

Valley County Board of County Commissioners

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DOUGLAS A. MILLER
Clerk
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IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS CASCADE, IDAHO April 26, 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 26, 2021. Commissioner Maupin advised that she to have a matter added to the agenda to have a sewer model done at the property near the McCall Annex. Chief Deputy Prosecuting, Brian Oakey advised that the matter could not be added to the agenda as an action item since it was not an emergency. Commissioner Bingaman made a motion to approve the commissioners' agenda for April 26, 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for April 26, 2021.

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

Fiscal Year 2021 Claims

General Fund	\$43,785.39
Road & Bridge	\$42,609.01
District Court	\$2,444.76

Board of County Commissioners Meeting
April 26, 2021
Page 1

Election Consolidation	\$2,329.54
Solid Waste	\$8,579.55
Pest Control	\$164.65
Waterways	\$7,658.09
McCall Donnelly Snowmobile	\$500.47
Cascade-Warm Lake Snowmobile	\$9,525.86

Board Order

Title III Trust	\$8,684.63
Extension Agent Trust	\$741.34
Clerk's Trust-CAT Fund	\$2,177.44
Interlock Device Fund	\$189.00

Total:	\$ 129,389.73
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Commissioner Maupin made a motion to approve the claims and board order claims as presented. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the claims and board order claims as presented.

Chief Deputy Assessor, Sue Leeper provided an update related to openings within the Department of Motor Vehicles Office. She informed the commissioners about the ongoing assessments that were being completed.

Clerk, Douglas Miller provided the commissioners with an overview of matters related to the Clerk's Office to included elections, courts, and preparation of Fiscal Year 2022 Budget.

Chief Deputy Prosecuting Attorney, Brian Oakey provided the commissioners with an overview of matters involving the Prosecuting Attorney's Office. He advised that Prosecuting Attorney, Brian Naugle was covering the court calendar and he was handling all the civil matters. He informed the commissioners about his existing workload regarding the civil matters.

Sheriff, Patti Bolen informed the commissioners about Sheriff Department operations. She reported that the Waterways Division was bringing back the seasonal deputies.

Treasurer, Gabe Stayton informed the commissioners that there are 30 tax deed properties and he advised that the deed searches were being conducted. He discussed the workload of the new deputy treasurer.

Court Services Director, Skip Clapp advised that Juvenile Probation Officer, Dee Dee Phillips was on vacation and he would be covering the juvenile probation caseload. He explained that he was putting a packet together for the Idaho POST Academy. He reported that he was still busy with his commitment to the Idaho Juvenile Justice Administrator. He informed the commissioners that Valley County was in the process of supervising out of county probationers. Chairman Hasbrouck asked about the use of the 2004 Ford Escape and explained that the

Board of County Commissioners Meeting

April 26, 2021

Page 2

commissioners were considering the surplus of the vehicle. Skip provided the commissioners with an explanation of when the probation department needed a motor pool vehicle.

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 explained that she was working on preparing a Fiscal Year 2022 Budget for the University of Idaho Extension Office. She discussed a meeting that she was involved with local housing issues.

Human Resource Director, Pat Duncan provided the commissioners with a succession plan when she retires. She proposed options for the commissioners to consider regarding a possible replacement. The commissioners advised that they would consider posting the position. Pat discussed the performance evaluations that would be adopted by Valley County and explained the process that had been implemented. She reported to the commissioners that she would be meeting with the Clerk's Office regarding budget and options for the possibility of increasing salaries for Valley County. She discussed that possible candidates for the Weed Department and the openings within Dispatch.

Planning & Zoning Administrator, Cynda Herrick informed the commissioners that the Planning & Zoning Office had been busy and provided a brief description of matters that they had been working on including permits and development applications. Chairman Hasbrouck discussed the Public Hearing for the vacation of the alleyway at the back of the Valley County Courthouse that would be taking place before the Cascade City Council.

Recreation Director, Larry Laxson presented to the commissioners that they were almost done with spring maintenance of the snow grooming equipment. He explained that they were in the process of removing the winter stalls and erecting the summer recreation signs. He briefly discussed the LOT Grant funds that Grant Writer, Mary Rosen would be applying for. He discussed that he would be attending the ISSA Spring Conference in Orofino, Idaho. He informed the commissioners that he would also be working on the Recreation Department budget within the next couple of weeks. He briefly discussed with the commissioners House Bills that he was following regarding recreation.

Facility Director, Scott Clingan presented to the commissioners the need to schedule free & reduced dump dates for the Solid Waste Transfer Site. He provided the commissioners with dates to consider for the spring and fall of 2021. Commissioner Bingaman made a motion to approve the dates provided for the free & reduced dump dates for the Solid Waste Transfer Site. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the dates provided for the free & reduced dump dates for the Solid Waste Transfer Site.

Scott informed the commissioners that he would be scheduling the hazardous waste collection date for August 21, 2021 in Lake Fork. The commissioners voiced their concerns about the wait times that occurred last year and asked if the company could schedule possibly two days. Scott reported that the woody debris bins would be placed out on May 1st, 2021, and he informed the commissioners that the public could also bring woody debris up to the solid waste transfer site free for residential and reduced rate for commercial beginning May 10th, through October 20,

2021. Scott informed the commissioners about maintenance that would be done on the floors within the Valley County Courthouse and the Valley County Sheriff's Department. He provided the commissioners with an update related to the plumbing issues in the 3rd floor jury room bathroom. Scott discussed additional lighting that he believed was necessary at the employee parking lot and he presented that he would like to paint lines on the parking lot.

Chief Deputy Prosecuting Attorney, Brian Oakey presented on the solid waste agreement with Lake Shore Disposal and provided an overview of the previous discussions that had occurred. He questioned a few terms that were in the existing agreement and made the commissioners aware of the concerns that he currently has. He specifically discussed the length of the agreement and allowable increases that were included. He explained that he needed to understand more about the agreement and needed additional time to review as well as discuss with the contractor Lake Shore Disposal. He explained that there was also additional data that needed to be compiled and further negotiations needed to take place. Lake Shore Disposal Manager, Scott Carnes presented to the commissioners and discussed prior agreements that had been signed. He voiced his concerns to the commissioners regarding the data that had been requested by Valley County on solid waste collections. He referred the commissioners to Idaho State Statute regarding refuse collection and explained that he also provided the statute to Chief Deputy Prosecuting Attorney, Brian Oakey. He discussed the long-term contracts that Lake Shore Disposal has with the cities in Valley County. Scott also provided the commissioners with an overview of the recycling contract and explained what it included and collection of the recycling product. The commissioners asked if a private company was contracted to haul recycling and asked if it was acceptable. Scott Carnes believed that a private company would need to sign an agreement with Lake Shore Disposal. The commissioners agreed that additional time was needed between Valley County and Lake Shore Disposal to approve a new solid waste agreement.

Road Director, Jeff McFadden presented on his request to surplus the 2004 Ford Escape, triple axle CPS Belly Dump, 12-yard sander/spreader, case roller and homemade lowboy. Chairman Hasbrouck made a motion to allow the surplus of the 2004 Ford Escape, triple axle CPS Belly Dump, 12-yard sander/spreader, case roller and homemade lowboy. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to allow the surplus of the 2004 Ford Escape, triple axle CPS Belly Dump, 12-yard sander/spreader, case roller and homemade lowboy.

Jeff informed the commissioners about conversations that he has been having with Western Federal Lands regarding the Warren Wagon Road Project and the expectation that Valley County owes additional match funding. He also provided the commissioners with an overview of projects that the road department would be working on including West Lake Road.

Chief Deputy Prosecuting Attorney, Brian Oakey provided his opinion regarding the Idaho Supreme Court mask mandate for court facilities. He explained that the extent of the order was for the Courts and the Clerk's Office. He advised that it would be up to the commissioner's discretion to the rest of the building not affiliated with the Courts or Clerk's Office. Commissioner Maupin provided her opinion and believed that a date needed to be set to remove the mask requirement. The commissioners discussed the possibility of making it a recommendation and not a requirement. Human Resource Director, Pat Duncan provided her opinion to the commissioners. The commissioners believed that they need to evaluate the situation on an ongoing basis. Commissioner Maupin made a motion to remove the mask

Board of County Commissioners Meeting

April 26, 2021

Page 4

requirement in the Valley County Buildings and just have it as a recommendation to employees and the public to begin May 1st, 2021 with an opportunity to revisit based on if there is an increase in positive COVID numbers. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to remove the mask requirement in the Valley County Buildings and just have it as a recommendation to employees and the public to begin May 1st, 2021 with an opportunity to revisit based on if there is an increase in positive COVID numbers.

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 11:51 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent at 11:55 a.m.

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

21-GB085	DETERMINATION OF DENIAL
21-GB085	LEIN RELEASE
21-SC089	DETERMINATION OF DENIAL
21-AC069	SUSPENSION

Chairman Hasbrouck presented the commissioner meeting minutes from April 19, 2021. Commissioner Maupin made a motion to approve the commissioner meeting minutes from April 19, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from April 19, 2021.

The commissioners recessed for lunch at 12:00 p.m.

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

Recreation Director, Larry Laxson and Grant Writer, Mary Rosen presented grant applications for the commissioners to consider. Grant Writer, Mary Rosen first presented on Grant 20HFR4-West Hazard Fire Mitigation for \$220,000. Commissioner Bingaman made a motion to approve Grant 20HFR4-West Hazard Fire Mitigation. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Grant 20HFR4-West Hazard Fire Mitigation.

Grant Writer, Mary Rosen presented on two McCall LOT applications for \$25,000 for snowplow cost for parking lots and including snow shoveling for Francie Wallace. Commissioner Maupin made a motion to approve the grant application for the McCall LOT Grant for snowplow cost for parking lots and including snow shoveling for Francie Wallace. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the grant application for the McCall LOT Grant for snowplow cost for parking lots and including snow shoveling for Francie Wallace.

Board of County Commissioners Meeting

April 26, 2021

Page 5

Grant Writer, Mary Rosen presented on grant application for \$10,000 McCall Lot Grant for engineering/design of Francie Wallace Parking Lot. Commissioner Bingaman made a motion to approve the grant application for the McCall LOT Grant for engineering/design of Francie Wallace Parking lot. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the grant application for the McCall LOT Grant for engineering/design of Francie Wallace Parking lot.

IT Director, Jeremy Wilcox presented on the internet services at the University of Idaho Extension Office and the possibilities that have been determined. He advised that he has spoken with the Zipley Representative and they could provide improved internet server for \$50.00 per month. He was asking who should pay for the internet improvement at the Kelly's Whitewater Park Building. Chairman Hasbrouck believed that Valley County should cover the cost for the internet service. Commissioner Bingaman agreed with Chairman Hasbrouck. Chairman Hasbrouck made a motion to authorize the IT Department to work with Zipley Fiber to install internet services at the University of Idaho Extension Office. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to authorize the IT Department to work with Zipley Fiber to install internet services at the University of Idaho Extension Office.

IT Director, Jeremy Wilcox provided an update to the commissioners regarding operations of the IT Department.

Human Resource Director, Pat Duncan began the service award presentations and recognized Planning & Zoning Director, Cynda Herrick for her 25 years of service to Valley County. She also recognized Gabrielle Knapp and Dee Dee Gossi for their completion of the NACO Leadership training.

Chairman Hasbrouck opened the Public Hearing for Appeal 1-CUP 21-03 Tamarack Resort-Aspen Ridge Subdivision at 2:00 p.m. and asked the commissioners 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 to hear a staff report.

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

Chairman Hasbrouck asked to hear from the appellant. Mr. Thomas Angstman who is the attorney for Idaho Pacific presented to the commissioners as the appellant for CUP 21-03 Tamarack Resort-Aspen Ridge. The commissioners had the opportunity to ask Mr. Angstman specific questions and he responded accordingly.

Chairman Hasbrouck asked to hear from anyone who was a proponent to the appeal. The record will reflect no one presented as a proponent of the appeal.

Chairman Hasbrouck asked to hear from anyone who was uncommitted. The record will reflect that there was no one who presented as uncommitted.

Chairman Hasbrouck asked to hear from opponents to the appeal.

Mr. Chris Kirk who represents Tamarack Resort presented to the commissioners as an opponent to the appeal being made by Idaho Pacific.

Board of County Commissioners Meeting

April 26, 2021

Page 6

Mr. Gerald Wardle who represents Tamarack Resort presented to the commissioners as an opponent to the appeal being made by Idaho Pacific.

Chairman Hasbrouck asked to hear rebuttal testimony from Mr. Thomas Angstman. Mr. Angstman provided rebuttal testimony as the appellant.

The commissioners asked additional questions to Planning & Zoning Director, Cynda Herrick.

Mr. Scott Turlington President of Tamarack Resort presented to the commissioners.

Chairman Hasbrouck allowed Mr. Thomas Angstman the opportunity to present to the commissioners again.

Chairman Hasbrouck closed the Public Hearing for CUP 21-03 Tamarack Resort at 2:52 p.m. and brought the matter back to the commissioners for deliberation and a decision. Commissioner Maupin provided her opinion to the commissioners. Commissioner Bingaman also provided his opinion. Commissioner Maupin made a motion to deny the appeal for CUP 21-03 Aspen Ridge and accept the findings and facts made by the Valley County Planning & Zoning Commission and accept them as their own. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to deny the appeal for CUP 21-03 Aspen Ridge and accept the findings and facts made by the Valley County Planning & Zoning Commission and accept them as their own.

Chairman Hasbrouck opened the Public Hearing for CUP 21-04 Tamarack Resort-Crest Court Subdivision at 2:54 p.m. Chairman Hasbrouck asked if there was any ex-parte communication or conflict of interest. All commissioners indicated that there was no ex-parte communication or conflict of interest. Chairman Hasbrouck asked to hear a staff report.

Planning & Zoning Director, Cynda Herrick provided a staff report to the commissioners regarding appeal CUP 21-04 Tamarack Resort-Crest Court Subdivision. The commissioners had the opportunity to ask questions to Planning & Zoning Director, Cynda Herrick and she responded accordingly.

Chairman Hasbrouck asked to hear from the appellant.

Mr. Thomas Angstman who represents Idaho Pacific presented to the commissioners an appellant for CUP 21-04 Tamarack Resort-Crest Court Subdivision. He believed that the Valley County Board of Commissioners should remand the matter back to the Valley County Planning & Zoning Commission.

Chairman Hasbrouck asked to hear testimony from proponents to the appeal. The record will reflect that there was no one present who provided testimony as a proponent.

Chairman Hasbrouck asked to hear testimony from uncommitted. The record will reflect there was no one present who provided testimony as uncommitted.

Chairman Hasbrouck asked to hear testimony from opponents to the appeal. Mr. Geoff Wardle who represents Tamarack Resort presented to the commissioners as an opponent to the appeal.

Mr. Chris Kirk who represents Tamarack Resort also presented to the commissioners as an opponent to the appeal.

Chairman Hasbrouck closed the Public Hearing for CUP 21-04 Tamarack Resort Crest Court subdivision at 3:07 p.m. and brought the matter back to commissioners for deliberation. Commissioner Bingaman made a motion to deny the appeal for CUP 21-04 Tamarack Resort and accept the finding facts of conclusions of the Valley County Planning & Zoning Committee. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to deny the appeal for CUP 21-04 Tamarack Resort and accept the finding facts of conclusions of the Valley County Planning & Zoning Committee.

Chairman Hasbrouck opened the Public Hearing for Yellow Pine Water Treatment Idaho Department of Commerce Block Grant at 3:11 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communication or conflict of interest. All commissioners advised that there was no ex-parte communication or conflict of interest.

Chairman Hasbrouck asked to hear a staff report. Grant Writer, Mary Rosen provided a staff report to the commissioners. Ms. Kristina Gillespie from Mountain Waterworks also presented to the commissioners.

Chairman Hasbrouck asked to hear from proponents. He did read into the record those who submitted letters of support.

Chairman Hasbrouck asked to hear from those who were uncommitted. The record will reflect that there was no testimony from anyone who was uncommitted.

Chairman Hasbrouck asked to hear from opponents. The record will reflect that there was no testimony from anyone who was an opponent.

Chairman Hasbrouck closed the Public Hearing at 3:33 p.m. and brought the matter back to the commissioners for deliberation. Commissioner Maupin made a motion to approve Resolution 21-11 Fair Housing Resolution. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution 21-11 Fair Housing.

Commissioner Maupin made a motion to approve the Yellow Pine Water Treatment Idaho Department of Commerce Block Grant Application. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Yellow Pine Water Treatment Idaho Department of Commerce Block Grant Application.

Chairman Hasbrouck began the workshop with DF Development to discuss opportunities for transfer of ownership for roads. The commissioners discussed several different roads with DF Development and explained that Valley County was willing to hear proposals from DF Development. It was discussed how maintenance of the roads would be completed. Mr. Jimmy Williams representing DF Development had the opportunity to ask the commissioners about the use of the roads if they were transferred to Valley County. Commissioner Maupin asked that DF

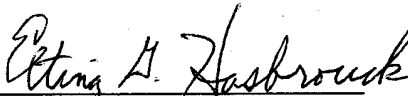
Board of County Commissioners Meeting

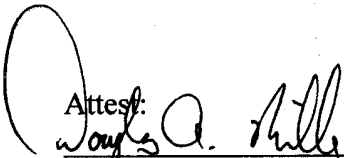
April 26, 2021

Page 8

Development provide a list of roads that they felt would need regular maintenance but advised that Valley County did not have the funding to maintain the roads if transferred. Mr. Williams expressed that if the roads owned by DF Development were transferred it would be expected that Valley County would maintain. The commissioners continued to discuss the possibilities of transferring of the roads and suggested that specific roads be identified to determine if it would be feasible. The commissioners proposed working on a few roads to bring back for discussion and requested that DF development do the same. The commissioners scheduled another workshop for May 10, 2021, at 2:30 p.m.

The commissioners adjourned the meeting at 5:05 p.m.


Chairman, Elting Hasbrouck

Attest:

Douglas Miller, Clerk

Valley County Board of County Commissioners

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday April 26, 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 – Sue Leeper for June Fullmer
Clerk – Doug Miller
Prosecutor – Brian Naugle
Sheriff – Patti Bolen
Treasurer – Gabe Stayton

Department Head Reports - 5 Minutes each

Building Department – Annette Derrick
Court Services – Skip Clapp
Extension Office- Melissa Hamilton
Human Resources/Risk Management – Pat Duncan
Planning and Zoning-Cynda Herrick
Parks and Recreation- Larry Laxson

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

Action Item: Schedule Free & Reduced Dump Dates for Solid Waste Transfer Site
Approval of Solid Waste Agreement with Lake Shore Disposal

11:00 Road & Bridge Presentation- Jeff McFadden

Action Items: Surplus of 2004 Ford Escape, Triple Axle CPS Belly Dump, 12 Yard Sander/Spread, Case Roller, Homemade Lowboy

- 11:15 Presentation from Chief Deputy Prosecuting Attorney, Brian Oakey Regarding Idaho Supreme Court Mask Mandate for Court Facilities
Action Item: Discussion/Decision Requirement for Masks with Valley County Courthouse/Buildings
- 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 19, 2021
- 12:00 Recess for Lunch
- 1:00 **Action Item:** Grant Approvals
Recreation Department McCall Lot Proposal-\$25,000 for Snowplow Cost for Parking Lots Including Snow Shoveling for Francine Wallace
\$10,000 for Engineering/Design Francine Wallace Parking Lot Expansion
Grant 20HFR4-West Hazard Fire Mitigation
- 1:30 Presentation from IT Department-IT Director, Jeremy Wilcox
Action Item: Discussion/Decision on Internet Service at University of Idaho Extension Office
- 1:45 Service Award Presentations
- 2:00 **Public Hearing/ Action Item:** Appeal 1 - CUP 21-03 Tamarack Resort - Aspen Ridge Subdivision
Appeal 2 - CUP 21-04 Tamarack Resort - Crest Court Subdivision – Planning and Zoning Administrator, Cynda Herrick
- 3:00 **Public Hearing/Action Item:** Yellow Pine Water Treatment Idaho Department of Commerce Block Grant
Resolution 21-11 Fair Housing
- 3:15 Workshop with DF Development to Discuss Opportunity for Transfer of Ownership for Roads
- 4:15 **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

4:30 Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONERS FUTURE MEETING DATE
Monday May 3, 2021