

Valley County Board of Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
June 20, 2023**

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

Chairman, Elting Hasbrouck led the pledge of allegiance.

Chairman Hasbrouck presented the commissioners' agenda for June 20, 2023. Commissioner Maupin made a motion to approve the commissioners' agenda for June 20, 2023. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for June 20, 2023.

Chairman Hasbrouck presented the commissioner meeting minutes from June 12, 2023. Commissioner Thompson made a motion to approve the commissioner meeting minutes from June 12, 2023. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from June 12, 2023.

Chairman Hasbrouck presented the Western States CAT CSA program enrollment form. Facility Director, Scott Clingan explained the program to the commissioners. Commissioner Maupin made a motion to approve the Western States CAT CSA program enrollment form. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the Western States CAT CSA program enrollment form.

Grant Writer, Mackenzie Castor presented on the T Mobile Grant for the Fairground revitalization application for \$50,000. Commissioner Maupin made a motion to approve the T Mobile Grant for the Fairground revitalization application. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the T Mobile Grant application for the fairground revitalization application.

Grant Writer, Mackenzie Castor presented the certification for drug free workplace requirements for the federal grants that were being applied for. Commissioner Maupin made a motion to approve the certification for drug free workplace requirements. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the certification for drug free workplace requirements for the federal grants that had been applied for.

Facility Director, Scott Clingan presented on the Cascade Refrigeration Inc. proposal and explained that the proposal would convert the University of Idaho Extension Office from oil heating to different heating and cooling units. Commissioner Thompson made a motion to approve the Cascade Refrigeration Inc. proposal to convert the University of Idaho Extension Office from oil heating to different heating and cooling units. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Cascade Refrigeration Inc. proposal to convert the University of Idaho Extension Office from oil heating to different heating and cooling units.

Chairman Hasbrouck presented the participating agreement between Valley County and the United States Department of Agriculture for weed removal on the Boise National Forest. Commissioner Thompson made a motion to approve the participating agreement between Valley County and the USDA for weed removal on the Boise National Forest. Commissioner Maupin seconded the motion. During further discussion the commissioners requested additional reporting from the Valley County Weed Department regarding the amount of time that it takes for the weed department to treat the required areas. Motion passed to approve the participating agreement between Valley County and the United States Department of Agriculture for weed removal on the Boise National Forest.

Commissioner Maupin presented on the USDA Rural Development Rural Utilities letter of support and explained the grant that would be applied for. Commissioner Thompson made a motion to approve the USDA Rural Development Rural Utilities letter of support. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the USDA Rural Development Rural Utilities letter of support.

Grant Writer, Mackenzie Castor presented on the reimbursement request for the Abstien Bridge engineering cost. Commissioner Maupin made a motion to approve the outlay report and reimbursement for the Abstien Bridge engineering cost. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the outlay report and reimbursement for the Abstien Bridge engineering cost.

Grant Writer, Mackenzie Castor presented the Idaho Workforce Development Council letter of support for the grant application with WICAP for daycare at the Cascade Community Center. Commissioner Maupin made a motion to approve the Idaho Workforce Development Council

letter of support. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the Idaho Workforce Development Council letter of support.

Chairman Hasbrouck advised that the Valley Soil and Water District was unable to attend the scheduled meeting time at 9:15 a.m. Commissioner Maupin advised that she had spoken with the Boise National Forest to see if Valley Soil and Water District could potentially utilize a room at the Cascade Boise National Forest Building. The commissioners discussed alternative locations to house the Valley Soil and Water District inside the courthouse. Clerk, Douglas Miller advised that the Clerk's Office was attempting to reschedule a meeting with Valley Soil & Water Conservation District for July 10, 2023.

Mr. Tim Marks with Government Employees Medical Plan presented to the commissioners. He first provided the commissioners with a financial statement summary from December 31, 2013, to December 31, 2022. The commissioners had the opportunity to ask questions to Mr. Marks and he responded accordingly. He explained the reasons for the increase in the rates across the board and described the involvement of the GEM Plan Board to determine how increases are assessed to participants. He cautioned that next year the rate increases might be the same as the increases were as he presented at 9.5%. Mr. Marks concluded his presentation.

Ms. Stephanie Nelson with Wildfire Prevention & Associates presented on the Jug Hazard Fuel Treatment for Unit 6 area extension, and she described that there would be a request for an additional 5 acres being requested for D&D Tree and Land Management. Commissioner Maupin made a motion to approve the Jug Hazard Fuel Treatment for Unit 6 area extension. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the Jug Hazard Fuel Treatment for Unit 6 area extension as presented.

Ms. Nelson presented on the 2023 Valley County Firewise Grant Recipient Approval. She presented on the application process and how the program currently works. The proposal submitted to the commissioners was to serve 40 applications totaling \$46,350.00 and Ms. Nelson presented on each application that she would like the commissioners to consider approving. Commissioner Maupin made a motion to approve the 2023 Valley County Firewise Grants application as submitted totaling \$46,350 to be expended out of Title III Funds. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the 2023 Valley County Firewise Grant applications as submitted totaling \$46,350 to be expended out of Title III Funds.

Planning & Zoning Director, Cynda Herrick presented on V-1-23 Franklin Building Supply setback variance. 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. Planning & Zoning Director, Cynda Herrick provided the commissioners with a staff report to the commissioners and informed the commissioners that the Valley County Planning & Zoning Commission unanimously voted in favor of the variance. Ms. Abby Jermaine who was in attendance on behalf of Franklin Building Supply provided additional comments to the commissioners and requested that the commissioners grant the variance as proposed and recommended by Valley County Planning & Zoning Commission. Planning & Zoning Director, Cynda Herrick provided additional clarification to the commissioners. Chairman Hasbrouck made a motion to approve V-1-23 Franklin Building Supply Setback Variance as per the Planning and Zoning Commission recommendation to allow a variance from

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the setback from Highway 55 along with the listed conditions of approval, and to adopt their facts and conclusions as our own. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve V-1-23 Franklin Building Supply Setback Variance as per the Planning and Zoning Commission recommendation to allow a variance from the setback from Highway 55 along with the listed conditions of approval, and to adopt their facts and conclusions as our own.

The commissioners recessed at 11:11 a.m.

The commissioners returned at 1:00 p.m.

Chairman Hasbrouck opened the Public Hearing for PUD: 22-04, DR-22-06 at 1:05 p.m. Chairman Hasbrouck asked if there was 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 for a staff report. Michelle Groenevelt and Brian Parker with the city of McCall provided the commissioners with an updated staff report. Mr. Parker provided the commissioners with a timeline of the previous public hearings and updated the commissioners on the reports that had been received. Mr. Parker also indicated that the McCall Planning & Zoning Commissioner denied the application and provided reasons to the commissioners why the application was denied. Michelle Groenevelt provided additional comments to the commissioners. She also discussed the planning unit development application. The commissioners wanted clarification that this was a new posted public hearing and Mr. Parker advised that it was noticed as a new formal public hearing. The commissioners had additional questions for Michelle Groenevelt and Brian Parker regarding specific requirements. Michelle Groenevelt and Brian Parker responded accordingly. Michelle Groenevelt advised that staff made recommendations to the commissioners and reported that in their professional opinion it does not meet the recommended conditional use permit or planned unit development standard and staff would recommend a denial of the application.

Chairman Hasbrouck opened the Public Hearing for the applicant. Mr. Jeff Hatch with Hatch Design provided the commissioners with an updated presentation regarding the STOR-IT LLC application for PUD-22-04, CUP-22-04, DR-22-06 & SR-22-04. In addition to testimony Mr. Hatch provided a visual presentation for the commissioners to consider. The commissioners had the opportunity to ask questions to Mr. Hatch and he responded to the questions asked. The commissioners voiced concerns regarding the water table report that was conducted in December of 2022 and had concerns regarding the traffic study that was presented.

Chairman Hasbrouck opened the public hearing to testimony and asked to hear from proponents.

Mr. Hirish Bell who resides in Donnelly, Idaho, provided testimony to the commissioners as a proponent of the application.

Mr. Kurt Hurless who resides in McCall, Idaho, the owner of the STOR-It provided testimony to the commissioners in favor. The commissioners had the opportunity to ask questions to the owner of the STOR-

Mr. Jeff Hatch requested that the Civil Engineer, Mr Jim Mute with LandGroup provided the commissioners with an overview of the groundwater concerns.

Mr. CW Hurless who was part owner of the STOR-IT provided testimony to the commissioners as a proponent of the application.

Chairman Hasbrouck asked to hear testimony from anyone who was uncommitted.

Mr. Travis Smith who is the Captain of the McCall Fire Department presented to the commissioners as uncommitted but presented to the commissioners on the proposed sub fire-station being developed on the site which would be in the McCall Fire Protection District area of jurisdiction.

Chairman Hasbrouck requested to hear testimony from those who are opposed to the application.

Mr. Richard Rine who resides in McCall, Idaho, presented to the commissioners in opposition of the application.

Mr. Bob Ude who resides in McCall, Idaho, presented to the commissioners in opposition of the application.

Mr. Joey Peitri who resides in McCall, Idaho, presented to the commissioners in opposition of the application.

Mr. David Gallipoli who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mr. Scott Harris who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mrs. Connie Harris who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mrs. Linda Ude who resides in McCall, Idaho, presented a letter from Dr. Carpenter who was in opposition of the proposed application. She also presented to the commissioners in opposition of the proposed application.

Mr. Floyd Loomis who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mrs. Joy Murphy who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mrs. Becky Rine who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mr. Larry Shake who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mr. Carl Rukala who resides in McCall, Idaho, presented to the commissioners in opposition of the proposed application.

Mr. Scott Harris provided additional comments to the commissioners in opposition of the proposed application.

Chairman Hasbrouck asked the applicant to provide rebuttal testimony to the commissioners.

Mr. Jeffrey Hatch from Hatch Design submitted additional testimony to the commissioners regarding a future vision of the additional mixed-use proposal that was before the commissioners in February of 2021. He touched on the ground water concerns and mitigation. He also informed the commissioners that there was a petition that was signed in favor of the proposed project. The commissioners had questions for Mr. Hatch, and he responded. He also referred to a photo related to the proposed McCall Fire Station. Mr. Hatch concluded the rebuttal testimony.

Mr. Carl Rukala who resides in McCall, Idaho, provided additional testimony to the commissioners in opposition regarding the wildlife corridor.

Mr. Jeffrey Hatch discussed a proposed easement for a wildlife corridor.

Chairman Hasbrouck closed the Public Hearing for PUD-22-04, CUP-22-04 STOR-IT LLC. at 2:29 p.m. and brought the matter back to the commissioners for deliberation. Commissioner Maupin provided her opinion regarding the proposed application for PUD-22-04, CUP-22-04. Commissioner Thompson provided his opinion regarding the proposed application for PUD-22-04, CUP-22-04. Chairman Hasbrouck provided his opinion regarding the proposed application for PUD-22-04, CUP-22-04 STOR-IT LLC.

Chairman Hasbrouck made a motion to deny PUD-22-04, CUP-22-04, DR-22-06 & SR-22-04 TBD Elo Road STOR-IT LLC. Commissioner Maupin seconded the motion. No further discussion, Chairman Hasbrouck and Commissioner Maupin voted in favor to deny the application. Commissioner Thompson voted “no” to deny they application. The motion passed to deny the application PUD-22-04, CUP-22-04, DR-22-06 & SR-22-04 TBD Elo Road STOR-IT LLC.

Chairman Hasbrouck opened the Public Hearing for CA-22-01 Zoning Code Amendment at 2:46 p.m. McCall City Planner, Brian Parker informed the commissioners that the matter would be rescheduled for July 10, 2023. Chairman Hasbrouck advised that the matter would be tabled until July 10, 2023.

Chairman Hasbrouck moved to the next agenda item and advised that the next matter to be presented to the commissioners was the Jug Mountain Ranch Road Development Agreement. Planning & Zoning Director, Cynda Herrick provided a presentation to the commissioners. Mr. David Carey who is the property owner of the project for Jug Mountain Ranch Road Development Agreement presented to the commissioners regarding the requested Jug Mountain Ranch Road Development Agreement. He did not feel that there should be a requirement for a new road development agreement. Planning & Zoning Director, Cynda Herrick explained that the development agreement was in place at the time of the application, but the rates were the 2007 road development agreement amounts. Mr. Carey voiced his concerns to the

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commissioners regarding the existing road development agreement process. Planning & Zoning Director, Cynda Herrick provided comments to the commissioners regarding the timeline of the application. Mr. Steve Millemann who represents Mr. David Carey provided comments to the commissioners regarding the road development agreement process and felt that it was unconstitutional. He referred to case law and informed the commissioners that he felt that they have another alternative option which was to demonstrate what was being asked would have a direct impact. He does not feel that the existing road development agreement was appropriate and did not feel that it should be applied to the proposed subdivision for Jug Mountain Ranch. He felt that the commissioners should consider imposing impact fees which they have the statutory authority to do. Mr. Carey again submitted to the commissioners that the Valley County Road development process was not a voluntary program, and it was challenging for one lot. The commissioners responded that they appreciated the conversation that was allowed for today.

Chairman Hasbrouck made a motion to approve the North Pasture Subdivision Final Plat; accept the declaration of access and utility easement covenant; accept the declaration of installation of utilities for North Pasture Subdivision; accept the warranty deed along Farm to Market Road as Public Right of way; authorize the Chairman to sign the plat and accept the Road Development Agreement of \$2,144.44. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the North Pasture Subdivision Final Plat; accept the declaration of access and utility easement covenant; accept the declaration of installation of utilities for North Pasture Subdivision; accept the warranty deed along Farm to Market Road as Public Right of way; authorize the Chairman to sign the plat and accept the Road Development Agreement of \$2,144.44.

Mr. Steve Millemann presented on the Jug Mountain Ranch Road Development Agreement and the payments that were made to Valley County in the past. Mr. Millemann and Mr. Carey believe that all the payments had been made to Valley County regarding the Jug Mountain Ranch Road Development Agreement. Planning & Zoning Director, Cynda Herrick referred to the PUD contract that was approved when Jug Mountain Ranch Development Agreement was determined. The commissioners requested that additional research be conducted to determine if Jug Mountain Ranch might have paid additional funds for the road development agreement. It will be noted that all parties acknowledged that there was proof that \$56,000.00 had been paid for Jug Mountain Ranch road development agreements.

The commissioners received presentation from Timbercreek Recycling regarding grinding of the C&D pile, woody debris pile and concrete. The provided the commissioners with an overview of the services that could be provided. Chief Deputy Prosecuting Attorney, Brian Oakey reminded the commissioners that Lake Shore Disposal per the contract was responsible for the C&D pile, woody debris pile and concrete and would need to be in discussions to determine if they want to no longer manage those sites. He also felt that there needed to be a review of the existing contract and felt that it was possible that a request for proposal might need to be published.

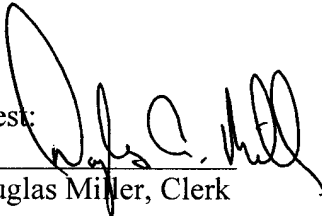
Chairman Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(b)-“To consider the evaluation, dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.”-Evaluation. Commissioner Maupin 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 4:35 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Evaluation at 5:20 p.m. No decision was made as the executive session was for evaluation purposes.

The commissioners adjourned at 5:21 p.m.


Chairman, Elting Hasbrouck

Attest: 
Douglas Miller, Clerk

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Tuesday June 20, 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 June 12, 2023

- Sign Western States CAT CSA Program Enrollment Form
- Approval of T Mobile Grant for the Fairground Revitalization
- Sign Certification for Drug Free Workplace Requirements
- Sign Cascade Refrigeration In. Proposal
- Sign Participating Agreement Between Valley County and the USDA, Forest Service Boise National Forest
- Approve and Sign USDA Rural Development Rural Utilities Service Letter of Support
- Sign Outlay Report and Request for Reimbursement for Construction Programs
- Sign Idaho Workforce Development Council Letter of Support

9:15 **Action Items:** Stormwater Workshop Update with ISWCC Engineer and County Engineers
Update on Office Rental Space
Coalition Organization Update
319 Project Update – Valley Soil & Water Conservation District

10:00 Presentation from GEM Plan Regarding Medical Rate Increase-Tim Marks

10:30 **Action Item:** 2023 Valley County Firewise Grant Recipient Approval
Hug HFT Unit 6 Area Extension, D&D Tree and Land Management,
Contractor – Stephanie Nelson

11:00 **Action Item:** V-1-23 Franklin Building Supply Setback Variance – Planning and Zoning Director, Cynda Herrick

12:00 Recess for Lunch

1:00 **Action Item/Public Hearing: PUD-22-04, CUP-22-04, DR-22-06 & SR-22-04:**

TBD Elo Rd – Jeff Hatch & Steve Theissen of Hatch Design

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 15 buildings offering 668 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.

2:30 **Public Hearing/Action Item: CA-22-01 Zoning Code Amendment**

An application for a Zoning Code Amendment to update and revise and cleanup typos and unclear language and add language regarding temporary vendors (food trucks and similar) within Titles 3, and 9 of McCall City Code (Planning & Zoning & Subdivision). The item will apply to Planning & Zoning within McCall City Limits and the City Area of Impact. – City of McCall, Brian Parker

2:30 **Action Item:** Jug Mountain Ranch Road Development Agreement

North Pasture Subdivision Road Development Agreement and Final Plat Approval-Steve Millemann, Amy Pemberton, and David Carey

3:30 Discussion with Timbercreek Recycling Regarding Grinding the C&D, Woody Debris, and Concrete – Facilities Director, Scott Clingan

4:00 **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 June 26, 2023