

# Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS  
CASCADE, IDAHO  
October 13, 2020**

**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 October 13, 2020. Commissioner Maupin requested another matter be added to the commissioners' agenda to allow septic test holes to be conducted at the Valley County property in Lake Fork for potential housing. Commissioner Maupin made a motion to amend the agenda with an action item for septic test holes to be conducted at the Valley County property in Lake for potential housing. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda as amended for October 13, 2020.

Senior Deputy Auditor, Kalyn Mauk presented the commissioners with Fiscal Year 2020 Claims and Fiscal Year 2021, Board Order claims and Junior College Tuition Certification.

**Fiscal Year 2020 Claims**

General Fund	\$310,652.59
Road & Bridge	\$29,312.81
District Court	\$4,191.43
Indigent & Charity	\$6,038.05

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Revaluation	2,562.96
Solid Waste	\$39,807.78
Weeds	\$9,622.77
Pest Control	\$119.10
Waterways	\$3,391.78
McCall-Donnelly Snowmobile	\$504.97
Cascade-Warm Lake Snowmobile	\$219.51

Board Order:	Auditors Trust	\$3,750.00
	Title III Trust	\$429.00
	Extension Agent Trust	\$1,200.35
	Clerks Trust	\$1,795.83
	PILT Trust	\$35,103.68
	Interlock Device Fund	\$574.75
	Total:	<hr/> \$449,266.36

Fiscal Year 2021 Claims

General Fund	\$97,773.88
Road & Bridge	\$7,852.98
District Court	\$684.94
TORT	\$95,126.00

Board Order	Extension Agent Trust	\$250.00
	Total:	<hr/> \$201,687.80

Commissioner Bingaman made a motion to approve the Fiscal Year 2020 Claims, Fiscal Year 2021 Claims, board order claims and Junior College Tuition Application for Mr. Antonio Flores and Ms. Edith Flores. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Fiscal Year 2020 Claims, Fiscal Year 2021 Claims, board order claims and Junior College Tuition Application for Mr. Antonio Flores and Ms. Edith Flores.

Assessor, June Fullmer updated the commissioners on the opening for an appraiser. She also updated to the commissioners on a training that would be offered by Idaho State Tax Commission on October 27, 2020 and October 28, 2020. She advised that the appraisers are still conducting reappraisals. She explained that the Assessor's Office were three weeks behind on getting the name changes done on deeds. She presented that 391 properties sold in August and September of 2020. June informed the commissioners that today was the first day of the roll out of the Idaho Transportation Department new software. She discussed the cross training of other employees. Commissioner Maupin asked about the backcountry appraisals. June presented how

the backcountry appraisals had been conducted by Sue Leeper and advised that they had been completed.

June presented on cancellation #11 MHC044003015A and cancellation #12 MHC0483006004 and provided an explanation of each cancellation request. Commissioner Maupin made a motion to approve cancellation #11 for MHC044003015A. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve cancellation #11 for MHC044003015A.

Commissioner Bingaman made a motion to approve cancellation #12 MHC0483006004. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve cancellation #12 MHC0483006004.

Clerk, Douglas Miller presented on the amount of absentee ballot applications that the Clerk's Office had received and the number of absentee ballots that had been issued and returned. He reported that the Clerk's Office was continuing preparations of closing out Fiscal Year 2020 and informed the commissioners that the outside audit had been scheduled for January 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>.

Sheriff, Patti Bolen presented to the commissioners the 911 Grant for \$19,683.00. She explained how the grant would be utilized to move a console to the Emergency Operation Center. Commissioner Maupin made a motion to approve the 911 Grant application for \$19,683.00. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the 911 Grant application for \$19,683.00

Sheriff Bolen informed the commissioners that there was one applicant in background for the dispatcher opening. She provided an overview of openings at the Valley County Jail. She reported that there were several calls about cattle in the open range area.

Chief Deputy Treasurer, Ashlie Gifford informed the commissioners that the warrants of distraint were sent to the Sheriff's Office last week and advised that there were 48. She provided an update regarding the tax drive for the upcoming fiscal year. Chief Deputy Treasurer, Ashlie Gifford presented a request from Buildings & Grounds to have a debit card issued with an amount of \$2,500. Commissioner Bingaman made a motion to allow Buildings & Grounds to have a debit card issued with a credit limit of \$2,500. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to allow Buildings & Grounds to have a debit card issued with a credit limit of \$2,500.

Buildings & Grounds Supervisor, Scott Clingan informed the commissioners that the painting had been completed at the Sheriff's Office and Valley County Courthouse. He reported that they would be getting the shed built for the University of Idaho Extension Office. He presented that the winterization of the buildings had been completed but they were attempting to determine who would be conducting snow removal at the McCall Annex. Commissioner Maupin indicated that there had been complaints last year from residents of the Springs Apartment regarding the snow removal at the McCall Annex and she requested that Scott work with Heartland Food Bank to see if they could remove snow from walkway. Scott presented on the progress that had been made at the Centralized Recycling Center and believed that it would be operational on November 1, 2020. Scott discussed signage for the new recycling center and Planning & Zoning

Administrator, Cynda Herrick advised that the county would need to discuss with Idaho Transportation Department. Scott advised that buildings & grounds would be installing an additional baseboard heater in the Treasurer's Office. He provided an overview of the maintenance that was done at the No Business Tower. Scott discussed the potential need to have an alternative heating source at the Valley County Jail and explained how he was researching the possibility of utilizing the old boiler from the north end of the courthouse. He explained that Valley County would need to conduct another fire suppression inspection and discussed what needed to be done. Scott also provided an overview of upcoming building & grounds projects. He discussed the cleaning contract and how that new contract was working.

Building Official, Annette Derrick reported that there had been 323 building permits received for Valley County for 2020. She explained that they had been working on cleaning out the vault and scanning old building permits. She informed the commissioners about a manufacture training that they attended last week. She advised that the State of Idaho had the ability to conduct the inspections of manufacture homes if needed.

University of Idaho Extension Educator, Melissa Hamilton requested introduced the AmeriCorps replacement. Ms. Rebecca Levandowski introduced herself to the commissioners and provided a description of her background. Melissa informed the commissioners about programs that she had been involved with and wrapping up. She presented on the completion of the master gardener's program. She advised that they had their 4-H recognition night. She advised that her annual review was coming up and asked the commissioners to be on the lookout for the evaluation form. Melissa provided an overview of how Ms. Levandowski would be utilized in the community and requested that if the commissioners had any suggestions to let her know. Melissa advised that there would be a virtual 4-H Conference in which she would be working from home. Chairman Hasbrouck requested an educational program in the future regarding to let people know that property owners are responsible to build fence to keep cattle out of their yards. Sheriff Bolen advised that they often refer individuals to the Valley County Website which shows areas of heard districts and open range areas.

Human Resource Director, Pat Duncan presented the TTSI Agreement and she explained the program and how it would be utilized to improve leadership skills in Valley County. Commissioner Maupin made a motion to approve the TTSI Agreement. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the TTSI Agreement.

Pat provided an overview of openings within Valley County including adult detention deputy. She advised that there had not been any responses to the advertisement for mechanic at the road department. She presented on the applications that had been received for dispatch and the other openings within Valley County including deputy coroner.

IT Director, David Crawford provided an update regarding the upgrade to fiber for Valley County operations. He believed that the completion of the upgrade would be within the first week of November 2020. Commissioner Maupin asked about improvement to fiber at the Lake Fork Office. David advised that it would be researched to determine if it could be done. David discussed upgrades to servers that had been conducted over the weekend and he discussed additional servers that would be updated. David reported that the IT Department was supporting cyber security month and had been working with Public Relations to publicize the messages.

Planning & Zoning Administrator, Cynda Herrick presented on a virtual training that she attended last week. She presented on a judicial review that had been filed but advised that there was on going mediation. She advised that she had requested that the changes to the conditions be added to the commissioner agenda on October 19, 2020. Cynda asked when the commissioners wanted to have the public hearing for snowmobile ordinance. The commissioners suggested November 23, 2020.

Recreation Director, Larry Laxson advised that there had been improvements done at the Tamarack Falls fishing bridge. He discussed issues at Idaho Department of Parks and Recreation registration office. He presented on the most recent Snowmobile Advisory meeting and matters that had been discussed including additional snow grooming and certain areas. He informed the commissioners that he was working on the annual agreements with the Forest Service for snow grooming. He discussed the closures of the Boulder Lake vaulted toilet for the year and the Cabarton vaulted toilet. He presented on the repairs that were being done on the grooming equipment. He presented on repairs that needed to be done to the roof of a snow grooming hut. Larry reported on a meeting that he had with a design company regarding the potential Clear Creek Campground.

Valley County Road Superintendent, Jeff McFadden reported that there was a contractor hired for the plowing of High Valley. He reported to the commissioners that a homeowner in Round Valley who wanted a permission to utilize Smiths Ferry Drive. The commissioners advised that the individual would need to schedule a time on the commissioner's agenda. Jeff provided an update regarding the FEMA repairs at Stibnite and he presented proposed options. He discussed funding that he found through a LHTAC grant for the Zena Creek Bridge repair and advised that he would be applying to have the project completed next fall. Jeff presented on road maintenance that was being done in the backcountry. He advised that he has a meeting with the Pickleball committee. Jeff also provided an overview of additional road maintenance that the road department had been conducting in Valley County. Commissioner Maupin presented on the Road Advisory Committee and the discussion that took place regarding FRTA easements.

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 & Charity. 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 & Charity at 11:02 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 11:10 a.m.

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

21-CJ090	Lien
21-ET002	Lien
21-GD056	Lien
21-VN062	Lien
20-SP070	Approval
20-LL064	Approval

21-GD056  
21-VN062

Burial Approval  
Burial Approval

Chairman Hasbrouck presented the commissioner meeting minutes from October 5, 2020. Commissioner Maupin made a motion to approve the commissioner meeting minutes from October 5, 2020. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from October 5, 2020.

Chairman Hasbrouck presented the conflict public defender contract with Mr. Michael Pierce. Commissioner Bingaman made a motion to approve the conflict public defender contract with Mr. Michael Pierce. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the conflict public defender contract with Mr. Michael Pierce.

Chairman Hasbrouck began the discussion regarding test holes for septic systems at a potential building site for Lake Fork. Commissioner Maupin provided an overview of discussions that she has had and work that she believed needed to take place to allow workforce housing in Lake Fork. She believed that Valley County might have to do a request for proposal to see if a contractor would be interested in building a mixed-use area. Chairman Hasbrouck suggested 8 to 10 test holes to determine if the area would perk and would be willing to expend up to \$10,000. Commissioner Maupin made a motion to approve up to \$10,000 from General Fund Reserve to allow for septic test holes on the Valley County property in Lake Fork to determine if it is possible to build local housing. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve up to \$10,000 be expended from the General Fund Reserve to allow for septic test holes on the Valley County property in Lake to determine if it is possible to build local housing.

Chairman Hasbrouck began the discussion related to the memorandum of understanding for No Business Road Winter Maintenance. Recreation Director, Larry Laxson reported that he had made modifications recommended by Prosecuting Attorney, Carol Brockmann and had resubmitted to the Prosecuting Attorney's Office for further review. Mr. Jay Jacques presented to the commissioners his concerns regarding the modifications that had been made. The commissioners discussed existing wording in the memorandum of understanding. Commissioner Bingaman made suggestions to the existing wording in the memorandum of understanding and believed that Valley County needed to wait for the agreement from the Forest Service. Mr. Jacques again addressed the commissioners about the prior road maintenance agreement and who would be required to make sure that the memorandum of understanding was being adhered to. Chairman Hasbrouck recommended additional changes to Donnelly Snowmobile Association to monitor the compliance with the memorandum of understanding. Larry requested adding Valley County Snowmobile Advisory Committee. Commissioner Bingaman made a motion to approve the MOU for the No Business Road with changes as requested for signature this afternoon. Commissioner Maupin seconded the motion. Mr. Jay Jacques during further discussion wanted clarification on who can give permission to plow the road. It was explained that in the memorandum of understanding Road Superintendent, Jeff McFadden would be selected as giving permission. The commissioners advised that if there are issues it needs to be brought up to the commissioners as soon as possible. The commissioners voted on the matter all in favor. Motion passed to approve the MOU for the No Business Road with changes as requested.

The commissioners recessed for lunch at 12:03 p.m.

The commissioners returned from lunch at 1:06 p.m.

Commissioner Bingaman 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 Maupin seconded the motion. No further discussion, by roll call vote all commissioners voted “aye”. The commissioners went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 1:06 p.m.

The commissioners came out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 1:55 p.m. No decision was made after the Executive Session per Idaho Code 74-206 1(b)-Personnel.

Chairman Hasbrouck opened the Public Hearing for CUP 20-18 Byrne’s RV Site at 2:04 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communication or conflict of interest. All commissioners advised that there had not been any ex-parte communication or conflict of interest for CUP 20-18 Byrne’s RV Site.

Planning & Zoning Administrator, Cynda Herrick provided a staff report to the commissioners including reading the finding of facts and conclusions determined by the Valley County Planning & Zoning Commissioners.

The commissioners had questions for Planning & Zoning Administrator, Cynda Herrick after the staff report was presented.

Mr. David Kerrick who owns property in Valley County and who is the appellant presented via teleconference to the commissioners.

Chairman Hasbrouck asked to hear from the original applicant. Ms. Barbara Byrne gave the history of why they are seeking the CUP. They would like to have 2 RV’s on their property. They are all family members RV’s.

Chairman Hasbrouck asked for testimony for those in proponent of the appeal. The record will reflect that there was no one who presented as a proponent of the appeal.

Chairman Hasbrouck asked for uncommitted testimony.

Jim Fleming who resides in Valley County spoke as uncommitted testimony. He lives 4 lots from the property. He spoke about setbacks. He was concerned about the impact of the neighborhood.

Chairman Hasbrouck asked for testimony for those in opposition of the appeal. The record will reflect that there was no one who presented in opposition of the appeal.

Chairman Hasbrouck allowed the applicant an opportunity for rebuttal. The applicant did not have any further to present.

Chairman Hasbrouck closed the Public Hearing for CUP 20-18 at 2:46 p.m. and brought the matter back to the commissioners for deliberation. The commissioners deliberated on the matter extensively.

Commissioner Maupin moved to deny the appeal CUP 20-18 Byrne's RV with the condition that if someone lives in the RV for more than 30 days it changes the dwelling, and another CUP will be required. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to deny the appeal CUP 20-18 Byrne's RV with the condition that if someone lives in the RV for more than 30 days it changes the dwelling, and another CUP will be required.

Chairman Hasbrouck opened the Public Hearing for CUP 20-20 The Gathering Place at 3:01 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communication or conflict of interest. All commissioners advised that there had not been any ex-parte communication or conflict of interest for CUP 20-20 The Gathering Place.

Planning & Zoning Administrator, Cynda Herrick provided a staff report to the commissioners including reading the finding of facts and conclusions determined by the Valley County Planning & Zoning Commissioners.

The commissioners had questions for Planning & Zoning Administrator, Cynda Herrick after the staff report was presented.

Mr. Brent Peterson who owns property in Valley County and who is the appellant presented to the commissioners for CUP-20-20 The Gathering Place.

The commissioners had the opportunity to question Mr. Brent Peterson.

Chairman Hasbrouck asked for testimony for those who are proponents of the appeal.

Kelly Hill of McCall spoke in proponent of the appeal for CUP-20-20 The Gathering Place. Ms. Hill is the property manager of The Gathering Place.

Chairman Hasbrouck asked for testimony for those uncommitted to the appeal for CUP-20-20. The record will reflect that there was no one who presented as uncommitted for appeal of CUP-20-20 The Gathering Place.

Chairman Hasbrouck asked for testimony for those in Opposition of the appeal.

Christine Florentio provided testimony to the commissioners in opposition of the appeal for CUP-20-20 The Gathering Place.

Ms. Ann Carr who resides in McCall presented to the commissioners in opposition of the appeal for CUP-20-20 The Gathering Place.



Mr. Larry Shake who resides in McCall presented to the commissioners in opposition of the appeal for CUP-20-20 The Gathering Place.

Mr. Joe Wise who resides in McCall, Idaho, presented to the commissioners in opposition of the appeal for CUP-20-20 The Gathering Place.

Ms. Karen Borg who resides in McCall, Idaho, presented to the commissioners in opposition of the appeal for CUP-20-20 The Gathering Place.

Chairman Hasbrouck allowed rebuttal testimony from Mr. Brent Peterson. Mr. Brent Peterson provided additional rebuttal testimony to the commissioners. The commissioners asked additional questions to Mr. Peterson.

Chairman Hasbrouck closed the Public Hearing at 3:53 p.m. and brought the matter back to the commissioners for deliberation. Commissioner Bingaman began the deliberation and does not believe that there was anything that Mr. Brent Peterson could mitigate the ongoing issues. Commissioner Maupin provided her comments during deliberation and believed that there had been vagrant disregard by the owner for the past four years to the concerns of the neighbors. Chairman Hasbrouck believed that home was not conducive to the existing area and believed that the owner had disregarded concerns of the neighbors in the past and should not be allowed to be vacation rental by owner. Planning & Zoning Administrator, Cynda Herrick clarified that the application was for an event center and not a short-term rental and currently ordinance allows short term rentals up to twelve individuals with an administrative permit through the Planning & Zoning Office and if there were more individuals than twelve it would require an additional conditional use permit application. Chairman Hasbrouck made a motion to deny the appeal for CUP-20-20 The Gathering Place and accept the facts and conclusions of the Valley County Planning Zoning Commissioners and require Mr. Peterson to stop advertising the property as a vacation rental by owner that allows forty three individuals. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to deny the appeal for CUP-20-20 The Gathering Place and accept the facts and conclusions of the Valley County Planning & Zoning Commissioners and require Mr. Brent Peterson to stop advertising the property as a vacation rental by owner that allows forth three individuals.

Chairman Hasbrouck began the discussion related to submitting a letter to Idaho Department of Lands about potential land exchange. Commissioner Bingaman advised that he would like to have the joint meeting with the City of McCall before submitting any type of letter to Idaho Department of Lands. Commissioner Bingaman would like to see a list of outcomes that the commissioners would like to see for the future. Chairman Hasbrouck advised that it should also be determined if the Idaho Department of Lands could trade land or does the constitution limit what they can do with endowment lands. Commissioner Maupin indicated that her research has found that the existing lands could be auctioned off. The commissioners advised that they would have Commissioner Bingaman reach out to City of McCall for a possible joint meeting to discuss the Idaho Department of Lands.

The commissioners adjourned at 4:12 p.m.

Elting H. Hasbrouck  
Chairman, Elting Hasbrouck

Attest:  
Douglas A. Miller  
Douglas Miller, Clerk

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## VALLEY COUNTY COMMISSIONERS MEETING AGENDA Tuesday October 13, 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 **Action Item:** Claims, Board Order Claims & Junior College Tuition- Senior Deputy Auditor, K.C. Mauk

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

Assessor – June Fullmer

**Action Item:** Cancellation #11 MHC0440003015A  
Cancellation #12 MHC0483006004

Clerk – Doug Miller

Prosecutor – Carol Brockmann

Sheriff – Patti Bolen

**Action Item:** Sign 911 Grant Award

Treasurer – Gabe Stayton

**Action Item:** Request to Open a Debit Card Account for Building & Grounds  
with \$2,500.00 Limit

**Department Head Reports** - 5 Minutes Each

Buildings and Grounds / Solid Waste- Scott Clingan

WICAP

Building Department – Annette Derrick

Court Services – Skip Clapp

Extension Office- Melissa Hamilton

Human Resources/Risk Management – Pat Duncan

**Action Item:** Approve and Sign TTSI Agreement

Information Technology – David Crawford

Planning and Zoning-Cynda Herrick

Parks and Recreation- Larry Laxson

Grant Writer – Mary Rosen

- 10:30 Road & Bridge Presentation- Jeff McFadden
- 11:00 **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
- 11:30 Commissioner Discussion  
**Action Items:** Meeting Minutes of October 5, 2020  
 Conflict Public Defender Contract with Michael Pierce  
*Test hole @ Lakeland Site - ACTION ITEM.*
- 11:40 **Action Item:** Memorandum of Understanding for No Business Road Winter Maintenance
- 12:00 Recess for Lunch
- 1:00 **Action Item:** Executive Session per Idaho Code 74-206 1(b)-“to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.”-Personnel
- 1:50 **Action Item:** Prepare a Letter for Idaho Department of Lands about Potential Land Exchange
- 2:00 **Public Hearing/Action Item:**  
 Approval of CUP 20-18 Byrne's RV Site  
 Denial of CUP 20-20 The Gathering Place
- Adjourn

COMMISSIONERS FUTURE MEETING DATE  
 Monday October 19, 2020