 2009.

Counsel said this needs to be noticed. Look at the record to see if the applicant was given a public hearing.

Commissioner Eld moved to make a final decision on this matter for the May 4, 2009 meeting at 9 a.m. Commissioner Cruickshank seconded. Carried to approve.

Resumed back into Road and Bridge. Lakefork storage building ready for use by Treasure Valley Transit Company.

Jerry Robinson said there was an access problem with land offered by the City of McCall. Jerry suggested using the property next to the annex. Eld asked that this be a last resort.

Commissioner Cruickshank moved, Commissioner Eld seconded to add Executive Session to the agenda and then go into this session. Carried to approve.

Commissioner Eld moved to convene into regular session, Commissioner Cruickshank seconded and carried.

Commissioner Cruickshank moved to have Jerry Robinson and Matt Williams meet with Brian Disney to start the process. Commissioner Eld seconded and carried.

Jerry Robinson had not heard on status of stimulus monies they had submitted for road work.

Commissioner Cruickshank moved to approve, Commissioner Eld seconded for approval of meeting minutes for March 23, 24 and April 6. Motion carried.

Commissioner Cruickshank moved to renew Department of Lands Lease M5038. Commissioner Eld seconded and carried to approve.

Commissioner Eld moved, Commissioner Cruickshank seconded for Chairman Winkle to sign approval of Cooperative Agreement and Work Plan for U of I research project on "Building Sustainable Communities" when agreement is completed.

Commissioner Cruickshank moved, Commissioner Eld seconded to in-kind funding of \$1500 for U of I research projects directed by Sandra Pinnel. Motion carried.

Commissioner Eld requested that Cabin Creek be allowed to store GPS materials for U of I research projects. Chairman Winkle and Commissioner Cruickshank were in agreement.

Commissioner Eld moved to nominate Vern Garrett, to the Mental Health Board. Commissioner Cruickshank carried and motion was approved.

Adjourned at 4:40 p.m.

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**GERALD WINKLE, CHAIRMAN**

**ATTEST:**

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**ARCHIE BANBURY, CLERK**