

**IN THE OFFICE OF THE VALLEY COUNTYBOARD OF COMMISSIONERS
CASCADE, IDAHO
August 20, 2012**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
GERALD “JERRY” WINKLE (COMMISSIONER) – Excused Absence
RAY MOORE, (COMMISSIONER)
KATIE DURFEE, ACTING CLERK**

Meeting called to order by Chairman Cruickshank at 9:13 am. Chairman Cruickshank asked to amend the agenda item at 11 am, to read as the Tax Deed Hearing and Tax Cancellation Policy. Commissioner Moore moved to approve the agenda as presented, then withdraws as the Resolution #12-14 would need to be added as well. Then Commissioner Moore moved to approve the agenda with the amendments as stated, Chairman Cruickshank seconded and the motion carried. Commissioner Winkle was given an excused absence.

Bill Willey led the Pledge of Allegiance.

Commissioner Moore asked to table the minutes of August 13, 2012 until the August 27, 2012 Board meeting.

Chairman Cruickshank then asked to review the MOU for the Weed program to include the partners of Payette National Forest, City of McCall and Valley County.

Weed Supervisor Rick Ridenour provided a background as to the necessity of redoing this MOU, and further explained the additions to it are the mapping and working with the City of McCall who has quite a problem with their area airport by providing chemical and staff to handle the issue. He states this is just a collaborative agreement and there will be no additional cost.

Commissioner Moore moved to enter in to the MOU with the City of McCall to work together on the Weed program. Chairman Cruickshank seconded and the motion carried.

Commissioner Moore moved to approve the Pathology Agreement with Ada County. Chairman Cruickshank seconded and the motion carried.

Chairman Cruickshank reported back on a RAC Grant letter of support which has come in and he has prepared for Woody Biomass.

Additional review of the budget then commenced and after a lengthy review, it was decided this should be revisited in the afternoon.

The discussion then returned to the Agenda for the Sheriff's Frequency MOU. Sheriff Bolen stated in reviewing the matter with Chief Summers of the City of McCall, it was felt they had reached an agreement but that he would have his city attorney review it. As pertains to the Dispatch Funding, both city police agree to add the \$1000 fee on to the tower upgrades for the T-1 line. Negotiations were never settled for the cities on the 2012-2013 funds. Regarding the FY11 billing, Commissioner Moore asked that we send this out, and further the statute states we do have the authority to request mediation. As such, he felt it was important to pursue this avenue and request legal assistance in the process and review. The Sheriff then asked if the ILETS fee be included or if the county should cover this fee for the year. Commissioner Moore asked if the county cover this amount for the year. A letter to respond to the cities will be prepared stating how many times Commissioner Moore and the Sheriff Department met with city staff on this issue and making a second request that the cities meet with the County to discuss the issue.

Treasurer Glenna Young appeared and presented a Tax Deed Hearing. Chairman Cruickshank then opened the public hearing on August 20, 2012 at 11:05 am. Commissioner Moore and Chairman Cruickshank both stated no exparte and requested the Treasurer to present her Staff Report. The Treasurer explained that letters were sent out to those who have not paid their taxes, this year there were 300 letters in total, which was then brought down to the 10 left to present currently and two out of these could not be contacted.

The Treasurer explained one individual felt she had not followed proper notification protocol, to which Chairman Cruickshank concurred that this individual in question is in error and that the Treasurer had indeed followed all appropriate protocol and further requested a letter be drafted explaining the Commissioners conclusions on the matter. The Chairman then proceeded to close the public hearing after no further questions or arguments were discussed. He further instructs the Treasurer to proceed with the tax deed process by putting the parcels under the counties name. She requests the county property sale to be held in October and recommended the 15th or 22nd. The Chairman asked to have this held on October 15th at 9:15 am.

Treasurer Young then presented Resolution #12-13, to allow for the Treasurer to cancel taxes on her own up to a \$20 cap on the tax cancellation amount. At which point the Chairman asked to table the approval until the August 27, 2012 commissioners meeting.

Delta James from the City of McCall presented CUP-12-05 Flex North LLC located at 460 Krahn Lane, McCall and proceeded to provide her Staff Report.

Chairman Cruickshank voiced concern over the construction equipment parked nearby the property. Delta clarifies this is on the adjacent property and is an ongoing code issue.

Commissioner Moore has nothing further.

The Applicant has nothing further to add.

Chairman Cruickshank asked for the implication behind pedestrian improvement as pertains to Pathways. Delta explained this is a code policy of the City of McCall, and that it cannot be ignored but at this point it is not necessary. However, in the future the property owner could be potentially asked to financially support the pathways obligation.

Chairman Cruickshank explained this type of issue has arisen in other places in the county, with respect to applicants being held accountable for paying a financial contribution as a requirement in the future, and his concern is that it presents an undue burden. Delta felt this should come out in an LID later on, which makes the commitment transparent.

Commissioner Moore questioned whether this was on the code amendments in the Master Plan of the Pathways. He further added that since the Board did not accept the revisions as previously proposed, then would it remain as it was in the code language as is currently stipulated. The city still has the authority to require this as it is in the code as proposed and adopted through Sterling Codifiers. There is an issue being presented now in that what is currently being proposed to this Board was the acceptance of certain language not included, she questions the Boards ability to override this because the Applicant is not forcing the issue.

The Applicant appeared as representing Flex North LLC, and stated he was alright with what was being presented and that an LID in the future will add value to the property.

Chairman Cruickshank wanted to ensure this was on the record as being acceptable.

Delta has nothing further.

Commissioner Moore then moved to approve CUP-12-05 subject to the findings, terms and approve with the addition of page 9 and that pursuant only to those portions of McCall City Code Sectionn3.4.04 that have been adopted by Valley County. Chairman Cruickshank seconded and the motion carried. Roll Call: Commissioner Moore “aye” and Chairman Cruickshank “aye”.

Chairman Cruickshank asked when the clean copies could be made and returned and Delta stated as soon as she could get back to her office.

Planning and Zoning Administrator, Cynda Herrick appeared and explained that the Soulen Gravel Pit has been county-run but is now requesting the authorization of use by some other specified individuals and to have their \$300 fee waived.

Commissioner Moore then moved to have the Soulen Gravel Pit fee waived and Chairman Cruickshank seconded, the motion carried.

Delta James with the City of McCall then presented CA-12-04 Scenic Route Review Procedure Zoning Ordinance Amendment Public Hearing. Chairman Cruickshank opened the Public Hearing on August 20, 2012 at 11:50 am. Hearing that there was no exparte, it was requested of Delta to present the Staff Report. At which point she explained new revisions with the City's planning and zoning will now require Scenic Route applicants to be included with those in the McCall Impact area, this to aid for streamlining purposes the review process for development in the scenic route.

Chairman Cruickshank closes the public hearing.

Commissioner Moore then moved to approve the code amendment CA-12-04, as approved through Ordinance #12-7. Chairman Cruickshank seconded and the motion carried. Roll call: Commissioner Moore "aye" and Chairman Cruickshank "aye".

Adjourned for lunch at Noon.

Reconvened at 1:05 pm

Stephanie Johnson with Cabin Creek appeared and presented the Forest Stewardship West Lake Cascade Community Protection Program, to transfer funding to Horsethief Community Protection Program. She stated it is the commission's decision to reroute the funds accordingly.

Commissioner Moore moved to request the movement of the balance of HFT funds from the West Lake Cascade to Horsethief. Chairman Cruickshank seconded and the motion carried. Roll Call: Commissioner Moore "aye", Chairman Cruickshank "aye".

Stephanie then continued to further update the Board on the challenges faced by a contractor on the Forest Stewardship – Horsethief #3. She asked that an update to the situation be added to the agenda on the BOCC meeting of August 27, 2012 at 9:05 am.

Solid Waste Supervisor Ralph McKenzie then presented a suggested clarification as provided by legal counsel for the proposed RFP for Solid Waste.

Commissioner Moore suggested defining the territory and asking Ralph to prepare the RFP with amendments at the next meeting on Monday, August 27, 2012. He asked of Ralph to provide a copy for review to Jay Kiiha, the county's legal counsel.

Ronn Julian provided the commissioners with a snowgrooming agreement discussion and requested action. He then explained he has seen an institutional approach from the forest service and a lot of people look at it as something other than a cooperative agreement.

Commissioner Moore would like to have the letter state that if there is not uniformed agreement then it will not be signed. He would like there to be some verbiage which states this is for everyone's input as an agreement.

Ronn does not feel that would help us at this point in time.

Chairman Cruickshank felt we should state we view this as an agreement, we are one partner of the three parties and one party seems to be dictating on behalf of everyone.

Chairman Cruickshank felt a paragraph should be added that as a partner we respectfully request that three entities sit down to discuss this for a pre-decisional briefing. He would like Ronn Julian to draft the letter.

Commissioner Moore moved to authorize the Chairman to sign a letter to the Boise National Forest Service, to address the snowgrooming program, Chairman Cruickshank seconded and the motion carried.

Commissioner Moore moved to convene in to Executive Session as per Idaho Code 67-2345 (1) (b) – personnel matter at 2:19 pm. Chairman Cruickshank seconded and the motion carried. Roll Call: Commissioner Moore “aye” and Chairman Cruickshank “aye”, Commissioner Winkle excused.

Commissioner Moore moved to come out of this session at 3:04 pm.

The Commissioners returned to reviewing the latest numbers for the 2013 budget.

Commissioner Moore moved to approve the tentative appropriations for the EMS and General County budget and authorize the clerk to publish accordingly. Chairman Cruickshank seconded and the motion carried. Roll Call: Commissioner Moore “aye”, Chairman Cruickshank “aye”.

Commissioner Moore then moved to approve Resolution #12-14, auction of county-owned properties. Chairman Cruickshank seconded and the motion carried. Roll Call: Commissioner Moore “aye”, Chairman Cruickshank “aye”.

Chairman Cruickshank wanted it stated for the record that the budget was completed in the absence of Commissioner Winkle and County Clerk Banbury.

Adjourned at 5:30 pm

Gordon L. Cruickshank, Chairman

Attest:

Katie Durfee, Acting Clerk