

# Valley County Board of County Commissioners

P.O. Box 1350 • 219 N. Main Street  
Cascade, Idaho 83611-1350



Phone: (208) 382-7100  
Fax: (208) 382-7107

**GORDON L. CRUICKSHANK**  
*Chairman of the Board*  
gcruickshank@co.valley.id.us

**DAVID H. BINGAMAN**  
*Commissioner*  
dbingaman@co.valley.id.us

**ELTING G. HASBROUCK**  
*Commissioner*  
ehasbrouck@co.valley.id.us

**DOUGLAS A. MILLER**  
*Clerk*  
dmiller@co.valley.id.us

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS  
CASCADE, IDAHO  
March 4, 2019**

**PRESENT: ELTING HASBROUCK (ACTING CHAIRMAN)  
DAVID BINGAMAN (COMMISSIONER)  
DOUGLAS MILLER (CLERK)**

**Excused Absence: GORDON CRUICKSHANK (CHAIRMAN)**

Meeting called to order by Acting Chairman, Elting Hasbrouck at 9:01 a.m.

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Acting Chairman, Elting Hasbrouck presented the commissioners' agenda for March 4, 2019. Clerk, Douglas Miller advised that Mary Tracey representing the 4 Summit Challenge had left a message that she did not need to be on the commissioners' agenda. He also informed the commissioners that there needed to be an Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity added to the agenda. Commissioner Bingaman made a motion to approve the commissioners' agenda for March 4, 2019, with the removal of Ms. Mary Tracey and adding an Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for March 4, 2019, as amended.

Acting Chairman Hasbrouck presented the commissioner meeting minutes from February 25, 2019. Commissioner Bingaman made a motion to approve the commissioner meeting minutes from February 25, 2019. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from February 25, 2019.

Acting Chairman Hasbrouck began the discussion related to setting the commissioner's meeting dates for April 2019. The commissioners set the commissioner's meetings for April as the 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup> and April 29<sup>th</sup> would be canceled. The commissioners set the commissioner's meeting for May as May 6<sup>th</sup>, May 13<sup>th</sup>, May 20<sup>th</sup> and May 28<sup>th</sup>. The commissioners set the commissioner's meeting for June 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup> and 24<sup>th</sup>.

Acting Chairman Hasbrouck began the discussion related to the request from Squaw Creek Soil Conservation District for funding for Fiscal Year 2020 of \$950.00. Commissioner Bingaman made a motion to continue with the contribution that has been made to Squaw Creek Soil Conservation for Fiscal Year 2019 with consideration to increase during budget preparation for Fiscal Year 2020. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to continue with the contribution that has been made to Squaw Creek Soil Conservation for Fiscal year 2019 with consideration to increase the contribution during budget preparation for Fiscal Year 2020.

Valley County Planning & Zoning Commissioner, Ed Allen presented to the commissioners and provided an overview of the Idaho State Land Board Meeting that occurred regarding leasing of state land. He informed the commissioners who attended the meeting to testify to the Idaho State Land Board regarding their concerns about the leasing of the state land. He explained that the main concern was the lack of the process that the State of Idaho has to follow regarding leases of state land. He informed the commissioners that he did have the opportunity to present to the Idaho State Land Board and presented on behalf of Valley County because of planning purposes and how projects do impact Valley County. He reported that he also attended a meeting at the Hunt Lodge regarding the project that would be able to operate on the Idaho State Land as an event site. Mr. Allen reported that the lease was created as a 10 year lease. He advised that the Idaho State Land Board would be meeting again on March 4, 2019 at 2:00 p.m. He informed the commissioners that he expressed the desire to the Idaho State Land Board that the planning & zoning commissioners needed to be involved with the process.

IT Director, David Crawford presented on a software renewal for Time Matters which is utilized by the Prosecuting Attorney's Office. He provided a brief description of the software. Commissioner Bingaman made a motion to sign the software renewal for Time Matters. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to sign the software renewal for Time Matters.

Acting Chairman Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity. 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(d)-Indigent & Charity at 9:54 a.m.

Acting Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 10:07 a.m.

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

19-SG059

Stipulation

Board of County Commissioners Meeting

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Human Resource Director, Pat Duncan presented on the Extreme Weather Condition Policy for the commissioners to review and consider approval. Acting Chairman Hasbrouck made a motion to approve the Extreme Weather Condition Policy. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Extreme Weather Condition Policy.

Human Resource Director, Pat Duncan presented to the commissioners regarding the possibility of getting guidance from the commissioners regarding employee breaks. The commissioners discussed the matter and determined that the existing policy was sufficient.

Human Resource Director, Pat Duncan described the correction that needed to be made regarding vacation accruals. She explained the correction that needed to be made. Commissioner Bingaman made a motion to approve the correction to the employee handbook to accurately reflect vacation accruals. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the correction to the employee handbook to accurately reflect vacation accruals.

Planning & Zoning Administrator, Cynda Herrick began the discussion related to the Official Road Name List. The first road discussed was Ferndale Way which was a private road and there was a request to order a blue sign. The next road presented was Fernwood Street and the road was determined to be public road with a green sign. The next road discussed was Finn Church Lane which needs a green sign. The next road was Fir Drive in Silver Creek Plunge and a green sign needed to be ordered. The next road discussed was Ford Drive which is a private road and needs a blue sign. The next road presented was Frasia Way which was listed as a private road. Cynda believed that it might be a public road after reviewing the plats. The commissioners suggested additional research needed to be conducted regarding Frasia Way. The next road discussed was Fullbright Road and was a public road with a green sign needed. The next road presented was Gamann Drive. She provided a brief overview of Gamann Drive and advised that it was deeded to Valley County. The commissioners advised that it appears to be a public road. The next road discussed was Georgia's Lane. Cynda reported that this was actually signed private driveway off Warren Wagon Road on McCall's list. Cynda advised that she would research the road more. The next road discussed was Gold Fork Road which needs a green sign. The next road discussed was Gold Place which needed a blue sign to list as a private road. The next road presented was Goulet Loop. Cynda advised that it appears to be a private driveway in Yellow Pine. Cynda believed that the road should be kept but no maintenance. The next road discussed was Grouse Way which was private road but McCall believed it was a county road. Cynda will conduct further research on the road. The next road was Happy Day Way which was a private road and needs a blue sign. The next road presented was Harris Blanton Road and it was listed as a private drive. Cynda believed that the road needed a blue sign. The next road presented was Hatch Road which was a public road and

needed a green sign. The next road discussed was Helmich Road which was a private road and needs a blue sign. The next road discussed was Hill Road in Silver Creek Plunge and Cynda needed to review with Silver Creek Plunge Fire Department. The next road discussed was Horsethief Road. Cynda advised that the question is the portion from the reservoir to Corral Creek Road public or not. Cynda advised that it was listed as public in the residential addressing book. The commissioners referred back to the commissioner meeting that occurred on October 15, 2018, related to Flat Creek Road and Corral Creek Road. It did not appear that the commissioners made a formal decision regarding Flat Creek Road and Corral Creek Road. The commissioners suggested waiting to speak with Chairman Cruickshank before moving forward. The commissioners continued the discussion related to Horsethief Road and determined that the road was public to Corral Creek Road. The next road discussed was Howards Road which needed a green sign. The next road discussed was Issy Lane which needed a green sign because it was public road. Next Road discussed was John Alden Road which was a private road and needed a blue sign. The next road discussed was Jones Lane which was listed as a private road and needed a blue sign. The next road presented was Julie Lane which was a public road and needed a green sign. The next road was KP Cove and Cynda advised that she would research with McCall. The next road was Kissinger Avenue which was a private road and needed a blue sign. The next road presented was Lakeview Avenue. Cynda advised that there might be a private piece of road and she would research with the City of McCall. The next road presented was Lem court which was a private road and needed a blue sign. The next road discussed was Little Donner Drive which was a private road and needed a blue sign. The next road presented was Lone Tree Road which was public and private and needed a blue sign for the private portion. The next road presented was Marina Drive which was a private road and needed a blue sign. The next road was Mayflower Lane which was a private road and needed a blue sign. The next road discussed was Michelle Place which was a private road and needed a blue sign. The next road discussed was Middle Fork Road which is located on East Mountain. It was determined that the road would not be signed. The next road presented was Moore Drive which was a private road and needed blue sign. The next road discussed was Mountain Drive in Silver Creek Plunge which needed to be reviewed. The next road presented was Murphs Avenue in Yellow Pine. Cynda advised that it was currently signed with a green sign for public. The next road presented was Neebs Mill road in Smiths Ferry which was private road and needed a blue sign. The next road discussed was Ogburn Lane in West Mountain 3 which was a private road and needed a blue sign. Cynda would like the opportunity to review Ogburn Lane to see if it was a public road. The next road presented was Old Sharlie Lane which was a wood sign and in the McCall Impact Area. It was determined that the Old Sharlie Lane was private driveway and needed to be removed from the list.

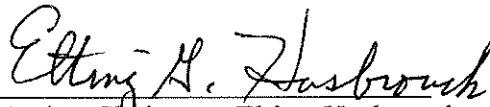
The commissioners recessed for lunch at 12:03 p.m.

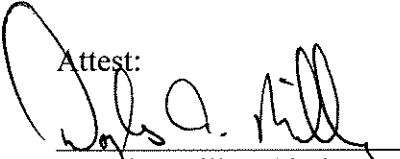
The commissioners returned from lunch at 1:00 p.m.

Acting Chairman Hasbrouck began the work session related to the creation of the waterways ordinance with the Sheriff's Office and Prosecuting Attorney. The commissioners heard from Prosecuting Attorney, Carol Brockmann regarding potential penalties for violators of the ordinances. She also discussed enhanced penalties for habitual offenders who receive several infractions. The commissioners asked about enforcement of these type of offenders and Captain, Jason Speer believed that habitual offenders should receive additional consequences for their negative conduct to include trespassing of the individuals. Captain Speer advised that

all infractions are reported to Dispatch and they also ask Dispatch about any priors. Prosecuting Attorney, Carol Brockmann suggested wording that would allow for an individual to be trespassed for three or more of a similar infraction. The commissioner would like the wording included in the ordinance. The next discussion was related to setting an age limit for the use of motor crafts including personal watercrafts. Captain Speer informed the commissioners about the ability to enforce and discussed how the deputies would make contact with individuals. The commissioners discussed the proposed language submitted by the Waterways Committee and Payette Lake Protective League. The commissioners also heard comments from Captain, Jason Speer. The commissioners suggested including in the wording of the ordinance that it would be unlawful for anyone under the age of 16 to operate a motor craft and/or a personal watercrafts with proof of an Idaho Boating Course. The minimum age limit was suggested that if an adult was on the vessel would be 15 to 12. The Sheriff's Office would have the ability to exempt the requirement for structured programs approved by the Sheriff's Office. The next matter discussed was regarding live aboard vessels, unoccupied vessel requirements/ restrictions and overnights on the lakes. The commissioners suggested wording of only allowing three days in certain areas, allowing up to 14 days on non-specific areas and requiring the vessel to be occupied one hour after sunset. The next topic discussed was swimming outside of designated areas. The wording suggested was that a swimmer would be required to have standardized U.S. Coast Guard approved swim buoy. The next matter discussed was regarding speed limits at night to travel less than wake speeds. The next matter discussed was regarding the posting of no wake zones. The commissioners then discussed the area of the Boulder Creek Arm. The commissioners advised that based on the workshops that were conducted it was 50% were in favor of the area being no wake zone and 50% did not want the area to be a no wake zone. Captain Speer explained the concerns of the area being able to have two vessels pass each other. He also discussed the plans of Bureau of Reclamation. The commissioners would like the wording in the ordinance to state that the entire area of Boulder Creek Arm be a no wake area. The commissioners discussed noise caused by specific type of motor crafts and if limitations should be required in the ordinance. Captain Speer also discussed the procedure when motor crafts unfortunately sink into the lakes and the process for recover. The reason for discussion was related to gross pollutant being included in the waterways ordinance. The next matter discussed was starting and stopping water skiing from docks. Captain Speer advised that the matter had not been decided by the Waterways Committee. The commissioners scheduled another work session related to the creation of a waterways ordinance on March 11, 2019, at 3:30 p.m.

The commissioners adjourned the meeting at 3:10 p.m.

  
Acting Chairman, Elting Hasbrouck

Attest:  
  
Douglas Miller, Clerk

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## VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday, March 4, 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 Commissioner Discussion  
**Action Items:** Meeting Minutes of February 25, 2019.  
Set Commissioner Dates for April, May and June 2019  
Letter of Intent to Squaw Creek Soil Conservation District
- 9:15 Update Regarding Idaho State Land Board Meeting-Planning & Zoning Commissioner, Ed Allen
- 9:45 **Action Item:** Software Renewal Timematters – IT Director David Crawford
- 10:00 ~~**Action Item:** Request for Road Closure of Warm Lake Road July 27, 2019 for the 4-Summit Challenge – Mary Tracey~~
- 10:15 **Action Item:** Extreme weather Conditions Policy and Discussion on Breaks - Human Resources Director Pat Duncan *EXECUTIVE SESSION - 74-206 1st - indigent*
- 10:40 **Action Item:** Correction to Vacation Accruals – Human Resources Director Pat Duncan
- 10:45 **Action Item:** Discussion and Decision on Official Road Name List-Planning and Zoning Administrator, Cynda Herrick
- 12:00 Recess for Lunch
- 1:00 Work Session - Continue to work on creation of waterways ordinance with Sheriff's Office and Prosecuting Attorney

Adjourn

COMMISSIONER'S FUTURE MEETING DATE

Monday, March 11, 2019