

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
April 12, 2021**

**PRESENT: DAVE BINGAMAN (COMMISSIONER)
SHERRY MAUPIN (COMMISSIONER)
ELTING HASBROUCK (CHAIRMAN)
DOUGLAS MILLER (CLERK)**

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for April 12, 2021. Commissioner Maupin made a motion to approve the commissioners' agenda for April 12, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for April 12, 2021.

Senior Deputy Auditor, Kalyn Mauk presented the commissioners with Fiscal Year 2021 claims and board order claims.

Fiscal Year 2021 Claims

General Fund	\$154,039.82
Road & Bridge	\$76,689.05
District Court	\$2,942.98
Election Consolidation	\$616.00
Indigent & Charity	\$5,229.94
Solid Waste	\$119,316.94

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Weeds	\$491.09
Pest Control	\$22.98
Waterways	\$105.12
McCall Donnelly Snowmobile	\$1,906.84
Cascade-Warm Lake Snowmobile	\$6,361.64
Smiths Ferry Snowmobile	\$12.58

Board Order

Title III Trust	\$396.00
Extension Agent Trust	\$127.92

Total:	\$ 369,133.97
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Commissioner Bingaman made a motion to approve the payment of the claims and board order claims as presented. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the payment of the claims and board order claims as presented.

Assessor, June Fullmer informed the commissioners about operations in the Assessor's Office and Department of Motor Vehicle Registration Office. She reported that they were performing the assessments to determine property values.

Clerk, Douglas Miller provided the commissioners with an overview of matters related to the Clerk's Office and included elections, courts, and preparation of Fiscal Year 2020 Budget.

Chief Deputy Prosecuting Attorney, Brian Oakey presented to the commissioners on matters involving the Prosecuting Attorney's Office. He explained that he had been working on several different civil matters including contracts with other agencies and Valley County specifically related to contract renewals. He discussed the priorities that have been identified and explained the process that had been implemented to determine the procedures. He discussed the jury trial that was scheduled for April 15, 2021.

Sheriff, Patti Bolen informed the commissioners that there was twelve in custody at the Valley County Jail. She reported on two conferences that she would be attending in May of 2021 specifically Idaho Associations of Sheriff's meeting. She informed the commissioners that the new records management system had gone live and provided a brief detail of the implementation of the new system.

Treasurer, Gabe Stayton informed the commissioners that the Treasurer's Office hired a new deputy treasurer, and the individual would be starting next week. He reported that there are 25 parcels in tax deed currently and he explained the process. Gabe presented on the joint quarterly report between the Clerk's Office and Treasurer's Office. Commissioner Bingaman made a motion to approve the joint quarterly report presented. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the joint quarterly report.

Treasurer Stayton presented on the application for cancellation of property taxes 21-32 (Hardship) and provided his input and opinion to the commissioners. Commissioner Maupin made a motion to deny the cancellation of property taxes 21-32 (Hardship). Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to deny the cancellation of property tax 21-32 (Hardship) as presented.

Building Official, Annette Derrick informed the commissioners that there were 52 permits that were outstanding with another 15 permits that were awaiting approval. She reported that Marcia passed her permit technician test. She reported that she had been working with Planning & Zoning Administrator, Cynda Herrick on the building ordinances that was scheduled as a public hearing before the commissioners in May of 2021. She presented on the new technology that the Building Department would be implementing to track building permits and inspections.

Court Services Director, Skip Clapp presented on meetings that he had attended in the last couple of weeks including the Idaho Juvenile Justice Administration meeting and the Idaho Adult Misdemeanor Administration meeting. He provided a brief overview of matters that had been discussed at the meetings and informed the commissioners that he had been invited to participate on a committee to review diversions and informal adjustments. He presented on a meeting that he would be having with the new Magistrate Judge, Adam Dingeldein. He also informed the commissioners that during the next department head presentation to the commissioners Probation Officer, Jacques Lafay and Probation Officer, Molly Wilson would be conducting the presentation to the commissioners. He lastly informed the commissioners that there were no juveniles being held at the Ada County Juvenile Detention Center.

University of Idaho Extension Educator, Melissa Hamilton provided the commissioners with an update of matters that she had been working on and meetings that was scheduled to attend. She discussed the master gardener course that was scheduled. She advised that the afterschool programing was continuing in Donnelly and Cascade. She explained the programs that were being implemented at the afterschool programs. She presented on administrative duties that she was performing. She advised that the University of Idaho Extension Office was preparing for an audit to be conducted by Dr. Patrick Momont. The commissioners discussed the conversations that they had with Kelly's Whitewater Park to review the possibility of moving Valley Soil & Water District to the Kelly's Whitewater Park building. Melissa recommended that before any new business was moved into the building, the internet needed to be improved.

Human Resource Director, Pat Duncan provided the commissioners with an update regarding the new onboarding software that was being implemented. She presented on the E-Verify software that she would also like to use and explained that there was an MOU that needed to be signed by the commissioners. Commissioner Bingaman made a motion to authorize a commissioner to sign the E-Verify MOU. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to authorize a commissioner to sign the E-Verify MOU. Pat presented on available openings within Valley County and explained the process that she has implemented to fill the positions. She discussed the difficulties in hiring for seasonal positions and presented on potential options to be successful filling the positions.

IT Director, Jeremy Wilcox presented on the implementation of the record management system at the Valley County Sheriff's Office. He reported on the roll out of the new Valley County Website. He presented on meetings that he would have with Zipley to discuss increased internet

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speed at the Kelly's Whitewater Office Building. Commissioner Maupin presented on the increase internet speed that Valley County had agreed with Zipley and paid for and advised that Jeremy was able to confirm that the internet speed had been increased at the Valley County Courthouse.

Planning & Zoning Administrator, Cynda Herrick advised that the Planning & Zoning Office had been receiving the applications for the short-term rentals. She advised that they had also been working through the RCD permits. She advised that there have been several developers contacting the Planning & Zoning Office to discuss new subdivisions specifically for workforce housing. She presented on complaint calls that she had been receiving and addressing related to real estate signs. Cynda informed the commissioners that she had been informed that there her conferences for next year would be in person. Cynda discussed the current process using technology for public hearings and requested that the commissioners determine if they would allow more in person testimony or continue with the use of technology. The commissioners advised that they would be discussing at the end of the day.

Recreation Director, Larry Laxson presented on a meeting that he had with New Meadows District Ranger discussing Titus Park and the parking lot. He advised that a proposal had been submitted to expand the parking lot by 1.5 acres. He presented on the reformation of the local RAC and the process to apply for a RAC Grant. He advised that Wallace Lane would be considered for a 2.5-acre expansion. Larry presented on the Idaho Department of Lands renewal of the lease of parking and discussed the existing process that had been delayed because of turnover withing Idaho Department of Lands. Larry presented on the plan for expansion of the Clear Creek Park to create an RV Park. He reported on a meeting DF Development on April 26, 2021 to discuss Fish Lake and Red Ridge. The commissioners also believed that there were additional matters that needed to be discussed with DF Development to include the roads that DF Development wanted to give to Valley County. He discussed a House Bill to address fee increase that was being heard. Larry presented on a meeting that he would be attending with Trident Holdings. The commissioners all advised that if Trident Holdings had anything to present to the commissioners, they would expect that Trident Holdings attending a commissioner meeting for a formal presentation.

Facility Director, Scott Clingan provided the commissioners with bids for asphalt of the parking lots at the Valley County Courthouse. He informed the commissioners that the asphalt was decaying around the courthouse. The commissioners discussed the drainage issue of Spring Street and advised that before any asphalt work was conducted the drainage issue needed to be resolved. Scott presented a bid for apoxing of floors at the Valley County Sheriff's Office and at the Valley County Courthouse. He also presented on modifications proposed for additional office space at the north end of the building. He also presented a bid for improvements on the recycling bailer at the Lake Fork Recycling Center. Lake Shore Disposal Manager, Scott Cairnes presented his opinion to the commissioners regarding the repair that he felt needed to be done to the recycling bailer. The commissioners discussed options in detail and Scott Cairnes continued to provide options being proposed by Lake Shore Disposal. He did discuss the existing process for bailing the existing recycled material. The commissioners requested that Facility Director, Scott Clingan move forward with the repairs that needed to be made to the belt of the recycling bailer and submit the claim. Lake Shore Disposal Manager, Scott Cairnes informed the commissioners that Lake Shore Disposal would be willing to pay half of the \$8,000 cost for the

new belt and repairs that were needed. Scott presented on proposed dates for free or reduced dump days at the Solid Waste Transfer Site.

Road Superintendent, Jeff McFadden informed the commissioners that Ford Escape utilized by the Court Services was not used on a regular basis and he believed that it needs to be need repurposed or sold at surplus. The commissioners believed that they needed additional information before deciding regarding the vehicle. Jeff presented on the Lake Fork Recycling Center and the issue with the drainage of the water. He believed that an engineering study should be conducted. The commissioners agreed that solving the drainage issue should be priority and recommended hiring an engineer to conduct a study of the area and requested that the matter be placed on a future agenda. Jeff presented on the recycled oil that was collected at the Lake Fork Transfer Site and he had concerns about the oil that was being recycled. Jeff reported on a meeting that he had with BOR and Fish & Game regarding the winter access to Lake Cascade and discussed options to expand parking. He reported that he would be conducting a speed study on Sixty Lane to determine what the appropriate speed should be on the road. Jeff discussed a conversation he has had with Idaho Transportation Department regarding the construction of Highway 55. Jeff presented on the meeting with the Forest Service regarding the schedule A schedule B roads to determine maintenance that was scheduled for April 14, 2021. He informed the commissioners that the recycling sheds had been removed. The commissioners discussed the use of employees using comp time right now. Jeff reported that the road department only have two or three at a time utilizing their comp time. Commissioner Maupin suggested that the road department post on social media where the Valley County Road Department was conducting road work. Jeff advised that he was utilizing the Valley County Website to inform the public of road work around Valley County.

Commissioner Bingaman made a motion to go into Executive Session per Idaho Code 74-206 1(d)-“to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code.”-Indigent. 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(d)-Indigent at 11:45 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent at

Decision after Executive Session per Idaho Code 74-206 1(d)-Indigent

21-MD042	ASSIGNMENT LIEN
21-MD042	CREMATION APPROVAL
21-FC054	ASSIGNMENT LIEN
21-FC054	CREMATION APPROVAL
21-HT046	ASSIGNMENT LIEN
21-HT046	CREMATION APPROVAL
21-SA099	MENTAL HOLD APPROVAL
21-AC069	ASSIGNMENT LIEN
21-AC069	APPROVAL
21-QW071	ASSIGNMENT LIEN
21-QW071	APPROVAL
21-WG070	ASSIGNMENT LIEN

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Chairman Hasbrouck presented the commissioner meeting minutes from April 5, 2021. Commissioner Bingaman made a motion to approve the commissioner meeting minutes from April 5, 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from April 5, 2021.

Chairman Hasbrouck presented the Air St. Luke's Valley County EMS memorandum of Understanding. Commissioner Maupin made a motion to approve the MOU between Air St. Luke's and Valley County. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the MOU between Air St. Luke's and Valley County.

Chairman Hasbrouck presented the ratification of Ms. Betty Ann Nettleton to Central District Health Board. Commissioner Bingaman made a motion to approve the ratification of Ms. Betty Ann Nettleton to the Central District Health Board. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the ratification of Ms. Betty Ann Nettleton to the Central District Health Board.

Chairman Hasbrouck presented the Memorandum of Understanding with Idaho Department of Labor for McCall Annex and Cascade. The commissioners discussed potential locations for the Idaho Department of Labor and the Valley County Courthouse. Commissioner Maupin made a motion to approve the MOU with Idaho Department of Labor to utilize the McCall Annex. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the MOU with Idaho Department of Labor to utilize the McCall Annex.

Commissioner Maupin made a motion to approve the MOU with Idaho Department of Labor with amended language for the use of the 3rd floor conference room at the Valley County Courthouse. Commissioner Bingaman seconded. No further discussion, all in favor. Motion passed to approve the MOU with Idaho Department of Labor with amended language for the use of the 3rd floor conference at the Valley County Courthouse.

The commissioners recessed for lunch at 12:08 p.m.

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

Chairman Hasbrouck began the update related to boards that he participates on. He reported on the Central District Health Board and presented on the House Bill that was introduced. Commissioner Maupin presented on the WICAP Board and explained that she mentioned her concerns regarding the service that senior citizens were getting in Valley County. She presented on the West Central Mountain Economic Development Council search for an Executive Director and discussed the work that was being done related to broadband expansion. She advised that WCMEDC was also working on early childhood development and presented on the curriculum that was being developed locally. Commissioner Maupin presented that there was a group looking at the possibility of a large septic system at the Valley County Lake Fork Site. She presented on meetings that she has had with the City of McCall related to the one acre of land owned by Valley County near the McCall Annex. Commissioner Maupin advised that she had

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not been able to attend the District IV Mental Health Board and suggested that an alternative individual be appointed. She presented on the Valley County Fair Board and explained that she requested Chief Deputy Prosecuting Attorney, Brian Oakey to attend the meeting to get an understand how the Valley County Fair Board was formed. She explained that a thorough evaluation was being done with the Valley County Fair Board to include a formal budget. Chief Deputy Prosecuting Attorney, Brian Oakey provided his legal opinion regarding the Idaho Code related to fair board operations. She discussed the Valley County Sewer & Water meetings that she attended and discussed the creation of a WAG. She presented on the SRS discussions that were taking place in congress and the communication that she has had with Congressman, Mike Crapo. Commissioner Maupin discussed her appointment to the Idaho Development Work Force Council. Commissioner Bingaman presented on his conversations that he has had with the City of McCall regarding recycling. He discussed the need to continue to get the word out about the existing program. He presented on the Waterways Board and the committees that are being formed and he discussed the progress that was being made after the waterways summit. He presented on possible housing for seasonal waterways deputies and other options. He provided the commissioners with an overview of matters related to the Idaho Department of Lands property around Payette Lake and recommended a workshop to take place to discuss.

Chairman Hasbrouck opened the Public Hearing at 1:35 p.m. for VAC 20-04 Workman Vacation of Utility Easement. 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.

Planning & Zoning Administrator, Cynda Herrick provided a staff report to the commissioners. She advised that the Valley County Planning & Zoning Commission unanimously approved the VAC 20-04 Workman Vacation of Utility Easement.

Chairman Hasbrouck asked to hear from testimony from proponents.

Mr. Robert Workman who resides in Valley County and who was the applicant presented to the commissioners.

Chairman Hasbrouck asked to hear testimony from uncommitted. The record will reflect that no one presented as an uncommitted individual.

Chairman Hasbrouck asked to hear testimony from opponents. The record will reflect that there was no presentation from any opponents.

Chairman Hasbrouck closed the Public Hearing at 1:42 p.m. and brought the matter back for deliberations. Commissioner Bingaman made a motion to approve Vacation Application 20-02 Vacation of Utility and Drainage Easements; accept the Planning and Zoning Commission Facts and Conclusions; and authorize the chairman to sign Resolution 2021-10. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Vacation Application 20-02 Vacation of Utility and Drainage Easements; accept the Planning and Zoning Commission Facts and Conclusions; and authorize the chairman to sign Resolution 2021-10.

Human Resource Director, Pat Duncan presented on her recommendations to change a few of the job titles within Valley County. She explained her reasons to be consistent with the existing

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names that had been created for department heads. Commissioner Maupin made a motion to accept the changes for the job titles as submitted by Human Resource Director, Pat Duncan. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to accept the changes for the job titles as submitted by Human Resource Director, Pat Duncan.

Recreation Director, Larry Laxson presented the renewal agreement between the Cabarton Shuttle LLC. and Valley County. Chairman Hasbrouck made a motion to approve the renewal agreement between Cabarton Shuttle LLC and Valley County. Commissioner Bingaman seconded the motion. Commissioner Maupin provided her input to the commissioners related to the matter. The matter went to vote, and all commissioners voted in favor of the renewal agreement between Cabarton Shuttle LLC and Valley County.

Chairman Hasbrouck began the workshop related to modification of Ordinance 19-08 Property Tax Exemptions. Chief Deputy Prosecuting Attorney, Brian Oakey presented on his recommended changes to the existing ordinance. Assessor, June Fullmer and Anthony Franseconi from the Assessor's Office also presented to the commissioners. Mr. Oakey identified the material changes that he was recommending to the commissioners to the existing ordinance 19-08. The commissioners requested that the matter be scheduled for a Public Hearing on May 17, 2021.

Chairman Hasbrouck 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 yet being litigation but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. 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(f)-Litigation at 2:38 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(f)-Litigation at 2:50 p.m. Commissioner Maupin made a motion to sign the engagement letter with Mullen Coughlin LLC. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to sign the engagement letter with Mullen Coughlin LLC.

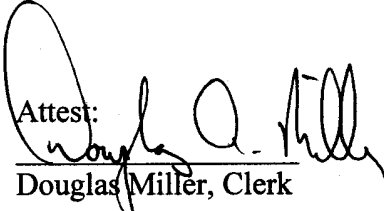
Human Resource Director, Pat Duncan presented on a possibility of a plan to no longer require masks in the Valley County Facilities. She reported on the research that she had conducted utilizing Central District Health guidelines. She believed that Valley County needed to develop an exit plan to no longer require masks at the facilities. The commissioners discussed their opinions related to the mask requirement in the Valley County Courthouse. Clerk, Douglas Miller reminded the commissioners that the Idaho Supreme Court issued an order on April 22, 2020, requiring masks in court facilities in the State of Idaho and he advised that there has not been any order rescinding the order from April 22, 2020. The commissioners requested that Chief Deputy Prosecuting Attorney, Brian Oakey review the order issued and requested that Clerk, Douglas Miller contact the Trial Court Administrator to see if there was a possibility of the Idaho Supreme Court rescinding the order from April 22, 2020.

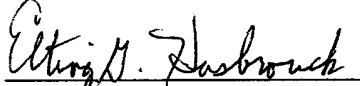
Chairman Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(b)-"to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought

against, a public officer, employee, staff member or individual agent, or public school student.”- Personnel. Commissioner Bingaman 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 3:25 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 4:45 p.m. No decision was made as the Executive Session was for evaluation purposes.

The commissioners adjourned at 4:45 p.m.

Attest:

Douglas Miller, Clerk


Chairman, Elting Hasbrouck

Valley County Board of County Commissioners

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday April 12, 2021

Valley County adheres to ADA requirements. If anyone requires an accommodation, please contact the clerk 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, K.C. Mauk

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

Assessor – June Fullmer

Clerk – Doug Miller

Prosecutor – Brian Naugle

Sheriff – Patti Bolen

Treasurer – Gabe Stayton

Action Item: Quarterly Report

Application for Cancellation of Property Taxes 21-32 (Hardship)

Department Head Reports - 5 Minutes each

Building Department – Annette Derrick

Court Services – Skip Clapp

Extension Office- Melissa Hamilton

Human Resources/Risk Management – Pat Duncan

Action Item: Authorizing a Commissioner to Sign the E-Verify MOU

Information Technology – Jeremy Wilcox

Planning and Zoning-Cynda Herrick

Parks and Recreation- Larry Laxson

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

11:00 Road & Bridge Presentation- Jeff McFadden

11:30 **Action Item:** Executive Session per Idaho Code 74-206 1(d)-“to consider records that

are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code"-Indigent & Charity

11:45 Commissioner Discussion

Action Items: Meeting Minutes of April 05, 2021

Sign Air St. Luke's Valley County EMS Memorandum of Understanding

Ratification of Betty Ann Nettleton to the Central District Health Board of Health Representing Elmore County

Memorandum of Understanding with Idaho Department of Labor for McCall Annex and Cascade

12:00 Recess for Lunch

1:00 Update on Commissioner's Boards

1:30 **Public Hearing/Action Item:** Resolution 2021-10 VAC 20-04 Workman Vacation of Utility Easement – Planning and Zoning Administrator, Cynda Herrick

1:45 **Action Item:** Discussion and Decision on Job Titles – Human Resource Director, Pat Duncan

2:00 **Action Item:** Cabarton Shuttle and Board of County Commissioners Agreement

2:00 Workshop to Discuss Modification of Ordinance 19-08 Property Tax Exemptions

3:00 Opportunity for General Public to Present to Commissioners

3:00 **Action Item:** Discussion on Mask Mandate for County Facilities – Human Resource Director, Pat Duncan

3:30 **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

3:30 **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."-Personnel

Adjourn

COMMISSIONERS FUTURE MEETING DATE

Monday April 19, 2021