

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
July 25, 2016**

**PRESENT: ELTING HASBROUCK (ACTING CHAIRMAN)
BILL WILLEY (COMMISSIONER)
DOUGLAS MILLER (CLERK)**

EXCUSED ABSENCE: GORDON CRUICKSHANK (CHAIRMAN)

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

Commissioner, Bill Willey led the Pledge of Allegiance.

Acting Chairman Hasbrouck presented the Commissioner's Agenda for July 25, 2016. Commissioner Willey made a motion to approve the agenda as presented. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the Commissioner's Agenda for July 25, 2016.

Senior Deputy Auditor, Katie Bomberger presented the Commissioners with the Claims, Board Order Claims and one Junior College Application.

General Fund	\$121,382.72
Road & Bridge	\$95,551.03
District Court	\$4,946.30
Fairgrounds	\$16,603.75
District Health	\$43,971.00
Indigent and Charity	\$3,051.12
Revaluation	\$449.18
Solid Waste	\$177,167.27

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Tort	\$265.00
Veterans Memorial	\$4,250.00
Weeds	\$4,094.27
Pest Control	\$62.07
Waterways	\$437.84
McCall Donnelly Snowmobile	\$30.70
Cascade Warmlake Snowmobile	\$10.23

Board Order	Title III Trust	\$9,996.57
	Interlock	\$200.00

Total: \$496,594.14

Commissioner Willey made a motion to approve the Claims, Board Order Claims and Junior College Application for Ms. Sarai Yates. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the Claims, Board Order Claims and Junior College Application for Ms. Sarai Yates.

Clerk, Douglas Miller provided the Commissioners with an update regarding the Clerk's Office. Clerk Miller provided the Commissioners with the Indigent Defense Grant Application for the Commissioners to review and consider approval. Commissioner Willey made a motion to approve. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the Indigent Defense Grant Application and allow the Commissioners to sign.

Valley County Prosecuting Attorney, Carol Brockmann provided an update of pending criminal jury trials that are scheduled. She explained the cases that are before the Court after the 4th of July. She reported to the Commissioners that she has a meeting with the Secretary of State Office regarding the proposed creation of new recreation districts. She explained that the Clerk's Office needed guidance and she was hoping that the Secretary of State's Office would be able to formally explain the process.

Sherriff, Patti Bolen presented to the Commissioners and advised that the Four Summit Challenge would be taking place on July 30, 2016. She informed the Commissioners that the South Fork Road would be closed. She reminded the Commissioners that the DMV Office in McCall, Idaho, would no longer be issuing Drivers Licenses as of August 1, 2016. She advised that there were interviews conducted for the Dispatch position on July 22, 2016.

Treasurer, Glenna Young reported that she attended the NACTFO Conference on July 19, 2016 through July 21, 2016. She advised that the conference was very informative. She explained that the pre-letters had been sent out for warrants of distraint for personal property. Glenna provided a brief overview of the Tax Deed hearing that is scheduled for 1:00 p.m. on July 25, 2016.

Solid Waste Supervisor, Cindy Forgy informed the Commissioners that the bailer at Lake Fork Recycle Center was damaged and might need repaired. She reported that she had spoken with Mr. Josh Brown from Lake Shore Disposal. She advised that there were two loads of cardboard that was exported out from the Lake Fork Recycle Center. She reported on concerns of the bills that are received from Lake Shore Disposal. Cindy advised that she had a request from a resident of Yellow Pine, Mr. Steve Holloway regarding having an extra trash bin at the Harmonica Festival. The Commissioners wanted to research the matter to see what had been done in the past. Cindy reported that she received a call from the Forest Service regarding damage that had occurred on the gates at the Warm Lake Transfer site. Cindy advised that she would speak with the Buildings & Ground Department to see if they could repair the damage. She advised that she had received a call from Travis Pyle who had conducted an evaluation of improvements that needed to be made at the Solid Waste Transfer Site and she would be meeting with him on August 2, 2016. Cindy explained that she would like to talk with the Human Resource Director, Ken Arment about the possibility of hiring a part-time staff employee for the Solid Waste Transfer site. Cindy reported on the continued issues at the recycling sites and believed that the recycling pickups by Lake Shore Disposal had not been taking place on a regular basis.

Court Services Director, Skip Clapp reported that Juvenile Probation Officer, Dee Dee Philips would be presenting at the North West Alcohol Prevention Conference in Boise, Idaho. He provided an overview of the conference. Skip reported that MaryBeth Miner would be attending the Juvenile Detention P.O.S.T Academy in August. He further reported that Misdemeanor Probation Officers, Molly Wilson and Jacques Lafay would be attending the America Probation and Parole Association Conference in August. He also indicated that the Idaho Department of Juvenile Corrections would be sending trainers to train part-time Juvenile Detention Officers. Skip reported that there are two juveniles in custody at the Juvenile Detention Center.

University of Idaho Extension Educator, Melissa Hamilton presented to the Commissioners and advised that she emailed the monthly reports to the Commissioners about the on goings of the University of Idaho Extension Office. She informed the Commissioners that the UI Extension office received a microscope from the USDA funded Horticulture training to help identify insects. She advised that she presented on the work of the Cascade Mobility Team at the National Association of Community Development Extension Professionals (NACDEP) conference in June. She advised that she was able to identify and learn about several programs that she would like to implement in Valley County in the future. She provided a list of upcoming events for the week of July 25, 2016. She explained that the Cultivating Success Small Farms statewide educators would be having a planning session in McCall, Idaho to debrief about programs that were created and plan for the next two years of the National Institute of Food and Agriculture (NIFA) grant cycle. She reported that she submitted a requested for technology from the University and received two new computers for the Extension Office. The County IT department also recently upgraded the admin work station in the extension office. She advised that she needed to communicate with the County IT Department to continue to iron out county IT policy and the needs of the UI Extension office. She explained that the Valley County Fair would be taking place in two weeks. The 4H program had record book interviews this week and Alysson Statz, 4H Coordinator, was very busy preparing for the 4H program for fair with office staff and intern assistance. Melissa

thanked the Road Department for the road grating that occurred at the Valley County Fairgrounds.

Human Resource Director, Ken Arment reported that Nationwide and conducted a meet and greet for county employees last week. He reported that he was working with the recreation district to have a discount program for Valley County Employees to become members. He reported that the Valley County Road Department and almost completed the ICRMP Discount program. He further reported on smoke detectors that had been installed around the Courthouse. Ken reported on possible Centennial Events that he would like to have in 2017. He had ideas on events that he would like to have happen. Acting Chairman Hasbrouck advised that he had received a call from a member of the public who would like to have different events at the Valley County Fairgrounds and he would like Ken to contact ICRMP to see if they could attend a Commissioner meeting to explain how other groups would be covered under the Valley County ICRMP Insurance.

IT Administrator, David Crawford reported on improvements that had been made at the Cascade Courthouse. He advised that Jordan Kinsman was serving in the Idaho National Guard in Romania for three weeks. He provided a brief overview of the meet and greet with surveyors that would take place on July 27, 2016.

Planning & Zoning Administrator, Cynda Herrick reported that the Valley County Economic Development Council would like Valley County to submit an article in a newsletter about the Centennial. Cynda reported that the Four Summit Challenge was looking for volunteers for the event. Cynda reported that the P&Z Office had been extremely busy and provided an overview of what the office had been working on.

Recreation Director, Larry Laxson reported on several meetings that he attended over the past week. He advised that he would be going on a site visit of the East Fork on July 26, 2016 with members of the Big Creek Yellow Pine Coalition. Larry advised that he has a matter on the agenda next week regarding the Green Gate Road. He reported that the Boise Snowmobile Club would be having a picnic on August 5th – August 7th. He also informed the Commissioners that there would be local picnic of the Snowmobile Clubs on the 27th of August. Larry reported that the Wellington Campsite had four individuals camped over the weekend and he advised that the Cabarton Boat Launch was extremely busy.

Acting Chairman Hasbrouck advised that Commissioners would be going into closed session for Indigent and Charity at 10:38 a.m.

Chairman Cruickshank brought the Commissioners out of Indigent and Charity at 10: 55 a.m.

Decision after Indigent and Charity:

16-CA079	Amended Determination of Approval
16-KS075	Determination of Approval
17-VW062	Determination of Denial for County Assistance
17-LD062	Determination of Denial for County Assistance

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Acting Chairman Hasbrouck presented the Commissioner Meeting Minutes from July 18, 2016. Commissioner Willey made a motion to approve the Commissioner Meeting Minutes from July 18, 2016. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the Commissioner Meeting Minutes from July 18, 2016.

Clerk, Douglas Miller presented the WR Community Letter of Agreement for Valley County Woody Biomass Assessment and Selection for a Point of Contact. The Commissioners discussed the matter and suggested that Ms. Stephanie Nelson be appointed as the point of contact because of her involvement with the grant. Commissioner Willey made a motion to have the Commissioners sign the WR Community Letter of Agreement for Valley County Woody Biomass Assessment and select Ms. Stephanie Nelson as the point of contact. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to have the Commissioners sign the WR Community Letter of Agreement for Valley County Woody Biomass Assessment and select Ms. Stephanie Nelson as the point of contact.

Acting Chairman Hasbrouck began the opening of bids for the Alzar School Project. The first bid to be opened was from Specialized Land Works with a bid for \$994.00 an acre for twelve acres. The next bid opened was from Baron Loper with a bid of \$1580.00 per acre for twelve acres. Acting Chairman Hasbrouck made a motion to approve the bid from Specialized Land Works with a bid for \$994.00 an acre. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the bid from Specialized Land works with the bid of \$994.00 an acre.

Acting Chairman Hasbrouck began the discussion related to the Housing Trust Discussion. He advised that Mr. Don Bailey sent an email to the Commissioners requesting a contribution of \$10,000 to be utilized by the Housing Trust. Before a decision was made the Commissioners would like a formal presentation to be conducted by the Housing Trust. Acting Chairman Hasbrouck indicated that he would send an email to Mr. Bailey and request that they present to the Commissioners on a future agenda.

Commissioners recessed for lunch at 12:00 p.m.

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

Acting Chairman Hasbrouck opened the Public Hearing-Tax Deed at 1:00 p.m. Acting Chairman Hasbrouck requested to hear from the Treasurer, Glenna Young. Treasurer, Glenna Young advised the Commissioners that her office had complied with Idaho Code regarding the Tax Deed Process. She advised that letters had been sent out to all property owners notify them of the properties that were in the Tax Deed process. She explained the other process that the Treasurer's Office complied with including publishing of the parcels that were delinquent. She advised that the affidavit of compliance had been recorded with the Clerk's Office. Chief Deputy Treasurer, Rhonda Komula, presented the parcels that were in the Tax Deed Process and how many properties each person or company had. The Commissioners requested to hear from anyone who was a proponent to the.

The record will reflect that there is no one who is proponent.

Acting Chairman Hasbrouck asked to hear from anyone who was objecting to the proposed Tax Deeds.

Mr. Ken Howell, Attorney for New Trac LLC advised that he would be speaking as of opponent to the Tax Deed process. He advised that at this time he would like confront and cross examine the Treasurer, Glenna Young.

Clerk, Douglas Miller swore in the Treasurer, Glenna Young.

Mr. Howell began the questioning of Treasurer, Glenna Young.

Mr. Howell ended the questioning of Treasurer, Glenna Young.

Commissioner Willey asked Attorney, Jay Kiiha if this procedure was allowed with this format. Mr. Kiiha acknowledged that the procedure was allowed.

Attorney, Jay Kiiha redirected and questioned Treasurer, Glenna Young at 1:53 p.m.

Mr. Ken Howell again questioned Treasurer, Glenna Young at 1:58 p.m.

Mr. Ken Howell asked to question David Papiez, 11 East Union Street, Seattle, Washington.

Acting Chairman, Elt Hasbrouck swore in Mr. David Papiez at 2:00 p.m.

Mr. Ken Howell questioned Mr. David Papiez.

Attorney, Jay Kiiha declined to question Mr. David Papiez. Commissioner Willey asked a Mr. David Papiez a question about the North Lake Sewer & Water Lid payment.

Attorney, Jay Kiiha asked if any payment had been made to Valley County for the North Lake Sewer & Water LID.

Mr. Ken Howell objected to the question. Mr. David Papiez acknowledged that New Trac has not made any payments on the fees or taxes that are owed.

Attorney, Jay Kiiha recommended that the Commissioners take the matter under advisement and make a written decision at a later date.

Mr. Ken Howell Attorney for New Trac made closing argument at 2:10 p.m. and advised that the majority of the cost and fees that are owed are to North Lake Sewer & Water. He advised that North Lake adds in a 2% increase and a 10% interest rate. Mr. Howell referred to specific interest figures. He explained that North Lake Sewer & Water has the ability to collect fees themselves or have the county collect the fees. He discussed delinquency certificate had how that procedure takes place. He believed that North Lake Sewer & Water should not have the ability to charge a 10% interest because a delinquency certificate was not issued by North Lake

Sewer & Water. He believed that his client was being overcharged for interest. Commissioner Willey asked why the New Trac Attorney had not dealt directly with North Lake Sewer & Water. Mr. Howell explained that this was the proceedings that North Lake Sewer & Water chose. He believed that the delinquent amount was not accurate. He referred to case Chavez vs Canyon County. He believed that the tax deed notice that was provided was void because it was incorrect. Delinquency that is listed shows that they are charging interest in which they are not entitled to. They believed that the tax deed notice that was provided was void.

He believed that this notice of tax deed would be void until the corrections could be made. They believed that the amount is wrong because it includes 10% interest. Mr. Howell summarized the objection of New Trac and believed that the tax deed notices were in error. They request to issue finding and facts and find the tax deed notices are insufficient and referred again to Chavez vs Canyon County.

Attorney, Jay Kiiha presented to the Valley County Board of Commissioners. He believed that this is an attempt to delay the tax deed process and the issue is a drilling down of North Lake Sewer & Water Numbers. He referred to Idaho Code 63-608 paying a property tax under protest. He believed that there is a remedy available.

Acting Chairman, Elting Hasbrouck closed the Public Hearing at 2:36 p.m.

Chief Deputy Treasurer, Rhonda Komula presented a list of the Parcels that would be considered for the Tax Deed. A copy of the list will be appended to the Commissioner meeting minutes.

Acting Chairman Hasbrouck read the parcels that were presented.

Commissioner Willey made a motion to take the properties through the Tax Deed process that were presented by Chief Deputy, Rhonda Komula. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to the properties through the Tax Deed process that were presented by Chief Deputy, Rhonda Komula.

Acting Chairman Hasbrouck made a motion to take under the New Trac LLC. objection under advisement. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to take the New Trac LLC objection to the Tax Deeds under advisement.

Chief Deputy Treasurer, Rhonda Komula presented properties from West Mountain golf LLC. Commissioner Willey made a motion to take the properties through the Tax Deed Process presented by the Chief Deputy Treasurer, Rhonda Komula for West Mountain Golf. Commissioner Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to take the properties owned by West Mountain Golf, LLC through the Tax Deed process.

Road & Bridge Superintendent, Jeff McFadden presented bid openings for approve of Big Creek Modular Steel Bridge. Acting Chairman Hasbrouck opened the first bid which was from OK Gravel Works in the amount of \$194,619.03. Acting Chairman Hasbrouck advised that there was a bond included. The next bid opened was from Lance Hess Construction with a bid amount of \$132,700.00 and he included the bid bond.

Commissioner Willey made a motion to accept the bid for the Big Creek Modular Steel Bridge from Lance Hess Construction in the amount of \$132,700 and award the contract. Acting Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to accept the bid from Lance Hess Construction in the amount of \$132,700 for the Big Creek Modular Steel Bridge and award the contract.

Jeff provided an update on the East Lake Bridge Right of Way Contract. He advised that the county would be up against a deadline that would push the completion of the project in 2017. He explained that they are trying to finalize the Right Of Way Purchases and it is possible that the project would be delayed until 2017.

Jeff presented the Right of Way contract for Faron and Aleta Gilbert. Commissioner Willey made a motion to approve the Right of Way contract with Faron and Aleta Gilbert. Acting Chairman Hasbrouck seconded the motion No further discussion, all in favor. Motion passed to approve the Right of Way Contract with Faron and Aleta Gilbert.

Road Department Office Manager, Lori Bateman presented the completion of the Right of Way Activities that needed to be signed per ITD. Acting Chairman Hasbrouck made a motion to have the Commissioner sign the Right of Way Activities Certification. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to have the Commissioners sign the Right of Way Activities Certification.

Jeff began the discussion related to the letter that was received from Roger & Cathy Brown. He provided an overview of the letter and explained why the county road was graded. He suggested a permit be required before home owners plan to place mag chloride on the road. Jeff indicated that he would contact Roger & Cathy Brown about the condition of the road.

Jeff provided an overview of repairs that needed to be made to Valley County Road Department Equipment.

Jeff advised that he received a call from a member of Yellow Pine that had concerns about the Valdez Gravel Pit. He indicated that he would discuss the matter with Planning & Zoning Administrator, Cynda Herrick.

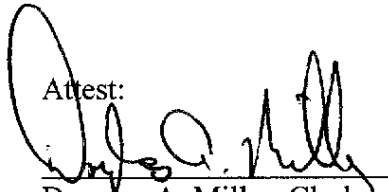
Jeff reported that the Warm Lake road project was progressing as planned and they are sweeping the South Fork Road for the Four Summit Challenge.

Commissioner Willey made a motion to go into Executive Session per Idaho Code 74-206 (b)-Personnel. Commissioner Hasbrouck seconded the motion. No further discussion, all Commissioners voted "aye". Commissioners went into Executive Session per Idaho Code 74-206 (b)-Personnel at 3:24 p.m.

Acting Chairman Hasbrouck brought the Commissioners out of Executive Session per Idaho Code 74-206 (b)-Personnel at 4:14 p.m. No decision was made after the Executive Session.

Commissioners adjourned the meeting at 4:15 p.m.

Elting B. Hasbrouck
Elting Hasbrouck, Acting Chairman

Attest:

Douglas A. Miller, Clerk

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday, July 25, 2016

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 Claims, Board Order Claims & Junior College Tuition- Katie Bomberger, Senior Deputy Auditor

- 9:15 **Elected Official Reports/Discussion**
Clerk – Doug Miller
Indigent Defense Grant Application
Prosecutor - Carol Brockmann
Sheriff – Patti Bolen
Treasurer – Glenna Young

Department Head Reports - 5 Minutes each

Solid Waste- Cindy Forgy
WICAP
Building Department – Anne Guarino
Court Services – Skip Clapp
Extension Office- Melissa Hamilton
Human Resources/Risk Management – Ken Arment
Information Technology – David Crawford
Planning and Zoning-Cynda Herrick
Parks and Recreation- Larry Laxson

- 10:30 Indigent and Charity
- 11:00 Commissioner Discussion (Correspondence)
Meeting Minutes from July 18, 2016
WR Community Letter of Agreement for Valley County Woody Biomass Assessment and Selection for Point of Contact
- 11:15 Wildfire Prevention Associates, LLC- Stephanie Nelson
Opening of Bids for Alzar School Project

11:45 Housing Trust Discussion

12:00 Lunch

1:00 **Public Hearing-Tax Deed**

2:00 Road & Bridge-Jeff McFadden

Bid Openings/Approval for Big Creek Modular Steel Bridge

East Lake Fork Bridge Update

East Lake Bridge Right of Way Contract

Completion of Right of Way activities

Letter from Roger & Cathy Brown

Other Road & Bridge Discussions

2:45 Executive Session per Idaho Code 74-206 (b)-Personnel

Adjourn

COMMISSIONER'S FUTURE MEETING DATE

August 1, 2016