

Valley County Board of Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
April 3, 2023**

PRESENT: **ELTING HASBROUCK (CHAIRMAN)**
 NEAL THOMPSON (COMMISSIONER)
 SHERRY MAUPIN (COMMISSIONER)
 DOUGLAS MILLER (CLERK)

Lieutenant, Michael Lacroix led the pledge of allegiance.

Chairman Hasbrouck presented the commissioners' agenda for April 3, 2023. Commissioner Thompson made a motion to approve the commissioners' agenda for April 3, 2023. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for April 3, 2023.

Chairman Hasbrouck presented the commissioner meeting minutes from March 27, 2023. Commissioner Maupin made a motion to approve the commissioner meeting minutes from March 27, 2023. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from March 27, 2023.

Treasurer, Johanna Defoort began the discussion regarding the maturity of ARPA dollars and asked the commissioners if they wanted to reinvest the ARPA funds. The commissioners advised that they wanted \$500,000 to remain in the Treasurer's Account for possible expenditure and reinvest the remaining amount. Treasurer Defoort advised that \$1,005,000. Commissioner Maupin made a motion to move \$200,000 of the ARPA Funds to LGIP Account and reinvest the remaining amount. Commissioner Thompson seconded the motion. No further discussion, all in

favor. Motion passed to move \$200,000 of the ARPA funds to LGIP Account and reinvest the remaining amount.

Chairman Hasbrouck began the discussion related to the completion of trademarking process for the Valley County logo. Commissioner Maupin explained the reason for Valley County to consider going through the trademark process of the Valley County logo. Chief Deputy Prosecuting Attorney, Brian Oakey explained the trademark protections and how to register the trademark and the reason that Valley County had a responsibility to trademark the logo. He advised that it would be best practice to go through the process and presented on additional steps that Valley County would need to follow. Commissioner Maupin made a motion to move forward with completing the application for a trademark of the Valley County and having Public Relations, McKenzie Kramer apply for the trademark of the Valley County logo. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to move forward with completing the application for a trademark of the Valley County logo and having Public Relations, McKenzie Kramer apply for the trademark of the Valley County logo.

Human Resource Director, Pat Duncan presented on the external training agreement and explained the training that the individual would be conducting in Valley County. Commissioner Maupin made a motion to approve the external training agreement. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the external training agreement as presented by Human Resource Director, Pat Duncan.

Assessor, Sue Leeper began the exemption workshop with the commissioners. Chairman Hasbrouck explained the process and reason for the workshop and turned the meeting over to Assessor Leeper. Assessor Leeper also explained the workshop to the commissioners and advise that they would be reviewing the applications for property tax exemptions. Chief Deputy Prosecuting Attorney, Brian Oakey further explained the case law on exemption status applications and the responsibility of the commissioners to review the applications individually. He further discussed the separate meeting that he had with the Assessor's Office and felt that the commissioners needed to discuss policy and procedures on determining exemption status. The commissioners also were provided with the exemption application to review. Chief Deputy Prosecuting Attorney, Brian Oakey provided examples that the commissioners would need to consider and provided his opinion on when the commissioners should grant an exemption. Assessor Leeper advised that any organization has until April 15, 2023, to submit an exemption status application. Chief Deputy Prosecuting Attorney, Brian Oakey further explained the appeal process if an entity was denied an exemption status. Appraiser, Kristi Hamilton informed the commissioners that she had mailed out the application to entities she had on her list and confirmed that she sent out the new application that was developed. The commissioners also discussed preparations for the Board of Equalization hearings and the process. Chief Deputy Prosecuting Attorney, Brian Oakey further explained the proposed process for Board of Equalization hearings and the commissioners had the opportunity to ask specific questions to Brian Oakey. The commissioners concluded the workshop.

Chairman Hasbrouck opened the Public Hearing for the appeal of the Planning & Zoning Commission Decision on Bitton Storage Building at 11:00 a.m. Chairman Hasbrouck asked the commissioners if there was any ex-parte or conflict of interest. All commissioners advised that there was no ex-parte communication or conflict of interest. Chairman Hasbrouck asked staff for a staff report.

Planning & Zoning Director, Cynda Herrick provided a staff report to the commissioners.

Chief Deputy Prosecuting Attorney, Brian Oakey presented to the commissioners on behalf of the appellant which was Valley County and explained the reason for the appeal of the Valley County Planning & Zoning Commission decision which was to make sure an adequate record was established to support a decision of the Planning & Zoning Commission. He described concerns with the proposed site if it was determined that future use would be used for commercial purposes. He also described actions that the Valley County Board of County Commissioners could make during the public hearing.

Applicant, Dusty Bitton who resides in Valley County presented to the commissioners that the intent was to use the land for personal storage and not for commercial purposes. He did advise that in the future he might be using the land for commercial purposes, but the intent now was for personal storage. The commissioners asked what type of personal property would be stored in the personal storage area. He provided a general overview of the type of personal property would be stored. The commissioners voiced concerns regarding about the possibility of future development of the land for commercial use. Applicant, Dusty Bitton provided a response to the commissioners and advised that the storage would not be allowed to be used for friends and family.

Chairman Hasbrouck opened the public hearing for public comment. The record would reflect that there was no one present or virtually who notified Valley County that they wanted to provide testimony to the commissioners.

Chief Deputy Prosecuting Attorney, Brian Oakey wanted the record to show that the size of the proposed building was not the issue and to apply current Valley Code. He wanted to make sure that the record shows that future use might be for commercial use and wanted the record to reflect that the applicant might be taking a risk for future approval of commercial use.

Chairman Hasbrouck closed the Public Hearing at 11:31 a.m. and brought the matter back to the commissioners for deliberation and potential decision. Commissioner Thompson provided his opinion regarding the appeal. Chairman Hasbrouck also provided his opinion regarding the appeal before the commissioners. Commissioner Maupin voiced her concerns regarding the possibility of future commercial use of the property as the registered owner was a business. Commissioner Thompson made a motion to uphold the decision by Valley County Planning & Zoning Commission that the application would not require a conditional use permit for the Bitton Storage building. Chairman Hasbrouck seconded the motion. No further discussion, Commissioner Thompson and Chairman Hasbrouck voted "aye". Commissioner Maupin voted "no". The motion passed with a 2-1 vote to uphold the decision by the Valley County Planning & Zoning Commission that the application for the Bitton Storage Building would not require a conditional use permit.

Commissioner Maupin made a motion to go into Executive Session per Idaho Code 74-206 1(b)- "To consider the evaluation dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student."- Personnel Commissioner Thompson 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(b)-Personnel at 11:36 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 12:45p.m. No decision was made after the Executive Session per Idaho Code 74-206 1(b)-Personnel.

The commissioners recessed for lunch at 12:50 p.m.

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

Chairman Hasbrouck opened the Public Hearing for PUD-22-04 & CUP 22-04 at 1:04 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communication or conflict of interest. All commissioners advised that there was no ex-parte communication or conflict of interest. Chairman Hasbrouck asked to hear a staff report.

McCall City Planner, Brian Parker provided a staff reported to the commissioners regarding PUD-22-04 & CUP 22-04 Hatch Design & Steve Theissen of Hatch Design for STOR-IT LLC. He advised that the McCall Planning & Zoning Commission unanimously voted to not approve the PUD-22-04 & CUP 22-04 Hatch Design & Steve Theissen of Hatch Design for STOR-IT LLC. The commissioners had questions for McCall Planning Director, Brian Parker and he responded accordingly.

Chairman Hasbrouck asked to hear from the applicant of PUD-22-04 & CUP 22-04 Mr. Jeff Hatch who was the owner of Hatch Design provided a presentation to the commissioners regarding the proposed application for PUD-22-04 & CUP 22-04 STOR-IT. The commissioners had questions for Mr. Hatch and he responded accordingly.

Chairman Hasbrouck asked to hear testimony from proponents of the application. Mr. Jeff Hatch read into the record an email that was received from Mrs. Claire Dryer who was in favor of the proposed PUD-22-04 and CUP 22-04.

Chairman Hasbrouck asked to hear testimony from individuals who were uncommitted. The record would reflect that there was no one who were uncommitted.

Chairman Hasbrouck asked to hear testimony from individuals who were opposed to PUD-22-04 & CUP 22-04.

Mr. David Gallipoli who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Mr. Larry Shake who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Mrs. Becky Rubin who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Mrs. Liz Rukela who resides in McCall, Idaho, provided testimony to commissioners in opposition of PUD-22-04 & CUP-22-04.

Mr. Jerry Bisom who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Mr. Ken Strode who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Mr. Carl Rukela who resides in McCall, Idaho, provided testimony to the commissioners in opposition of PUD-22-04 & CUP-22-04.

Commissioner Maupin asked additional questions to Mr. Brian Parker regarding the existing comprehensive plan, and he responded accordingly.

Chairman Hasbrouck asked to hear rebuttal testimony from the applicant and Mr. Jeff Hatch provided rebuttal testimony on behalf of STOR-IT. He proposed the commissioners to table the matter for another date to review the traffic study and soil & water study.

McCall City Planner, Brian Parker provided additional clarification to the commissioners regarding proposed roof designs. The commissioners had additional questions regarding the update of the comprehensive plan. Mr. Parker provided a response to the commissioners that the City of McCall was planning on updating the comprehensive plan in 2023.

Chairman Hasbrouck closed the Public Hearing at 2:15 p.m. and brought the matter back before the commissioners for deliberations. Chairman Hasbrouck provided his opinion during deliberations. Commissioner Maupin provided her opinion during the deliberations. Commissioner Thompson provided his opinion during deliberations. Commissioner Maupin made a motion to table PUD-22-04 and CUP-22-04 until May 1st at 1:00 p.m. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to table PUD-22-04 Hatch Design for CW Hurless of STOR-IT, LLC & CUP-22-04.

Ms. Jennifer Roark with the Idaho State Public Defense Commission provided a presentation to the commissioners regarding public defense in Idaho and explained the existing training opportunities that are available for public defenders in the state of Idaho. Valley County Public Defender, Scott Erekson was also in attendance to answer any additional questions from the commissioners and explained the training that the Valley County Public Defenders Office had attended offered by the Idaho State Public Defense Commission. He also updated the commissioners on the existing caseload of the public defender's office. He further presented on the changes that would take place in Valley County with the State of Idaho taking over public defense system.

Durena Farr with Valley Soil & Water Conservation District presented on the letters of support that they are requesting to be signed by the commissioners. The first letter of support presented was for the Conservation District Hot Springs Wildlife Management Area Riparian Fencing Phase I. The commissioners had questions regarding the area that the fencing would be erected and Durena provided an overview of the area that would be fenced. Commissioner Maupin made a motion to approve the letter of support for the grant application Hot Springs Wildlife

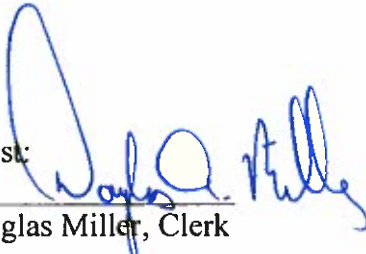
Management Area Phase I. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for the grant application for Hot Springs Wildlife Management Area Phase I.

Durena Farr presented on the letter of interest for the cloud seeding for NFPR Watershed. Commissioner Thompson made a motion to approve the letter of interest for cloud seeding of the NFPR Watershed. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of interest for cloud seeding of the NFPR Watershed.

Commissioner Maupin made a motion to go into Executive Session per Idaho Code 74-206 1(b)-"To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student."-Evaluation Commissioner Thompson 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(b)-Evaluation at 3:12 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Evaluation at 4:10 p.m. No decision was made as the Executive Session was for evaluation purposes.

The commissioners adjourned at 4:11 p.m.

Attest:


Douglas Miller, Clerk



Chairman, Elting Hasbrouck

Valley County Board of County Commissioners

Public Hearing --- April 3, 2023

PUD 22-04 and CUP 22-04

Print Name & Place of Residence

Undecided

Proponents

CLAIR DEYER

Opponents

DAVID GALLI POLI

LARRY SHAKU

BECKY RHINE

LIZ ^{RUNKALA} ~~ROSSI~~

JERRY BISON

KEN STRONE

CARL RUNKALA

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday April 3, 2023

Valley County adheres to ADA requirements. If anyone requires an accommodation, please contact the County Clerk, Douglas Miller 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 March 27, 2023
- 9:05 **Action Item:** Discussion on the Maturity of ARPA Dollars – Treasurer, Johanna Defoort
- 9:10 **Action Item:** Discussion Completing a Trademark Process for the Valley County Logo
- 9:25 **Action Item:** Approve External Training Agreement – Human Resource Director, Pat Duncan
- 9:30 **Action Item:** Exemption Workshop -- Assessor, Sue Leeper
- 11:00 **Public Hearing/Action Item:** Appeal of P&Z Commission Decision: Bitton Storage Building – Planning and Zoning Director, Cynda Herrick
- 11:30 **Action Item:** Executive Session per Idaho Code 74-206 1(b) “To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student”- Evaluation
- 12:00 Recess for Lunch
- 1:00 **Action Item:** PUD-22-04 & CUP-22-04 TBD-Elo Rd: Hatch Design for CW Hurless of Stor-It, LLC. Jeff Hatch & Steve Theissen of Hatch Design for STOR-IT LLC: An application for a Planned Unit Development Preliminary Plan a Conditional Use Permit, Design Review, and Scenic Route Review to expand the operations of the STOR-IT facility located on the adjacent parcel and add multiple buildings offering additional storage units

varying in size on a property totaling 10.04 Acres or 437,545 square feet. The property is zoned RE – Rural Estate, and is more particularly described as:

Situate in the NE ¼ of the NE ¼ of the SE ¼, less Deeded County Rd R-O-W in Section 21, T18N, R3E, B.M., Valley County, Idaho.

- 2:00 Idaho State Public Defense Commission Presentation-Regional Coordinator, Jennifer Roark
- 3:00 **Action Item:** Letter of Support for Grant Applications for Valley Soil & Water Conservation District Hot Springs Wildlife Management Area Riparian Fencing Phase I
Letter of Support to Idaho Water Resource Board for Exploring Feasibility of Cloud Seeding for NFPR Watershed-Durena Farr with Valley Soil & Water Conservation District
- 3:00 **Action Item:** Executive Session per Idaho Code 74-206 1(b) “To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student”- Evaluation

Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONER’S FUTURE MEETING DATE

Monday April 10, 2023