Valley County Board of County Commissioners

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ELTING G. HASBROUCK

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IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS CASCADE, IDAHO September 14, 2020

PRESENT: DAVE BINGAMAN (COMMISSIONER) SHERRY MAUPIN (COMMISSIONER)

ELTING HASBROUCK (CHAIRMAN) DOUGLAS MILLER (CLERK)

Commissioner, Sherry Maupin led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for September 14, 2020. Chairman Hasbrouck advised that there needed to be a local emergency declaration added to the agenda for September 14, 2020. Chairman Hasbrouck made a motion to approve the agenda with the additional matter of adding a local emergency declaration for the Buck Fire. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed.

Emergency Services Manager, Juan Bonilla presented to the commissioners the condition of the Buck Fire and explained the weather conditions that could impact the fire. He recommended to the commissioners that Valley County Board of County Commissioners declare a local emergency declaration because of the Buck Fire. Chairman Hasbrouck made a motion to approve local emergency declaration because of the Buck Fire. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed.

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

Fiscal Year 2020 Claims

Board of County Commissioners Meeting September 14, 2020 Page 1

\$158,399.53
\$38,929.75
\$1,543.78
\$1,955.89
\$1,200.00
\$382.58
\$202,397.46
\$11,729.43
\$273.70
\$1,280.89
nobile \$1,287.48
wmobile \$18.26

Board Order:

 Title III Trust
 \$71,899.28

 Extension Agent Trust
 \$2,451.47

 PILT Trust
 \$27,996.45

Total: \$521,745.95

Commissioner Maupin made a motion to approve the claims, board order claims and junior college tuition applications presented on September 14, 2020. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the claims, board order claims and junior college tuition application for Ms. Krosbie Loveall.

Assessor, June Fullmer presented to the commissioners about the status of the Assessor's Office and the assistance that will be done by the Idaho State Tax Commission. She informed the commissioners that most of the back-country assessments had been finished. She provided an update of the Department of Motor Vehicle operations. She reported to the commissioners that they had not filled the open appraiser position but reported on the certification that would be done by the newest appraiser.

Clerk, Douglas Miller provided an overview of matters involving the Clerk's Office. He reported that Valley County did receive the first round of the CARES Act funding related to COVID-19 expenses. He informed the commissioners about the dates related to the upcoming General Election and explained that the Clerk's Office was working on confirming the polling locations.

Sheriff, Patti Bolen informed the commissioners that regarding the Buck Fire she had spoken with the District Ranger, Jake Strohmeyer and she explained that she is in regular contact with him. She advised that the South Fork of the Salmon Road was closed Monday through Fire from 7:00 a.m. to 5:00 p.m. She provided a brief overview of an additional fire in Yellow Pine. She advised that there have been lots of complaints of individuals going around the road construction on Highway 55 using an alternative route in Smiths Ferry. She advised that they would be

speaking with the project manager from Idaho Transportation Department to potentially adjust the traffic light. She was requesting additional help from Idaho Transportation Department. Sheriff Bolen discussed the issues that are being caused by individuals not being compliant with the road barriers. Sherriff Bolen informed the commissioners that Valley County has search & rescue has a certified search dog and it has been requested by FEMA that search dogs be sent to Oregon. She advised that she would be giving permission to allow the use of the Valley County Search & Rescue Dog in Oregon. She reported that a patrol deputy would begin their Idaho P.O.S.T. Academy training. Commissioner Maupin asked if there were any openings at the Valley County Sheriff's Office. Sherriff Bolen advised that there was one opening in Dispatch. She informed the commissioners about the 9-11 Ceremony that occurred on September 11, 2020, and the additional ceremony that occurred at the American Legion for first responders. She reported on the awarded grant for 911 Dispatch which would allow the moving of dispatch to the Emergency Operation Center.

Treasurer, Gabe Stayton reported on the status of the staffing in the Treasurer's Office. He advised that the Treasurer's Office was gearing up for the tax drive. Treasurer Stayton presented on Property Tax Cancellation 20-11. Chairman Hasbrouck made a motion to approve Property Tax Cancellation 20-11. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Tax Cancellation 20-11.

Community Service & Diversion Coordinator, Steve Ryan presented on matters related to the Court Services Office. He provided an update of the probation operations and reported on additional training that would be offered through the probation department. Steve provided an update regarding the statistics for individuals on probation, pre-trial release, unsupervised probation and diversion cases.

University of Idaho Extension Educator, Melissa Hamilton provided the University of Idaho Extension Contract for Operations. Commissioner Maupin made a motion to approve the University of Idaho Extension Contract for Operations with Valley County. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the University of Idaho Extension Contract for Operations with Valley County.

Melissa presented the lease agreement with Kelly's White-Water Park for the University of Idaho Extension Office. Commissioner Maupin made a motion to approve the lease agreement with Kelly's White-Water Park for the University of Idaho Extension Office. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed.

Melissa reported on matters that she would be involved with. She advised that she would be facilitating two separate courses. She advised that she would be developing a survey related to the use of the STEM Program. She reported that she would be meeting with the Valley County Food Coalition and organizing a farm tour to Mountain Orchard and Stengner Farm. She advised that she would be putting on a hands-on activity during the farm tours. She advised that 4-H was completing their reporting related to 4-H Program. Chairman Hasbrouck asked if the 4-H participants were paid during the 4-H Auction. Melissa advised that she would check with the Animals Market Committee about the payment.

Human Resource Director, Pat Duncan reported on new hires that would be starting on September 15, 2020. She advised that she was working on the leadership educational plan.

Planning & Zoning Administrator, Cynda Herrick presented on the work that was being conducted by the Planning & Zoning Office including the monitoring of ordinances. Chairman Hasbrouck asked about the process for buildings that have been damaged and are a hazard. It was explained that would need to notify the Building Department.

Recreation Director, Larry Laxson reported on meetings and virtual meetings that he attended over the last two weeks. Larry reported that he was starting on the annual snowmobile agreement to include the bypass road on No Business Road. He advised that he spoke with the District Ranger about the French Creek Project which would not impact the snowmobile trail. He reported that he would be bringing on the maintenance crew to conduct maintenance on the snow grooming equipment. He discussed conversations that he was having with Idaho Department of Lands regarding Valley County possibly managing the Boulder Creek Campground. He reported on the lack of registration certificates that had been received from Idaho Department of Parks and Recreation, but he believed that the information was in error and he was requesting for an audit through the Idaho Department of Parks and Recreation. He discussed issues that were occurring at the Wellington Recreation Park that he had been addressing. Chairman Hasbrouck reported on the meeting that occurred with the Boise Forest Coalition and the topics that were discussed. Larry reported on the volunteers that had been brushing snow grooming trails. He also presented on the progress that he had been making with the Recreation Policy and Procedure Manual.

Road Superintendent, Jeff McFadden presented on the request to surplus the 2000 Ford F150 and Mohawk Shop Lift. Chairman Hasbrouck made a motion to allow the road department surplus the 2000 Ford F150 and Mohawk Shop Lift. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed.

Jeff presented the letter to the US Economic Development Administration regarding the Abstein Bridge Replacement Grant. Commissioner Maupin made a motion to approve the letter to the US Economic Development Administration regarding the Abstein Bridge Replacement Grant. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed.

Commissioner Maupin asked about other failing bridges in Valley County and how they would be repaired. Jeff reported on the Zena Creek Bridge and the work that had been completed. Commissioner Maupin reported on the GIS Valley County Road Map and how the general public can see the work that had been completed.

Jeff discussed the impact of the Buck Fire on road work that had been in progress. He advised that he had pulled his crew out because of the amount of traffic. He reported that he met with homeowners in Murray Creek to discuss winter maintenance. He advised that Valley County would not be doing any winter maintenance until the trees are removed. Jeff explained that he was attempting to get an agreement with ITD to borrow the mower for right of ways. He reported that he has the Warren Wagon Road final inspection. He discussed going for another Western Federal Lands Grant for Warren Wagon Road with the City of McCall. Jeff reported on additional work that the Road Department would be working on. Jeff presented on a dead tree that might be in the Valley County Right of Way on Warren Wagon Road which might need to be removed. The commissioners requested that Jeff obtain a bid to remove the trees if they are a

hazard. Jeff discussed the traffic issues on Highway 55 because of the ITD work that was being conducted.

Facilities Manager, Scott Clingan presented that he needs a consent to proceed with engineering work for Idaho Power for Recycling Center in Lake Fork. He provided an update regarding the additional work that was being done at the Lake Fork Site for the recycling center. He believed that the completion of the Lake Fork Recycling Site should be done by October of 2020. Chairman Hasbrouck made a motion to approve the engineering work for Idaho Power. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the engineering work for Idaho Power.

Scott provided an update regarding the progress of the repairs to the exterior work of the Sherriff's Office and provided an update regarding when the painting would be completed. He reported on additional maintenance work that had been completed at the courthouse. He advised that the garbage disposal at the Valley County Jail had been replaced. He discussed the delays on getting the heating installed in the north end of the courthouse and he is going to see if the electrician can conduct the work afterhours. The commissioners advised that if the delays continue, they will request that another electrician be hired.

Scott presented the Schindler Elevator Corporation Elevator Inspection Agreement. He questioned the yearly and five-year inspection that was required. Chairman Hasbrouck provided a brief explanation of the inspections that are conducted which requires a comprehensive inspection. Commissioner Maupin made a motion to approve the five-year Schindler Elevator Corporation Elevator Inspection Agreement. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the five-year Schindler Elevator Corporation Elevator Inspection Agreement.

Scott informed the commissioners of additional work had been requested at the McCall Annex for security purposes. The commissioners requested that any capital improvements should be submitted to the Capital Improvement Committee for scoring. Scott also had concerns regarding the additional work that had been conducted by the Buildings & Grounds employees for WICAP and for the University of Idaho Extension Office.

Chairman Hasbrouck 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"-Indigent & Charity. Commissioner Maupin seconded the motion. By roll call vote all commissioners voted "aye". Commissioners went into Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 11:45 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 11:54 a.m.

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

21-DK087 Lien 20-DM059 Lien Release 20-AH095 Lien Release Commissioner Maupin made a motion to approve the commissioner meeting minutes of September 8, 2020. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of September 8, 2020.

The commissioners recessed for lunch at 11:55 a.m.

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

Recreation Director, Larry Laxson presented on the request from the Pickle Ball Group to find a location for a permanent. Mr. Larry King who is the president of the Valley County Pickleball Club. He provided an overview of the Valley County Pickleball Club and advised that there was not one dedicated public court in Valley County for pickleball. He elaborated on the relationship with the City of Donnelly in which they were banned on playing pickleball on the City of Donnelly Tennis Court. They are requesting land be donated by Valley County dedicated to the use of pickleball. Ms. Hope Ayers presented to the commissioners on why it was important to have pickleball courts developed in Valley County. She advised that there was no public place in Valley County to have an established pickleball court. She presented on the area that the Valley County Pickleball Club would like to have a pickleball court established. Planning & Zoning Administrator, Cynda Herrick informed the commissioners of what the potential restrictions would be and the permitting requirement. The commissioners listened to the presentation from the Valley County Pickleball Club and provided their suggestions as well as potential locations. The commissioners further discussed that it would also need to make sure that it does not impact the recycling area. Commissioner Bingaman believed that the west side of the recycling area could be a potential location. The commissioners advised that a long-term goal for that area would be local housing in that area with a section specified for parks. The commissioners suggested additional meetings to take place to determine if it could be a solution with the understanding that it was an industrial area.

Stephanie Nelson with Wildland Fire & Associates presented to the commissioners the bids for the Bear Basin HFR. Stephanie provided an overview of the area and the proposed subdivision to be completed. The first bid was from Wildwood Tree Service for LLC for \$3,500 per acre for a total of \$16,625. The next bid opened was from Specialized Land Works for \$2,800 per acre for a total of \$13,300. The final bid was from Barron Loper for \$3,400 per acre for a total of \$16,150. Commissioner Maupin made a motion to approve the bid received from Specialized Land Works for \$2,800 per acre for a total of \$13,300. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the bid received from Specialized Land Works for \$2,800 per acre for a total of \$13,300.

Chairman Hasbrouck opened the Public Hearing at 2:00 p.m. for the appeal of CUP-20-12 Stibnite Gold Project Logistics Facility. Chairman Hasbrouck asked if there was any ex-parte communication or conflict of interest. Commissioner Maupin disclosed that as a private citizen she had been asked to discuss with community members what they viewed as important needs in Valley County that could potentially ask for grants through Midas Gold. She presented that since being appointed to the Board of County Commissioners she had no contact with Midas Gold. Commissioner Bingaman advised that he was a part time Forest Service Employee as an Avalanche Coordinator but had not been involved with any decisions related to Midas Gold.

Planning & Zoning Administrator, Cynda Herrick presented a staff report to the commissioners related to the CUP 20-12 Stibnite Gold Project Logistics Facility.

Planning & Zoning Administrator, Cynda Herrick concluded the staff report and Chairman Hasbrouck asked if there were questions for staff. Chairman Hasbrouck asked questions to staff regarding her report.

Chairman Hasbrouck asked for a presentation from the appellant. Ms. Julia Thrower representing Saving the South Fork Salmon presented to the commissioners. Mr. Fred Corrieal who is the Director of the non-profit organization Saving the South Fork Salmon provided a presentation related to the appeal of CUP 20-12 Stibnite Gold Project Logistics Facility. Ms. Julia Thrower provided her legal opinion regarding the decision by the Valley County Planning & Zoning Commission and provided additional testimony to the commissioners regarding the decision that was made. It was the stance of the Saving the South Fork Salmon was that a decision regarding CUP 20-12 for the Logistics Facility should not be approved until a decision was made by the Forest Service for operations of Midas Gold. Ms. Thrower presented on the traffic study conducted by Idaho Transportation Department. She also provided the commissioners with a report titled L2 Data Collection for Highway 55 to Warm Lake Road. She also presented on the the Valley County Comprehensive Plan. She finalized her presentation by voicing the concerns regarding potential spill risks of hazardous materials turning transportation. Ms. Thrower was asking the Valley County Board of County Commissioners to approve the appeal and request that the CUP 20-12 Stibnite Gold Project Logistics Facility be referred back to the Valley County Planning & Zoning Commission in order for a decision to be made after a decision was made by the Forest Service.

Ms. Deborah Dunson representing Midas Gold began her presentation to the commissioners on behalf of Midas Gold related to the presentation made by representatives from Saving the South Fork Salmon who are the appellant for CUP 20-12. They believe that the proposed plan did meet the requirements of the Valley County Comprehensive Plan. She also discussed proposed wages that would be offered by Valley County and how that would positively impact the community. Ms. Dunson also presented to the commissioners on how Midas Gold would mitigate any chemical spillage and what type of material would be stored at the logistics facility. She discussed other issues that were brought up by the appellant and provided rebuttal testimony. Chairman Hasbrouck asked questions regarding the lack of housing of Midas Gold employees, but he believed that the employees of the Logistics Facility already have housing. Ms. Dunson provided a response to the commissioners regarding the employees of the Logistics Facility. She presented on the study that was done by the West Central Economic Development Council. Chairman Hasbrouck had questions regarding the transportation of hazardous material. Ms. Dunson responded on how Midas Gold was currently in compliance with transportation of hazardous materials. Commissioner Maupin asked about the application and if it was tied to the existing application with the Forest Service. Prosecuting Attorney, Carol Brockmann provided her legal opinion to the commissioners.

Chairman Hasbrouck opened the public testimony to those individuals who were proponents of the appeal.

Mr. Edward Allen who resides in McCall, Idaho, presented to the commissioners as a proponent of the appeal and provided his testimony why.

Mr. Sam Stoddard who resides in Valley County, presented to the commissioners as a proponent of the appeal and provided his testimony to the commissioners. He believed that the logistics facility should be south of Cascade, Idaho.

Ms. Judy Anderson who resides in Lake Fork, Idaho, presented to the commissioners as a proponent of the appeal and provided her testimony to the commissioners. She requested that the commissioners table CUP 20-12.

Ms. Ruth Lewinski who resides in McCall, Idaho, presented to the commissioners as a proponent of the appeal and provided her testimony to the commissioners.

Ms. Melissa Corriel who resides in McCall, Idaho, presented to the commissioners as a proponent of the appeal and provided her testimony to the commissioners. She recommended the commissioners that they table CUP 20-12.

Mr. Tor Anderson who resides in McCall, Idaho, presented to the commissioners as a proponent of the appeal and provided his testimony to the commissioners. He referred to the Valley County Comprehensive Plan and how the logistic facility should be built near the City of Cascade.

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

Chairman Hasbrouck to hear from those individuals who were an opponent of the appeal.

Mr. Gene Tyler who resides in Donnelly, Idaho, presented to the commissioners as an opponent of the appeal and recommended to the commissioners that they stand by the approval decision that was made by the Valley County Planning & Zoning Commission.

Mr. Phil Davis who resides in Cascade, Idaho, presented to the commissioners as an opponent of the appeal and recommended to the commissioners that they stand by the approval decision that was made by the Valley County Planning & Zoning Commission and deny the appeal.

Mr. Jordon Nelson who is employed by Midas Gold presented to the commissioners as an opponent of the appeal.

Mr. Kyle Fend who resides in Boise, Idaho, but is employed by Midas Gold presented to the commissioners as an opponent of the appeal. The commissioners asked specific questions to Mr. Fend regarding hazardous material disposal and fire mitigation.

Ms. Belinda Provancher who resides in Valley County and employed by Midas Gold presented to the commissioners as an opponent of the appeal.

Chairman Hasbrouck asked questions regarding the traffic and potential other routes. Chairman Hasbrouck had concerns regarding the truck traffic and believed that an alternative route should be found for trucks. Commissioner Maupin provided her comments to the commissioners.

Chairman Hasbrouck asked to hear rebuttal from the applicant. Ms. Deborah Dunson representing Midas Gold provided a rebuttal related to the testimony provided. Mr. Jordon Nelson also provided further testimony to the commissioners.

Chairman Hasbrouck asked to hear rebuttal from the appellant. Ms. Julie Thrower representing Saving the South Fork Salmon provided rebuttal testimony to the commissioners and recommend that the commissioners send the matter back to the Valley County Planning & Zoning Commission.

Planning & Zoning Administrator, Cynda Herrick provided further information to the commissioners regarding the public hearing notices. She also provided information to the commissioners regarding the compatibility rating. She discussed when the Planning & Zoning Commissioners requires traffic study. She also provided the commissioners with an overview of decision-making options that the Valley County Board of County Commissioners has.

Chairman Hasbrouck closed the Public Hearing at 5:12 p.m. for further deliberations. The commissioners announced that they would like to take more time to research the exhibits and testimony that had been presented and postpone the matter for a decision to be made. Chairman Hasbrouck advised that a decision would be tabled until October 5, 2020 at 1:00 p.m. for CUP 20-12 Stibnite Gold Project Logistics Facility.

Chairman Hasbrouck advised that the commissioners would be adjourning at 5:17 p.m.

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Attest:

Board of County Commissioners – Valley County Firewise – 9/8/2020

- Western States Fuel Managers Jug Mountain Area \$240,000
 - Request agreement for MOU & for BOCC signature for MOU & resulting landowner agreements
 - Already in process on Cooperator strategy with Jug Mtn and Jughandle Estates
- Hazardous Fuels Reduction West Hazard \$220,000
 - Request agreement for MOU & for BOCC signature for MOU & resulting landowner agreements
 - First Cooperator on board
- Small bonus HFT Grant Wagon Wheel \$23,000
 - o Request agreement for MOU & for BOCC signature for MOU & resulting landowner agreements
- Shared Stewardship Program Western States Fire Tamarack HFT \$75,000 (in agreement already)
 - Tamarack Agreement with DEQ
 - Request BOCC signature for other landowner agreements
- Bear Basin HFT
 - Units 4-5-6, 7 Completed. Units 8 in process. Unit 9 signed today & layout commences. Unit 10 in layout & bidding mode. Unit 11 waiting on Cooperator Agreement.
 - Push back on Liability Limitation Unit 10
 - Signatures today for Landowners
 - White
 - Blackmon
- Bureau of Reclamation Idaho Conservation Crew Landowner Cascade Ranger District Valley
 County Cooperative
 - Norwood, Margot. Next S Bridge & Shiloh Camp.
- High Valley Cooperative for Prescribed Burn Project
- Wildfire Prevention Associates Service Agreement
- Valley County Fire Wise Update
 - Fire Working Group
 - Nokes Story
 - Bring It Don't Burn It
 - Cost Share Program for Debris Bins
 - Shared Stewardship Tour
 - McCall Tree Farm Tour
 - Shared Stewardship Chief's Agreement
 - Evacuation Planning

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VALLEY COUNTY COMMISSIONERS **MEETING AGENDA** Monday September 14, 2020

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

- Buck Fire Xocal Einergency Declaration 9:01

Action Item: Claims, Board Order Claims & Junior College Tuition- Senior Deputy 9:05 Auditor, K.C. Mauk

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

Assessor – June Fullmer Clerk – Doug Miller Prosecutor - Carol Brockmann Sheriff – Patti Bolen Treasurer - Gabe Stayton Action Item - Property Tax Cancellation 20-11

Department Head Reports - 5 Minutes each

WICAP

Building Department – Annette Derrick

Court Services – Steve Ryan

Extension Office- Melissa Hamilton

Action Item: University of Idaho Extension Contract for Operations

Lease Agreement with Kelly's White-Water Park for University of Idaho

Extension Office

Human Resources/Risk Management – Pat Duncan

Information Technology - David Crawford

Planning and Zoning-Cynda Herrick

Parks and Recreation-Larry Laxson

COMMISSIONIEDS ELITIDE MEETING DATE	
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Public Hearing/Action Item: Appeal of CUP 20-12 Stibnite Gold Project – Logistics Facility	
Action Item: Bear Basin HFR Bid Opening - Stephanie Nelson	1:30
Donnelly Pickle Ball Discussion - Recreation Director, Larry Laxson	00:1
Recess for Lunch	12:00
Commissioner Discussion Action Items: Meeting Minutes of September 8, 2020	\$\$:11
Idaho Power Schindler Elevator Corporation Elevator Inspection Agreement	
Facilities Manager Update- Scott Clingan Action Item: Consent to Proceed with Engineering/Design Work for Recycling Center	06:11
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	00:11
Road & Bridge Presentation- 1eff McFadden Action Items: Letter to US Economic Development Administration Abstein Bridge Replacement Surplus a 2000 Ford F150 and a Mohawk Shop Lift	10:30

Monday September 21, 2020 COMMISSIONERS FUTURE MEETING DATE