

Valley County Board of County Commissioners

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



Phone (208) 382-7100
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GORDON L. CRUICKSHANK
Chairman of the Board
gcruickshank@co.valley.id.us

BILL WILLEY
Commissioner
bwilley@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
September 12, 2016**

**PRESENT: GORDON CRUICKSHANK (CHAIRMAN)
 BILL WILLEY (COMMISSIONER)
 DOUGLAS MILLER (CLERK)**

EXCUSED ABSENCE: ELTING HASBROUCK (COMMISSIONER)

Meeting called to order by Chairman Cruickshank at 9:07 a.m.

The American Legion Post 60 Led the Pledge of Allegiance during the September 11 Remembrance Presentation.

Chairman Cruickshank presented the Commissioner's Agenda for September 12, 2016. Commissioner Willey made a motion to approve the Commissioner's Agenda for September 12, 2016. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve the Commissioner's Agenda for September 12, 2016.

Senior Deputy Clerk, Katie Bomberger presented the Commissioners with Claims, Board Order Claims and one Junior College Applications for Mr. David Schott, Mr. Blaze Decker and Mr. Marc Van Rixel.

General Fund	\$162,544.11
Road & Bridge	\$977,134.81
District Court	\$4,476.75
Election Consolidation	\$388.41
Revaluation	\$1,667.34
Solid Waste	\$156,043.80
Tort	\$79,171.00

Board of County Commissioners Meeting
September 12, 2016

	Weeds	\$9,235.48
	Waterways	\$792.67
	McCall Donnelly Snowmobile	\$246.33
	Cascade-Warm Lake Snowmobile	\$90.28
	Smith Ferry Snowmobile	\$1.00
Board Order	Title III	\$3,190.72
	OHV Trust	\$758.42
	<hr/>	
	Total:	\$1,395,936.63

Chairman Cruickshank made a motion to approve the Claims and Junior College Applications. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve the Claims, Board Order Claims and Junior College Application for Mr. David Schott, Mr. Blaze Decker and Mr. Marc Van Rixel.

Assessor, June Fullmer informed the Commissioners that a new employee was hired for the opening in the Assessor's Office. She advised that Ms. Marcia Likins would be retiring from the McCall Department of Motor Vehicle in October 2016. June reported that there would be one Board of Tax Appeals to be heard.

Clerk, Douglas Miller provided the Commissioners with an update regarding the Clerk's Office. He advised that he had been processing the L2 Worksheets that had been received from the taxing districts. He also explained that he had been working with the taxing district to come into compliance for the Legislative Service Office Registry.

Prosecuting Attorney, Carol Brockmann provided an overview of her meetings that she has scheduled with local law enforcement regarding public records request. She reported that she sent her staff to training on how to communicate with general public. She advised that she had been working with local citizens regarding the impact area as well as the City of McCall staff. She also discussed enforcement regarding possible non-compliance in the impact area. Carol reported that she had also been working with Treasurer, Glenna Young regarding the tax deeds. She reported that she had settled a pending jury trial that was scheduled and provided an overview of upcoming criminal cases.

Anne Guarino from the Building Department reported that the office had still been receiving building plans. She reported that Annette Derrick would be attending certification courses. Commissioner Willey asked if Anne had heard any more about the workforce housing in Donnelly, Idaho. Cynda reported that she believed that the project was still moving forward.

University of Idaho Educator, Melissa Hamilton presented to the Commissioners and provided an overview University of Idaho Extension office. She reported that she had all of her fall sessions planned. She reported on upcoming events that she had been involved with. Next Class would be energy efficiency and collaborating with Idaho Power. She reported on a project for a small farm. Melissa advised that she would be presenting to her peers and advised that this would be her third year with the University of Idaho Extension Office. Commissioner Willey asked about the animal sales at the fair and if the funds had been collected. Melissa reported that she would be checking with Alysson Statz and the Animal Market Board.

Human Resource Director, Ken Arment reported that the Juvenile Detention Office position was still opened. He reported on the updates from the Federal Labor Standards Act. Ken reported on the AFLAC planning meeting that would be taking place. He advised that the Sherriff's Department just started to advertise for the Deputy Patrol position.

IT Administrator, David Crawford reported that the IT Department had been working on electronic claims with the Clerk's Office. He reported that the IT Department had ordered thirty new work stations in order to be prepared for Windows 10. David reported that the cameras in the jail had been installed and working on putting one new camera at the juvenile detention center.

Planning & Zoning Administrator, Cynda Herrick informed the Commissioners that she would be attending the McCall Planning Workshop. She provided a brief overview of the Planning & Zoning meeting that was held on September 8, 2016.

Recreation Director, Larry Laxson informed the Commissioners that the Green Gate snow grooming trail has found an alternative route. He advised that there would be a need to clear the proposed road and they have received initial approval from Idaho Department of Lands. Todd Wernex with IDPR would be conducting a site visit and there had been a commitment for a trail crew to assist. Larry advised that he had been working on legislation to allow mountain bikes and cross country skiers to use snow grooming trails and he had been working on legislation regarding out of state registration. Larry advised that he had received a phone call from Mr. Jimmy Williams who represented that DF Development LLC who will be meeting with him in the upcoming weeks. He advised that cost share easements have been identified with the assistances from Boise Forest Ranger, Jake Stroymeyer. He advised that he was still working with the Payette National Forest. Larry advised that had a snowmobile advisory meeting and provided a brief overview.

Road Superintendent, Jeff McFadden presented the Boise National Forest Extension Agreement for the Commissioners to review and consider approving. He provided an overview of the agreement. Commissioner Willey made a motion to approve the Boise National Forest Extension Agreement and authorize the Chairman to sign. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve the Boise National Forest Extension Agreement and authorize the Chairman to sign. Jeff reported that the Big Creek Bridge would be set this week. He reported on other road projects that were taking place in the back country. Jeff presented an encroachment to become the new contact for the road at Kelly's White Water Park. Jeff reported on a grant that he had been working on with the Sherriff's Department for generators in case of a massive power outage. Jeff reported that he had been receiving calls from Packard John Road. He advised that he would be working with Will Smith to remove the timber for snow removal purposes. Jeff reported on issues with the asphalt on the Warm Lake Highway and advised that had been working with Parametrix to repair. Jeff advised that the Sherriff's Department had concerns with the No Parking signs not being uniformed.

Chairman Cruickshank advised that the Commissioners would be going into a closed session for Indigent and Charity at 10:35 a.m.

Chairman Cruickshank brought the Commissioners out of closed session for Indigent and Charity at 10:40 a.m.

Decision after Indigent and Charity:

17-CA079-4 Request for County Indigent Lien /New Application

17-NH089 Request for County Indigent Lien/New Application

17-EE070 Determination of Denial for County Assistance

Chairman Cruickshank presented the Commissioner Meeting Minutes from September 6, 2016. Commissioner Willey made a motion to approve the Commissioner meeting minutes from September 6, 2016. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve the Commissioner meeting minutes from September 6, 2016.

Chairman Cruickshank presented Resolution 16-19 Adoption of Solid Waste Fees for Fiscal Year 2017. Commissioner Willey made a motion to sign Resolution 16-19 Adoption of Solid Waste Fees for Fiscal Year 2017. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to sign Resolution 16-19 Adoption of Solid Waste Fees for Fiscal Years 2017.

Chairman Cruickshank presented the Esri Software Maintenance Renewal Agreement for the Commissioners to consider signing. Chairman Cruickshank made a motion to approve and sign the Esri Software Maintenance Renewal Agreement. Commissioner Willey seconded the motion. No further discussion, all in favor. Motion passed to approve and sign the Esri Software Maintenance Renewal Agreement.

Chairman Cruickshank presented the Computer Arts Software Renewal Agreement. Commissioner Willey made a motion to approve and sign the Computer Arts Software Renewal Agreement. Chairman Cruickshank seconded the motion. No further discussion, all in favor. Motion passed to approve and sign the Computer Arts Software Renewal Agreement.

Chairman Cruickshank began the Stonebreaker Lane Winter Access Discussion. Theresa Perry with Idaho Parks and Recreation advised that last year it was decided to have a discussion before the winter to discuss the possibility of having Stonebreaker Lane open. She advised that the Cascade Chamber has an interest to bring in winter fishing events. The concern is regarding the need for access to the area. Chairman Cruickshank reported on the lack of funding to the Valley County Road Department and advised that there would be a question of who would conduct the snow removal. Theresa reported on complaints that she had received because the road was not open. There was a question presented about who the road actually belonged to and there was documentation presented that the Bureau of Reclamation granted an easement to Valley County in 1967. A copy of a map was distributed and would be appended to the Commissioner meeting minutes. Road Superintendent, Jeff McFadden had concerns that if the Valley County Road Department plowed the road in the morning and if a storm came in the afternoon, anyone who drove on the road might be stranded. There was also discussion regarding spring maintenance because of the cracks on the existing road. Jeff reported that the road department would be willing to conduct the repairs. Chairman Cruickshank believed that


Board of County Commissioners Meeting

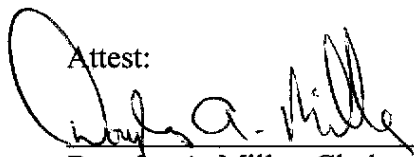
September 12, 2016

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the first priority would be finding a dedicated person to plow the road as well as a conducting a cost estimate and need to identify parking areas. It was also pointed out that a decision needed to be made if opening the area up was appropriate. The group agreed that they would meet at a later date.

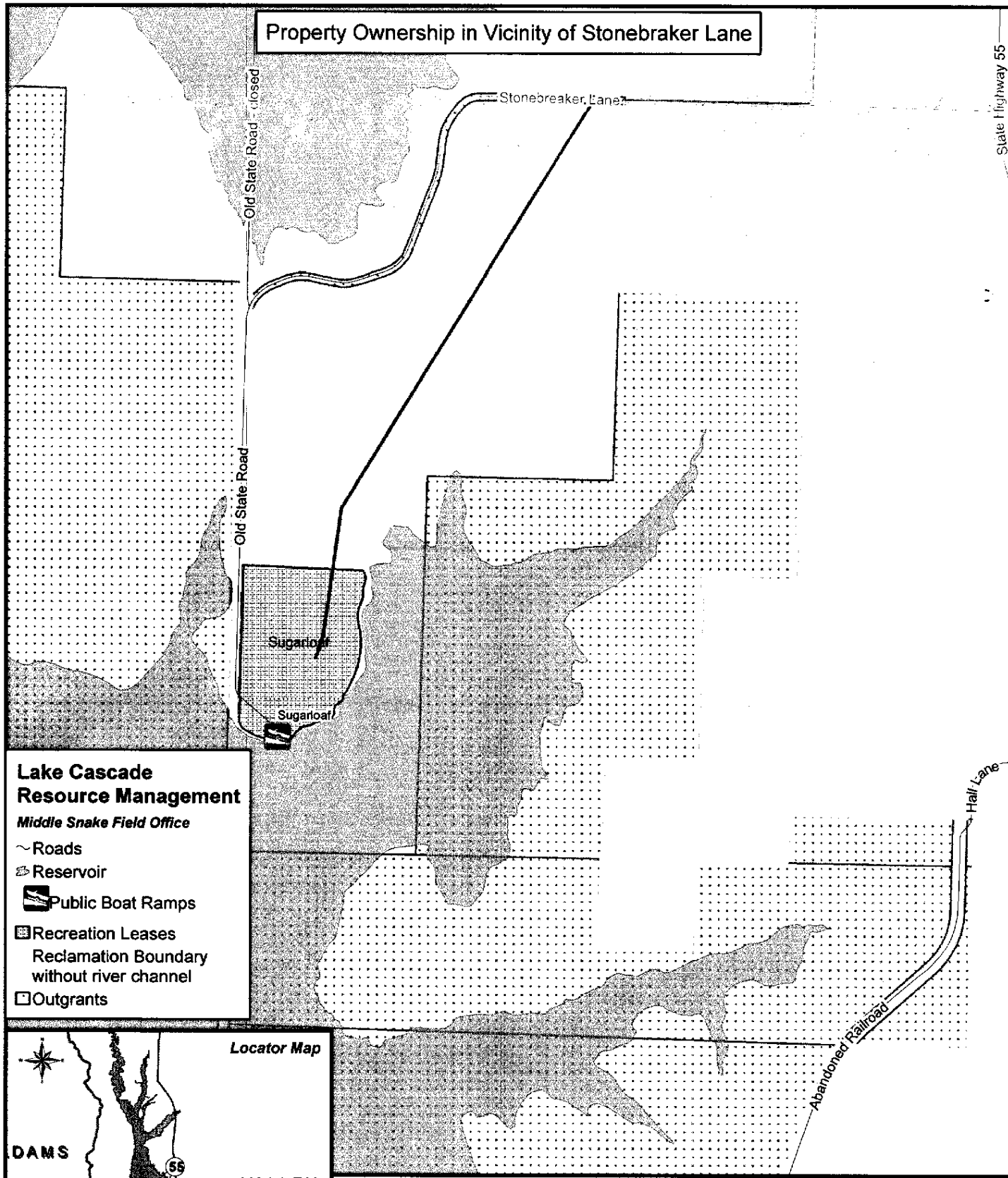
Commissioners adjourned the meeting at 12:11 p.m.


Gordon Cruickshank, Chairman

Attest:

Douglas A. Miller, Clerk

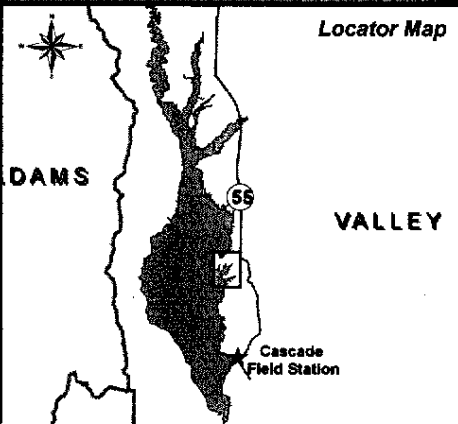
Property Ownership in Vicinity of Stonebraker Lane

State Highway 55



Lake Cascade Resource Management
 Middle Snake Field Office

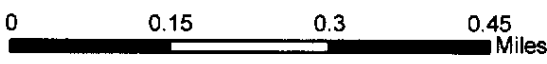
- ~ Roads
- ☞ Reservoir
- ☐ Public Boat Ramps
- ☐ Recreation Leases
- ☐ Reclamation Boundary without river channel
- ☐ Outgrants



RECLAMATION
Managing Water in the West

This document may contain graphical representations of property boundaries. It is not a legal description of the property, and is for general reference only. Neither the authors, Reclamation, or any other party involved in preparing the material and data displayed here warrant or represent that the information is in every respect complete and accurate, and are not held responsible for errors or omissions.

Prepared by: mwissenbach
 Date: 1/11/2016



INSTRUMENT NO. 66740

DECLARATION OF HOMESTEAD

Be it known that I, Margaret M. Peterson, do hereby declare that I am married and reside with my husband on the following described property which I claim as a homestead:

1. That I estimate that the actual cash value of the premises is approximately \$15,000.00.

2. That the premises referred to are described as follows, to wit:

Lot Six (6) and the South one half of Lot Five (5) of the Sixth (6th) Addition to the Townsite of Cascade, Valley County, Idaho.

IN WITNESS WHEREOF, I hereunto set my hand this 26th day of April, 1967.

s/ Margaret M. Peterson
Margaret M. Peterson

STATE OF IDAHO, County of Valley } ss.

On this 26th day of April, 1967, before me a Notary Public in and for said State personally appeared Margaret M. Peterson known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

SEAL

s/ Marla Sparber
Notary Public for Idaho
Residence: Cascade, Idaho

STATE OF IDAHO, County of Valley } ss.

I hereby certify that this instrument was filed for record at the request of Margaret M. Peterson at 15 minutes past 10 o'clock A.M. this 26 day of April 1967 in my office and duly recorded in Book 12 of Misc. at page 179.

Fred A. Howe
Ex-Officio Recorder

By Paul Young Deputy

COMPALED
INDEXED DIRECT
INDEXED INDIRECT

Fees \$ 6.00

DOC. STAMPS AFFIXED \$

INSTRUMENT NO. 66761

Duplicate Original
Contract No. 14-06-100-
5807

UNITED STATES
DEPARTMENT OF INTERIOR
BUREAU OF RECLAMATION
Boise Project - Payette Division - Idaho
ROAD RIGHT-OF-WAY EASEMENT

THIS AGREEMENT, made this 21st day of April, 1967, pursuant to the Act of Congress approved June 17, 1902 (32 Stat. 386) and acts amendatory thereof or supplementary thereto, all of which acts are commonly known and referred to as the Federal Reclamation Laws, between THE UNITED STATES OF AMERICA, hereinafter called the United States, represented by the Officer executing this agreement, hereinafter called the contracting officer, and VALLEY COUNTY, STATE OF IDAHO, a body politic, acting by and through its Board of County Commissioners, hereinafter called the grantees,

WITNESSETH, THAT:

2. WHEREAS, in connection with the Payette Division of the Boise Project, Idaho, the United States, through the Bureau of Reclamation, Department of the Interior, has, pursuant to Federal Reclamation Laws acquired or withdrawn certain lands hereinafter described, in Valley County, Idaho, and

3. WHEREAS, the grantees desire to utilize portions of such lands for the purposes

held liable for any damage to the grantor's improvements or works by reason of the exercise of the rights here reserved; nor shall anything contained in this paragraph be construed as in any manner limiting other reservations in favor of the United States contained in this agreement.

8. The grantee releases and agrees to indemnify and hold harmless the United States, its officers, agents, and employees on account of all damage or claims for damage by whomsoever made and of any nature whatsoever arising out of, or in any manner connected with the exercise by the grantee, its officers, agents, and employees, of the privileges granted by this easement.

9. The grantee will use, operate, and maintain the tracts of land covered by this easement in such a manner as not to interfere with the operation and maintenance of the Boise Project or with the administration of adjacent land owned by the United States.

10. The grantee shall not assign or transfer this easement without the written consent of the contracting officer and approval by the contracting officer of the form of easement to be used.

11. This easement shall terminate:

a. At the option of the contracting officer if the grantee fails to comply with any of the terms and conditions thereof.

b. At the option of the contracting officer upon discontinuance by the grantee of the use of the tracts covered by this easement for the purposes herein stated for a period of six (6) consecutive months.

c. At the request of the grantee by giving written notice to the contracting officer.

12. The easement is subject to the Equal Employment Opportunity provision attached hereto and made a part hereof.

13. The grantee hereby agrees as follows:

a. To comply with Title VI (Section 601) of the Civil Rights Act of July 2, 1964, (78 Stat. 241) which provides that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance," and to be bound by the regulations of the Department of the Interior for the effectuation thereof, as set forth in 43 CFR 17.

b. To obligate its subcontractors, subgrantees, transferees, successors in interest, or any other participants receiving Federal financial assistance hereunder, to comply with the requirements of this provision.

14. The grantee warrants that no person or agency has been employed or retained to solicit or secure this easement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial agencies maintained by the grantee for the purposes of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to require the grantee to pay to the United States the full amount of such commission, percentage, brokerage or contingent fee.

15. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this contract or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this contract if

See Page 183

Forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisement for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding a notice to be provided by the administering agency, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

Inclusion of the above Equal Employment Opportunity clause in subcontracts may be reference to Section 202 of Executive Order No. 11246 of September 24, 1965. Subcontractors below the second tier, other than subcontractors calling for construction work at the site of construction, are exempt from the requirements of the clause.

STATE OF IDAHO, County of Valley) ss.

I hereby certify that this instrument was filed for record at the request of Valley County Commissioners at 30 minutes past 9 o'clock A.M. this 1st day of May 1967 in my office and duly recorded in Book 12 of Misc. at page 179.

SEARCHED
INDEXED-DIRECT
INDEXED-INDIRECT
Fees \$111 DOC. STAMPS AFFRER \$ 7.00

Fred A. Howe
Ex-Officio Recorder

By *[Signature]* Deputy

Old State Road - closed

Old State Road

Stonebreaker Lane

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, GE, swisstopo, and the GIS User Community

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday, September 12, 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- Senior Deputy Clerk Katie Bomberger

9:10 **Elected Official Reports/Discussion**

Assessor – June Fullmer
Clerk – Doug Miller
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
Road & Bridge- Jeff McFadden
Boise National Forest Extension Agreement

- 10:30 Indigent and Charity
- 11:00 Commissioner Discussion (Correspondence)

Meeting Minutes of September 6, 2016
Resolution 16-19 Adoption of Solid Waste Fees
Esri Software Maintenance Renewal Agreement
Computer Arts Software Renewal

11:30 Stonebreaker Lane Winter Access Discussion

12:00 Adjourn Meeting
Commissioners will be attending workshop in McCall

Adjourn

COMMISSIONERS FUTURE MEETING DATE
Monday, September 19, 2016