

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
February 20, 2018**

**PRESENT: GORDON L. CRUICKSHANK (CHAIRMAN)
BILL WILLEY (COMMISSIONER)
ELTING HASBROUCK (COMMISSIONER)
DOUGLAS MILLER (CLERK)**

Meeting called to order by Chairman Cruickshank at 9:05 a.m.

Commissioner, Bill Willey led the Pledge of Allegiance.

Chairman Cruickshank presented the Commissioner's Agenda for February 20, 2018. Clerk, Douglas Miller requested that the commissioners add an Executive Session per Idaho Code 74-206 (b)-Personnel to the agenda at 10:15 a.m. Commissioner Hasbrouck made a motion to approve the agenda with the addition of the Executive Session under Idaho Code 74-206 (b) Personnel. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the Commissioner's Agenda for February 20, 2018, with the addition of the Executive Session per I.C. 74-206 (b) Personnel.

Chairman Cruickshank presented the commissioner meeting minutes from February 12, 2018. Commissioner Hasbrouck made a motion to approve the commissioner meeting minutes from February 12, 2018. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from February 12, 2018.

Chairman Cruickshank presented the Southwest Idaho Resource Conservation and Development RC&D proposal application for King Point Improvements at Horse Thief Reservoir. Planning & Zoning Administrator, Cynda Herrick presented to the commissioners regarding the required conditions for improvements and the action that would be required. Commissioner Willey made a motion to approve the proposed Southwest Idaho RC&D Project Proposal Application for King Point Improvements at Horse Thief Reservoir. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the proposed Southwest Idaho RC&D Project Proposal Application for King Point Improvements at Horse Thief Reservoir.

Chairman Cruickshank presented the letter of support for Idaho Fish & Game for the Idaho Department of Parks and Recreation Grant. Commissioner Hasbrouck made a motion to approve the letter of support for Idaho Fish & Game for the Idaho Department of Parks and Recreation Grant. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for Idaho Fish & Game for the Idaho Department of Parks and Recreation Grant.

Chairman Cruickshank presented the letter of support for the Winter Grooming Program to be submitted to the McCall City Council for LOT Funds. Commissioner Hasbrouck made a motion to approve the letter of support for the Winter Grooming Program to be submitted to the McCall City Council for LOT Funds. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for the Winter Grooming Program to be submitted to the McCall City Council for LOT Funds.

Clerk, Douglas Miller began the discussion related to Idaho Code 63-602 NN which is related to property tax exemption options. Clerk Miller asked the commissioners if they would like the Clerk's Office, Planning & Zoning Department and the Prosecuting Attorney's Office to prepare a draft ordinance for the commissioners to review in order to conduct a public hearing related to the topic. The commissioners had received three draft ordinances that had been prepared by Idaho Association of Counties, Madison County and Latah County. The commissioners agreed that they would like to pursue a proposed ordinance related to Idaho Code 63-602NN.

Chairman Cruickshank began the discussion related to the proposal to the modification of Valley County Vehicle Use Policy. Assessor, June Fullmer provided an email to the commissioners in which ICRMP had advised Valley County that volunteers and participants are covered under the ICRMP insurance. It was explained that the existing Valley County Vehicle Use Policy only mentions volunteers and should be modified to include participants of specific programs including 4-H participants. The commissioners agreed that 4-H participants could be transported in Valley County vehicles per the input that had been provided by ICRMP.

Commissioner Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 (b)-Personnel. Commissioner Willey seconded the motion. No further discussion, the commissioners voted by roll call vote "aye" to go into Executive Session per Idaho Code 74-206 (b)-Personnel at 10:05 a.m.

Chairman Cruickshank brought the commissioners out of Executive Session per Idaho Code 74-206 (b)-Personnel at 10:36 a.m. No decision was made after the Executive Session per Idaho Code 74-206 (b)-Personnel.

Mr. Perry Spataro who resides at 224 Via Ithaca Newport Beach, California, presented to the commissioners related to the Tamarack Golf Course Property Taxes. He advised that he and his partner recently closed on the Tamarack Golf Course. Mr. Dennis Dalesio who resides at 233 19th Street in Newport Beach, California, also presented to the commissioners. Mr. Dalesio advised that Valley County had reassessed the property at the Tamarack Golf Course. He advised that the Valley County reduced the value of the property. Mr. Dalesio explained that they had been working with the teacher's retirement union that had been defrauded by an individual who had been prosecuted. It was explained that the property had been in litigation for the past three years. Mr. Dalesio advised that they are requesting for the penalty and interest fees be waived on the taxes that are owed. Valley County Commercial Appraiser, Anthony Franseconi explained why the value had been reduced after the reappraisal of the property. Chairman Cruickshank believed that the commissioners should take the matter under advisement but believed that all the facts need to be reviewed and a discussion would need to take place with the Treasurer's Office. Prosecuting Attorney, Carol Brockmann advised that the commissioners can only review the Valley County taxes that are owed. Mr. Dalesio advised that he had worked with Treasurer, Glenna Young on the breakdown of the taxes that are owed for all of the parcels including interest and penalty costs. After reviewing the document that was presented by Mr. Dalesio it was advised that the commissioners needed to view a breakdown of what are the taxes owed to Valley County were and the commissioners also needed to see what the market value had been. The commissioners advised that they could not make a decision today but would take the matter under advisement as well as work with the Treasurer's Office and Assessor's Office.

Ms. Brianne McCoy with the Idaho Public Defense Commission presented to the commissioners regarding the standards that Valley County Public Defender would need to be in compliance with by March 31, 2018. The first standard would be vertical representation which Valley County had been complying with. Vertical representation definition is that the same attorney that was assigned the case must handle the case until the conclusion of the case. The second standard would be private meeting space and it was advised that the Valley County Public Defender does have private meeting space. The third standard would be seven units a year of continued education credits for public defenders including conflict public defenders. The fourth standard would be an attorney at a defendant's first appearance. Public Defender, Scott Erekson advised that Valley County currently does meet the standard of having an attorney at the defendant's first appearance. Ms. McCoy discussed another standard of having funds available for the public defenders to access certain investigations. She advised that the standard would potentially be required by March 31, 2019. Ms. McCoy discussed the work load standard that also might be a requirement for March 31, 2019. She advised that there was a draft study that was provided to the media and an article had been written regarding the standards. She advised that the Idaho Public Defense Commission did not agree with the article and the proposed workloads standard would not be determined until March 31, 2019. Ms. McCoy explained that grant applications through the Idaho Public Defense Commission would be due in May of 2018. She explained the requirements that need to be met in order to apply for the public defense grant. Ms. McCoy also discussed the extraordinary litigation funds that

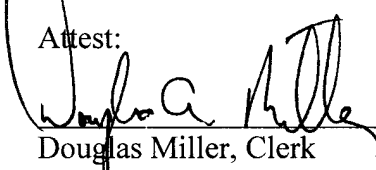
were available for public defenders. Ms. McCoy concluded her presentation to the commissioners.

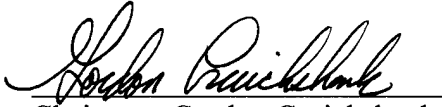
The commissioners recessed for lunch at 11:46 a.m.

The commissioners returned from lunch at 1:00 p.m.

Ms. Melanie Brassfield with Blue Ribbon Properties and Mr. Dave O'Brien with Cascade Lake Realty made a presentation to the commissioners regarding an easement request for property located at 520 South Front Street Cascade, Idaho. Ms. Brassfield explained the dilemma regarding the city sewer line. She discussed that purchaser of the property was in need of an easement through Valley County property. She advised that there was a current easement that existed but she believed that an easement through the entire Valley County property would be requested. It was advised that the owners of the current land have an easement and the owners of new property would need a full easement. Mr. Chip Bower with Fodrea Land Group explained the easement that does exist and why there was a need for an additional easement with Valley County. After reviewing the easement that was prepared it did not include all of the pertinent information and it was advised that the easement request would be added to the commissioner's agenda for February 26, 2018.

The commissioners adjourned the meeting at 1:13 p.m.

Attest:

Douglas Miller, Clerk


Chairman, Gordon Cruickshank

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Tuesday, February 20, 2018

PROPOSED AGENDA Note: Any item(s) in need of a motion will be described in the agenda under the appropriate section.

- 9:00 Call to Order – Pledge of Allegiance – Approve Agenda
 - 9:05 Commissioner Discussion (Correspondence)
 - Commissioner Meeting Minutes of February 12, 2018
 - Southwest Idaho Resource Conservation and Development RC&D Project
 - Proposal Application King Point Improvements at Horsethief Reservoir
 - Letter of Support for Idaho Fish & Game for Idaho Department of Parks & Grant
 - Support Letter to McCall City Council for LOT Funds
 - 9:15 Property Tax Exemptions for Non-Retail Commercial and Industrial Development Pursuant to Idaho Code 63-602NN Discussion
 - 10:00 Modification of Valley County Vehicle Use Policy
 - 10:15 Discussion regarding Cemetery Plots Owned by Valley County at Margret Cemetery
 - 10:30 *EXECUTIVE SESSION - 74-206 (b)*
 - 11:00 Idaho Public Defense Commission Presentation-Ms. Brianne McCoy
 - 11:30 Idaho Transportation Department Mailing Fees Discussion-Assessor, June Fullmer
 - 12:00 Recess for Lunch
 - 1:00 Grant of Easement Request- Melanie Brassfield and Dave O'Brien
- Adjourn

COMMISSIONER'S FUTURE MEETING DATE
Monday February 26, 2018