

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

**August 10, 2009**

**PRESENT: GERALD "JERRY" WINKLE) CHAIRMAN  
FRANK W. ELD) COMMISSIONERS  
GORDON L. CRUICKSHANK)  
ARCHIE N. BANBURY, CLERK**

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

Claims were read by Commissioner Cruickshank:

General Fund	\$70,650.15
Road and Bridge	\$195,907.24
Airport	\$11,735.16
Ambulance	\$83,157.76
Magistrate Court	\$1,515.86
Probation	\$2,739.88
Indigent and Charity	\$4,021.54
Revaluation	\$15,228.73
Solid Waste	\$21,167.33
Tort	\$62.88
Weeds	\$234.36
Pest Control	\$272.88
Waterways	\$90,514.04
Snowmobile 43A	\$32.06
Snowmobile 43B	<u>\$19.87</u>
Total	<u>\$497,259.74</u>

On motion of Commissioner Cruickshank, and second by Commissioner Eld, payment of the bills was approved and carried.

A Board Order claim was submitted to pay Michael Stewart for services and approved on motion by Commissioner Eld, and second by Commissioner Cruickshank, and carried.

Judge Boomer appeared momentarily. He asked for status of the Jailer position to cover as Bailiff for Court. He was advised that an additional Jailer had been added to the Sheriff's Jail budget as requested.

Chairman Winkle led the Pledge of Allegiance, followed by reports from Elected Officials and Department Heads.

Alysson Statz appeared to represent the U of I as the 4H Coordinator, regarding this year's Fair and Rodeo achievements.

Treasurer Glenna Young reported on the Treasurer's Conference, Warrants of Distrainment and Repos.

Assessor Karen Campbell did not have anything to discuss. Her Subdivision Final Plat, on a personal note will be in by August 24<sup>th</sup> to P&Z and was held up with the Health Department.

P&Z Administrator Cynda Herrick will be short on staff in the upcoming weeks. Otherwise, she had nothing to report.

Deb Deree, Court Supervisor, updated on a new Report System which will aid Attorneys with conference calling. They are working on a new Jury System that lowers the jury term to one month and allows for on-line tracking. It is to go into effect January 1, 2010. Matt Williams voiced concern over lack of potential juror pool given our community size to support this new Jury System, as current jurors are picked again frequently.

Steve Brown, Building Department Supervisor had nothing to report other than billings for City of Cascade at \$47.00 per hour and that the City will look into hiring a City Building Inspector at tonight's city meeting.

IT Administrator, Greg Malmen had no new updates. He provided clarification on new phone system for the Court Department and upgrades to the Assessor's ProVal program.

Kevin Gaither gave status on Pest Management. Yellow Pine and McCall have high levels of disease carrying mosquitoes. He has been fogging in Edwards Mosquito Abatement District twice a week. The Health Department is no longer accepting dead birds for West Nile testing. Rush Skeleton weeds are increasing. On August 13<sup>th</sup> they will begin a Milfoil survey in the Payette Lake. He concluded by submitting his resignation effective September 10, 2009.

Prosecuting Attorney, Matt Williams stated two cases to go to trial soon, however one had just settled. He also continued briefly the new Jury System coming up.

Doug Miller reported on Trail Crew Program and successes. He believes this was due to a supervisor being able to go out this year with the crew. He went over the Garden Program and Probation policy changes regarding stiffer penalties for violations of probation. SCRAM Program is getting more use now; this is a device to monitor alcohol. He introduced Jacques LaFay, as a new Probation Officer. Working to reduce part-time employee's hours to get remaining balances in compliance with his budget through the fiscal year.

Sheriff Bolen stated there were three different patrol deputy deaths in Idaho counties within the last month, thus implementation of a policy for her deputies to be wearing seat belts. Also, a quarterly Jail Inspection is needed and she requested to have this added on the next agenda. Harmonica Festival had less attendance this year, due to weather.

Greg presented a contract for an Adult Probation software tracking program. Commissioner Cruickshank moved, Chairman Winkle seconded to approve the continuation of the contract.

Wade Pinnell appeared with Jerry Robinson, Matt Williams present, to discuss the lease between Potlatch and Valley County for the Wellington Park site and associated trails. Prosecuting Attorney Matt Williams stated that he concurs with the terms of the lease. On motion of Commissioner Cruickshank, second by Commissioner Eld, approved the lease for signature by the Chairman and carried.

Moved into Closed Session for Indigent and Charity.

Indigent Matters:

09-PS051	Request for Medical Lien/New Application
09-RM073	Request for Medical Lien/New Application
09-RW069	Request for Medical Lien/New Application
09-SB062	Assistance Denied
09-PS051	Assistance Denied
09-RG054	Assistance Denied

On motion of Commissioner Cruickshank, and second by Commissioner Eld, convened Executive Sessions as provided by I.C. 67-2345(f) and a separate issue as provided by I.C. 67-2345(b).

Motion by Commissioner Eld, and second by Chairman Winkle to come out of Executive Session and carried.

Moved by Commissioner Cruickshank to accept Valley Wide Lawn's bid for Paddy Flat at \$16,675 and seconded by Commissioner Eld, and carried.

Stephanie Johnson, Cabin Creek Enterprises updated on Paddy Flat Unit #1, an additional 3.5 acres was added to the original project, to the total amount of \$4,480.

Commissioner Cruickshank moved, and seconded by Commissioner Eld, and carried to allow for an additional 3.5 acres to be added on to the Paddy Flat Unit #1 project.

There is a second grant opportunity for Paddy Flat #2 totaling \$57,750. It is for Community Fire Protection.

Discussed request from a solicitor to have Cabin Creek's projects on a national registry for announcing upcoming bidding projects. Decided it was not appropriate to respond.

Stephanie then presented a grant award for the 2009 Western States project in the amount of \$275,000, on the Little Donner area which was awarded to Valley County. The project must be completed by the summer of 2011.

Commissioner Cruickshank moved, Commissioner Eld seconded, and carried to approve the following items – both grant awards for Paddy Flat #2 for \$55,750 and \$275,000 respectively, and to have Clerk Archie Banbury listed as a secondary contact for State Bid awards.

Stephanie closed with asking the Commissioners if Cabin Creek could pursue the Gold Dust Stimulus Package, bundling several projects for submission of the Western States grant opportunity. The Commissioners concurred.

Recessed for Lunch 12:40 p.m.-1:40 p.m.

Road Department report with Jerry Robinson.

Harry Soulen, discussed an offer of Soulen Pit which has a difference owed on a credit for 53,890 yards of rock on a project.

Discussion ensued over history on conditions/terms of agreement.

Commissioner Cruickshank asked Jerry Robinson what he thought of the offer as presented. Jerry R. felt the offer was too low, however, he understood the County did not stick to contract terms of topographic survey and contract price. Mr. Soulen is suggesting 17,500 yds of rock at \$35,000.

Commissioner Cruickshank moved to accept Mr. Soulen's offer of 17,500 yds of rock at \$35,000. Chairman Winkle seconded and carried. Commissioner Cruickshank and Chairman Winkle voted "yea" and Commissioner Eld abstained.

Jerry Robinson updated on West Mountain project, working on drainage for Crane Shores, culverts on Lick Creek Road, new RS319 project and Bear Valley bridge blowout.

Solid Waste report 3089 tons to date divided by 10 mos., 308.9 tons a month thus far and that budgeted amount is working out as projected.

Commissioner Cruickshank moved to establish a managerial position for the Solid Waste Transfer Site, tentatively set for Class 4 on the Pay Matrix, pending approval of a position description yet to be developed. Commissioner Eld seconded and carried.

Commissioner Cruickshank moved to authorize an amendment to our Employee's Health Insurance Plan to provide for prescription drug coverage limited to the cost of generic drugs in those situations where generic equivalents are presently available. Commissioner Eld seconded and carried.

Commissioner Cruickshank moved to establish an overtime policy to require compensatory time off in lieu of paid overtime, except in those situations where paid overtime is required by the Fair Labor Standards Act, or where paid overtime is approved by the Valley County Board of Commissioners, and for hourly employees, either seasonal or part-time. The Elected Officials and Road Superintendent will develop specifics and report their recommendations to the Board. Commissioner Eld seconded and carried.

The Elected Officials and Road Supervisors returned with the following specific recommendations which were acceptable to the Board:

*As a general rule, hours worked in excess of 40 per week will be compensated at the rate of 1 ½ times. Working hours over 40 per week requires the prior approval of the Elected Official in charge of the department. All hours worked over 40 hours per week will be accrued as compensatory time off and accrued compensatory time off will not exceed 40 hours at any time. Further, because law enforcement and Road Department personnel must react to emergencies, they should first react to the emergencies, and report the facts requiring the overtime through channels to the Elected Official(s) in charge of their department as soon as possible.*

*For Sheriff's Office Patrol Deputies, because of seasonal demands, from the 1<sup>st</sup> of May through the 30<sup>th</sup> of September, accrued compensatory time off in excess of 40 hours will be paid as overtime to be included in their monthly pay checks, thus reducing the accrual back to 40 hours at the end of each month. All accrued compensatory time off must be used before December 31st of each year.*

*For Road and Bridge Equipment Operators and Truck Drivers, who are also impacted by seasonal demands, accrued compensatory time off may not exceed 80 hours. All accrued compensatory time off must be used by May 31<sup>st</sup> and November 1<sup>st</sup> of each year. Accumulated "Comp Time" must be reduced to 20 hours by May 1<sup>st</sup> of each year.*

*Any exceptions to this policy must have prior written approval of the Valley County Board of Commissioners, and emergency situations must be reported to the Board as soon as possible.*

Commissioner Cruickshank moved to set wages in accordance with the Pay Matrix for FY2010, provide a 2.75% increase for all 4 negotiated salaried employees, and provide a 2.75% pay raise for all Elected Officials, and provide a 3% pay raise for part-time employees. (Seasonal employees are on a different sliding scale and will not receive percentage increases.) For example, seasonal positions are paid at \$11.00, \$12.00 or \$13.00 per hour depending on experience and moving each year as they gain experience. Commissioners Eld seconded and carried.

Commissioner Cruickshank moved to establish a Class 6 position for probation office. Commissioner Eld seconded and carried.

Commissioner Cruickshank moved to approve budget for publication and public hearing. Commissioner Eld seconded and carried.

Clerk Banbury informed the Board that a control system for all grants will be established which will require a copy of the grant request, a copy of the approval and complete tracking of all expenditures out of grant funds, regardless of the mechanical process for spending the funds.

Karen asked for support from the Commissioners to add approximately 200 properties to the tax rolls for solid waste fees and Recreation District fees. The board requested that she do so, as it was within her purview to do so.

Commissioner Eld moved, Commissioner Cruickshank seconded, to go into Executive Session for I.C. 67-2345 (b), personnel matter, concerning overtime compensation and provisions of F.L.S.A. and carried

Commissioner Eld moved, Commissioner Cruickshank seconded, to reconvene Regular Session and carried.

Commissioner Eld moved to accept Kevin Gaither's resignation, Commissioner Cruickshank seconded and carried.

Commissioner Eld asked Rick Ridenour from the Weed Department who was present if he would serve as an Interim Weed Supervisor and then go through the proper procedures for applying for a permanent position when Kevin's time is through. Kevin asked how long the interim period would last and Commissioner Eld said the details are not ironed out, since everything has occurred today. Rick agreed to accept the interim appointment.

Glenna Young appeared and asked for clarification of over-time policy and to ask for acceptance of some exceptions for Sheriff and Road Department as noted above (page 5, italicized portion.) Each proposes an amendment to minimize excess balances of accrued compensatory time off. Clerk Banbury offered an additional suggestion in that there is a provision specifically listed to have the Board of Commissioners consider special circumstances as they occur. One last thing to consider is that the pay matrix can't be changed by adding any pay to it, but with years where there is no COLA, employees at top of the matrix could perhaps be given a one time only "longevity" payment check. The Board asked Treasurer Young and Clerk Banbury to develop a recommendation for a method by which this could be done, leaving the pay matrix inviolate. The amount of such a bonus in the recommendation should be left blank.

The Board discussed the District III meeting scheduled for October 16<sup>th</sup>, and are going to explore McCall as the site.

On motion of Commissioner Cruickshank, second by Commissioner Eld and carried, to approve the meeting minutes of July 27, 2009 as previously corrected or clarified by Commissioner Cruickshank.

Adjourned at 4:37 p.m.

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**GERALD "JERRY" WINKLE, CHAIRMAN**

**ATTEST:**

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**ARCHIE N. BANBURY, CLERK**