

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

September 28, 2009

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

Vice-chairman Cruickshank called the meeting to order at 9:00 a.m.

Claims were read by Commissioner Cruickshank:

General Fund	\$94,898.22
Road and Bridge	\$113,729.75
Magistrate Court	\$ 2,511.95
Probation	\$696.67
Indigent and Charity	\$11,990.67
Revaluation	\$415.42
Solid Waste	\$601.60
Tort	\$260.75
Weeds	\$19,264.33
Pest Control	\$150.00
Waterways	\$20.54
Snowmobile – 43A	<u>\$3,388.91</u>
Total	<u>\$247,928.81</u>
Court Facility Claims: Northwest Technologies	\$8,210.00
Olson's excavating	\$2,800.00
Board Order Claim Civil Defense	<u>\$3,537.99</u>
Total	<u>\$14,547.99</u>

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

On motion of Commissioner Cruickshank, and second by Commissioner Eld, approved Junior College tuition for Ryan Staffer, and carried.

Cynda Herrick reported on Planning and Zoning matters.

Greg Malmen reported on Information Technology matters. He discussed VM Ware, virtual software. He presented contracts from Computer Arts and AA Tronics. He expressed concern about humidity from the boiler room. He will work with Scott de Jong to find a solution. Commissioner Cruickshank moved to accept the contracts, seconded by Commissioner Eld and carried.

Rick Ridenour reported on Weed matters, and provided a copy of the milfoil report.

Steve Brown reported on the Building Department. He has been subpoenaed as a witness in a trial in Boise. The County is not a defendant in the suit.

Paula Fodrea reported on WICAP matters. They have given out school supplies to 122 children and will continue to make them available throughout the year, as needed. She had a two-day long training session concerning the homeless. Present concerns relate to homeless prevention. She expects some grant funds via ARRA.

Doug Miller reported award of Title V grant for use as a diversion program, after-school program, and others. The total was \$71,000 and he will work with the Department of Juvenile Corrections for administration of this grant. He awaits notice on the BARJ grant. Director Harrigfeld would like to address the board on October 26, 2009.

Sheriff Bolen appeared and discussed the ISA hiring a new Jail Inspector, part-time and they will start inspections immediately. Our Commissioner's quarterly inspections will continue with specific guidance as to what should be covered by the Commissioners.

Captain Coombs is transitioning into the Civil Defense Coordinator.

Matt Williams appeared, reported and noted his workload, civil and criminal.

Cynda Herrick provided background on impact fees for consideration. The Planning and Zoning Commission recommended not going forward with the impact fees. They were not persuaded by the arguments. Cynda read a synopsis of their decisions and presented "FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE THE VALLEY COUNTY PLANNING AND ZONING COMMISSION" for consideration by the Board. (Attached)

In the discussion that followed, Commissioner Eld spoke in favor of Impact Fees and noted that the present Road Development Agreements are now flawed. Commissioner Cruickshank suggested that a statutory change is needed, which can be done, perhaps rather quickly. He suggested a legal review by our Prosecuting Attorney.

Commissioner Eld would like to have an opinion from Matt Williams, then a meeting with BBC Research to get their response. The Board would like this information before proceeding with a decision.

Michelle Groenvelt appeared concerning the McCall Impact Area Planning and Zoning appointments. She explained the need for appointment of a new Commission member. Michelle introduced Natalie Spencer as an applicant for the vacancy. Natalie provided a detailed resume' and addressed the potential of her residency. She noted that she had lived in McCall for many years, and that she had studied and worked abroad, but always returned to McCall, as most students do.

After discussion of the residency issue, Chairman Winkle moved for the selection of Natalie Spencer as a member of the Planning and Zoning Commission for the McCall Impact Area, seconded by Commissioner Cruickshank and carried.

John Blaye appeared concerning an update on Economic Development. Cascade has a sewer moratorium, but is proceeding with the Water Park. Donnelly also has a problem with water, and has applied for a grant. Donnelly's priorities are roads and sidewalks. McCall's priorities are Business Retention and Expansion, Business Recruitment and Business Park Development. McCall is considering giving the McCall Chamber of Commerce their \$30,000 contribution instead of UPREDC (Upper Payette River Economic Development Council). John provided a summary of what he had done for McCall which is similar work in nature to that which the City of McCall now wants the McCall Chamber to provide.

After discussion, it was agreed that should the other members of the UPREDC organization fail to contribute their agreed upon amounts, per the contract, the contract would be re-negotiated. The amounts pledged are as follows – Valley County \$60,000, Boise County \$2,000, Donnelly \$1,000, and Cascade \$5,000. McCall has pledged \$15,000 for the first half of the fiscal year, and a second \$15,000 contingent on review and approval by the McCall City Council, a total of \$98,000.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of the contract with UPREDC, subject to the condition of re-negotiating the contract if the members fail to fully fund it. The motion carried.

Recessed for Lunch at 12:03 p.m.

Reconvened at 1:03 p.m.

Cynda Herrick summarized the prior decisions leading to today's discussion of the South Lake Recreational Water and Sewer District (SLRWSD). On motion of Commissioner Cruickshank, second by Commissioner Eld, and carried the matter was removed from the table. Commissioner Eld added that all prior considerations of the matter indicated that Planning and Zoning had made the right decision. He does not want to proceed piecemeal. He thinks the whole SLRWSD package is not viable and other options like joining NLRWSD should be considered. He would uphold the Planning and Zoning decision.

Commissioner Cruickshank added his opinion that in the time taken to locate a site, a meeting was held with the residents, and, given all input, the residents oppose it. The only people in favor of it are the SLRWSD Board members. He thinks there are other options available.

Chairman Winkle added that several deputies that told him that they could not afford to pay to have this connected. He found that it was \$20,000, after they had paid \$10,000 to have an elaborate septic system installed for their residence. He agreed with the other Commissioners, and will go along with Valley County's Planning and Zoning Commission.

Commissioner Eld moved to uphold the decision of the Valley County Planning and Zoning Commission, and deny the Conditional Use Permit. Seconded by Commissioner Cruickshank, and carried to deny the C. U. P.

Commissioner Cruickshank moved to convene Executive Session under I. C. 67-2345(f) to consider pending litigation concerning the Forest Service's Travel Plan in the Payette National Forest. Seconded by Commissioner Eld, and carried.

Commissioner Cruickshank moved, and Commissioner Winkle seconded that the Valley County Prosecutor consider and offer his recommendations in beginning the process of joining in the lawsuit concerning the Payette Forest Travel Plan and related RS2477 issues. Commissioner Cruickshank added his support in keeping the public access open. The motion carried unanimously.

The issue of financial support for McPaws was taken off the table. On motion of Commissioner Eld, second by Commissioner Cruickshank, and carried.

Commissioner Eld moved to commit \$20,000 to McPaws. Chairman Winkle seconded the motion. Commissioner Cruickshank questioned the level of support, a Volkswagen or a Cadillac? He wanted assurance that animals so taken would be correctly vaccinated and receive appropriate care.

Commissioner Winkle commented that he had inquired and was satisfied with the financial propriety of the organization. Commissioner Eld commented that he, too, was satisfied.

Commissioner Cruickshank asked that the moneys be paid out semiannually. Commissioner Eld agreed to amend his motion accordingly. This funding to be paid out for Fiscal Year 2010. Motion carried.

Jerry Robinson provided a copy of a Memorandum of Understanding regarding the Payette River 25 for Jerry Caven. Commissioner Cruickshank moved, and Commissioner Eld seconded, to enter into the agreement when Exhibit B is included. Motion carried.

Commissioner Cruickshank moved, and Commissioner Eld seconded, acceptance of the FY2010 fuel bid from Kennedy Fuel and carried.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of an addendum to the Soulen Gravel Pit contract, and carried.

Commissioner Cruickshank moved, and Commissioner Eld seconded, acceptance of the Gold Fork River Ranch Gravel Sales Road Development Agreement. Motion carried.

Jesse Stidham appeared and questioned the lack of maintenance on Sixty Lane. Primary problems are speeders and dust. He would like the road graveled. The wind blows the dust into his home.

Closed Session for Indigent and Charity at 3:30 p.m.

09-CH081	Denied for Medical Assistance.
09-HJ070	Denied for Medical Assistance.
09-PS053	Medical Lien filed – New application.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of the contract with Intermountain Hospital for mental illness. Motion carried.

Commissioner Eld moved, and Commissioner Cruickshank seconded, approval of the job description for Receptionist, Community Service and Program Coordinator for the Probation Department with insertion of “Follow through on assigned tasks” in the Summary. Motion carried.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of Resolution #09-27 which established 11% of Craig-Wyden funding allocation to Title II, and 4% to Title III. Motion Carried.

Commissioner Cruickshank moved, and Commissioner Eld seconded, approval of the Board’s minutes for September 8th and September 14th, 2009 and carried.

Adjourned at 3.47 p.m.

GERALD “JERRY” WINKLE, CHAIRMAN

ATTEST:

ARCHIE N. BANBURY, CLERK