

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
September 21, 2020**

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

Excused Absence: ELTING HASBROUCK (CHAIRMAN)

Acting Chairman, Sherry Maupin called the commissioner meeting to order at 9:00 a.m.

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Acting Chairman Maupin advised that the commissioners need to modify the commissioners' agenda for September 21, 2020, to add a Local Emergency Declaration for the Porphyry Fire. Commissioner Bingaman made a motion to approve the commissioners' agenda for September 21, 2020. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed.

Emergency Service Manager, Juan Bonilla provided an update regarding the Porphyry Fire and informed the commissioners that the fire was creeping on to Valley County and Idaho County boundaries. He was requesting that the commissioners add the Porphyry Fire to the Local Emergency Declaration. He also provided an update regarding the Buck Fire in the village of Yellow Pine. Commissioner Bingaman made a motion to add the Porphyry Fire to Resolution 20-19 Local Emergency Declaration. Acting Chairman Maupin seconded the motion. No

further discussion, all in favor. Motion passed to add the Porphyry Fire to Resolution 20-19 Local Emergency Declaration.

Acting Chairman Maupin presented the commissioner meeting minutes from September 14, 2020. Acting Chairman Maupin made a motion to approve. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from September 14, 2020.

Acting Chairman Maupin presented the Schindler Elevator Agreement for the Emergency Operation Center. Commissioner Bingaman made a motion to approve the Schindler Elevator Agreement for the Emergency Operation Center. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Schindler Elevator Agreement for the Emergency Operation Center.

Acting Chairman Maupin presented the extension of Law Enforcement Services with the City of Cascade. Cascade City Mayor, Judy Nissula presented to the commissioners and was in support of the continued agreement with Valley County. She provided a brief overview of the existing service that was provided by Valley County and the increase of funding that the City of Cascade provides to Valley County. Commissioner Bingaman made a motion to approve the extension of Law Enforcement Services with the City of Cascade. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the extension of Law Enforcement Services with the City of Cascade.

Alex Deduck with Idaho Transportation Department provided an update to the commissioners regarding the construction on Highway 55. He explained the level of construction and the operations of the improvements that are being conducted. He also presented on when there would be the lanes over. He did admit that there was a glitch to the traffic signals on September 13th, 2020 which caused an extreme amount of delays but advised that the issue had been rectified. Mr. Deduck also explained how ITD would be monitoring the traffic to avoid traffic utilizing Smith's Ferry Drive. He advised that ITD would be having a flagger on Smith's Ferry Drive to prevent drivers from utilizing that road. He also informed the commissioners about additional barriers that would be installed. Mr. Deduck explained that there would be three inspectors on the project site to be overseeing the project. Commissioner Bingaman asked about plans for emergency service calls. Mr. Deduck provided an overview of how emergency services would have access through the project. Acting Chairman Maupin asked to hear from the representative from United States Postal Service. Kurt Lusty, Joe Williams, Deb Randolph presented that United States Postal Service was asking for the ability to use the Smiths Ferry Drive at 11:15 a.m. for express mail pick up and for the USPS to make their schedule using a $\frac{3}{4}$ truck. Mr. Deduck advised that he will bring up the request to his supervisors at Idaho Transportation Department. Road Superintendent, Jeff McFadden believed that during the dry season Smiths Ferry Drive could be utilized by the United States Postal Service for a reroute but once the winter comes, he would not recommend the route being utilized. Acting Chairman Maupin requested that USPS discuss alternative options with Idaho Transportation Department. The commissioners advised that further discussion would take place at 11:15 a.m.

Jennifer Blake, District Ranger from Payette National and Will Perry who is an engineer from Payette National Forest presented to the commissioners on FRTA Easements. He presented on

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when the FRTA Easements were done with Valley County and the additional requests that were made by Valley County. The commissioners would like a copy of a comprehensive list of the FRTA Easements. Commissioner Bingaman discussed the issues with Valley County accepting several of the forest service roads through FRTA Easements. He specifically discussed the road on South Fork of the Salmon Road. Acting Chairman Maupin asked about the Great American Outdoor Act which provides funding for FRTA Easements. There was also discussion regarding additional roads that have the possibility of shared maintenance between Valley County and Payette National Forest. Acting Chairman Maupin presented to the Forest Service about the Road Advisory Group and the questions that have been brought up regarding FRTA Easements. Will presented his opinion to the commissioners what could take place if Valley County discontinued maintaining the FRTA Roads. The commissioners also requested that a comprehensive FRTA Easement list be provided in order to compare. Road Superintendent, Jeff McFadden presented on the amount of traffic that traveled on the FRTA Easement roads. The commissioners asked if there was additional funding that could be utilized to put specific material on the roads to extend the longevity. It was advised that there was an additional material that could be used but lack of funding from the Forest Service and Valley County but explained that there was alternative funding that was potentially available. The commissioners advised that they would request Grant Manager, Mary Rosen research the availability of additional funding. Recreation Director, Larry Laxson asked if stewardship funds could be expended on the roads. Will with the Forest Service advised that yes stewardship funds could be utilized but it would be determined by the specific stewardship committees. District Ranger, Jennifer Blake advised that she would like to create a recreation committee to discuss priorities for maintenance in Valley County. There was also discussion regarding the amount of trash that had been left behind on Forest Service grounds. Commissioner Bingaman wanted to discuss the Boulder Creek Road. Will informed the commissioners about the cost share agreement that the Forest Service Road currently has with Idaho Department of Lands. He advised that there was a section of the Boulder Road that the Forest Service would like to transfer to Valley County in a FRTA Easement. It was also advised the winter maintenance agreement that Valley County issued to homeowners on the section of Boulder Lake Road would need to be approved by the Forest Service. The commissioners advised that they would be considering submitting a request to the Forest Service requesting that Boulder Lake Road become a FRTA Easement.

District Ranger, Jennifer Blake provided an update to the commissioners regarding funding request that had been made through the Great American Outdoor Act. She presented on additional improvements that would be made or that have been made. It was advised that additional funding would be requested in Fiscal Year 2022. She reported on additional bridges that had been replaced on the Forest Service. She disclosed that the use of the Forest Service had been extraordinary and reported on the challenges regarding the trash that had been left. She provided an update regarding the status of the Porphyry Fire but reported that they are not actively fighting the fire however they are making steps to protect structures. District Ranger Blake discussed the Big Creek Timber Project for fuel treatment and advised that the Forest Service was awaiting a decision to be made. She presented that Sloan's Point project was going through consultation. She provided an overview of the South Fork RAMP decision and when the objection period would be allowed. She advised that they were hoping by January of 2021 a decision would be made. The commissioners asked about the Zena Creek bridge repair and when would a permanent bridge replacement be installed. Will with the Forest Service explained that there was uncertainty in funding for Fiscal Year 2021 but believed it would be

in the best interest to have a permanent bridge replacement completed soon. Commissioner Bingaman asked about Granite Meadows. Jennifer advised that a program of work process was being conducted but the project was competing with other projects and a formal decision had not been made.

Veteran's Service Office, Mike Keithly provided a Quarterly/Semi-annual Veterans Service Officer Report. The written report will be appended to the commissioner meeting minutes.

Acting Chairman Maupin continued the discussion regarding the closure of Highway 55 because of construction. Mr. Vincent Trimboli a representative of Idaho Transportation Department provided his opinion to the commissioners regarding allowing the USPS the ability to move through the construction area during the 10:00 a.m. and 2:00 p.m. There were also questions for Mr. Trimboli regarding potential restrictions for commercial vendors utilizing Highway 55. Road Superintendent, Jeff McFadden asked questions regarding the messaging that was on the Idaho Transportation Department Website. The commissioners also asked for a discussion with ITD regarding potential long-term planning of Highway 55 in Valley County.

The commissioners recessed for lunch at 12:02 p.m.

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

Acting Chairman Maupin began the afternoon meeting and provided an update regarding the IAC Transportation meeting that she had attended last week. She explained the topics that were discussed including alternative funding for transportation in Idaho. She advised that they were reviewing the option to allow counties to create local option tax for funding for roads. She advised that there was \$75,000,000 allocated for broadband expansion in Idaho. She discussed the potential use of CARES Act funding to improve the Valley County Website because it was being more utilized during COVID-19 Pandemic. She reported on the classes offered by LHTAC related to additional certification for road department employees. Acting Chairman Maupin reported that she participated in the Public Lands meeting and provided an overview of topics discussed. She reported on a presentation from Bureau of Land Management. She also advised that the group discussed the PILT Act and she advised that a group in the State of Utah conducted a study to determine land that was owned by the Federal Government and the tax bill that would go to the Federal Government because of the amount of federal land. She advised that it would increase the PILT payment to the State of Idaho. She presented on a COVID-19 Taskforce that she attended regarding a COVID-19 vaccination. She reported on the West Central Economic Development Council meeting and provided an overview of topics discussed. She did report that the Economic Summit had been canceled for 2020. Commissioner Bingaman reported that he would be participating on WICAP meeting on September 22, 2020. He discussed the lack of WICAP programming in Valley County and how the programs in Valley County could be established. He reported on the Payette Forest Coalition meeting that he attended and the topics that were discussed. He also attended Zoom meetings regarding Idaho Department of Lands and the need to work with the Payette Land Trust. The commissioners believed it would be beneficial to attend the next Idaho Lands Board meeting. Commissioner Bingaman volunteered to be the representative from Valley County.

Stephanie Nelson with Wildland Fire & Associates presented the bids for the HFT Wagon Wheel project. She explained that there was only a set amount of funding available for the project and she advised that there was \$18,7000 available. She estimated that between 10 and 15 acres could be completed. She advised that it was in the recreation area of the Wagon Wheel subdivision. Acting Chairman Maupin opened the first bid from Baron Loper \$2,985 per acre. The second bid opened was from Wildwood Tree Service for \$3,500 per acre. The third bid was from Specialized Land Works for \$1,600 per acre. Commissioner Bingaman made a motion to accept the bid from Specialized Land works with the ability to utilize Baron Loper for areas that Specialized Land Works cannot complete. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Moton passed.

Acting Chairman Maupin advised that the commissioners would be recessing as the Valley County Board of County Commissioners and convening as the Valley County EMS Board. Commissioner Bingaman made a motion. Acting Chairman Maupin seconded the motion. No further discussion, all in favor. Motion passed. Went in at 1:49 p.m.

Acting Chairman Maupin presented the Valley County EMS Agreement with McCall Rural Fire Protection. Clerk, Douglas Miller explained the agreement to the commissioners. Commissioner Bingaman made a motion to approve the Valley County EMS Agreement with McCall Rural Fire Protection District. Acting Chairman Maupin seconded the motion. No further discussion, all in favor.

The Valley County EMS Board adjourned at 1:51 p.m. and reconvened as the Valley County Board of County Commissioners.

Commissioner Bingaman 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 litigated but imminently likely to be litigated."-Litigation. Acting Chairman Maupin seconded the motion. By roll call vote all commissioners voted "aye". The commissioners went into Executive Session per Idaho Code 74-206 1(f)-Litigation at 1:52 p.m.

Acting Chairman Maupin brought the commissioners out of Executive Session per Idaho Code 74-206 1(f)-Litigation at 2:50 p.m. No decision was made.

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. Acting Chairman 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 Employee Evaluation at 2:52 p.m.

Acting Chairman Maupin brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 4:00 p.m. No decision was made as the Executive Session was for an evaluation.

The commissioners adjourned at 4:01 p.m.

Sherry Maupin
Acting Chairman, Sherry Maupin

Attest:
Douglas Miller
Douglas Miller, Clerk

From: Valley County Veterans Service Officer

To: Valley County Board of Commissioners

Date: 21 September, 2020

Subj: Quarterly/Semiannual Veterans Service Officer Report

Commissioners,

Since my last report to you on 18 November, 2019 the following actions have taken place. Jim Philpott and I conducted the following meetings with Veterans at the American Legion Hall in Cascade. We saw 2 Veterans on 5 December, 2019; we had 5 Veterans appointments set for 9 January, 2020 but Jim was unable to travel to Cascade, so we conducted our meetings via computer and phone; we had 1 Veteran on 6 February; there were 4 appointments on March 5; we had 2 Veterans on 2 April, but due to COVID we conducted our interviews via computer and phone; due to COVID on 7 May we interviewed 2 Veterans over the internet and phone; we had no appointments for Veterans in June; we interviewed 1 Veteran over the internet and phone on 9 July; we had no Veterans in August and there were 3 Veterans scheduled for appointments on 3 September, but Jim handled all three over the internet and phone. We met with Jackie and Christina from Trinity Health Care Services based in McCall concerning home health care for Veterans. A Veteran from Yellow Pine asked for our help appealing his claim dispute with the VA. Unfortunately, DAV has his Power of Attorney and while they are in litigation Jim and I can not intercede on his behalf. We had a Vietnam Veteran in Cascade last month who was disruptive and combative with local business concerns. I worked with the Sheriff's Office and locals to find a resolution; thankfully he left town. I also visited a Vietnam Vet who is living on his lot on West Mountain in a camper shell. He is fine with his living conditions, knows how to reach me, is receiving health care from the Boise VA and I'm confident he isn't a threat to anyone. Jim Philpott and I take advantage while we meet to get caught up on Veterans who have pending claims or appeals. And he brings me up to speed on VA procedures that have changed.

Additional actions taken during this period are listed below. I received numerous phone calls / emails from local Veterans or others who know I advocate for Veterans, casual encounters locally or in social settings where I answered their questions or arranged an appointment for them during one of our scheduled outreach dates in Cascade. I continue to receive referrals from the Idaho Division of Veterans Services, WICAP, our local hospitals and members of our American Legion. I follow up on each of them and take the appropriate action. During this time-frame numerous claims for a service-connected disability were opened based on the evidence and documents presented to us that would substantiate a valid claim for health care benefits. We always appeal denied claims if the Veteran can provide the missing documentation, or if we can prove the VA failed to follow their own established rules and regulations.

Last November I told you about a WW II Army Veteran, named Bill Rice, who passed away at the McCall Nursing Home, he was under Valley County guardianship, and had

no living relatives. We couldn't find his DD-214 or Discharge Certificate, so we were stymied trying to inter his cremains at the Veterans Cemetery in Boise. Several weeks later Rob Bryant, one of his former guardians, found some more of Bill's paperwork. He found a number on the back of one of the envelopes, he called me and I recognized it as being Bill's service number, I passed it to Jim Philpott who in turn notified his contact at the National Personnel Records Center in St. Louis and in a matter of hours we had Bill's DD-214. We passed this to the Director of the Veterans Cemetery and he quickly set up the date to hold Bill's funeral service. On 20 December, 2019 the American Legion, Post 60 provided a full Rifle Detail, Bugler, Post Commander and Post Chaplain as Bill was laid to rest with his fellow Veterans. Very rewarding for all concerned, these moments are why I do, what I do!!

I assisted two widows of Veterans in answering their questions regarding Veteran Benefits upon their husbands' death; neither qualified for continued compensation other than the normal burial benefits. Post 60 provided a check for \$400 to the widow of a local Veteran for dental care. A woman from New Meadows called me for help regarding her friend, a Veteran, who just passed away about Veterans Benefits. He had no family and apparently no will or DD-214. She is still looking for a will and I told her she may have to petition Adams County to be appointed as his Executor for his estate. Asked her to call me if she can find anything to resolve this. Post 60 had to say goodbye to three of our Legion Members who passed away during this period, Robert Scott, Hugh Somerton and Mark Jones.

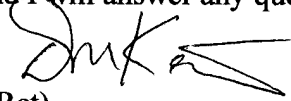
The following is a narrative of the events that have taken place at Post 60 during this timeframe. The Post has only been able to have a few Friday night dinners due to COVID-19 concerns and we have had to cancel eleven leased events due to the virus, which severely reduced our revenue efforts. Thank you very much Commissioners for supporting the Valley County Veterans War Memorial with your funding. If it were not for donations and our foresight in creating a Reserve Fund for emergencies we would have been in a real bind. In no particular order this is what we were able to do during this timeframe. We had a great free Thanksgiving dinner for the community, over 200 attended. Our Santa visit was wonderful, close to 200 kids visited with the jolly old fellow in red. Hosted a chili cook-off, had a fishing tournament dinner/auction to benefit kids and the Chamber's Winter Jamboree fundraiser. Governor Little had one of his "Capital for a day" events at the Post. We catered dinners for the Valley County Gun Club, and the Valley County Republican's Lincoln Day dinner. We had three Red Cross Blood Drives and were the polling place for the Primary Election. We made some money with our fireworks stand and conducted three ceremonies at local cemeteries, KWP and at Post 60 during Memorial Day celebrations. To mark this year's 9/11 ceremony, we had a ceremony at the Courthouse and another at Post 60. Followed by an awards ceremony recognizing exemplary law enforcement officers, firemen and EMTs from Cascade and Donnelly. All the above would be impossible to achieve without the strong right arm of our Auxiliary. This small group of wonderful ladies take the rough edge off our Legion Members and make sure we concentrate on helping our community and our children and youth. A big salute and thank you to each of them!!

This concludes my report and I will answer any questions you may have.

Respectfully,

Mike Keithly, Maj USMC (Ret)

Valley County Veterans Service Officer

A handwritten signature in black ink, appearing to read "Mike Keithly", with a stylized flourish at the end.

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday September 21, 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 September 14, 2020
Schindler Elevator Agreement for Emergency Operations Center
Extension of Law Enforcement Services with City of Cascade
Emergency for Reclamation
- 9:15 **Action Item:** Highway 55 Closure Discussion
Smiths Ferry Full Closure Discussion
United States Postal Service Request to Use Alternative Route-Mr. Kurt Lusty
- 10:00 Payette National Forest Update & FERTA Discussion
- 11:00 Veteran's Affairs Update – Mike Keithly
- 11:15 Idaho Transportation Department Construction Update
- 12:00 Recess for Lunch
- 1:00 Update on Commissioners Boards
- 1:30 **Action Items:** Opening bids for HFR contact
HFT Wagon Wheel, Stephanie Nelson
- 1:45 **Action Item:** Convene as Valley County EMS Board
Valley County EMS Agreement with McCall Rural Fire Protection

- 2:00 **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
- 2:30 **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
- 3:30 Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONER'S FUTURE MEETING DATE

Monday September 28, 2020