

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
May 23, 2011**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
RAY MOORE (COMMISSIONER)
GERALD "JERRY" WINKLE (COMMISSIONER) EXCUSED ABSENCE**

ARCHIE N. BANBURY, CLERK

Meeting called to order by Chairman Cruickshank at 9:00 a.m. with Clerk Banbury taking minutes.

Commissioner Moore moved for approval of the agenda, second by Chairman Cruickshank and carried.

Motion to approve claims, in the amount of \$202,281.70 by Commissioner Moore, holding claim of \$5,000.00 for economic development, second by Chairman Cruickshank, and the motion carried. Motion to approve Board Order claims in the amount of \$14,055.98 by Commissioner Moore, second by Chairman Cruickshank and the motion carried.

Junior College Tuition Certification was approved for Courtney Keith on motion of Commissioner Moore and second by Chairman Cruickshank, and carried.

Pledge of Allegiance to the Flag of our Country was led by Major Mike Keithly, USMC (Retired,) Valley County's Veterans Service Officer.

Major Keithly gave the Valley County Veteran's Service Officer's report. He has met with 8 Veterans at the Dept. of Labor Office in McCall.

Five new claims for service connected disabilities were submitted. Several others were assisted with a variety of problems/questions.

Repairs and refurbishing of Post #60 is substantially complete, and all are welcome to visit. Chairman Cruickshank complimented Major Keithly on his work and thanked him for his efforts.

June Fullmer, Assessor reported that she had completed the report for SAGE. She mentioned a communication by e-mail requesting information on taxation. She provided a letter from McCall City Manager Lindley Kirkpatrick explaining the tax issue which addressed the question.

Anne Guarino, Building Department reported she had no news to share.

Clerk Banbury reported he had participated with Matt Williams, Tami Rhodes and Katie Durfee in a review of the I.T. Policy from the year 2000 which would be the subject of a report by Tami Bishop Rhodes.

Douglas Miller reported and discussed donations from lottery for the “Sober Grad” or “Sober Senior” nights in McCall and Cascade. He has one juvenile in custody. Employee James Jordan completed the FPO training at POST.

He is working with a substance abuse committee hosted by Ada County, from which Valley County will receive \$17,000 for out patient treatment.

The trail crew supervisor position has been announced internally for selection of a person to work two days each week.

Vim Braak appeared and reported on economic development interests, having spoken with Delta James, about assistance from SAGE Community Resources in reviving a regional forum of some capacity – like VAPP. In pursuing this, as discussed on May 2, he wants to make sure that he is not duplicating efforts of the Commissioners or at other levels. He emphasized the various links between the communities in the region and sees the need for coordination in economic development.

Tami Bishop Rhodes reported on her various tasks, specifically the Personnel Manual, IT Policy update, training for the Road Department and several administrative items.

Cynda Herrick reported completion of the Historic Preservation Ordinance repeal and circularization for comment by departments, and then ultimate publication for comment by the public.

June 6th meeting, two staff reports sent electronically for P&Z matters, one concerning the LUDO and a second on a pending issue, vacation of a private road.

She is working with Dispatch regarding the GIS mapping.

Matt Williams reported the absence of Judge Boomer this week provides a little room for his staff to catch up. He discussed a pending request for public documents and proposed solution.

He will be sending a letter off that requests a grand jury be empanelled in Valley County.

Sheriff Bolen appeared and discussed the Antenna at Packer John, and the difficulties with the installation. Completion is expected soon. Commissioner Moore moved for approval of the agreement from Tower Comm Technology to erect the antenna. Second by Chairman Cruickshank and carried.

She also mentioned the required lettering on the Emergency Operations Center, at a cost of \$595.

She also discussed the Bureau of Reclamation agreement which has been completed for signature by the Chairman for \$8,500 in fees to be paid to the County for lake patrols.

Her staff is sponsoring a "T-ball" team for this summer.

She is working on the highway safety grant regarding seat belts and awareness.

Highway Cleanup for the County's stretch of HWY 55 was completed on Friday.

Driver's License service will be curtailed for a short period time while the equipment is updated.

Glenna Young reported on Treasurer's matters. She is unable to use the Manatron system while the Assessor is certifying her assessments as they use the same system. She offered her help to the Assessor to timely complete the Assessment notices.

She is working on the Warrant of Distrain Ordinance. Matt Williams has recommended publication and holding a Public Hearing for the process of adoption of the ordinance.

The Public hearing should be set for June 20th if that is necessary, and should be preceded by publication of the proposed ordinance.

She also has tax cancellations for 70 separate items of balances due of less than a dollar. It is styled as cancellation Number 89 and totals \$17.60, which is less than the cost of postage that would be required to attempt to collect the delinquencies. Commissioner Moore moved approval, second by Chairman Cruickshank and carried to cancel the taxes.

Rick Ridenour appeared and mentioned a baby born to an employee, and arm surgery by another employee from which both are recovering. He discussed the process of testing for West Nile Virus.

He will have four groomer operators travel to Jackson Hole Wyoming for maintenance training on the Piston Bully machines.

10:30 a.m. Closed session for Indigent and Charity.
11-AC070 Denied for Medical Assistance
11-NM079 Denied for Medical Assistance
11-LM066 Denied for Medical Assistance
11-AB072 Release of Medical Lien
11-GM060 Medical Lien Requested–New Application for Assistance
17 CAT Fund Payment Assignments signed by Commissioners

Resume Regular Session at 10:47 a.m.

A verbal report by John Blaye was received together with a listing of his top 25 prospects. Identities of participants on his list of potential businesses are not disclosed.

Commissioner Moore moved to convene an Executive Session as provided by Idaho Code 67-2345(1)(b). Second by Chairman Cruickshank and roll call vote, all voted “aye”

Regular Session reconvened at 11:35 a.m.

Commissioner Moore, as requested by the Chairman, discussed the contract for Mr. Blaye’s services and questioned each specific item as to whether or not Mr. Blaye had in fact performed what his contract required. In some areas he had done so and others he had not. As for certain businesses he said he had records of the work done and in others he had none. As the process continued, Mr. Blaye became unwilling to answer further questions about his contract and refused to answer other than to say “no comment”, and that he wanted his attorney present to represent him.

Chairman Cruickshank was advised by Matt Williams that Commissioner Moore could continue as this was not a criminal investigation proceeding and that Mr. Blaye did not have a right to counsel.

Chairman Cruickshank pointed out that Mr. Blaye has given 60 days notice that he wishes to terminate his contract. He discussed tabling the matter until the requested information was provided, but did not move to do so. He asked Mr. Blaye if he could provide proof of his compliance with his contract by Tuesday, May 31st. Mr. Blaye did not respond.

Chairman Cruickshank informed Mr. Blaye that he no longer represents Valley County in Economic Development matters until the performance related issues concerning his contract are settled.

Chairman Cruickshank, with the consent of Commissioner Moore, tabled the next item, an Executive Session, until 1:40 p.m. with a decision to follow at 1:55 p.m. today.

JoAnn Fly appeared and presented poll books for the Commissioners to canvass the elections of May 17th, 2011. She advised the Board that she has had no inquiries or complaints thus far. She discussed an apparent misunderstanding concerning a citizen, who telephonically reported that Mike Keithly was observed shaking hands with another person as he was either entering or leaving the polling place. An observer of this incident had telephoned and inquired as to whether Mr. Keithly was improperly electioneering at the polling place. The chief judge, who had observed the incident, explained when questioned by Ms. Fly that Mr. Keithly had simply greeted an acquaintance and shook hands with him and that the meeting and greeting lasted but a few seconds.

Commissioner Moore moved to accept the election results as presented, to the favor of the local option tax in McCall, and the election of Aaron Guest as Director of Sub-District Three of the Southern Valley County Recreation District. Second by Chairman Cruickshank and carried.

Recessed for lunch at 12:05 p.m.

Reconvene at 1:00 p.m.

Chairman Cruickshank introduced the concerns Valley County has with the present fee system used to reimburse the County for dispatch costs.

Valley County jailers also use the system for each person incarcerated, a “29” check.

Ryan Redman pointed out that citizens of Cascade also pay property taxes which support the City’s police functions and as such help pay for dispatch. They also pay property taxes to the County as well.

Jim Hass added that the original intent of the dispatch funding scheme (in 1991) was to share the costs based on usage. He conceded that times have changed since the original allocation formula.

Kelly Taylor pointed out that the original mandate called for E911 in 1995, but that it was not actually put on line until 2009.

John Coombs agreed that the jail does run warrant checks, also known as 29 checks, for inmates through dispatch. He added that there is another feature that should be considered as well, and that is service calls.

Sheriff “Bolen explained the original allocation formula, it used all calls.

Discussion of formation of a committee followed. A group composed of Police Chiefs, Sheriff and Fire Chief(s) will meet and provide a recommendation for sharing the costs of dispatch.

Commissioner Moore moved to convene Executive Session for pending litigation as provided by IC 67-2345(1) (f), and second by Chairman Cruickshank. Roll Vote taken, Commissioner Moore “aye” and Chairman Cruickshank “aye”.

Convened Executive Session at 1:51 p.m.

Reconvene Regular Session at 2:05 p.m.

Commissioner Moore moved to authorize the Prosecuting Attorney to engage the principal and tender an offer settlement of the amount of the claim presented on March 28, 2011, which provides for the settlement to be effected within 30 days of today’s date. Second by Chairman Cruickshank and carried.

Krassel and McCall District Rangers appeared for the purpose of discussing the Pre-Season Fire Update. Anthony Botello, Krassel District Ranger noted that Hamilton Bar/Three Mile road is to be integrated into the transportation TAP. He encourages input from the Commissioners and landowners.

The USFS predicts no floods and moderate fire danger for the summer months. They reviewed the USDA Forest Service Intermountain Region Fire and Risk Management plan, taken from a power point demonstration.

Jerry Robinson is working on a grant for Federal Highways. Funds may be available for design, engineering and maintenance on roads that access the National Forests. They could be used for chip sealing on Warm Lake Road. This may amount to \$1 million. Commissioner Moore moved to authorize the Chairman to sign the grant request. Second by Chairman Cruickshank and carried.

As to the Nissula easement requested, Matt reviewed, and advised that although he cannot attest to the accuracy of the legal description, the form of the deed is acceptable. Commissioner Moore moved for acceptance, second by Chairman Cruickshank and the motion carried. He presented a quit claim for an easement.

He is trying to put together an overlay on Elo Road. Project bid from Valley Paving was \$17,500 with the County doing fabric and asphalt. Total cost is \$150,000.

He has his 950 front-loader torn apart to rebuild the engine.

He is working on a new transportation plan.

Ralph McKenzie, Solid Waste supervisor, spoke on brush removal, for fire control in the Donnelly area following last year’s destructive windstorm. He would like to offer a 30-day free dump period for removal of the downed trees, limbs and brush. Juan Bonilla, Donnelly Fire Department, spoke in favor of free dumping of such trash to mitigate fires in the area. His department is willing to supervise the delivery of clean trash to the dump.

Ralph provided a briefing on the solutions to the problems recently experienced at the Warm Lake transfer station.

Also he has had the recycle site at Lake Fork cleaned up.

He inquired about having a one-day hazardous waste collection again this year. He may have sufficient funds available to do so in his present budget.

Commissioner Moore moved for approval of the May 16th minutes with corrections, second by Chairman Cruickshank and carried. Commissioner Moore moved for approval of the May 12th minutes, second by Chairman Cruickshank and carried.

The lawn maintenance bids were discussed. Concerns were expressed about the lack of detail in the description of services of at least one bid. Commissioner Moore moved for acceptance of the bid from Cutting Edge for the lawn maintenance contract, second by Chairman Cruickshank and carried.

Tami Bishop Rhodes explained that she would be absent from the meeting scheduled for June 6, 2011.

Tami Bishop Rhodes presented an updated recommendation concerning Paid Time Off (PTO). The Commissioners reviewed and discussed multiple scenarios' concerning accrual and maximum hours accrued in both vacation and sick leave. Additional discussion was held on the policy of how sick leave is utilized. With no final decision made, Chairman Cruickshank asked the HR Department to work up a new recommendation, using today's discussion, for review at the May 31st commissioner meeting.

Commissioner Moore moved to approve Resolution #11-12 for the transfer of funds from the Ambulance fund (Fund 04-77), now defunct, and into the General Fund in the amount of \$5,661.48. Money collected from delinquent tax accounts will continue to flow into the Ambulance until all has been collected. Periodically, such moneys will be transferred into the General Fund until all delinquent taxes levied for the Ambulance Fund have been collected.

Commissioner Moore moved to approve Resolution #11-11, to transfer \$870.00 from the Coroner's "B" Budget to his "A" Budget. This change facilitates a need to meet the payroll costs of a Deputy Coroner for the remainder of FY2011 at \$150.00 monthly beginning in May.

Meeting adjourned at 5:36 p.m.

Gordon L. Cruickshank, Chairman

Archie N. Banbury, Clerk

AB/tme 5-27-11