

**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
June 23, 2014**

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

Meeting called to order by Chairman Cruickshank at 9:03 a.m.

June Fullmer led the Pledge of Allegiance.

Commissioner Hasbrouck made a motion to approve the agenda for June 23, 2014, as presented. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the agenda as presented for June 23, 2014.

Deputy Auditor, Alysa Morrison presented to the Commissioners the Claims, Board Order Claims. Commissioner Willey made a motion to approve the Claims and Board Order Claims as presented totaling \$165,188.71. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the Claims and Board Order Claims totaling \$165,188.71.

Recreation Director, Larry Laxson informed the Commissioners that the booth for Payette River Basin Trail received positive comments from the General Public. He advised that on June 25, 2014, there will be survey done at Wellington for Potlatch Corporation. He stated that he has a meeting with Director of Idaho Department of Parks and Recreation on June 30, 2014, to discuss the Fat Tire Bicycle ordinance that was recently passed. Larry advised that he needs to get an engineering report for the Cabarton project. He reported that he does not have it in his 2014 Fiscal Budget and asked if the cost could be expended from a different fund. Chairman Cruickshank advised that this would be a possibility but the fund that expended the cost would need to get reimbursed. Larry reported that the Cougar Mountain Club had a

cleanup up day. Commissioner Hasbrouck suggested that the Commissioners take a visit to the Cabarton raft put in to see the amount of traffic that is there. It was agreed that an onsite visit should be conducted.

Assessor, June Fullmer asked if the Commissioners received her emails regarding Board of Equalization hearings? June suggested that this week would allow her staff to get caught up on the assessments and she reported that DeeDee Gossi could get the personal appearance scheduled for next week. June stated that she would know more today. June advised that the Commissioners must complete the Board of Equalization hearings by July 14, 2014. She reported that none personal appearance BOE hearings would be done on June 27, 2014 and personal appearance hearings would start on July 1, 2014.

Clerk, Douglas Miller presented to the Commissioners about continuing to work on fiscal Year 2015 Budget.

Sheriff, Patti Bolen presented that the Payette River Games was a great event for the Cascade community. Sergeant, Rorie Snapp was presented with an award commending her for fifteen years of service to Valley County. Sheriff Bolen advised that she received some comments regarding enforcement of ATV's and UTV's on highways. She explained that individuals cannot ride ATV's on Highways but you can cross the highway at designated areas. She reported that she will be having a meeting with Idaho Transportation Department regarding appropriate signage. Commissioner Hasbrouck asked if a blanket policy county wide could be done? Sheriff Bolen advised that she is working with ITD to determine the appropriate action. Chairman Cruickshank referred to the Legislation that was passed regarding the issue. Sheriff Bolen identified some of the areas that need the ability for ATV's to cross. She advised that Idaho State Police would issue citations for riding on the highway.

Treasurer, Glenna Young informed the Commissioners that her office is continuing to post taxes. She stated that her office will be in the process of balance the taxes. Glenna reported that Rhonda and she would be out of the office from July 8, 2014 to July 10, 2014 for the National Association of County Collectors Treasurers and Finance Officer conference. She stated that she would be interviewing for her part-time position on July 15, 2014.

Building Official, Anne Guarino presented that her office is receiving six or seven building permits at a time. She reported that seventy building permits have been issued for the year. Chairman Cruickshank asked how many of the permits were new building permits? Anne reported about seventy-five percent of the permits are for new housing.

Court Services Director, Skip Clapp recognized Valley County Juvenile Detention Supervisor, Ron Jenks for his ten years of service to Valley County. Skip advised that Mr. Jenks has done a remarkable job at the juvenile detention center working with the youth. Skip discussed the scholarships that were awarded to a high school graduates and presented a thank you letter from one the recipients. Skip informed the Commissioners that he would like to get a demonstration of a new alcohol monitoring device that is available. Skip presented a contract with Alcohol Monitoring Services to demo the new equipment. Commissioner Hasbrouck asked about the benefits of the new device? Skip provided an explanation of the function of the new devices and why it would be more efficient. Skip stated that there is no cost associated

with the demo of the new devices. The Commissioners agreed that Skip should go forward with the demo of the SCRAM devices.

Human Resource Director, Ken Arment reported that he has been reviewing the priority lists for the Human Resource Department. He presented the Valley County Exemption Status Report that was conducted. Ken advised that interviews are scheduled for June 24, 2014, for a Juvenile Detention Officer position. Ken advised that the unemployment rate is decreasing in Valley County and reported that it has been a little difficult filling job openings. He also explained that the rental market does not have available rentals in the community. Ken advised that he is spoken with Idaho Department of Labor about broadening the range of where Valley County can recruit staff. Ken advised that there are over one hundred posted jobs at the Idaho Department of Labor. Ken presented the 2014 Valley County Property List that is with ICRMP. Ken stated that there is a Board of Community Guardian meeting on June 26, 2014, at the EOC building.

IT Director, David Crawford is requesting to destroy archived emails that are older than two years old. Chairman Cruickshank wanted to make sure that there are no emails that are needed for any pending litigation that is occurring. David advised that he set aside emails that he knew were needed for litigation purposes. Ken Arment suggested that a resolution be prepared in regards to destruction of certain type of emails. Chairman Cruickshank indicated that he would put this topic on the agenda for next week. Glenna Young suggested that Valley County contact Idaho Association of Counties to find out about specific requirements.

Planning & Zoning Administrator, Cynda Herrick advised that she will be receiving the requests for speakers/presenters for the Idaho Planning Conference. She reported that she worked on the kiosk for Payette River Basin Water Trails and Snake River Water Trails. She indicated that there has been some enforcement challenges regarding changing of street names. Cynda stated that the recreation signs that were ordered last year have been placed. This is for Eagles Nest, Horsethief, Gold Fork and for Andersen Creek etc. Cynda thanked the Valley County Road Department for the installation of the signs. She reported that the FEMA meeting has been changed to July 16, 2014. Commissioner Hasbrouck questioned the need for a Conditional Use Permit for the Northfork river activities on the Payette River? Cynda advised that there is a Marine Permit issued by the Valley County Sheriff's Office. She reported that she would take the issue to the Planning & Zoning Commission. Commissioner Hasbrouck reported that he heard from the general public that it was dangerous situation. Sheriff Bolen advised that most of the event takes place in Boise County. She reported that this year had an enormous turnout and suggested that the organizers find designated parking and use buses to bus individuals to the event. Cynda discussed the need for low income housing and the direction Valley County should go. Chairman Cruickshank suggested that involving the Planning & Zoning Commission would be a start as well as talking with the owners of Meadows and West Mountain and the owners of the Spring's Apartment complex.

Chairman Cruickshank presented the Commissioner meeting minutes of June 16, 2014. Commissioner Hasbrouck advised that there was a change that needed to be made on the minutes. He advised that there was no second on a motion notated for the renewal of the Xerox Copy contract. Commissioner Willey made a motion to approve the meeting minutes from June 16, 2014 with the correction. Commissioner Hasbrouck seconded the motion. No further

discussion, all in favor. Motion passed to approve the Commissioner meeting minutes from June 16, 2014, with the correction notated.

Chairman Cruickshank advised that the Commissioner would be going into closed session for Indigent/Charity at 10:42 a.m.

Chairman Cruickshank brought the Commissioners out of Indigent/Charity at 11:02 a.m.

Decision after Indigent/Charity:

14-AB085 Request for Approval

14-AB085 Request for County Indigent Lien/New Application

14-NB094 Request for County Indigent Lien/New Application

Clerk, Douglas Miller discussed the requirement for the Valley County Board of Commissioners to recommend applicants for the Region 4 Behavioral Health Board. Commissioner Hasbrouck indicated that he would be submitting his application for the Region 4 Behavioral Health Board. It was also reported that Idaho Health & Welfare employee, Christy Soflay would be submitting an application.

Stephanie Johnson and Ken Postma with Cabin Creek Enterprises presented the Idaho Department of Land agreements. Ms. Johnson advised that they would like to modify the Memorandum of Understanding and send it back to Idaho Department of Lands for review. The modifications that they would like to make would be under the cohesive strategy. Ms. Johnson disagrees with some of the deliverables that are required and she would like to change. She reported that the budget that was in the agreement is different than what was previously discussed. She also reported that the Idaho Department of Lands is requesting copies of the contracts that are prepared between the county and private land owners. Ms. Johnson believed that these contracts should not be shared without going through the public records request process. She also reported that the evacuation plans are now required to be submitted to the Idaho Department of Lands. She indicated that it was never agreed that Valley County would prepare an evacuation plan for private property owners. Cabin Creek want to make sure that the Valley County is not agreeing to requirements that cannot be accomplished. Commissioner Hasbrouck suggested that Cabin Creek make the recommend changes to the Memorandum of Understanding. Commissioner Willey asked if there is any communication taking place with the Idaho Department of Lands? Mr. Postma recommended that the MOU should be revised and then submitted to IDL to see if there is a response. Chairman Cruickshank also suggested that the changes to the MOU be provided to IDL. He indicated that if there is a negative response to the changes, the county should specifically point out to IDL why there has been a modification to the MOU. Mr. Postma recommended that the county should question the IDL regarding the amount of the grant funds that are being used for administrative costs. He also suggested that there is a need to define and create a formal appeals process for failure to reimburse for work that has been done. The Commissioners agreed to have Cabin Creek work on the modifications to the MOU with Idaho Department of Lands.

Commissioners adjourned for lunch at 12:12 p.m.

Commissioners returned from lunch at 1:00 p.m.

Public Hearing for CA-14-02 sign Ordinance Amendment. Chairman Cruickshank opened the Public Hearing at 1:05 p.m. A staff report was presented by Delta James, City Planner for the City of McCall. She advised that the amendment is for the city code as it pertains to the impact area. She indicated that the proposed ordinance would better define additional signage. There was public input conducted by online survey and a public meeting. Ms. James reported that sixty people participated in the on line survey and eight participated at the public hearing. She stated that the ordinance brings the code within enforcement actions. The proposed ordinance also allows temporary banners to be displayed up to 15 square feet within a wooden frame or display area. The business would not have to go back to the City to inform them of the banner that would be displayed. Commissioner Hasbrouck asked if the city is concerned about the 15 square feet? Ms. James advised that there have not been any concerns that were voiced. She also reported that the ordinance would allow neon or illuminated signs within a window or on outside of the building. She stated that the ordinance does limit the amount a window space that could be covered to 25% of the window with signage. Businesses would still be able to have window displays. She reported that a-frame signs would be prohibited because these signs impede pedestrian traffic. Commissioner Willey suggested that the amendments appear to be more business friendly.

Commissioner Cruickshank asked for testimony from proponents of the amendments. There was no one in the audience to make a presentation as a proponent.

Commissioner Cruickshank asked for testimony from anyone who is uncommitted. There was no one in the audience to make a presentation as an uncommitted.

Chairman Cruickshank asked for testimony from opponents. There was no one in the audience to make a presentation as an opponent.

Chairman Cruickshank asked as it went through the public hearing what were the comments from the public? Ms. James advised that there was a unanimous vote in favor of the amendment by the McCall City Council and McCall Planning & Zoning Commission. She also reported that the general public commented in favor of the amended ordinance.

Chairman Cruickshank closed the public hearing at 1:26 p.m. and brought it back to the Commissioners for deliberations. Commissioner Hasbrouck made a motion to approve the ordinance with the ordinance number to be assigned by the County Clerk. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve Ordinance 14-02 Sign Ordinance Amendment.

Chairman Cruickshank opened another public hearing for Commercial Land Use Development Ordinance at 1:31 p.m. A staff report was presented by Delta James, City Planner from the City of McCall. She indicated this code amendment was a yearlong process. She explained that there were multiple public workshops and public hearings related to this ordinance. She advised that this code amendment is the first step in implementing the downtown McCall master plan. The code makes permitting process easy for commercial and mixed use development. She explained that the code amendment reduces the requirements within the impact area from conditionally permitted to directly permitted. She advised that the code

amendment removes the current city code limitation regarding professional offices in the central business district. She also advised that the code amendment removes the requirement to establish on-site parking to be provided. Ms. James stated that it streamlines permitting to indoor recreation sales and service and removes the requirement for conditional use permits. The code encourages convention facility without the requirement of obtaining a conditional use permits. Commissioner Willey asked how far the impact area goes? Ms. James advised that the impact area ends at Mountain Life Church. She advised that the zoning map is available on the City of McCall website. Ms. James stated that the code amendment clarifies the requirement to have paved driveways and removes the existing requirement of \$20k threshold for the cost of sidewalks. Commissioner Willey asked when it would be required to have sidewalks for businesses that fall in the impact area? Ms. James advised that infrequently this would be a requirement but would be a part of the development discussion. Chairman Cruickshank believed that this ordinance appears to be relaxing the prior requirements.

Chairman Cruickshank asked what the comments were during the public hearings? Ms. James stated that the McCall Planning & Zoning Commission was in favor of the code amendment. She reported that one member of the McCall City Council voted against the amendment. She indicated that there were no opponents from the general public. Commissioner Hasbrouck had a question regarding agriculture with and without farm animals? Ms. James provided an explanation and stated that farm animals would need to be approved by the City of McCall. Ms. James advised this is just regarding commercial zones. Commissioner Hasbrouck asked if care centers would be allowed? Ms. James answered yes.

Chairman Cruickshank asked to hear testimony from proponents. There was no one in the audience to make a presentation as a proponent.

Chairman Cruickshank asked to hear from anyone who was uncommitted. There was no one in the audience to make a presentation as an uncommitted.

Chairman Cruickshank asked to hear from anyone who was an opponent. There was no one in the audience to make a presentation as an opponent.

Chairman Cruickshank closed the public hearing a 1:56 p.m. and brought it back to the Commissioners for deliberation. Commissioner Willey made a motion to approve the Commercial Land Use Development Ordinance 14-03. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve Ordinance 14-03 for Commercial Land Use Development Ordinance.

Road & Bridge Superintendent, Curtis Bennett presented the culvert bids in sealed envelopes for the Commissioners to review. The first bid was from Treasure Valley Pipe Supply out of Caldwell, Idaho. The pipe bid was \$53,312.00, for dimple bands \$481.00, for records bands \$1,036.00. The total bid was \$54,829. Treasure Valley Pipe Supply did send a check for \$2,741.45. The second bid that was opened was from True North Steel based in Missoula, Montana. The pipe bid was \$60,606.72, for dimple bands \$435.05, for record bands \$995.70. The total bid was \$62,037.47. A surety bond was provided for 5% of the total bid. These were the only two bids that were received. Commissioner Willey made a motion to accept the bid from Treasure Valley Pipe Supply. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to accept the bid from Treasure Valley Pipe Supply in the amount of \$54,829.00.

Curtis informed the commissioners that he just received the easement for East Side Drive for the Valley County Prosecuting Attorney, Jay Kiiha to review. Curtis reported that \$22,400 would be the cost for purchasing 16.38 acres. Chairman Cruickshank asked if this is for an easement or a right of way? Curtis advised that the document that was prepared was for an easement. Chairman Cruickshank did not believe that this would be cost effective for the county and would like Curtis to review with the Mr. Kiiha.

Curtis advised that he spoke with Brett Barry of the Boise National Forest regarding the Van Wyck Bridge. Mr. Barry would like the county to bid the bridge project out for the public to submit bids.

Curtis presented the Idaho Transportation Department Weed Spraying Agreement for the Commissioners to review. Commissioner Hasbrouck asked what the contribution from ITD would be? Curtis advised that the contribution amount is \$3,500. Commissioner Hasbrouck did not believe that \$3,500 would cover the cost of the entire route from Smith's Ferry to McCall, Idaho. Curtis advised that this agreement is for 2015. Chairman Cruickshank suggested that a phone call be placed to ITD and explain to them that \$3,500 does not cover the cost. Curtis advised that he would contact ITD.

Solid Waste/Facility Supervisor, Ralph McKenzie provided Sold Waste Statistics for Fiscal Year 2014. A copy of this will be appended for the Commissioners to review. Ralph advised that the start of the courthouse roof replacement would start on June 25, 2014. He advised that the new janitorial staff took a tour of the facility and should be ready to start next month.

Valley County Prosecuting Attorney, Jay Kiiha presented on DL Evans Bank right of way. He advised that in 2008 there was an agreement with TJ Properties to realign the road. Mr. Kiiha explained that TJ Properties was foreclosed on. He stated that the prior easement ended because of the foreclosure. Mr. Kiiha advised that another agreement needs to be executed to put the easement back into effect and have the property owner do a quick claim deed. Mr. Kiiha believed that the county needs to do another agreement with DL Evans Bank regarding this road. Mr. Kiiha presented an agreement that was prepared by DL Evans Bank. Chairman Cruickshank suggested that the county needs to have the engineer who reviewed the original alignment survey review the agreement that was prepared. The engineer who conducted the first survey was Joel Droulard. A copy of the original survey will be appended to the Commissioner meeting minutes.

The Commissioners began the interview process for the Planning & Zoning Commissioner. Mr. Bryan Cooley was interviewed. Commissioner Willey made a motion to appoint Mr. Bryan Cooley as a Planning & Zoning Commissioner for Valley County. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to appoint Mr. Brian Cooley as a Planning & Zoning Commissioner for Valley County.

Commissioners adjourned the meeting at 3:25 p.m.

Gordon Cruickshank, Chairman

Attest:

Douglas A. Miller, Clerk