

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

May 4, 2009

**PRESENT: GERALD “JERRY” WINKLE) CHAIRMAN
FRANK W. ELD) COMMISSIONERS
GORDON L. CRUICKSHANK)
ARCHIE N. BANBURY, CLERK,
MATTHEW C. WILLIAMS, PROSECUTING ATORNEY**

Chairman Winkle called the meeting to order at 9:00 a.m.

Anderson Creek Subdivision was discussed. Planning and Zoning Administrator, Cynda Herrick, provided the staff report. Anderson Creek has requested a 12 month extension of time. Commissioners had tabled the discussion at their meeting on April 6, because on the application there was no reasonable way to provide sewer service. There is still no sewer service available. The land has been replatted into approximately 20 acre parcels.

Commissioner Eld moved to uphold the denial by the Planning and Zoning Commission. Commissioner Cruickshank pointed out that this is not something that the developer can control. No second to the motion. Chairman Winkle added that approving an extension might result in a lot of wheel spinning because it all is contingent on the sewer being available. Other issues include affordable housing no longer being required, as well as the replatting of the property. Cynda had sent two letters to the applicant several months ago, and has received no reply directly from the applicant. The only reply has been a letter from the applicant’s attorney requesting an extension. Commissioner Eld repeated his motion to uphold the denial with consideration of the change in the Subdivision Ordinance which no longer requires affordable housing be provided. Second by Chairman Winkle and carried.

CUP 08-21, Rafter Subdivision, preliminary and final plat.

Commissioner Cruickshank acknowledged a conflict exists as it is his property for which a subdivision is requested. He recused himself from further deliberations.

Commissioner Eld asked for a few minutes as he had not seen the application.
Recessed until 9:45 a.m.

Mr. Cruickshank, the applicant, P.O.Box 133, McCall, ID 83638, pointed out the 6" water main is the present service and is on the property. It need not be added to surety requirement.

Commissioner Eld moved to approve the final plat; approve the Owner's Declaration of Private Roads with financial guarantees in the amount of \$66,682.00 as adequate surety for construction of interior roads and utilities; approve the Road Development Agreement in the amount of \$18,112; accept dedicated public right-of-way along Heinrich Lane; and authorize the Chairman to sign the plat.

This motion was made with the understanding that interior roads (Best Way) are private roads, and Valley County has no responsibility thereto. Motion was seconded by Chairman Winkle and carried, with Commissioner Cruickshank necessarily abstaining due to his announced conflict of interest in the outcome.

Commissioner Winkle inquired as to Mr. Cruickshank's knowledge of the number of shares of water for irrigation that he receives from Lake Irrigation Company and Mr. Cruickshank responded in the affirmative.

Commissioner Cruickshank moved and Commissioner Eld seconded approval of the Minutes of April 27, 2009. Motion Carried.

A brief discussion of the Lakeshore Disposal proposal followed. No decisions were reached and no motions made; the matter will be taken up at the Special Meeting of the Board of County Commissioners scheduled for Friday, May 8, 2009, at 9:00 a.m.

Meeting adjourned at 10:45 a.m.

GERALD WINKLE, CHAIRMAN

ATTEST:

ARCHIE BANBURY, CLERK