

Valley County Board of Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
May 8, 2023**

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

Mrs. Faye Thompson led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for May 8, 2023. Commissioner Thompson made a motion to approve the commissioners' agenda for May 8, 2023. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for May 8, 2023.

Senior Deputy Auditor, Rheta Clingan presented the commissioners with Fiscal Year 2023 claims and board order claims. The commissioners had questions regarding the claims that were presented and Clerk, Douglas Miller and Senior Deputy Auditor, Rheta Clingan responded accordingly.

Fiscal Year 2023 Claims

General Fund	\$ 199,195.76
Road & Bridge	\$ 40,958.30
District Court	\$ 1,899.44
Fair	\$ 79.04
Election Consolidation	\$ 663.76

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Indigent & Charity	\$ 24.29
Revaluation	\$ 725.02
Solid Waste	\$ 101,377.99
Weeds	\$ 685.17
Waterways	\$ 852.63
McCall Snowmobile	\$ 658.89
Cascade Warm Lake Snowmobile	\$ 2,034.45
Smiths Ferry Snowmobile	\$ 245.22
Title III Funds	\$ 8,000.00
Extension Agent Fund	\$ 2,031.81
OHV Fund	\$ 49.98
PILT Fund	\$ 6,209.43

Total: **\$365,691.18**

Commissioner Maupin made a motion to approve the claims & board order claims as presented for May 8, 2023. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the claims & board order claims as presented for May 8, 2023.

Assessor, Sue Leeper informed the commissioners that she was working with the Prosecuting Attorney's Office to determine a process for increase of Title fees and advised that there would need to be a public hearing scheduled because the increase would be above 5%.

Clerk, Douglas Miller provided the commissioners with an update involving the Clerk's Office to include budget, elections, and court operations.

Prosecuting Attorney, Brian Naugle presented the finding of facts and conclusions of law for Corral Creek. Commissioner Maupin made a motion to approve the facts and conclusions and vacation for Corral Creek. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the facts and conclusions and vacation for Corral Creek.

Prosecuting Attorney, Brian Naugle provided the commissioners with an update of cases that the Prosecuting Attorney's Office was handling. He briefly discussed the lawsuit that was filed against all Prosecuting Attorney's Office in the State of Idaho by Planned Parenthood. Mr. Naugle briefly discussed the budget preparation for the Prosecuting Attorney's Office

Sheriff, Patti Bolen presented the Bureau of Reclamation for Law Enforcement contract. Commissioner Thompson made a motion to approve the Bureau of Reclamation contract. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Bureau of Reclamation contract for law enforcement.

Sheriff Bolen advised that she would be attending Sheriff's Conference from May 8th through May 12th.

Sergeant Kevin Turner presented the Waterways Committee by-laws, and the commissioners discussed the preparation of the by-laws. Chairman Hasbrouck made a motion to approve the

Valley County Waterways Committee by-laws. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the Valley County Waterways Committee by-laws.

Sergeant Turner provided the commissioners with an update regarding marine patrol deputy positions and advised that he should be fully staffed. Commissioner Maupin inquired about the jet boats that were boating in non-motorized water. Sergeant Turner advised that Valley County Sheriff's Office was currently investigating the incident.

Treasurer, Johanna Defoort presented on the training that occurred last week with the Idaho State Tax Commission related to House Bill 292. She provided an overview of the House Bill 292 and the process that would take place at the Clerk's Office, Treasurer's Office, and Assessor's Office.

Treasurer Defoort presented on a request to shred Treasurer's Office documents and provided the commissioners with an overview of the documents that would be shredded and explained the record retention policy and advised that the documents would be allowed to be shredded under the policy. Commissioner Thompson made a motion to approve the bulk shred as presented by Treasurer, Johanna Defoort. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the bulk shred as presented by Treasurer, Johanna Defoort.

Court Services Director, Skip Clapp presented to the commissioners that Steve Ryan would be attending Idaho P.O.S.T. Academy for misdemeanor probation. Skip discussed changes that he was proposing for office arrangements at the McCall Annex for the probation department and specifically the front office. He reported that Juvenile Probation Officer, Dee Dee Phillips would be conducting statewide trainings and he provided a brief description of the trainings that would be occurring. The commissioners discussed the detainment of juveniles for a variety of reasons and the process that occurs. Director Clapp provided a general overview of the existing process.

University of Idaho Extension Educator, Melissa Hamilton provided the commissioners with an update on the Master Gardner program and the projects. She informed the commissioners about the award that she received. She discussed the state retreat in the fall. Saturday is a 4H leaders fundraiser yard sale. The commissioners discussed the lease for the people renting the top floor of the extension office building.

Human Resource Director, Pat Duncan provided the commissioners about preparing for her retirement and reported that the new Human Resource Director would be starting on May 15, 2023. She informed the commissioners he was currently reviewing recommended increase to salaries for Fiscal Year 2024 budget.

IT Director, Jeremy Wilcox provided the commissioners with an overview of matters involving the IT Department. He reported on the resignation of an employee and the recruiting to fill the position. He provided the commissioners with an update of the improvements that were being made at the office in Lake Fork to allow the Recreation Department to utilize an office at the location. The commissioners asked about the GIS Analyst position and Jeremy informed the commissioners about the recruiting that was occurring.

Planning & Zoning Director, Cynda Herrick reported on Planning & Zoning public hearings that would be occurring. She presented the finding of facts and conclusions of law for CUP 22-34

Shoemaker Storage. Commissioner Maupin made a motion to approve the finding of facts and conclusions of law for CUP 22-34 Shoemaker Storage. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the finding of facts and conclusions of law for CUP 22-34 Shoemaker Storage.

Chairman Hasbrouck informed Cynda that he was contacted about a triathlon event at Warm Lake and asked her about the permitting that might be required. Cynda explained the process to the commissioners and advised if there were over 500 participants there would be a large gathering permit required.

Recreation Director, Larry Laxson reported on the IDPR Board meeting and the grants that were awarded. He did advise that the pickleball grant application was not approved by the IDPR Grant Committee. He explained that he did contact the Valley County Pickleball Club, and they are attempting to redefine the proposal and ideas. He presented on the projects that would be completed in Fiscal Year 2023 and the proposed projects for Fiscal Year 2024. He reported on the presentation to the City of McCall regarding the Sampson Trail pathways and discussed the request for proposal that was being prepared. He reported on the spring maintenance of the snow groomers and explained that they were waiting for parts. He informed the commissioners about the start of the Cabarton rafting launch.

Facility Director, Scott Clingan reported on the repairs that facilities had to repair for the heating and cooling system at the jail and the courthouse. Scott presented on the Cascade Refrigeration Inc. proposal for repairs at the McCall Annex. He explained the repairs that are needed and or replaced. Chairman Hasbrouck made a motion to approve the Cascade Refrigeration Inc with the funding being taken out of the Court Facility Fund. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Cascade Refrigeration Inc. proposal for repairs of the furnaces at the McCall Annex.

Facility Director, Scott Clingan reported that free dump date would be occurring and discussed on the woody debris program. He advised that the Warm Lake Transfer site locks would be changed, and the keys would be distributed to only appropriate users. He reported on a meeting that he would be having with the Valley County Fair Board to determine the upgrades that are being requested. The commissioners discussed the care taking of the Valley County Fair Grounds and long-term solutions to improve. He also informed the commissioners that he was in process of renewing the conditional use permit application for the Valley County Recycling Center. He further discussed the capital improvements that he would be budgeting for the Solid Waste Transfer Site. He presented on the need to have a workshop to discuss the handling of the woody debris pile at the transfer site.

Road Director, Jeff McFadden provided the commissioners with an update regarding the FEMA reimbursement for the South Fork Road. He discussed repairs that were being conducted on roads within Valley County and presented on the major repairs that were needed on specific roads. Jeff specifically informed the significant issue on Thunder Mountain Road. He explained that the winter was hard on the roads. He presented on staffing issues and the difficulties that he has had maintaining employees. He explained that most of the issues that employees are moving to other employment is that they cannot find local housing.

Clerk, Douglas Miller presented on the budget request for the Valley County Court Services. Court Services Director, Skip Clapp presented on the budget request for Fiscal Year 2024 for 06-54 and 01-08.

Chairman Hasbrouck presented the commissioner meeting minutes from May 1, 2023. Chairman Hasbrouck made a motion to approve the commissioner meeting minutes from May 1, 2023. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from May 1, 2023.

Chairman Hasbrouck presented the finding of facts and conclusions of law for VAR-22-01. Commissioner Maupin made a motion to approve the finding of facts and conclusions of law for VAR-22-01. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the finding of facts and conclusions of law for VAR-22-01.

Chairman Hasbrouck presented on the letter to submit to the Valley County Road Advisory Committee. Commissioner Thompson made a motion to approve the Valley County Road Advisory Committee letter. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Valley County Road Advisory Committee letter.

Shannon McKnight representing the West Central Mountains Youth Advocacy Coalition presented on a request to proclaim H.O.P.E week for May 8th through May 12th. Chairman Hasbrouck made a motion to proclaim H.O.P.E week for May 8th through May 12th. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to proclaim H.O.P.E week for May 8th through May 12th.

The commissioners recessed for lunch at 12:10 p.m.

The commissioners returned from lunch at 1:04 p.m.

The Idaho Central District Health presented their Fiscal Year 2024 budget request from Valley County. They gave an update on staffing in the county and building operations. A copy of the budget for Idaho Central District Health will be appended to the commissioner meeting minutes. Director, Russ Duke informed the commissioners about the formal budget public hearing that would occur on. He also presented a handout to the commissioners regarding the Valley County data.

Dylan Martin with Idaho Power presented to the commissioners regarding a proposal to create a new substation in Cascade. He advised that there was a West Mountain electrical plan developed ten years ago. Dylan Martin introduced other employees of Idaho Power. Mr. Martin advised that Idaho Power heard that Valley County was considering moving the road department to the Gold Dust site and they wanted to inquire to see if Valley County would be interested in selling two acres to Idaho Power for the proposed substation at Gold Dust site. Idaho Power advised that they would be required to go through the conditional use permit. The commissioners discussed the proposal with the members of Idaho Power and provided input. It was determined that Idaho Power and Valley County would continue to review the opportunity for Idaho Power to build a substation in Cascade, Idaho, at the property owned by Valley County off Gold Dust.

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Chairman Hasbrouck began the workshop with the City of McCall related to the McCall Impact Area code/ordinance changes & differences. Members of the city of McCall in attendance were McCall City Planner, Brian Parker and Community & Economic Development Director, Michelle Groenevelt. Chief Deputy Prosecuting Attorney, Brian Oakey provided the commissioners with an overview of events that have occurred and presented on topics that should be discussed during the workshop. Michelle Groenevelt provided input to the commissioners and explained the history of the McCall Impact Area. A copy of the handout presented to the commissioners will be appended to the commissioner meeting minutes. Commissioner Maupin provided her opinion during the workshop and the concerns that she had. The commissioners and city of McCall staff discussed the McCall Impact Area current zoning designations. The commissioners and city of McCall staff discussed code enforcement in the area of impact. Chief Deputy Prosecuting Attorney, Brian Oakey discussed his concerns regarding the possibility of misdemeanor charges of violators within the area of impact. The discussion also included taking analysis for applications that require easements or real property and the process for the commissioners to allow more time to review. There was discussion on the 3 policy differences from 2022- temporary vendors, short-term rental, and gas stations in the scenic route. Further discussion was related to the existing rules for short-term rentals within the area of impact that are different from both the city and county codes. The County discussed codification of the McCall Impact Area ordinance so it easier to track for the public and then staff would be able to cite County ordinances and numbers rather than using the city code references. The commissioners and staff from the City of McCall agreed to schedule future workshops with an option of setting an Action Item to allow for decisions to be made. There was additional conversation regarding the need to schedule public hearings to conduct cleanup of the existing ordinances.

Commissioner Maupin presented on the request for \$5,000 contribution to Entry Point to write a grant for Last Mile Broadband Connectivity and explained the grant applications to the commissioners and the phases of the proposed project. IT Director, Jeremy Wilcox asked for some clarifications to the commissioners regarding the IRON program and a grant application that was being applied for regarding to 911 communications and advised that the IRON program wanted points of contact. Commissioner Maupin discussed the creation of the board of the Western Mountain Fiber Committee. Chairman Hasbrouck made a motion to utilize \$5,000 of ARPA funds to Entry Point for the Western Central Mountain Fiber Network Grant. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to utilize \$5,000 of ARPA funds to Entry Point for the Western Central Mountain Fiber Network Grant.

The commissioners adjourned at 4:58 p.m.

Attest:


Douglas Miller, Clerk


Chairman, Elting Hasbrouck



Subject: McCall Impact Area Code Difference
From: Michelle Groenevelt, AICP, Community & Economic Dev. Director
Date: May 8, 2023 Work Session on McCall Impact Area Code Differences

The intention of this Memorandum is to summarize the planning and zoning codes from 2022 adopted by the City of McCall when all code amendments were put on hold by Valley County for the 10-year Impact Area review process.

Background

The McCall Impact Area was established late 1970's through a series of ordinances. Since that time, numerous updated ordinances have been adopted by the City and County when new codes and Comprehensive Plans were developed. In 2006, the McCall Area Planning and Zoning Commission was established a joint City/County Commission. The membership consists of 7 members with 4 members appointed by the City Council and 3 members appointed by the County Commissioners. All PZ members shall be residents of the city or the area of city impact for a period of at least two (2) years prior to appointment.

The City adopts development codes for the city limits and the County Commissioners adopt codes for the McCall Impact Area, and are subject to land use and development review by the McCall Area Planning and Zoning Commission and then final decision to the respective governing boards (see attached flow chart). The City and County had the same codes until 2022 when pause was hit on any zoning code changes for a 10-year review. During this time, the McCall City Council adopted 3 code amendments in 2022, CA-22-01, CA-22-02, CA-22-03 which are summarized below.

CA-22-01: Code amendment regarding temporary vendors (food trucks and similar) and cleaning up language in the code that is not substantial from a policy perspective. This zoning code update added the following definitions:

TEMPORARY VENDORS

TEMPORARY FOOD VENDOR: Any self-contained pushcart, automobile, trailer, or similar device which is used for the sale of prepared foods.

Allowed Use	AF	CV	AP
Temporary Merchandise Vendor	-	-	-
Temporary Vendor Court	-	A	-

Footnote 7. Temporary food vendors with a concessionaire's agreement with the City are permitted to operate within public parks.

Modification to section 3.8.05

This section provides specific standards for temporary uses. The following is added language to this section:

Temporary Food Vendors

1. *No drive-up or drive-through service shall be permitted.*
2. *Temporary food vendors shall not utilize public-right-of way except for the following:*
 - a. *2nd Street between East Lake Street and East Park Street.*
 - b. *Parking spaces adjacent to pedestrian bulb-outs not marked as disabled parking on East Lake Street between North 3rd Street and Pine Street.*
 - c. *Lenora Street between 1st Street and North 3rd Street.*
 - d. *East Park Street between 1st Street and North 3rd Street.*
3. *Temporary food vendors may operate on streets within residential zones, but are not permitted to be stationary for greater than ten (10) minutes while not actively engaged in a sales transaction.*

(B) Temporary Merchandise Vendors

1. *All temporary merchandise vendors which remain in one location for more than seven (7) consecutive days shall be subject to design review.*

(C) Temporary Vendor Courts

1. *All temporary vendor courts shall be subject to design review.*
2. *Temporary vendor courts located within the Scenic Route Overlay Zone shall be subject to the following additional design requirements:*
 - a. *No temporary freestanding signage*
 - b. *Landscaping or screening may be required at the discretion of the Administrator.*
3. *Permanent free standing signage is permitted in conformance with Chapter 9 of this title.*

(D) Temporary uses associated with permitted Public Events in accordance with Chapter 8, Title IV of McCall City Code do not need any additional permitting.

3.16.01: Design Review

CA-22-02: Short-Term Rentals: City staff held 2 work sessions with City Council, the work session with the County was cancelled, held focus groups with STRs owners and property managers. Extensive research was conducted on this topic. Ultimately, the City code is more similar to Valley County code.

Short-Term Rental Information Center: <https://www.mccall.id.us/ShortTermRental>
This is the webpage for permits, regulations, fees, scheduling an inspection, LOT, etc.

SHORT TERM RENTALS

The following were revisions to better manage STRs in the City McCall.

Changed the Current Permit Process- City Only:

- From Business License to Short-Term Rental Permit
- Requiring STR permit for each unit on each property
- STR permit renewal to occur annually
- Require a floor and site plan as part of the application
- Violation of the permit will result in \$300 fine for a first offense in twelve (12) months; b) for a second violation of the same offense within a twelve (12) month period of the date of the first offense, a misdemeanor fine in an amount not to exceed \$750 and the suspension of the permit for a term of two (2) years.

Proposed land use changes from current Impact Area code

- Add definitions of events, Local Contact Person, and Occupant.
- Add land use table in commercials zone, to have STRs 10 or less persons an administrative approval and 11 or more a conditional use permit. (The current regulations in the Impact Area are less than 20 is permitted.)
- More than ten (10) would require a CUP (and have the requirement of a certified automatic fire suppression system.)
- Occupancy of STRs would be limited to two persons per bedroom. Total maximum occupancy of the short-term rental shall not exceed ten (10) persons without the issuance of a conditional use permit pursuant to MCC 3.13.03. The occupancy of 2 persons per bedroom is standard used in other communities. Occupancy of 11 or more would require a CUP to ensure it meets health/safety requirements for high occupancy STRs and does not have negative neighborhood impacts as a large STR.
- Protection of the health and safety of occupants and surrounding property owners shall be ensured through an inspection by the Fire Authority prior to the issuance of a short-term rental permit. Such inspection shall be subject to a fire, health and safety checklist

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday May 8, 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 **Action Item:** Claims, Board Order Claims & Junior College Tuition- Senior Deputy Auditor, Rheta Clingan

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

Assessor – Sue Leeper

Clerk – Doug Miller

Prosecutor – Brian Naugle

Action Item: Sign Corral Creek Facts Conclusions

Sheriff – Patti Bolen

Action Item: Modification of Bureau of Land Reclamation Law Enforcement Contract

Review and Approve Waterways Committee By-laws

Treasurer – Johanna Defoort

Action Item: Approve bulk shred Treasurer's Office Documents

Department Head Reports - 5 Minutes each

Building Department – Annette Derrick

Court Services – Skip Clapp

Extension Office- Melissa Hamilton

Human Resources/Risk Management – Pat Duncan

Information Technology – Jeremy Wilcox

Planning and Zoning-Cynda Herrick

Action Item: CUP 22-34 Shoemaker Storage - Facts and Conclusions

Parks and Recreation- Larry Laxson

10:30 Buildings and Grounds / Solid Waste- Scott Clingan

Action Item: Sign Cascade Refrigeration Inc. Proposal

Budget Workshop for Fiscal Year 2024-Clerk, Douglas Miller
01-10 Facilities – Director, Scott Clingan
23-00 Solid Waste – Director, Scott Clingan

11:00 Road & Bridge Presentation- Jeff McFadden

11:30 Budget Workshop for Fiscal Year 2024-Clerk, Douglas Miller
06-54 Court Services – Director, Skip Clapp
01-08 Juvenile Detention Center – Director, Skip Clapp

11:45 Commissioner Discussion

Action Items: Meeting Minutes of May 1, 2023
Finding of Facts for VAR-22-01
Approve Letter to Road Advisory Committee

11:45 **Action Item:** Approve Proclamation for H.O.P.E. Week May 8th through May 12th

12:00 Recess for Lunch

1:00 Presentation from Central District Health Regarding Budget Request for Fiscal Year 2024-Director, Russ Duke

2:00 Discussion on a New Substation in Cascade – Idaho Power, Dylan Martin

2:30 Workshop with City of McCall Related to McCall Impact Area Code/Ordinance Changes & Differences

4:30 **Action Item:** Approval of \$5,000 Funds to Pay Entry Point to Write Grant for Last Mile Broadband Connectivity

Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONERS FUTURE MEETING DATE
Monday May 15, 2023

Valley County Board of Commissioners

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NOTICE OF SPECIAL MEETING OF THE BOARD OF THE VALLEY COUNTY COMMISSIONERS

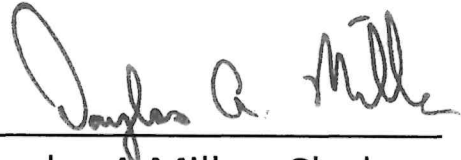
NOTICE is hereby given that the Board of Valley County Commissioners will hold a Special Meeting, Tuesday, May 9th 2023, at 8:00 a.m. at the Valley County Courthouse to discuss the tax-exempt property applications for consideration.

Proposed Agenda

Action Item: Executive Session per Idaho Code 74-206 1(f)-“To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.”-Litigation

Action Item: Consider Tax-Exempt Property Applications

Dated at Cascade, Idaho this 2nd day of May, 2023.
Douglas A Miller, Valley County Clerk, Valley County, Idaho.

A handwritten signature in black ink that reads "Douglas A. Miller". The signature is written in a cursive style with a large initial 'D' and 'M'. It is positioned above a solid horizontal line.

Douglas A Miller, Clerk