

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
GERALD "JERRY" WINKLE (COMMISSIONER) excused absence
RAY MOORE, (COMMISSIONER)
ARCHIE N. BANBURY, CLERK
August 27, 2012**

Meeting called to order by Chairman Cruickshank at 9:02 a.m. with Clerk Banbury taking minutes.

Commissioner Moore moved to approve the agenda with the addition of the Smith's Ferry hazardous fuels project, and to add a request from David Crawford for a specific expenditure. Second by Chairman Cruickshank and carried. Commissioner Moore moved for approval of the claims of \$132,490.39, which included \$7,613.81 in Board ordered claims. Second by Chairman Cruickshank and the motion carried.

Commissioner Moore moved to approve the Junior College tuition for Lynette Truman second by Chairman Cruickshank and carried.

Ken Postma led the Pledge of Allegiance.

Stephanie Johnson, Cabin Creek requested the Commission vacate the contract with Mel Shields, LLC for the Horsethief CPP Project. Commissioner Moore moved for vacation of the contract and to award the contract to the second lowest bidder, Baron Loper, second by Chairman Cruickshank and carried. It was also noted that an adjustment will be made for the amounts allocated to certain areas. She will provide more detail.

Stephanie then presented a project being proposed for the Smith's Ferry area. Chairman Cruickshank disclosed that he manages some of the property for the owner who is not a Valley County resident. He has nothing to do with the contract, which will be between Cabin Creek and the owners. Commissioner Moore moved and Chairman Cruickshank seconds the motion. Commissioner Moore voted in favor. Chairman Cruickshank abstained from voting on this matter. The motion thus carried.

Doug Miller, Court Services, appeared and reported 2 juveniles had been in detention and have been released. He needs a substance abuse treatment specialist as there is no one performing those services. He has a treatment provider in Boise set up to provide treatment telephonically.

The trail crew wrapped up its work last week.

Vim Braak, Extension Agent, reported successful completion of the fair. Allyson Statz provided an update, lessons learned and suggestions for the future. The cost of animals and feed for them is somewhat prohibitive. They do have a loan program through a rural grant whereby an animal can be bought, fed, and ultimately sold and the loan repaid from the proceeds.

She intends to continue the after-school program if possible. Funding is a problem for many of the young participants.

Pat Duncan, Human Resources, reported she is working on job descriptions and trying to get to know the staff by meeting with the supervisors.

Chairman Cruickshank reported on behalf of David Crawford, IT Department, he continues to work on the 911 upgrade, installed a new work station in the annex, Scott is going to network training. He asked for approval of the Traverse upgrade invoice for a \$375.00 and an anti-virus system to protect the Sheriff's network server. Commissioner Moore moved for approval and Chairman Cruickshank seconded and the motion carried.

Cynda Herrick appeared and reported concerning ASAP Porta-Potti being denied by Planning and Zoning. She will forward the questions to Mr. Kiiha.

Rick Ridenour reported concerning Weeds. County roads are pretty much completed and will be done in a couple of days. He will then start on his state contract. He may need to retouch some of the weeds. The ARRA group is spraying and mapping in their areas. They are releasing insects for weed control in selected areas.

Pest control is still testing each week. To date, no West Nile Virus has been detected. He is going to trap the Yellow Pine area this week. Edwards Mosquito District provides two traps per week to review for West Nile.

Paula Fodrea reported she is distributing school packs to children. She will be attending a regional conference the week of September 17, 2012.

June Fullmer reported she is going to the Assessors conference. Michael Smallwood has been promoted to Appraiser, and she has hired Mary Abernathy as a clerk. BTA appeals will be heard the 11-13 of September and there are 13 to be heard.

Sheriff Bolen reported the agreement for VHF has been signed by McCall which is the last piece of the process.

She inquired about the proposal to place a fan in the EOC for recirculation to help with the heat costs in the winter months. She will provide additional information.

Glenna Young reported concerning tax deeds. She originally had ten, and is now down to five.

Glenna reported on warrants for Personal Property. She started with 300 and is now down to 70.

She reported on a church that has delinquent solid waste fees and her only recourse is to lien the property, it cannot be taken by tax deed. She had prepared a draft letter for the Commission to execute concerning the lien. Commissioner Moore questioned whether Valley County can foreclose. Glenna said she doesn't know the answer. Chairman Cruickshank asked her to prepare the letter.

Chairman Cruickshank admonished all Department Heads and Elected Officials to avoid last minute purchases. He also noted that Natural Resource Conservation (Squaw Creek Soil Conservation) has inquired about their request for a grant. Clerk will check on this.

Doug Miller reappeared to discuss use of the detention center to be billed to other counties. Boise County now owes us \$17,000, and can only pay \$11,000. He will discuss acceptance of the \$11,000 presently, and the \$6,000 shall remain outstanding. So, they need to pay what they can and continue to pay the balance as soon as possible. Perhaps they have the money to pay Valley County in their general fund reserve.

Commissioner Moore moved to approve the minutes of August 13th and 20th, 2012. Second by Chairman Cruickshank and carried. Commissioner Moore is to sign the minutes of August 13th, as Chairman Cruickshank was not present.

Commissioner Moore moved to approve Resolution No. 12-13 concerning Tax Cancellations, second by Chairman Cruickshank and carried.

Commissioner Moore moved to sign the lien release, (regarding Lot 1, Block 1, of Timber Ridge Subdivision) and Chairman Cruickshank seconded. Motion carried.

Discussion held on downstairs conference room which has a badly stained carpet. Board suggested scheduled using of the Commissioner's chambers instead of the conference room for the BTA hearings on September 11-13, 2012. The Assessor will schedule it with the Treasurer's Office.

10:32 a.m. Closed session for Indigent and Charity
 12-JS087 Denial for Medical Assistance
 12-RD058 Findings of Fact, Conclusions of Law & Final Determination
 12-JE064 Approved for County Assistance
 12-VL060 Notice to Suspend Application for Assistance
 12-VL060 Request for Indigent Lien
 12-JI058 Request for Indigent Lien

10:40 a.m. Resumed regular session.

Commissioner Cruickshank noted that he is testifying before an interim committee of the legislature on October 1st, 2012 and will be absent from the meeting scheduled for that date.

11:17 a.m. Commissioner Cruickshank opened public hearing concerning CUP 12-03. Staff Report by Cynda Herrick, summarized. P & Z approved the C. U. P. on July 11th, 2012.

Presentation of objections was made by applicant who appealed the C. U. P, Donna Keithly, a neighbor. Historically, the facility in question was used for a warehouse as well as worker housing. The facility is located between Lake Fork and Donnelly, and is one lot of a four lot subdivision. Gunsmoke Road is a dead end, no turn around available. The road is narrow and passage is difficult in the winter. The road is not up to county standards. It is a residential subdivision that is being converted into commercial.

Chairman asked for proponents, opponents or uncommitted. No response.

Cynda provided the previous C. U. P. pertaining to worker housing to the Board for their review.

Mike Conner operator of the business, Black Tip Supply, stated he pays \$600 per month for the warehouse. No office exists, no water, no outside storage, everything is inside, except his truck.

His deliveries average one per month, use is minimal. He can't use county roads 3 months per year, so Gunsmoke Road meets his needs. Price and load limits constrain his use. He employs 3 to 4 people and supports the local economy. Neighbors support him. He cites other areas with commercial vehicles around Valley County. He indicated that he may not comply with the 7:30 a.m. to 5:00 p.m. at times. He cites financial problems in relocating. There is plenty of room to turn around. The road is 25' wide. He plows the road, and keeps it open for ingress and egress by the trucks. Incoming trucks are in and out in 40 minutes.

Cynda clarified that the P & Z restriction 7:30 a.m. to 5:00 p.m. was intended to apply to large truck deliveries only, not simple use.

Donna Keithly questions a C. U. P. being issued to a renter, not an owner. She thinks the LUDO should be for the control of roads. Her fundamental objection is against commercial activities. She thinks the LUDO should minimize growth in agricultural areas.

Commissioner Moore pointed out that there is no violation of the principles of the LUDO. Also, the C. U. P. issuance to tenants is common place.

The Public Hearing closed at 12:18 a.m.

Commissioner Moore does not see grounds for approving the appeal. It does not violate the LUDO. The compatibility rating is quite high.

Chairman Cruickshank has reviewed the worker housing C. U. P. previously approved. Gunsmoke road must be improved to the end of his property. It does not mention bringing it up to county standards. The road is improved through to lot 1. The proposed use of the shop is consistent with the prior use of the shop. Timing of the deliveries needs to be clarified. He can't see anything that prohibits this type of use.

It should be clarified that the issue of time for deliveries should be applied to only (i.e. 7:30 a.m. to 5:00 p.m.) incoming deliveries via tractor-trailers.

Commissioner Moore moved to deny appeal 12-3, but require clarification of condition #7 and accept the other findings of the Planning and Zoning Commission. Chairman Cruickshank seconded, and the motion carried.

Recessed at 12:25 p.m.

Reconvene at 1:05 p.m.

Chairman Cruickshank opened a public hearing on the FY 2013 Budget at 1:07 p.m.

There were no questions from the floor (public). Sheriff Bolen inquired concerning salaries and benefits. It was noted that the amount of the employee's share of the medical insurance is still being calculated.

Concerning Valley County EMS, the budget shall remain the same as last year, \$775,000. There were no comments from those attending.

Public hearing closed at 1:17 p.m.

Kaci Marsh appeared and spoke concerning Rose Advocates. She pointed out that the Crisis home need painted and some shrubbery trimmed. Commissioners approved the expenditure for 7 (seven) gallons of paint, and asked that they coordinate with the clerk.

They discussed the services offered for victims of abuse and assault. They intend to go to the schools to discuss teen dating and assault that can occur in those relationships.

The house in Cascade is used 3 to 5 times each week. They have a larger facility in Payette, which has 6,400 square feet, with a capacity of 24 individuals.

Captain John Coombs presented a summary of the EMPG Grant for \$12,426. Commissioner Moore moved to approve the grant application and authorize the Chairman to sign the grant request. Second by Chairman Cruickshank and carried.

Duain Ackerman appeared and discussed a potentially hazardous situation as concerns the turn lane on southbound Hwy 55 at its intersection with Gold Dust Road. He asked that the Commissioners write a letter of support to add a northbound turn lane. He said he had spoken to Kevin at the Idaho Department of Transportation. Duain will provide additional petitions with signatures to the Board.

Commissioner Moore moved to authorize the Chairman to sign a letter supporting the installation of a northbound turn lane. Chairman Cruickshank seconded and the motion carried. The Chairman will ask Cynda Herrick to prepare the letter.

Larry Downs appeared and presented the results of the auction of real properties for the Road Department. Commissioner Moore moved for acceptance of the results and authority for the Chairman to sign the sales agreements as follows:

1. McDonald House	\$100,000
2. Ferris Lyn House and Lot #1	\$235,000
3. Lot #2	\$29,000
4. Brahs House & Boal's Parcel	\$70,000
5. Lake Fork – Old shop	\$102,500
6. Herold Pit	<u>\$150,000</u>
Total	<u>\$686,500</u>

Commissioner Moore moved for acceptance of all sales which aggregate the \$686,500 and authorization for the Chairman to sign the sales agreements. Second by Chairman Cruickshank and carried.

Jeff McFadden appeared on behalf of the Road Department with Lori Bateman and reported on such matters. Commissioner Moore moved to accept FRTA Easements on Amos Road #50822. Second by Chairman Cruickshank and carried.

Commissioner Moore moved to accept Clear Creek. Stabilization bid from O. K. Gravel Works in the amount of \$68,106.84. Bid bonds are in place. Second by Chairman Cruickshank and carried.

Commissioner Moore moved to accept the bid on repairs to Johnson Creek Road by Falvey Corporation in the amount of \$77,473. Second by Chairman Cruickshank and carried.

Commissioner Moore moved to approve the purchase of Sheriffs vehicle from Cascade Auto at the bid price of \$26,907. Second by Commissioner Cruickshank and carried.

The right of way issues on the Heinrich Road repairs are not yet resolved. They are still working on Gold Fork Road. They are waiting on fabric for West Mountain road. The bridge projects are in process as per plan.

Ralph McKenzie appeared and discussed the solid waste matters. A draft RFP was reviewed in detail and will be finalized at the next board meeting, September 4th, 2012 at 10:00 a.m.

Commissioner Moore moved to enter Executive Session as provided by IC 67-2345(1) (b) for a personnel matter. Second by Chairman Cruickshank and carried by roll call vote, Commissioner Moore “aye” and Chairman Cruickshank “aye”. Entered executive session at 4:29 p.m. Resumed regular session at 5:23 p.m.

No decisions from the executive session

Adjourned at 5:25 pm.

Gordon L. Cruickshank, Chairman

Attest:

Archie N. Banbury, Clerk

AB/tme 9-10-12