

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
October 19, 2020**

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

Chairman, Elting Hasbrouck called the commissioner meeting to order at 9:00 a.m. for October 19, 2020.

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for October 19, 2020. Commissioner Maupin made a motion to approve the commissioners' agenda for October 19, 2020. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for October 19, 2020.

Chairman Hasbrouck presented the commissioner meeting minutes from October 13, 2020. Commissioner Bingaman made a motion to approve the commissioner meeting minutes from October 13, 2020. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from October 13, 2020.

Chairman Hasbrouck began the discussion related to a request to maintain roads in Ponderosa Shore #2 Subdivision. Mr. Mike Falconer who owns property in Ponderosa Shore #2 Subdivision presented to the commissioners. He provided a history of how long he had owned

property in Valley County and concerns with how he feels Valley County had been treating him as a tourist. He advised that Valley County has failed to provide road maintenance in Ponderosa Shore #2 Subdivision. He presented on the amount of times that he had attempted to contact the commissioners and Valley County Road Department. He also provided the communication that he had with Chairman Hasbrouck. He presented on the erosion problems that had occurred on the road within Ponderosa Shores #2 Subdivision. He discussed exhibits that he had submitted to the commissioners for them to review regarding ownership of the roads and who should be required to maintain the roads. He advised that he represented himself for his proposal and advised that they want the 2-mile loop restored and road maintenance done within the subdivision. He advised that they want a hold harmless agreement with Valley County. He explained that they want right of way permits to be issued within the subdivision. He requested that the commissioners investigate to determine if officials were not complying with existing policy. He suggested that the commissioners appoint a citizen advisory group to review a list of proposed road projects. He believed that Ponderosa Shores #2 Subdivision was a public road and not a private road. He advised that Valley County had conceded ownership of the road back in 1995 and he referred to commissioner meeting minutes which he claims that decision was made. He referred to letters that were provided to him and he requested that the letters be submitted to the commissioners for consideration voicing concerns about the condition of the roads within Ponderosa Shores #2 Subdivision. In closing he advised that he had been going through the plans of the Valley County Road Department and the codes in the State of Idaho researching ownership. He questioned how Valley County could rebuild a certain road but not spending any resources to maintain Ponderosa Shores #2 Subdivision. Chairman Hasbrouck asked if the surety bond still existed that Mr. Falconer was reviewing to. Mr. Falconer believed that it was irrelevant to the argument. Chairman Hasbrouck believed that the developer did a disservice to the residents of Ponderosa Shores #2 Subdivision. Mr. Falconer again presented that Valley County had never done any road maintenance in the area in forty years and he referred to budgetary concerns that he had regarding the Valley County Road Department budget. Chairman Hasbrouck asked if the homeowners had worked together to fund road maintenance with Ponderosa Shores #2. Mr. Falconer provided a response to the commissioners that there had been a disagreement between within the existing landowners in the subdivision. Commissioner Maupin asked if there was a Homeowners Association or CCR's. Mr. Falconer advised that there was not an existing association or CCR's. He referred the commissioners to Ordinance 10-1-2 and advised that he just wanted to come to the commissioners to provide his opinion to the commissioners. Commissioner Maupin informed Mr. Falconer that there was a community advisory group and invited him to participate. Commissioner Maupin believed that Valley County needed to research Mr. Falconer's concerns and address the matter later. Chairman Hasbrouck believed that the homeowners needed to band together to privately fix the road because he believed that the road was private and felt that the developer mislead the homeowners. Planning & Zoning Administrator, Cynda Herrick requested the opportunity to review the development agreement. Commissioner Maupin believed that the matter needed continued research and brought back to the commissioners. Mr. Falconer requested that the commissioners place the matter back on the agenda before the end of November of 2020. Chairman Hasbrouck asked Mr. Falconer if he believed that the homeowners would be willing to assist with funding of a project. Mr. Falconer advised that he could not answer on behalf of other homeowners.

Recreation Director, Larry Laxson presented on the memorandum of understanding for a potential Pickle Ball Court in Lake Fork, Idaho. Ms. Hope Ayers a member of the Pickle Ball

Board of County Commissioners Meeting

October 19, 2020

Page 2

Club presented to the commissioners that there had been a commitment of a financial contributions of \$40,000 for the project. She referred to a conditional permit application that would be required and advised that a memorandum of understanding needed to be done before they would be able to move forward. Ms. Ayers also asked about the ability to request donations using a flyer with Valley County's logo and support. The commissioners advised that they would need to consult with the Valley County Prosecuting Attorney before allowing the use of the Valley County logo. Ms. Ayers provided additional map of the proposed area for the pickleball court and advised that soil samples needed to be taken of the area. Chairman Hasbrouck asked about potential parking locations. Ms. Ayers advised that they have identified an area for potential parking. The commissioners suggested reviewing overflow parking. There were requested modifications to the proposed memorandum of understanding. Commissioner Maupin made a motion to approve the designation of two acres at the Valley County owned site in Lake Fork, Idaho, for pickle ball courts pending final approval of the Memorandum of Understanding to be done on October 26, 2020. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the designation of two acres at the Valley County owned site in Lake Fork, Idaho, for pickle ball courts pending final approval of the Memorandum of Understanding to be done on October 26, 2020.

Chairman Hasbrouck began the next agenda item for CUP-19-13-335 South Samson Trail-Elise Bitton for Pinetop Construction. McCall City Planner, Morgan Bessaw provided a staff report for the commissioners. She advised that on August 4, 2020, the McCall Planning & Zoning Commission approved the CUP-19-13-335 South Samson Trail and recommended that a second public hearing not be required. She provided information regarding correspondence that was received after the decision was made. The commissioners had questions for McCall, City Planner, Morgan Bessaw and she responded accordingly. Commissioner Bingaman made a motion to approve CUP-19-13 and accept the findings and conclusions as presented. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve CUP-19-13-335 South Samson Trail Elise Bitton for Pinetop Construction and accept the findings of facts as presented.

Sheriff, Patti Bolen presented the cooperative law enforcement operating plan between Valley County Sheriff's Office and Payette National Forest. Commissioner Maupin made a motion to approve the cooperative law enforcement operating plan between Valley County Sheriff's Office and United States Forest Service. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the cooperative law enforcement operating plan between Valley County Sheriff's Office and United States Forest Service.

Mr. Roy Eiguren presented on a redraft of the North Fork Payette River Watershed Water Quality Act. He provided an overview of his law practice and his expertise as well as a list of organizations that his law firm had represented. He also presented on the Big Payette Water Quality Act that he had assisted in developing and explained that the Big Payette Water Quality Act was still in effect but believed that there were items that needed to be adjusted. He referred to the study that was being conducted by the University of Idaho on the Payette Lake and overseen by Dr. Wilhelm. He believed that the study being conducted will be used in decision making about the use of Payette Lake. Mr. Eiguren and he believed that the Big Payette Water Committee should be brought back to fruition. He advised that he believed that there should be a citizen community to determine how water quality should be addressed. He advised that he had distributed the redraft of the North Fork Payette River Watershed Water

Quality Act to several different governmental and non-governmental agencies. He hoped that the legislature would take up the matter during the next legislative session. The commissioners appreciated the work that had been conducted by Mr. Eiguren. The commissioners had additional questions from Mr. Eiguren on how he envisioned the draft quality act would be utilized compared to the study that was being conducted by the University of Idaho and the water management study that was being done through Request for Proposal by Valley County. Commissioner Bingaman provided his opinion on how the plans would benefit. Commissioner Maupin provided her opinion regarding the concerns that she had regarding the North Fork Payette River Watershed Water Quality Act being legislative. She felt that the Waterways Committee needed to be included and again voiced her concerns how the North Fork Payette River Watershed Water Quality Act would be implemented. Mr. Eiguren provided a response to the commissioners. Chairman Hasbrouck voiced how he felt all the organizations would have the ability to work together for a common goal. Commissioner Maupin felt that it should be driven locally and not through state or federal control. She wanted to know if the county and the commissioners would have the ability to make decisions. Mr. Eiguren provided his opinion and advised that the committee would be comprised of individuals from Valley County. He recommended that the commissioners discuss with the Valley County Prosecuting Attorney for their opinion to be provided. Commissioner Maupin questioned Valley County moving forward with the Request for Proposal on the water management plan with legislation being proposed. She believed that the commissioners would have to specifically identify the roles. Mr. Eiguren addressed the concerns of tax dollars being utilized and indicated that in the draft he specifically identified that tax dollars would not be used. He referred the commissioners to a section of the draft act which provides the powers and duties of the commission. The commissioners continued the discussion on how all groups would attempt to work together and how decisions would be determined. Mr. Eiguren advised that it was the intent of the North Fork Payette River Watershed Water Quality Act to use science for decisions to be made. He advised that he would also be providing the draft to DEQ, Water Resources Department, Parks & Rec, Soil Conservation District for those organizations to have the ability to comment. He discussed how a decision would be made by the Idaho Land Board.

Emergency Service Manager, Juan Bonilla presented on the Valley County All Hazard Mitigation Plan and the steps that are being done to have an updated and current plan. He discussed the additional measures that needed to be done for a final approval. He wanted to stress that it would be a yearly occurrence to review the Valley County All Hazard Mitigation Plan and it would then allow an update to be done to the Emergency Operation Plan. He advised that it was his goal to make sure that organizations can utilize funding for mitigation efforts. He also explained that there could be funding available to use on lands that are not adjacent to federal or state lands. He advised that the plan was to be utilized by all agencies and he hoped that it would be used. The commissioners appreciated the work that had been done with the creation of the proposed Valley County All Hazard Mitigation Plan. Juan further explained how grants could be applied for now for special mitigation funding. Commissioner Bingaman made a motion to approve Resolution #21-01 Approval of All Hazard Mitigation Plan. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution #21-01 Approval of All Hazard Mitigation Plan.

The commissioners recessed for lunch at 11:49 a.m.

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

Board of County Commissioners Meeting

October 19, 2020

Page 4

Ms. Stephanie Nelson representing Wildland Alliance Associates and Donnelly Fire Chief, Juan Bonilla presented to the commissioners the update of Valley County Wildfire Protection Plan. She explained the maps that were available in the plan and identified the changes that had been made. Chief, Juan Bonilla explained why it was important to update the Valley County Wildfire Protection Plan and specifically gives the ability to have a better grant application. He advised that others are modeling the Valley County plan. The commissioners advised that they would like to continue to review and have placed the approval of the Valley County Wildfire Protection Plan on October 26, 2020.

Chairman Hasbrouck advised that Valley County Board of County Commissioners would be recessing at 1:21 p.m. and convening as the Valley County EMS Board to have a workshop to review the ESCI study of the Valley County EMS Program. Donnelly Fire Chief, Juan Bonilla provided his opinion regarding the ESCI study that was conducted and was not in support of a consolidated district and did not believe that the Donnelly Fire Commissioners would be in support of a consolidated district. He also presented that he did not believe that the constitutes would be in support of having a consolidated district but to continue to collaborate with the existing fire districts. Chairman Hasbrouck provided his opinion regarding the ESCI study and believed that the study was going to provide different statistics regarding growth. The commissioners discussed the possibility of impact fees to prepare for growth. McCall Fire Chief, Garrett deJong presented on his research that he had conducted allowing cities and counties to assess impact fees. Chief deJong also provided his opinion to the commissioners regarding the ESCI Study and had issues regarding the recommendations of consolidation of the Valley County EMS District. He did believe that there were matters that the EMS Administrative Council could address that were recommended in the ESCI study. Chief Deputy Stratus of McCall provided his opinion regarding the deployment recommendations that were made in the ESCI study. Cascade Fire Chief, Steve Hull provided his opinion regarding the ESCI study and submitted that the Fire District do collaborative for fire services and EMS services within Valley County. He felt that there was information in the ESCI study that could be implemented. Valley County Dispatch Supervisor, Kelli Copperi submitted comments to the commissioners regarding calls that the Valley County Dispatch Department receives. Deputy Chief Stratus of McCall believed that further study of the ESCI study needed to be reviewed to see if there were additional goals that could be implemented. Chairman Hasbrouck wanted to know what direction the EMS District should take with the ESCI study. Donnelly Fire Chief Bonilla presented that the EMS Administrative Council would continue to review the ESCI study to see what recommendations can be implemented. The commissioners requested further information on the ability to implement impact fees for Fire & EMS Districts. The commissioners also asked about annexation of additional subdivisions for those subdivisions that are not within the local fire district. The commissioners would like the EMS Administrative Council to spend additional time reviewing the ESCI study and bring back further recommendations to the commissioners later. The Valley County EMS District adjourned at 2:13 p.m. and reconvened as the Valley County Board of County Commissioners.

Chairman Hasbrouck began the opening of the Sheriff's Office Vehicle Bids. The first bid that was opened was from Mountain Home Auto Ranch for a \$35,854.33 for a Ford Explorer. The next bid opened was from Young CDJRF of Burley, Idaho for a Dodge Durango was \$33,183.14. The last bid opened was from Cascade Auto for Dodge Durango was \$34,233.00. Commissioner Maupin made a motion to accept the bid from Cascade Auto for the Dodge

Board of County Commissioners Meeting

October 19, 2020

Page 5

Durango for \$34,233.00. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to accept the bid from Cascade Auto for the Dodge Durango.

Mr. Craig Utter representing the Payette Land Trust began his presentation to the commissioners. He provided an explanation of the Payette Land Trust and how it was established. He believed that further education needed to be done by the Payette Land Trust about the function of the land trust. He provided a packet which will be appended to the commissioner meeting minutes. He explained the properties that were currently incorporated in the Payette Land Trust and the existing philosophy. He presented on the program areas and informed the commissioners how they make sure that they are adhering to terms of easements. Mr. Utter presented on education programs that they create with the community. He informed the commissioners about the mission statement of the Payette Land Trust. He provided an overview of what the Payette Land Trust was currently working on and explained the amount of time that it takes to complete the work and the proposed outcome of the work. He discussed the Payette River Basin initiative and the goals of the initiative. He discussed three primary project areas which consists of preserving agriculture areas, conservation development. He also discussed the Payette River access project and a forty-four-acre property in the Payette River Subdivision that the Payette Land Trust assisted in getting a conservation easement. He advised that they have started the fund-raising project and would like Valley County to consider contributing. Mr. Utter responded to questions asked by the commissioners regarding a variety of topics related to the operations of the Payette Land Trust. The commissioners believed that Grant Manager, Mary Rosen could assist with grant applications on behalf of the Payette Land Trust for grants that only the county would have the ability to apply for. Mr. Utter concluded his presentation to the commissioners.

Treasurer, Gabe Stayton requested that the commissioners approve the certifications on the tax bills for North Lake Water & Sewer District and Payette Lake Water & Sewer District. He provided to the commissioners that he received a request from both districts to certify delinquent water bills. Commissioner Bingaman made a motion to approve the certifications of the tax bills submitted by North Lake Water & Sewer District and Payette Lake Water & Sewer District. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the certifications of tax bills submitted by North Lake Water & Sewer District and Payette Lake Water & Sewer District.

Planning & Zoning Administrator, Cynda Herrick began the presentation on CUP 20-09 BP Properties for clarification of conditions of approval. She advised that the clarifications were agreed upon by the applicant and the appellant and the substance had not been changed. Prosecuting Attorney, Carol Brockmann provided the commissioners with an opinion related to the matter. Commissioner Maupin made a motion to approve the CUP 20-09 clarification of conditions of approval. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the CUP 20-09 BP Properties and approve the clarification of conditions of approval.

Chairman Hasbrouck allowed residents from Smiths Ferry to present their request to use Smith's Ferry Drive as an alternative route during the closure of Highway 55. Mr. Joe Rogan who resides in Smiths Ferry, Idaho, provided a letter to the commissioners that he read verbatim requesting access to Smiths Ferry Drive. A copy of the letter will be appended to the

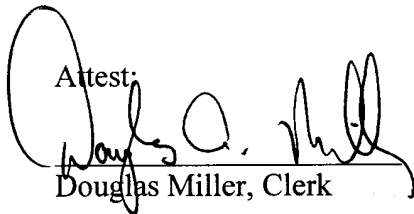
Board of County Commissioners Meeting

October 19, 2020

Page 6

commissioner meeting minutes. Commissioner Bingaman made a motion to allow residents of Smith Ferry access to Smith Ferry Drive if they are on the list that was provided by Mr. Joe Rogan. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to allow residents of Smith Ferry access to Smith Ferry Drive if they are on the list that was provided by Mr. Joe Rogan.

The commissioners adjourned at 4:38 p.m.

Attest:

Douglas Miller, Clerk


Chairman, Elting Hasbrouck

NORTH FORK PAYETTE RIVER WATERSHED WATER QUALITY ACT

39 – 6601. SHORT TITLE. This chapter shall be known and cited as the "North Fork Payette River Watershed Water Quality Act."

39- 6602. LEGISLATIVE INTENT. A. The legislature finds that: (1) the waters of the North Fork Payette River watershed are threatened with, or are now experiencing deterioration due to expanding residential development, greater public use and growing land use activities, and that these pressures endanger the drinkability, economic potential, fisheries, natural beauty, recreational use, swim ability, wildlife values, and such other beneficial uses of waters within the watershed as may be duly designated; (2) the state holds all such public waters in trust for the use of all its citizens; (3) it is necessary to preserve and protect such public waters and to increase and enhance the use and enjoyment of such waters, and; (4) the watershed forms an important basis of the state's and local region's economy and that coordinated federal, state and local action is necessary to protect, preserve and improve the water quality of the watershed.

B. The legislature declares that this act authorizes the commissioning of studies and the creation of plans to protect, preserve and, where necessary, improve water quality within the watershed while accommodating private, public, and commercial activities to the extent prudent and practicable. The studies and plans as set forth in this act shall require a working partnership of federal, state, and local governmental agencies.

39-3603. DEFINITIONS. Whenever used or referred to in this chapter, the following terms shall have the following meanings:

(1) "Applicable water quality standard" means those water quality standards identified in the rules of the department.

(2) "Big Payette Lake" means the Big Payette Lake and its watershed which shall include all tributaries, and small lakes on those tributaries, of the North Fork of the Payette River above Big Payette Lake. The term "lake" shall also include all tributaries, and small lakes on those tributaries, that drain directly into Big Payette Lake before the dam on the North Fork of the Payette Lake as it leaves Big Payette Lake.

(3) "Commission" means the "North Fork Payette river watershed water quality commission" established in this chapter.

(4) "Department" means the department of environmental quality.

(5) "Plan" means a comprehensive water quality standards management plan to be developed pursuant to scientific studies, and as modified over time.

(6) "Study" means a comprehensive, scientifically based study of water quality and applicable water quality standards.

(7) "Watershed" means the watershed starting at the headwaters of the North Fork of the Payette River to its confluence with the South Fork of the Payette River located at Banks, Idaho.

(8) "Water pollution" is such alteration of the physical, thermal, chemical, biological or radioactive properties of any waters of the state, or such discharge of any contaminant into the waters of the state as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare or to domestic, commercial, industrial, recreational, esthetic or other legitimate uses or to livestock, wild animals, birds, fish or other aquatic life.

39 – 6604. ESTABLISHMENT OF THE NORTH FORK PAYETTE RIVER WATERSHED WATER QUALITY COMMISSION. There is hereby established the commission. The commission shall be assisted in carrying out its responsibilities by the department, the local public health district and other appropriate state and local agencies as needed.

39-6605. MEMBERSHIP. The commission shall consist of not less than nine (9) nor more than eleven (11) members appointed by the governor. The governor shall appoint: one (1) member who shall be a valley county commissioner at the time of their appointment; one (1) member who shall be an elected member of the McCall city government at the time of their appointment; and seven (7) to nine (9) members at large who are full or part-time residents of valley county. In making appointments, consideration shall be given, where appropriate, to members who represent agriculture, environmental interests, forest products, livestock, mining, the general public, and water-based recreation. The terms of the members shall be three (3) years with the initial term to be staggered in terms of one (1), two (2), and three (3) years by the governor when he makes the appointment. Vacancies shall be filled by appointment of the governor upon recommendation of the commission. A majority of the members of the commission must maintain their primary residence in valley county. Once established, the commission shall initially convene to adopt rules for its operation and thereafter exercise its powers and duties as provided below.

39 – 6606. POWERS AND DUTIES OF COMMISSION. The commission shall have all necessary power to undertake the following duties:

- (1) Assemble historical data on water quality studies in the watershed.
- (2) Assess present and projected land and water uses related to the watershed.
- (3) Specify, authorize, or obtain comprehensive, scientifically based studies of water quality and applicable water quality standards in the watershed. The studies will include, but not be limited to, all point and nonpoint sources of nutrients, bacteria, sediments, and potential water pollution.
- (4) The preparation of plans upon completion of applicable studies with such plans to be updated regularly as new knowledge becomes available. A new plan shall be completed, or an existing plan updated, within 180 days of the receipt by the commission of a new applicable study. Such plans shall be updated not less than once every five years. Plans shall specifically identify and address concerns within the watershed where commerce, fisheries, industry, invasive aquatic species, land use, recreation, residential development, scenic values, water uses, wildlife habitat, and other forms of human activity may reasonably be expected to significantly impact water quality within the watershed or significantly impact compliance with applicable water quality standards. Plans shall identify sources of water pollution and make recommendations to appropriate regulatory agencies to mitigate or eliminate such pollution, including those specific actions needed to control point and nonpoint sources of pollution within the watershed so that, within reasonable periods of time, designated beneficial uses are fully

supported and other state water quality plan objectives are achieved and standards met. Any such recommendations or specific actions shall be implemented by such agencies to the greatest extent practicable

(5) The commission does not have regulatory authority of any type.

(6) Plans may be prepared and updated on a watershed wide basis, on a lake by lake basis, or both.

(7) To promote the implementation of plans by serving in an advisory capacity to those cities, planning and zoning, county, state, and federal authorities with responsibilities affecting watershed water quality and applicable water quality standards. The commission may recommend, as appropriate, the adoption of any statutes, ordinances, rules, and regulations needed to implement plans.

(8) For the purposes of section 39-3615, Idaho Code, the commission shall serve as the North Fork Payette river watershed advisory group and shall discharge such duties as a provided for in such section.

39-6607. ORGANIZATION. (1) After appointment, the members of the commission shall choose one (1) member as chairman of the commission and shall elect a secretary and treasurer of the commission who may or may not be members of the commission. The secretary and the treasurer may be one (1) person. The secretary shall keep a record of all commission proceedings, minutes of all meetings, certificates, contracts, and other documents, as necessary.

(2) The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the commission in permanent records. The treasurer shall prepare or cause to be prepared annual financial statements on a fiscal year basis ending June 30 of each year. Such financial statements shall be available for inspection by any citizen.

(3) As funds may be available, the commission may appoint an executive director, who shall undertake such duties and responsibilities as may be assigned to him or her by the commission.

(3) Members of the commission shall serve without compensation. No member shall receive any compensation and no member of the commission shall be interested in any contract or transaction with the commission except in his or her official representative capacity.

(4) The commission shall meet not less than four (4) times per year.

39 – 6608. TECHNICAL ADVISORY GROUP. To assist in its objectives, the commission shall create a technical advisory group which may include the designated representatives of the public health district, local cities, the county, applicable irrigation districts, department of environmental quality, department of lands, department of fish and game, department of parks and recreation, department of water resources, university of Idaho, state soil conservation commission, local soil conservation commission, united states forest service, united states bureau of land management, united states bureau of reclamation, united states army corps of engineers, united states agricultural conservation and stabilization service, united states environmental protection agency, and the united states geological survey.

39- 6609. PUBLIC PARTICIPATION. The commission shall conduct an active public awareness and participation program to educate the public on methods and responsibilities to protect the watershed and to inform stakeholders and other interested parties in the preparation and implementation of all

studies and plans. This program shall include regular reports to the public through forums, printed materials, and the media. The commission is subject to the Idaho public records act, title 74, chapter 1 and the Idaho open meetings law, title 74, chapter 2.

39-6610. ACCOUNTS. (1) There is hereby created in the state treasury a dedicated fund known as the North Fork Payette river watershed commission trust account. Moneys in the account may come from appropriations, grants, gifts, donations, use fees or such other sources as may be authorized by the legislature. Moneys in the account may only be expended pursuant to appropriation, and then only as authorized by a resolution duly adopted by a majority of the commission.

(2) There is hereby created in the state treasury a dedicated fund known as the North Payette river watershed commission administrative account. All money in the account is to be derived exclusively from private, nongovernmental funding sources. All money in the account is appropriated continuously to the commission to be used exclusively to defray the costs of administration. The account shall not be subject to the provisions of the standard appropriations act of 1945.

39-6611. SUCCESSOR TO BIG PAYETTE LAKE WATER QUALITY ACT. This act is the successor to the big Payette lake water quality act, title 67, chapter 66. The big Payette lake water quality management plan and implementation program created pursuant to that act shall be reviewed and, as appropriate, modified after the completion of a study of big Payette lake by the university of Idaho conducted in 2020 and 2021. The review shall be conducted, and any proposed modifications recommended to the existing plan, shall be made by a five-member committee of the commission appointed by the chairman. The modified plan shall be subsequently reviewed and acted upon for potential modification and adoption by the commission.

39-6612. VALLEY COUNTY WATERWAY MANAGEMENT PLAN. Valley county and cities within it have proposed a county wide waterway management plan to comprehensively coordinate various activities upon and in waterways within that portion of the watershed in the county. Plans adopted pursuant to this act relate directly and primarily to water quality and accordingly are separate and distinct from activities encompassed within the scope of any county and cities waterway management plan.

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday October 19, 2020

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 October 13, 2020
- 9:15 **Action Item:** Request to Maintain Roads in Ponderosa Shore #2 Subdivision
- 9:45 **Action Item:** Approve Memorandum of Understanding for Pickle Ball Court at Lake Fork
- 10:00 **Action Item:** CUP-19-13 - 335 South Samson Trail - Elise Bitton for Pinetop Construction
- 10:30 **Action Item:** Cooperative Law Enforcement Operating Plan between Valley County Sheriff's Office and Payette National Forest
- 10:45 Presentation of Redraft of the North Fork Payette River Watershed Water Quality Act- Mr. Roy Eiguren
- 11:30 **Action Item:** Presentation of Valley County All Hazard Mitigation Plan-Juan Bonilla Resolution #21-01 Approval of All Hazard Mitigation Plan
- 12:00 Recess for Lunch
- 1:00 Update of County Wildfire Protection Plan Draft – Stephanie Nelson and Chief Bonilla
- 1:15 **Action Item:** Convene as Valley County EMS Board
Workshop to Review ESCI Study of Valley County EMS Program

- 2:15 **Action Item:** Opening of Sheriff's Office Vehicle Bids
- 2:30 Payette Land Trust Presentation-Mr. Craig Utter
- 3:30 **Action Item:** Approve Certifications on the Tax Bills for North Lake Water & Sewer and Payette Lake Water & Sewer – Treasurer, Gabe Stayton
- 3:45 **Action Item:** CUP 20-09 BP Properties - Clarification of Conditions of Approval
- 4:00 **Action Item:** Request from Smith Ferry Permanent Residence to use Smith Ferry Drive
- Adjourn

COMMISSIONER'S FUTURE MEETING DATE

Monday October 26, 2020