

CITY OF CROUCH
Regular Scheduled Meeting of the City Council
April 10, 2024
6:30 p.m.
City Hall
Garden Valley, ID 83622

The public has the right to attend meetings, with the exception of lawful executive sessions.
Changes on agenda are for emergencies only.

Council Members

Mayor- Trevor Schiefelbein
Steve McAninch-President
Clayton Smith
Shawna Martin
Mike Hefner

Staff

Treasurer-Steve Raddigan
Water Master- George Simpson-absent
City Clerk- Bonnie Horsewood
City Attorney-Geoff Schroader

Open Regular Council Meeting 6:31PM

Pledge of Allegiance

• **Consent Agenda**

- Review of Minutes of Regular Meeting of March 13, 2023
- Review of Payables & Financials
- (*) Approve Consent Agenda-Member CS Made the Motion to approve the Consent Agenda, Member SM Second the Motion. Passed All-Yes

• **Water Issues**

- (*) Water Master Report- none
- (*) Water engineer update- Tim Fritzley spoke to Brandon Lowder who is the director of all public water systems for DEQ. He is very familiar with Garden Valley. The reason Tim could not find Crouch in the database is because Brandon said it is classified as a transient noncommunity water system. It is a public water system already but in a special category. That is due to the grocery store. Basically, because we only have about eight connections that puts us under the 25 EDU limit. Due to the grocery store being transitory, having hundreds of people going in and out every day, which throws us into the category of public water system. Brandon recommends and endorses the proposed plan of an association. Most of the small cities that he manages have done that. For example, the city does not want to manage it, so they turn it over to an association to manage, especially if there is a low level of residential users which we only have one residential user currently who is Diane Caughlin. Tim said the current water permit is still held by Village Associates. It appears that when this system was done, the paperwork was not filed to transfer the actual water permit. He said it is pretty easy to do. The only issue is that Idaho Dept of Water resources has a backlog currently. It could take a few months to have it transferred from Village Associates. The lady at IDWR said to hold off and just have it transferred to an association if that is what

we choose to do. This would cut the process time for the transfer. Member MH had a water permit document which was dated 2017 but he said wasn't the well put in 2008? Tim asked if it had the correct well tag # on it. The city and Village Associates had three different wells, so we will have to go back and see which well our permit papers are for. The well drillers permit that Tim got was from 2011 for that well matching up the well tag. There were two existing wells here and that well was drilled in 2011. Member MH said they had one for J.I Morgan, who was the other one? The other one is the Mud Room is now. The Mayor and Tim had spoken and had Custom Pump, from Emmett, come out and do an inspection on the well. Overall, they were very impressed with the system, it was engineered and designed very well. They had no problems with it at all. They said it was unusual that there were two very large pressure tanks in the well house. They were looking at the elevation between the well and the storage tank and they could not figure out why. Tim told them the well was put in, in 2011 and the storage tank was put in, in 2014. Then they understood. They did recommend some maintenance be done since it has been ten plus years that anything has been tested. Said there was some corrosion and leaks on some of the connections. That's just coming in and tightening and cleaning some things up. Another issue was that Larry Leisure never filed the survey for the lot over there. When Larry sold the house there to Chris Holt, there is an L shaped part of the property which is part of the 50' easement for the well head, so things were not deeded correctly for Chris's property. Tim handed out to Council an overhead view of Chris's property which showed the well house in a red square that the city has, and the rest of the property was an easement on Chris's property, which he has been paying property taxes on since he bought the property. Geoff said he had gone to Larry's office and met with his attorney in 2019 over this very issue. They had to create a new deed to file to get the city to own the square. Larry panicked because it had not been done then. Their next task was to submit it to Janet Juroch and have it recorded. Chris said that was done but only the little red square the well house sits on but not the L shape. Geoff explained that the L shape is still an easement and Chris can still use this property but there were restrictions to keep it clear so the city would have access and no contaminates on it. He moved a trailer that was on it. Chris considers this an issue since he cannot use the L shaped property for anything. There is also supposed to be a 6' fence all around the wellhouse property including Chris's portion of the property. The civil engineering drawing also shows that 2' of Chris's house falls within the 50' from the well house. There is also a power pole which is in dire need of repair. Idaho Power has come out and tightened up the power lines, but they said it is not their responsibility to fix the pole because it is a temp pole not a regular power pole. It was suggested that we get Idaho Power out to look at it to see what we need to do. Chris said he is not opposed to running the power line underground on his property which will be cheaper. Chris would like to have the city purchase the easement property from him. All of this was supposed to be done before he bought the property. He actually purchased the property in 2019 but as of 2023 he owns the property; the deed is in his name, and he is trying to refinance currently. Geoff said there are a couple of options to deal with this. Chris can continue to own it with the deed restrictions and easement, speak with the assessor to see if he would not have to pay the property taxes on it since it cannot be used. The other option would be to sever it from his property and see if the city wants to buy it. That would require an Executive Session to discuss the price if the city did it or if the association wanted to pursue buying it. Chris did mention that on all of the paperwork there was, Larry Leisure's signature was not on any of it. If we can get the original survey, then we can do a Lot Line adjustment. Since he is supposed to get his refinance in 30 days, this will make a

difference on that as well. Geoff said the lot can be severed and joined with the lot the city owns, but what do we pay for it, and do we have the money to pay for it? Since this will all require an Executive Session, the price can be discussed then. If Chris has an amount that he was thinking about for Council that would help. He did get an estimate of what this lot would be worth which he passed around to Council. The money would come out of the ARPA funds. Steve Raddigan asked a procedural question: If the deal does not go through and he does refinance, and then there is an agreement made, then the finance company still has to sign off on giving up the property? Geoff said if this is a reasonable price, which we do not know but assume it is, and if we have that kind of money, then it would be better to schedule a properly noticed Executive Session. Geoff asked if that would be possible. Steve R said yes, and we would take it out of the ARPA fund money. Geoff said there is no problem with the 3' taking up part of Chris's house per DEQ to which he had spoken. Mayor asked if Council would be able to set up an Executive Session soon. Chris said he has to let his bank know by April 26, 2024. If Council does not set a meeting, then Chris would have to set his bank meeting for June. He said he does not want to, but he does not mind doing it. Mayor asked how this will all work. Geoff said set up the Executive Session to Acquire interest in real property, approve a Property Line Adjustment. A realtor will have to do a quick claim on the property. Member MH asked how will a Property Line Adjustment work with the little corner of Chris's house? There is a little curve in the survey for the corner of the house. We may have to have a survey done. Chris said he would want it surveyed just to make sure. He does know where the pins are, but the easement description will have to match the pins. Tim asked in the Executive Session can Council Approve this and the Property Line Adjustment with the provision that the legal description will come later? Per Geoff, the purpose of the Executive Session is to discuss the price. At the conclusion you can put on the Agenda discussion/approval with going forward with the purchase subject to what the survey says. Geoff said we cannot do a Property Line Adjustment without a survey either. Member MH said shouldn't we go ahead and see if we can get the original survey and see if the language is right and verify that the pins are where they need to be, then we may not need to do a survey. SPF water did not do the original survey, it was done by somebody else. Chris said he may have that paperwork which he will look through all of his records. Chris said there are pins for the red square area not the whole easement. Chris did get a survey when he bought the house because of the well. The surveyor did not keep in mind at that time the easement which was supposed to be done. We will need a survey to write the legal description and have it stamped. Geoff found a survey recorded #254798 May 10, 2017, for the well house property and then parcel B with no drawing. Going by the numbers Geoff tried drawing it out. He said it may be the legal description of the Ingress, Egress utility maintenance agreement which might describe the L portion. Geoff said this may be what we need. As long as we are all saying the same thing per Geoff and all going off of that drawing and legal description, then we can set an Executive Session to discuss that. The Mayor asked the Council if they felt comfortable with setting an Executive Session, will set it for 6:30PM Wednesday April 17, 2024 for Special Council Meeting then go into an Executive Session.

Tim had one more item that was suggested for a public water system, we need to have a low water sensor alarm because we only fill our tank at 30% because we do not want it to become stale. This alarm will notify us at 10% if we should have a leak or the pump goes bad. We can check with D Square to see if our current system can do this, if not it is not that much to add one. That is the fastest way to a redundancy. This alarm can be heard by the whole town, but it would be connected to the web and appointed people

would be notified. Member CS asked about the repairs that need to be done? The roof screws just need to 2 ½” which Tim said he and Scott can do.

- (*) Update on the Water Facility Plan- Steve R had the sheets of Water rate Study and the updated fees that should be based on the 25 EDU's, from Mtn Water Works. These would be the rates if you were going to discuss it. Mayor said since we want to get rid of it at this time, we probably will not be discussing rates. The IRWA lady will be here to tomorrow to meet with George Simpson and he will take her on a tour of our facility. Steve R had a zoom with her and sent her all the documents she requested. This is just another step in the process.
- (*) Update on Water Committee

- **New Business**

- Discussion on Darren Coats as an additional Building Inspector- Mayor has been in communication with Darren. He seems like a good guy. Very good at responding to texts and calls. We have had issues with getting our building permits approved. Darren has one more test to do and we should be good to go on a new building inspector. Geoff said we cannot do it until he has that certification in hand. Appointing him will take a vote from Council so we will deal with that here soon. Bob Bachman has resigned as our building inspector.

- **Old Business**

- (*) Community Emergency Preparedness update- Steve McAninch said they had a really good meeting with Paul Cleveland. We all have assignments to do, looking into getting grants for first aid kits for the various subdivisions and different things that they have identified that they may need. Jason Yearsley is joining them.
- (*) Update on Impact Fee progress- Their meeting with the Boise Co P&Z will be April 25, 6:00PM at Community Hall. This is not with the commissioners. Geoff said it is important that we stay abreast of this. Assuming that the city wants to go along with this, the goal is to have a big meeting. Our task is to amend the Comp Plan and adopt the Capital Improvement Plan (CIP). The Mayor may want to have some Council go to this meeting. Geoff forwarded us all the documents that we will have to approve. The Ordinance, the Comp Plan, Intergovernmental Agreement, and the CIP. Some Council members should attend the upcoming meeting to see what their presentation is. There are Capital improvements that are attributable to growth and that is all they can be used for, and we are collecting them on behalf of the Fire District and remitting them to the Fire District when a builder builds. They have to be spent within 8 years, but they can get a two-year extension. If they are not used, then they are returned to the builder. The city needs to know the basis that they are using to assess and charge these fees. What are they buying? Another fire house, another fire truck, only things that are impact fee eligible. We need to be aware of it because we have to take their CIP, and this will become part of the City of Crouch's Comp Plan. We already have an Impact Fee Advisory Committee, and they are the ones who will be recommending to the Boise Co P&Z on the 25th of April to adopt this. The Mayor and Shawna will attend this meeting. The Fire District has to keep the funds separate and will be subject to an audit and a report that is separate from the rest of their funds. The Intergovernmental Agreement that we will be getting into, they will have to bill back because we collect money for doing all of this work, but you cannot take it out of the fee. We collect the checks and deliver them to the Fire Dept and then send them a bill and that comes out of their general fund. Mike said he might be able to attend. Mayor said he would be a good one to attend.

- **Scheduled Delegations**

- (*) Road Committee Report- Mayor said a couple of the speed limit signs were leaning a little bit and need fixing. Geoff requested the information for Radarsigns for some speed limit signs. Stanley will be needing some. Geoff told the ITD guy that these signs are magic.
- (*) Crouch/Garden Valley Museum Board Report-Kim would like to put out the benches from Com Hall into the Council meeting room. The Mayor had spoken to the family remodeling the old school about some of the benches. They have not gotten back with him yet. Mike Uhl has had inquiries about them as well. Steve R would like to buy the small three seat ones if they do not go to the Museum. Member CS said the Museum will probably be open in June.
- **Unscheduled Delegations-** Mike Uhl had an art show over the weekend and he thought it would be nice for the Council and City employees to pick out a picture and hang it in Community Hall for sale. People had asked why there were no pictures hanging in the Hall. So, he thought it would be nice to do this. He is donating the pictures and will split any funds from the sale of the pictures 50/50 with the City and himself. He was asked why there were no coat hooks in the bathrooms? He has some coat hooks that he will give us no charge. Member SWM made a Motion to approve Mike selling his art on display on the walls at Community Hall to be sold and split the funds 50/50 with the City and himself. Member CS Second the Motion. All: Yes
- (*) Clerk Report – In file
- (*) Treasurers Report – In file
- Adjournment-7:45PM

Next Regular Council Meeting is May 9th, 2024 at 6:30 PM

ASTERISK (*) ITEMS ARE ALL SUBJECT TO POSSIBLE ACTION BY THE CROUCH CITY COUNCIL MEMBERS.

Trevor Schiefelbein- Mayor

Bonnie M. Horsewood- City Clerk