

Valley County Board of Commissioners

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NEAL THOMPSON
Commissioner
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DOUGLAS A. MILLER
Clerk
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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
November 13, 2023**

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

Excused Absence: **ELTING HASBROUCK (CHAIRMAN)**

Commissioner Neal Thompson led the Pledge of Allegiance.

Action Item: Acting Chairman Maupin presented the agenda for November 13, 2023. Commissioner Thompson made a motion to approve the commissioners' agenda for November 13, 2023. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for November 13, 2023.

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

Acting Chairman Maupin presented the letter of support for Valley County Road Department for the West Roseberry Road Pulverize and Re-pavement Project Grant. Acting Chairman Maupin made a motion to approve the letter of support as presented. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for the West Roseberry Road Pulverize and Re-pavement Project Grant.

Acting Chairman Maupin presented the letter of support for City of Donnelly Child Pedestrian Safety Program Grant. Commissioner Thompson made a motion to approve the letter of support as presented. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for the City of Donnelly Child Pedestrian Safety Program Grant.

Senior Deputy Auditor, Rheta Clingan presented the claims, board order claims to the commissioners. The commissioners had questions regarding the claims and board order claims. Senior Deputy Auditor, Rheta Clingan and Clerk, Douglas Miller responded accordingly.

Fiscal Year 2023 Claims

General Fund	\$ 324,531.24
Road & Bridge	\$ 96,596.36
District Court	\$ 2,805.98
Fair	\$ 80.35
Election Consolidation	\$ 16,026.86
Solid Waste	\$ 242,704.64
Revaluation	\$ 148.13
Weeds	\$ 842.73
Waterways	\$ 17.45
McCall Donnelly Snowmobile	\$ 181.38
Title III Funds	\$ 9,900.32
Extension Agent Fund	\$ 2,156.96
ARPA Funds	\$ 259.23
PILT Fund	\$ 209.60
Pest Control	\$ 38.13
OHV Fund	\$ 1,151.82
Sheriff Capital Fund	\$ 1,683.92

Total: **\$699,075.87**

Action Item: Commissioner Thompson made a motion to approve the claims & board order claims as presented for November 13, 2023. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the claims and board order claims as presented.

Assessor, Sue Leeper provided the commissioners with an update regarding matters involving the Assessor's Office and discussed training that would be occurring and an audit of park models that the office was conducting. The commissioners had questions regarding the recertification of the appraisers and Assessor Leeper responding accordingly.

Clerk, Douglas Miller provided the commissioners with an update on matters involving the Clerk's Office. Clerk Miller submitted the canvass of votes for November 7, 2023 General Election. Commissioner Thompson made a motion to approve the canvass of votes for the

Board of County Commissioners Meeting

November 13, 2023

November 7, 2023, General Election. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the canvass of votes for the November 7, 2023, General Election.

Chief Deputy Prosecuting Attorney, Brian Oakey informed the commissioners that the Prosecuting Attorney's Office did hire another attorney Arnie. He explained that the request for legal advice would remain the same. He explained that he would work directly with Arnie until he felt comfortable working independently.

Sheriff, Kevin Copperi provided the commissioners with an update on the inmate population at the Valley County Jail. He reported that the Sheriff's Office had been receiving a significant number of applications for the positions that were open at the Sheriff's Office.

Sheriff Copperi presented the proposal for service with ADCOMM Engineering LLC to conduct a study of existing radio communication equipment and provide a report of the radio system. The commissioners had several questions regarding the potential radio system upgrades and Sheriff Copperi responded accordingly. The commissioners felt that multiple agencies needed to be involved including local first responders and the US Forest Service.

Action Item: Acting Chairman Maupin made a motion to approve the ADCOMM Engineering LLC proposal of services. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the ADCOMM Engineering LLC proposal of services.

Treasurer, Johanna Defoort reported to the commissioners that the Treasurer's Office were currently working on the tax notices, and she discussed the process. She advised that the notices should be sent out by the end of the month. She also provided the commissioners with an update regarding the financial software transition and explained a few issues that the Treasurer's Office has had to work through. She also presented that the Treasurer's Office had a Public Administration Case, and she described the processes of handling the case to the commissioners.

Action Item: Treasurer Defoort presented on another ARPA Reinvestment opportunity for the commissioners to consider and she discussed the options that the commissioners would currently have. The commissioners had questions regarding expenses that would be potentially coming out of ARPA funds and Treasurer Defoort discussed options. Commissioner Thompson made a motion to reinvest the ARPA funds in the LGIP Account. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to reinvest the ARPA funds in the LGIP Account.

Building Director, Annette Derrick provided the commissioners with an update of annual statistics for building permits and operations of the Building Department. The commissioners requested a projection of revenue for Fiscal Year 2024 and Clerk Miller provided the commissioners when an account of actual revenue received for Fiscal Year 2023 and projected revenue for Fiscal Year 2024.

Juvenile Probation Officer, Dee Dee Phillips provided the commissioners with an update regarding juvenile caseloads and explained other work that she had been conducting. She thanked the commissioners for attending the court services function that would be occurring on Thursday.

Action Item: Juvenile Probation Officer, Dee Dee Phillips presented the County Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections. The commissioners had questions regarding the diversion cases and how those type of cases was submitted for court services to handle and supervise. Juvenile Probation Officer Dee Dee Phillips described the process to the commissioners.

Commissioner Thompson made a motion to approve the County Annual Juvenile Justice Report. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the County Annual Juvenile Justice Report.

University of Idaho Extension Educator, Melissa Hamilton reported on 4-H programs and the training that would be occurring for all leaders. She presented additional training that had been occurring by University of Idaho Staff. She informed the commissioners about additional programs that have been scheduled including the farm to table program. Melissa discussed her involvement with the Economic Summit that had occurred, and she felt that it was a successful event. She reported to the commissioners that the Master Gardeners program in Valley County had been in operation between 25 years to 20 years and she described the reunion that was being scheduled.

Human Resource Director, Mike Savoie again thanked the commissioners for their decision regarding the retention payment that would be made at the end of November. He discussed the open positions within Valley County and his recruitment ideas for the openings.

IT Director, Jeremy Wilcox, provided the commissioners with an update on IT work that had been conducted. He informed the commissioners that he had offered a position to an individual for the Network Analyst position and was hoping that the individual would be able to find residence. He reported on the radio equipment audit that he had been conducting to assist with the ADCOMM Engineering proposal. He also provided the commissioners with an update regarding the Tyler Technology upgrades that are continuing to move forward. The commissioners had questions regarding radios for the road department and Jeremy provided the commissioners with an update on the work that was being conducted.

Planning & Zoning Director, Cynda Herrick reported on an appeal that would be coming before the commissioners on December 18, 2023. She informed the commissioners that she had received two applications for the Planning & Zoning Commission openings. She also reported on terms that would be up and asked the commissioners if they would like to conduct interviews the applicants. Cynda would like to have another workshop with the commissioners regarding development agreements.

Recreation Director, Larry Laxson reported that he attended the ISSA conference, and he reported on a marketing campaign that would be occurring. He informed the commissioners that the Friends of Payette received a grant from ISSA. Larry reported on the Winter Recreation Meeting and concerns regarding proposed closures of the snowmobile route for private cat skiing operations near Brundage Mountain. The commissioners requested contacts to voice their concerns about the proposed closures. Larry discussed a warming hut that had been moved and reported on a snow groomer that had been relocated. He also presented on the existing radios in the snow groomers. The commissioners asked about the grant application that had been

submitted for a new snow groomer and Larry explained that Valley County would not know until the spring of 2024.

Facility Director, Scott Clingan provided the commissioners with an update regarding the roof of the Facility Building and the new Recycling Center Building. He reported that all the woody debris grinding had been completed and explained that there was a need to dispose of the construction debris pile that was needing to be hauled off. He discussed the need of additional signages that were needed at the alternative dumping sites at the solid waste transfer site. He also felt that there was a need for additional staffing at the solid waste transfer site to monitor how individuals were dumping specific items because individuals are dumping certain items in the wrong areas. The commissioners felt that additional conversations needed to be had with contractors and an education campaign. Scott reported on the fairgrounds arena upgrades that would be occurring and he informed the commissioners about the cost of CTX bathrooms and explained that it might be more cost effective to build a new restroom and other needs. He provided the commissioners with facility cleanings that would be occurring at the Valley County Jail stoves.

Road Director, Jeff McFadden presented the Winter Maintenance Agreement between Valley County and Dennett Ranch Property Owners. He informed the commissioners that there were no changes to the agreement.

Action Item: Acting Chairman Maupin made a motion to approve the Winter Maintenance Agreement between Valley County and Dennett Ranch Property Owners. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the Winter Maintenance Agreement between Valley County and Dennett Ranch Property Owners.

Action Item: Road Director McFadden presented the amended changes to the Master Transportation Plan and requested that the commissioners approve. The commissioners felt that the plan needed to be reviewed on an annual basis to make sure that it was up to date. Commissioner Thompson made a motion to approve the Master Transportation Plan as presented. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Master Transportation Plan as presented.

Road Director McFadden reported on an agreement with Alpine Automotive to provide maintenance on the Sheriff's Patrol Vehicles and other vehicles. He also provided the commissioners with an update of existing road maintenance that was occurring to include preparations for winter maintenance. He also informed the commissioners about culverts upgrades that had been completed and about vehicles that he had purchased. He presented on road equipment that was ready to be picked up. He discussed that he contracted the road maintenance in Yellow Pine. Jeff reported on the bridge replacement for the South Fork Bridge because of the rating from Idaho Transportation Department and explained that there would be monitoring of the bridge.

Acting Chairman Maupin began workshop to discuss the noxious weed eradication program within Valley County. Weed Supervisor, Steve Anderson was in attendance and participated in the workshop with the commissioners. Steve discussed the difficulties with the commissioners regarding hiring individuals for weed spraying. The commissioners discussed the need for

continued recruitment even before the season begins and potentially conducting job fairs at the local schools. The commissioners also would like the social media post to continue during the offseason related to noxious weeds. The commissioners concluded the workshop with the weed department.

Action Item: Acting Chairman Maupin began the discussion/decision regarding the ICRMP Renewal Agreement. She advised that she had a direct conversation with ICRMP and if Valley County did not use an insurance agent there would be savings of approximately \$6,500.00. The commissioners discussed the renewal with ICRMP and the best course of action. Chief Deputy Prosecuting Attorney, Brian Oakey also provided his opinion to the commissioners regarding his interaction with ICRMP. Commissioner Thompson made a motion to renew the agreement with ICRMP and choose not to utilize an independent insurance agent. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to renew the agreement with ICRMP and choose not to utilize an independent insurance agent.

The commissioners recessed for lunch at 11:55 a.m.

The commissioners returned from lunch at 1:02 p.m.

Acting Chairman Maupin began the updates related to the commissioner's boards and advised that she would be removing from the board's participation the WICAP Board. She provided an update regarding the Stibnite Advisory Board. Acting Chairman Maupin provided an update regarding the West Central Economic Development Council and the economic summit that occurred. She reported on the NACO phone calls that had been occurring and discussed the follow up on SRS and PILT Funding discussion that had occurred with members of congress. She explained that the conversations with members of congress had been positive and discussed that there was the possibility of stable funding for both Secure Rural Schools and Payment In Lieu of Taxes. Acting Chairman Maupin reported on the five initiatives that would be supported by the IAC Legislative Committee. Commissioner Thompson provided an update regarding the Waterways Committee Meeting. He reported on the Valley County Fair Board meetings and explained that the members were excited about the improvements that are being made to the fairgrounds.

Acting Chairman Maupin reported on the Public Lands meetings that would be occurring. She also reported on the Strategic Planning Committee and continued conversations that need to happen. She explained that there would be a survey going out to see how many county employees need childcare. She reported on the Capital Improvement Committee meeting that occurred and provided an upgrade on projects that had been occurring.

Action Item: Acting Chairman Maupin opened the Public Hearing VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback Variance at 1:30 p.m. Acting Chairman Maupin asked if there was any conflict of interest or ex-parte communication. All commissioners advised that there was no conflict of interest or ex-parte communication.

Planning & Zoning Director, Cynda Herrick provided a staff report to the commissioners. The commissioners had questions for Planning & Zoning Director, Cynda Herrick and she responded accordingly.

Acting Chairman Maupin asked for testimony from the applicants. Mr. Kevin Peterson who owns the property provided testimony to the commissioners regarding the VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback Variance.

Acting Chairman Maupin asked for testimony from anyone who was proponent of VAC 23-02 Vacation of Utility and Drainage Easement V-3-23 Peterson Setback Variance. The record would reflect that there was no one present to provide testimony.

Acting Chairman Maupin asked to hear from anyone who was an opponent of VAC 23-02 Vacation of Utility and Drainage Easement V-3-23 Peterson Setback Variance. The record would reflect that there was no one present to provide testimony.

Acting Chairman Maupin closed the Public Hearing at 1:57 p.m. for VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback Variance at 1:56 p.m. and brought the matter back to the commissioners for deliberations. Acting Chairman Maupin provided her opinion regarding the matter. Commissioner Thompson provided his opinion regarding the matter. Commissioner Thompson made a motion to deny the VAC 23-02 Vacation V-3-23 and accept the Planning & Zoning Facts and conclusions as their own. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to deny the VAC 23-02 Vacation of Utility and Drainage Easement and V-3-23 Peterson Setback Variance.

Action Item: Planning & Zoning Director, Cynda Herrick presented on the JanGo Acres Final Plat. Acting Chairman Maupin made a motion to approve the final plat for JanGo Acres Subdivision No. 1, acknowledge the private road declaration, validate Water Sports Lane as a private road that will be added to the official road name list for Valley County, acknowledge the Declaration of Installation of Utilities, Acknowledge the CCR's and authorize the chairman to sign the plat. The motion is made with the understanding that the subdivision fronts on State Highway 55 and Valley County has no responsibility thereto. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to approve the final plat for JanGo Acres Subdivision No. 1, acknowledge the private road declaration, validate Water Sports Lane as a private road that will be added to the official road name list for Valley County, acknowledge the Declaration of Installation of Utilities, Acknowledge the CCR's and authorize the chairman to sign the plat. The motion is made with the understanding that the subdivision fronts on State Highway 55 and Valley County has no responsibility thereto.

Acting Chairman Maupin began the discussion related to the Motion for Reconsideration related to Ordinance related to density. Ms. Julie Thrower who was representing a group of individuals provided an overview of the request for reconsideration and read into the record case law in which they believe would require the board of county commissioners to repeal the decision that was made. Acting Chairman Maupin provided a timeline of events that occurred and felt that Valley County posted the public hearing in accordance with the requirements. Acting Chairman Maupin also explained that the ordinance was for Planned Use Development applications. Julie Thrower was arguing that Valley County did not post the second hearing in the local paper after receiving material changed information as a formal public hearing which violated the procedures. The commissioners took the matter under advisement. Donnelly City Mayor, Susan Dorris provided testimony to the commissioners. Acting Chairman Maupin deliberated on the information that was provided by Julie Thrower. Commissioner Thompson provided his opinion regarding the information that was submitted by Julie Thrower.

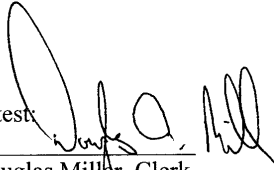
Action Item: Acting Commissioner Maupin made a motion to go into Executive Session per Idaho Code 74-206 1(f)-“To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.”-Litigation 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(f)-Litigation at 2:35 p.m.

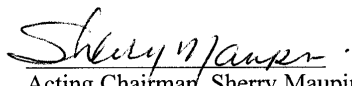
Acting Chairman Maupin brought the commissioners out of Executive Session per Idaho Code 74-206 1(f)-Litigation at 3:06 p.m. Acting Chairman Maupin made a motion to move forward with the plan as discussed. Commissioner Thompson seconded the motion. No further discussion, all in favor. Motion passed to move forward with the plan as discussed.

Action Item: Acting Chairman 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 3:07 p.m.

Acting Chairman Maupin brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Evaluation at 4:06 p.m. No decision was made after the Executive Session.

The commissioners adjourned at 4:07 p.m.

Attest: 
Douglas Miller, Clerk


Acting Chairman, Sherry Maupin

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday November 13, 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

9:00 Commissioner Discussion

Action Items: Meeting Minutes of November 1, 2023

Sign Letter of Support for Valley County Road and Bridge
Grant for West Roseberry Road Pulverize and Repave Project
Sign Letter of Support for City of Donnelly Child Pedestrian
Safety Program Proposal for West Roseberry Road Pathway

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

Action Item: Sign November 7, 2023, Election Canvass

Prosecutor – Brian Naugle

Sheriff – Kevin Copperi

Action Item: Sign Proposal for Services with ADCOMM Engineering LLC

Treasurer – Johanna Defoort

Action Item: ARPA Reinvestment Approval

Department Head Reports - 5 Minutes each

Building Department – Annette Derrick

Court Services – Juvenile Probation Officer, Dee Dee Phillips

Action Item: County Annual Juvenile Report October 1, 2022 to September 30, 2023

Extension Office- Melissa Hamilton

Human Resources/Risk Management – Mike Savoie

Information Technology – Jeremy Wilcox

Planning and Zoning-Cynda Herrick
Parks and Recreation- Larry Laxson

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

10:45 Road & Bridge Presentation- Jeff McFadden

Action Items: Winter Maintenance Agreement Between Valley County and Dennett
Ranch Property Owners
Approve Master Transportation Plan 2023 Update

11:00 Workshop to Discuss Noxious Weed Eradication within Valley County

11:45 **Action Item:** Discussion/Decision ICRMP Renewal Agreement

12:00 Recess for Lunch

1:00 Update on Commissioner's Boards

1:30 **Public Hearing/Action Items:** VAC 23-02 Vacation of Utility and Drainage Easement
and V-3-23 Peterson Setback Variance
JanGo Acres Final Plat – Planning and Zoning Director, Cynda
Herrick

2:00 **Action Item:** Motion for Reconsideration Ordinance Related to Density

2:30 **Action Item:** Executive Session per Idaho Code 1 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 being litigated but imminently likely to be litigated.
The mere presence of legal counsel at an executive session does not satisfy this
requirement.”-Litigation

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

COMMISSIONERS FUTURE MEETING DATE
Monday November 20, 2023