

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
February 25, 2019**

**PRESENT: DAVE BINGAMAN (COMMISSIONER)
ELTING HASBROUCK (COMMISSIONER)
GORDON CRUICKSHANK (CHAIRMAN)
DOUGLAS MILLER (CLERK)**

Chairman, Gordon Cruickshank called the commissioner meeting to order at 9:00 a.m.

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Cruickshank presented the commissioners' agenda for February 25, 2019. He advised that Planning & Zoning Commissioner, Ed Allen was not able to attend the commissioner's meeting at 11:45 a.m. and would need to reschedule. Commissioner Hasbrouck made a motion to approve the commissioners' agenda for February 25, 2019 as amended. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for February 25, 2019, as amended.

Senior Deputy Auditor, Trish Smith presented the commissioners with Fiscal Year 2019 Claims, Board Order Claims and one Junior College Certificate of Residency.

Fiscal Year 2019 Claims

General	\$81,330.71
Road & Bridge	\$49,969.25
District Court	\$2,942.72

Election Consolidation	\$317.47
Junior College	\$1,300.00
Indigent & Charity	\$18,416.18
Revaluation	\$1,394.27
Solid Waste	\$102,844.80
Tort	\$2,500.00
Veterans Memorial	\$299.35
McCall-Donnelly Snowmobile	\$7,085.88
Cascade-Warm Lake Snowmobile	\$963.50
Smiths Ferry Snowmobile	\$2.23

Board Order	Extension Trust	\$744.66
	OHV Trust	\$204.89
	VCSO Trust	\$400.00

Total: \$270,433.91

Commissioner Hasbrouck made a motion to approve the Fiscal Year Claims for 2019, Board Order Claims and Junior College Certificate of Residency. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Fiscal Year Claims for 2019, Board Order Claims and Junior College Certificate of Residency for Ms. Annette Hutcheson, as presented on February 25, 2019.

Assessor, June Fullmer reported to the commissioners that they are advertising for the Plat Clerk position. She provided a brief overview of matters involving the Assessor's Office.

Clerk, Douglas Miller provided an overview of matters involving the Clerk's Office. He reminded the commissioners about deadlines for setting the public hearing for the Fiscal Year 2020 budget.

Sheriff, Patti Bolen informed the commissioners about patrols that have been conducted by the deputies because of the extreme weather conditions. She explained that the Sheriff's Office had been working with the Road Department because of obstructions in county roads from vehicles.

Treasurer, Gabe Stayton explained that out of the 336 tax deed notices the Treasurer's Office had sent out regarding tax deeds there had been payment on 19 of the parcels. He advised that the Treasurer's Office had been receiving several phone calls regarding the notices. He presented to the commissioners a request from the Human Resource Director, Pat Duncan to obtain debit card. Commissioner Hasbrouck made a motion to allow Treasurer Stayton to set up a new checking account for a debit card for Human Resource Director, Pat Duncan. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to allow Treasurer Stayton to set up a new checking account for a debit card for Human Resource Director, Pat Duncan.

Treasurer Stayton presented an analysis for the increase of the tipping fees to Adams County. He explained that the increase of the tipping fees would cost Valley County an additional \$10,000 for Fiscal Year 2019 but there would be a savings in hauling cost if the solid waste was taken to Adams County. Chairman Cruickshank discussed a conversation that he had with Adams County Commissioner, Mike Paradis regarding the possibility of creating a joint landfill in Adams County. He explained that because of additional requirements from DEQ, Adams County would not be exploring the possibility of creating a joint landfill.

Building Official, Annette Derrick informed the commissioners about phone calls she had been receiving regarding concerned citizens about the amount of snow they have on their roofs. She advised that the Building Department was working on closing out older building permits. She reported to the commissioners that she had received three applications for the part time building inspector position.

Human Resource Director, Pat Duncan presented on openings within Valley County and reported on the amount of applications that had been received for the openings.

IT Director, David Crawford provided the commissioners with a spreadsheet which shows how the IT Department was spending their time with certain projects. It included a brief overview of the IT ticketing system and the response time for the staff. He informed the commissioners that all of the cable had been pulled for the jail project and he explained that the next phase of the project was expected to be completed by late spring of 2019.

Planning & Zoning Administrator, Cynda Herrick reported on trainings that she would be attending in the upcoming months. She reported that she would be meeting with the fire working group in McCall on March 13, 2019. She informed the commissioners about the opportunity zone meeting that would be today but because of the weather it would be conducted remotely. Cynda also informed the commissioners about a proposed house bill that would no longer require counties to establish comprehensive plans. She advised the commissioners that she had a meeting with Mr. Chris Kirk who is a representative with Tamarack Resort regarding the P.U.D that was established during the creation of Tamarack Resort. She advised that the Clerk's Office was determining the payments that had been received by Valley County as a condition of the P.U.D. She advised that the Planning & Zoning Commission were reviewing the Valley County ordinances to see if there should be changes made.

Recreation Director, Larry Laxson presented on maintenance that had been done on the snow grooming equipment. He explained that the extreme weather had been tough on the equipment. He reported on complaints that he had received regarding snow removal of the parking lots. He informed the commissioners about continued complaints regarding the No Business snow removal that was being done. Larry reported that grooming would be done in the day because of safety concerns. He reported on upcoming meetings that he has scheduled including a meeting with Idaho Department of Lands. He informed the commissioners about topics of conversation regarding the Payette Forest Coalition. He voiced his concerns regarding decisions that had been made by the Payette National Forest to decommission specific roads near Yellow Pine. The commissioners discussed the stewardship program and the concerns that

they have regarding the proposed programs because of the lack of involvement of the counties and other entities.

Commissioner Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(d)-“to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code”-Indigent & Charity. Commissioner Bingaman seconded the motion. No further discussion, by roll call vote all commissioners voted “aye”. Commissioners went into Executive Session per Idaho Code 74-206 1(d)-at 10:22 a.m.

Chairman Cruickshank brought the commissioners out of Executive Session per Idaho 74-2061(d) Indigent & Charity at 11:00 a.m.

Decision after Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity

19-SG059	Request for County Indigent Lien / New Application
19-SB058-2	Request for County Indigent Lien / New Application
19-EA082	Release County Lien
19-MG084	Release County Lien
19-AH062	Request for Approval
19-JE083	Request for Denial
19-MG082	Request for Denial
19-PP063	Set Reimbursement Amount
19-SK057	Set Reimbursement Amount
19-TC049	Set Reimbursement Amount
19-GW081	Set Reimbursement Amount
18-MC079	Set Reimbursement Amount
18-MC079-2	Set Reimbursement Amount
18-MC079-3	Set Reimbursement Amount
18-DC066	Set Reimbursement Amount
18-RB054	Set Reimbursement Amount
19-RB054	Set Reimbursement Amount
18-KM074	Set Reimbursement Amount
19-KV094	Set Reimbursement Amount
19-AP091	Set Reimbursement Amount
19-SB058	Set Reimbursement Amount

Chairman Cruickshank presented the commissioner meeting minutes of February 19, 2019. Commissioner Bingaman made a motion to approve the commissioner meeting minutes of February 19, 2019. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of February 19, 2019.

Chairman Cruickshank opened the Public Hearing for Road Name Change Bella Vista Court to Kestrel Lane at 11:30 a.m. He asked if there had been ex-parte communication by any of the commissioners. All of the commissioners indicated that there had not been any ex-parte communication.

Chairman Cruickshank asked to hear a staff report and Planning & Zoning Administrator, Cynda Herrick provided a staff report to the commissioners.

Chairman Cruickshank asked to hear from any proponents. The record will reflect that there was no one in attendance to present as a proponent.

Chairman Cruickshank asked to hear from anyone who was uncommitted. The record will reflect that there was no one in attendance to present as uncommitted.

Chairman Cruickshank asked to hear from anyone who was an opponent. The record will reflect that there was no one in attendance to present as an opponent.

Chairman Cruickshank closed the Public Hearing at 11:33 a.m. and brought the matter back to the commissioners for deliberation. Commissioner Bingaman made a motion to approve the name change from Bella Vista Court to Kestrel Lane. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the name change from Bella Vista Court to Kestrel Lane.

The commissioners recessed for lunch at 12:00 p.m.

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

Planning & Zoning Administrator, Cynda Herrick began the discussion related to the official road name list. She provided the commissioners with a spreadsheet that will be appended to the commissioner meeting minutes. The first road in questioned was for Alberta Court. The commissioners determined that the road was a private road and needed a blue sign. The next road that was questioned was the Anderson Creek Road. The commissioners determined that the road sign should stay brown. Angels Flight Court was discussed and it was advised that a new road sign was needed. The commissioners agreed that a green sign needed to be installed. Arnold Alley was presented as needing a green sign and the commissioners agreed. Next road to be discussed was Arrow's Edge Place which was a private road. The commissioners agreed that a blue sign needed to be purchased and installed. The next road to be discussed was Back Road which was a private road near Edwardsburg Subdivision and needed a blue sign. Bald Road was presented to the commissioners and determined that this road was used for access to Tamarack. Bills Lane on West Mountain was the next road presented. The commissioners were attempting to determine if the road was public or private. Planning & Zoning Administrator, Cynda Herrick presented a plat related to Bills Lane which it indicated that Bills Lane was a public road. The commissioners felt that a green sign should be installed. The same should go for Brenda Drive. The next road discussed was Brentwood Street. It was advised that the road was determined to be public with a ruling by Judge Carey in January 8, 2001. The commissioners agreed that a green sign should be installed. The road discussed was Broken Arrow Place in Cherokee Acres which was a private road and needs a blue sign. The next road

discussed was Brome Court in Pine Lakes Ranch. The commissioners asked that the Home Owners Association place a blue sign. The next road was Brooklawn Street and it was advised that Judge Carey ruled in January 8, 2001, that the road was a public road. The commissioners determined a green sign needed to be installed. The next road discussed was Buck Street in Yellow Pine and a green sign needed to be installed. The next road was Bunce Road and it was advised that the road is public and a green sign was needed. Cabin Place was discussed and determined it was a private road and a blue sign was needed. Cedar Crest Drive was discussed and determined that it was a private road and a blue sign needed to be installed. The next road discussed was Chalet Drive which was a private road in Round Valley Homesteads. It was again determined that the road was a private road and needed a blue sign. Cherokee court in Cherokee Acres was the next road to be discussed and determined that it was a private road that needed a blue sign. Chimpunk Trail was determined to be a private road and needed a blue sign. Clark Trail on Barnes West Mountain subdivision was a private road and needed a blue sign. Clear view Court was currently listed as a public road but it was listed as public in error and needed to be listed as a private road with a blue sign needing to be installed. The next road discussed was Club Road. Cynda advised that it was currently listed as a private road but there was information that indicated that the road was public road Cynda advised that she would review Club Road and Cottonwood Street to determine court ruling. The next road discussed was Creel Court in High Valley which was listed as private road and needed a blue sign. Cresecnt Drive needed to be researched further. Next road discussed was Crest Place in in Meadow View Heights it was determined that it was a private road and needs a blue sign. Deer Run Road in Kerby Meadows was determined to be a private road and needed a blue sign. Divide Road in Meadow Valley Heights was identified as a private road. The next road discussed was Doans Drive in Crown Point 6. Cynda presented the plat to the commissioners for review. The next road discussed was Doriann Drive in West Mountain 5 and the commissioners determined that the road should be public. The next road discussed was Dustin Road. It was determined that the road was public by certificate of owners. The commissioners decided that sign was not needed. Echo Place in Frank Hall Ranch Tracts 1 was discussed. The commissioners determined that the road was private and a blue sign was needed. Edge Court and Edna Place were both private but a blue sign was needed. Elaine Lane was the next road presented and advised that it was in Arrowhead Point Cottage Sites. It was determined that the road was public and green sign was needed. Elk Haven Lane was determined to be a private road and a blue sign was needed. It was suggested to ask the homeowners to purchase the sign. The next road discussed was Emma Loop in Landmark North. Cynda advised that the roads were deeded to the county but designated as a private. The commissioners believed that they needed to take action by dedicating the road to the public. The next road discussed was Evergreen Lane near Silver Creek Plunge. The commissioners suggested speaking with the volunteer fire department. The commissioners recessed the matter until next week.

Commissioner Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(b)-“to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student”-Personnel. Commissioner Bingaman seconded the motion. No further discussion, by roll call vote all commissioners voted “aye”. The commissioners went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 2:32 p.m.

Chairman Cruickshank brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 2:57 p.m. No decision was made after the Executive Session per Idaho Code 74-206 1(b)-Personnel.

Chairman Cruickshank began the discussion related to the Waterway Ordinance. Chairman Cruickshank explained that Prosecuting Attorney, Carol Brockmann had taken extensive notes during the Waterways Ordinance workshops between the Waterways Committee and the Payette Lake Protective League. He explained that the discussion today would be to review potential changes. The first part of the waterways ordinance was to get clarification regarding definitions. Payette Lake Protective League asked for definitions of Adult Supervisions, Big Payette Watershed, Big Payette Lake Watershed Watercraft Restricted Areas, Excessive, Dangerous, and Damaging Wake, House Boat, Live Aboard, Motor Driven Watercraft, The Narrows, Overnighting, Personal Watercraft, Public Waters, Shoreline, Unattended Vessel, and Waterways Advisory Committee. Captain, Jason Speer wanted the commissioners to create definitions that are similar to Idaho State Code definitions. The commissioners discussed if there was a need to define Adult Supervision. It was discussed that the law indicates that adult is someone who is 18 years or older and the commissioners would consider that as an Adult Supervision. The next matter discussed was if there was a need to define Big Payette Watershed. The commissioners did not feel that there was a need to define Big Payette Watershed. The commissioners discussed the need to define restricted areas. The next matter discussed was to define dangerous and damaging wake. The commissioners reviewed the definition provided by Payette Lake Protective League. Captain Speer reported what was taught at Marine Deputy Academy for the definition of a wake and he read out of Idaho Boating Manual regarding speed. The commissioners determined that what should be defined is a wake and when the commissioners discuss restrictions they would create a paragraph related to excessive wakes. Chairman Cruickshank referred the commissioners 4-5-4 Enforcement and reminded the commissioners that in the ordinance the commissioners could create an ordinance that makes additional conditions. The commissioners then discussed the need to define House Boat and Live Aboard. The commissioners would like to utilize the definition created by Payette Lake Protective League. The commissioners discussed the definition of Live Aboard and would like Prosecuting Attorney, Carol Brockmann to draft an alternative definition for Live Aboard. The next definition to be discussed was for Motor Driven Watercraft or vessel. The commissioners proposed using the definition for motor driven vessel. Captain Speer read the definition of vessel out of the Idaho State Boating Manual and the commissioners believe that the State Code definition was sufficient. The commissioners determine if there was a need to create a definition for "The Narrows". The commissioners discussed the possibility of installing a sign near "The Narrows" that clearly shows 300 foot no wake zone.

The commissioners discussed if they needed to define overnighting and limit how long you can stay overnight. Prosecuting Attorney, Carol Brockmann recommended defining night. Carol read the PLP definition of night as more than 6 hours between sunset and sunrise. She recommended including the limit of overnights later in the ordinance. Captain Speer discussed that includes someone on the vessel. The result of their discussion was just to define night.

Next they discussed personal watercraft. Captain Jason Speer defined personal watercraft for the Commissioners. It was suggested to say in the ordinance if something is not found in the ordinance refer to state code. They discussed that defining night could fall into this. They felt

that they should only list what isn't defined in state code. Prosecutor Carol Brockmann suggested that if they wanted to be more specific than state code then they could define something that was in state code.

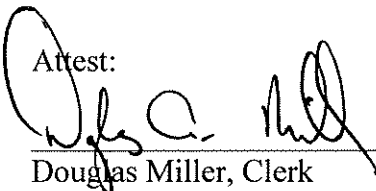
Next they discussed public waters. They decided they did not need to create a formal definition. Then they discussed if they needed the definition of shoreline. Prosecutor, Carol Brockmann read the definition defined by PLPL. They discussed defining state department of lands. Each body of water in Valley County has a different governing agency. They decided to include the definition of shoreline.

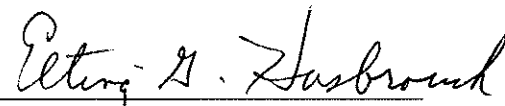
Next they discussed what an unattended vessel was. Captain Jason Speer explained the issues with enforcing an unattended vessel violation because they don't know if someone came to the vessel at some point when the Sheriff's Office was not there.

The commissioners discussed if they should trespass people from our lakes if they are habitual offenders. Prosecutor, Carol Brockmann explained the different options for either trespass or setting up a graduated system. The commissioners discussed both options fully. They agreed they liked the graduated system followed by trespassing someone if they keep violating. The commissioners discussed whether or not they need to specifically add search and rescue to the ordinance as an agency that is exempt from the ordinance if in the line of their job. Captain Speer explained that search and rescue falls under the Sheriff's Office so they are already covered in the wording that was suggested for the ordinance. The commissioners concurred with the opinion.

The commissioner decided to end the discussion on the creation of the draft ordinance until March 4, 2019.

The commissioners adjourned at 4:44 p.m.

Attest:

Douglas Miller, Clerk


Chairman, Gordon Cruickshank

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday, February 25, 2019

Valley County adheres to ADA requirements. If anyone requires an accommodation, please contact the clerk prior to the meeting.

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 **Action Item:** Claims, Board Order Claims & Junior College Tuition- Senior Deputy Clerk, Trish Smith
- 9:10 **Elected Official Reports/Discussion**
Assessor – June Fullmer
Clerk – Doug Miller
Prosecutor – Carol Brockmann
Sheriff – Patti Bolen
Treasurer – Gabe Stayton
Action Item: Establish New Checking Account for Debit Card for Human Resource Director

Department Head Reports - 5 Minutes each

Solid Waste-
WICAP
Building Department – Annette Derrick
Court Services – Skip Clapp
Extension Office- Melissa Hamilton
Human Resources/Risk Management – Pat Duncan
Information Technology – David Crawford
Planning and Zoning-Cynda Herrick
Parks and Recreation- Larry Laxson
Road & Bridge- Jeff McFadden

- 10:40 Executive Session per Idaho Code 74-206 1(d)-“to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code”-Indigent & Charity

11:00 Commissioner Discussion (Correspondence)
Action Items: Meeting Minutes of February 19, 2019.

11:30 **Public Hearing/Action Item:** Road Name Change Bella Vist CT to Kestrel Lane

~~11:45 Update Regarding Idaho State Land Board Meeting-Planning & Zoning Commissioner,
Ed Allen~~ *Cancelled*

12:00 Recess for Lunch

1:00 Payette National Forest Presentation-Krassel District Ranger, Anthony Botello

1:30 **Action Item:** Discussion and Decision on Official Road Name List – Planning and Zoning Administrator Cynda Herrick

2:30 Executive Session per Idaho Code 74-206 1(b)-“to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student”-Personnel

3:00 Review of Draft Waterway Ordinance with Prosecutor and Sheriff’s Office

Adjourn

COMMISSIONERS FUTURE MEETING DATE
Monday, March 4, 2019