

Valley County Board of County Commissioners

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DOUGLAS A. MILLER
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IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS CASCADE, IDAHO September 7, 2021

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

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for September 7, 2021. Commissioner Maupin made a motion to approve the commissioners' agenda for September 7, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for September 7, 2021.

Chairman Hasbrouck presented the commissioner meeting minutes of August 23, 2021. Commissioner Bingaman made a motion to approve the commissioner meeting minutes of August 23, 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of August 23, 2021.

The commissioners discussed the setting of dates for their October, November, and December meetings. The commissioners picked October 4, 12, 18, 25, November 1, 8, 15, 22 and December 6, 13, 20, 27. Commissioner Maupin moved to approve the commissioner meeting dates. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting dates.

The commissioners discussed signing a letter of support for Treasure Valley Transit Grant. Commissioner Bingaman moved to approve signing the letter of support for Treasure Valley Transit Grant. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve signing the letter of support for Treasure Valley Transit Grant.

Andy Salisbury discussed the 184 Silver Fox Trail parking. Mr. Salisbury requested to the commissioners that it be a no parking area. The commissioners didn't feel like they could make it a no parking area. Commissioner Bingaman agreed to put a sign at the bottom of the road showing where the access to public lands is. Mr. Salisbury believed that would greatly help his situation.

Chairman Hasbrouck opened the discussion on variance V-1-21 Kulack Setback. The commissioners advised that they did not have any conflict of interest or ex-parte communication. Cynda Herrick gave a staff report on variance V-1-21 Kulack Setback. Cynda recommended that they approve this. Commissioner Maupin moved to approve V-1-21 Kulack Setback Variance as per the Planning and Zoning Commission recommendation to allow a variance of 8' from the required 20' to 12'; and, adopt their Facts and Conclusions as our own. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve V-1-21 Kulack Setback Variance as per the Planning and Zoning Commission recommendation to allow a variance of 8' from the required 20' to 12'; and, adopt their Facts and Conclusions as our own.

Chairman Hasbrouck opened the public hearing for Ordinance No. 21-09 Title 10-1-3 Subdivision Regulations-C expectations. The Commissioners did not have any conflict of interest or ex-parte communication. Cynda Herrick did a staff report. Chairman Hasbrouck asked for proponents of the ordinance, and none were present to speak in support of the ordinance. Chairman Hasbrouck asked for anyone uncommitted of the ordinance, and none were present to speak as uncommitted to the ordinance. Chairman Hasbrouck asked for anyone in opposition to the ordinance, and none were present to speak in opposition to the ordinance. Chairman Hasbrouck closed public hearing at 10:16. Chairman Hasbrouck brought the commissioners into deliberation on the ordinance. Commissioner Bingaman made a motion to adopt ordinance no. 21-09 on 09/7/2021 at 10:30 am. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to adopt ordinance no. 21-09 on September 7, 2021, at 10:30 am.

Human Resource Director Pat Duncan requested the commissioners make the "Refresher Respectful Workplace Training" mandatory. Pat explained her plan for the training. Commissioner Maupin moved to make the refresher respectful workplace training mandatory. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to make the refresher respectful workplace training mandatory.

Chief Deputy Clerk Gabrielle Knapp presented a request from Edwards Mosquito Abatement District for an extension of the dollar certification form to September 14, 2021. Chairman Hasbrouck moved to give Edwards Mosquito Abatement District an extension for the dollar certification form to be submitted to the Clerk's office until September 14, 2021, with the understanding that this will be the last extension for them. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to give Edwards Mosquito Abatement District an extension for the dollar certification form to be submitted to the Clerk's

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office until September 14, 2021, with the understanding that this will be the last extension for them.

Chief Deputy Treasurer, Jody Green requested that the commissioners allow the treasurers department to accept e-checks. Commissioner Bingaman moved to accept e-checks in the treasurer's department. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to accept e-checks in the treasurer's department.

Chief Deputy Treasurer, Jody Green requested that the commissioners allow the treasurers department to increase the Sheriff's Office Impress fund by \$100. Chairman Hasbrouck moved to increase the Sheriff's office impress funds from \$100 to \$200. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to increase the Sheriff's office impress funds from \$100 to \$200.

The commissioners had a discussion on impacts to Valley County Roads and Recreation by the proposed Stibnite Mine for inclusion in the DEIS Transportation study. Road Director, Jeff McFadden presented to the commissioners and provided information to the commissioners. The commissioners discussed the use of Johnson Creek and recommendations that Perpetua Corporation be required to asphalt Johnson Creek. Commissioner Bingaman advised that he was requesting comments from Road Director, Jeff McFadden regarding the potential use of the roads by Perpetua Corporation. He also wanted to know about access to the summit during the winter months. Commissioner Bingaman advised that he wanted comments and did not expect Jeff to work through all the specific conditions. Planning & Zoning Director, Cynda Herrick asked if Valley County should get the Valley County Engineers involved with the discussion if a road agreement was put in place. It was agreed that if that time came Valley County Engineers would need to get involved. Recreation Director, Larry Laxson provided comments to the commissioners regarding what he believed Perpetua Corporation should submit and he believed that Burnt Log should be the proposed route over Cabin Creek route. He discussed additional requirements that he would like Perpetua Corporation to adopt related to recreation.

Stephanie Nelson with Wildfire Prevention Associates presented the annual contract for the commissioners to consider renewal. Commissioner Bingaman made a motion to approve the contract renewal for Wildfire Prevention Associates. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the contract renewal for Wildfire prevention Associates.

Stephanie Nelson presented the bids that had been received from Bear Basin Unit #14. Chairman Hasbrouck opened the first bid from Baron Loper \$2,440 per acre for a total of \$12,688.00. Chairman Hasbrouck opened the second bid from John Lydrickson Specialized Land Works for \$2,600 per acre for a total of \$13,520. Chairman Hasbrouck opened the last bid from John Campbell \$3,750 per acre for a total of \$19,500. Commissioner Maupin made a motion to accept the bid from Baron Loper \$2,440 per acre for Bear Basin Unit #14. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed.

Stephanie provided the commissioners with an update related to fire mitigation matters on existing projects.

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

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

Clerk Miller presented commissioners with Resolution 21-18 recovering forgone amount of \$1,232,890. Commissioner Maupin moved to approve Resolution 21-18 recovering forgone amount of \$1,232,890. Commissioners Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution 21-18 recovering forgone amount of \$1,232,890.

Clerk Miller presented commissioners with Resolution 21-19 Approve Valley County Fiscal Year 2022 Budget. Commissioner Bingaman moved to approve Resolution 21-19 to Approve Valley County Fiscal Year 2022 Budget. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution 21-19 to Approve Valley County Fiscal Year 2022 Budget.

Chairman Hasbrouck recessed as the board of Valley County Commissioners. Chairman Hasbrouck convened as Valley County EMS Board. Clerk Miller presented commissioners with Resolution 21-20 to Approve Valley County EMS Fiscal Year 2022 Budget. Commissioner Maupin moved to approve Resolution 21-20 to Approve Valley County EMS Fiscal Year 2022 Budget. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution 21-20 to Approve Valley County EMS Fiscal Year 2022 Budget.

Chairman Hasbrouck recessed as the Valley County EMS Board. Chairman Hasbrouck convened as the Valley County Board of Commissioners.

Human Resource Director explained her salary survey for FY22. Commissioner Bingaman moved to approve the FY22 Ranges Chart. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the FY22 Ranges Chart.

Human Resource Director explained her salary survey for the Sheriff's Office for FY22. Commissioner Maupin moved to approve the FY22 Sheriff Ranges Chart. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Sheriff FY22 Ranges Chart.

Human Resource Director explained the proposed Gem Plan Rates. Commissioner Bingaman moved to approve the new gem plan percentages for FY22. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the new gem plan percentages for FY22.

Human Resource Director explained the new positions and those moving to fulltime. Commissioner moved to approve the creation of the new positions, move 2 positions to fulltime and to covert 2 positions. for FY22. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed.

Chief Deputy Clerk, Gabrielle Knapp presented the county employee salary increases that had been researched by Human Resource Director, Pat Duncan. Commissioner Bingaman made a motion to approve the salary increases as presented. Commissioner Maupin seconded the

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motion. No further discussion, all in favor. Motion passed to approve the salary increases as presented.

Human Resource Director, Pat Duncan presented on the recommendations from the Strategic Committee and advised that the roll out of the S.T.A.R. program. She requested that the commissioners attend an introduction barbeque. Chief Deputy Clerk, Gabrielle also discussed the request to roll out a monthly S.T.A.R. Recognition program. Commissioner Maupin also explained how Valley County would be implementing the S.T.A.R. Program.

Chairman Hasbrouck began the discussion related to the selection of an Advisory Committee to review the option of implementation of impact fees. Commissioner Maupin informed who she had discussions with about being appointed to the Advisory Committee. Mr. Gary Swain who resides in Valley County addressed the Valley County Board of County Commissioners and voiced his opinion regarding impact fees. He felt that impact fees would not pay for the problems that Valley County was facing and did not believe that the report presented by Anne Westcott was valid. He requested that the commissioners take a closer look at the report that was completed in 2007 by Galena Consulting. He felt that the initial impact fees study was flawed and provided other options for the commissioners to consider including conditions of approval. Commissioner Maupin provided a response to Mr. Swain and voiced her concerns regarding impact fees but felt that an Advisory Committee should be convened. Chairman Hasbrouck submitted his concerns regarding impact fees but also indicated that he wanted to see the results of an impact fee study. Commissioner Maupin believed that Valley County should consider all options. Mr. Swain again reiterated that he was against impact fees but felt an advisory committee might be warranted. Planning & Zoning Director, Cynda Herrick presented to the commissioners and answered questions that were received by the commissioners. Chief Deputy Prosecuting Attorney, Brian Oakey provided his legal opinion to the commissioners and explained that he would continue to provide his legal opinion related to impact fees if he was requested to do so. He explained the statute requires to establish an advisory committee if the commissioners are interested in reviewing impact fees and would be step one. The commissioners advised that they needed to approach more individuals about their interest in participating on an advisory committee and they would need to table the matter.

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 being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. Commissioner Maupin seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". Commissioners went into to Executive Session per Idaho Code 74-206 1(f)-Litigation at 2:56 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(f)-Litigation at 3:21 p.m. No decision was made after Executive Session.

Commissioner Maupin made a motion to go into Executive Session per Idaho Code 74-206 1(c) To acquire an interest in real property not owned by a public agency. Commissioner Bingaman seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". Commissioners went into to Executive Session per Idaho Code 74-206 1(f)-Acquisition at 3:22 p.m.

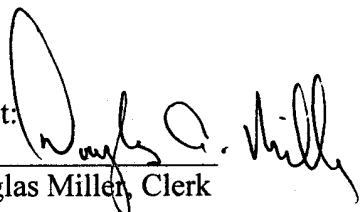
Chairman Hasbrouck brought the commissioners out Executive Session per Idaho Code 74-206 1(c) at 3:40 p.m. Commissioner Maupin made a motion to approve the purchase of a manufactured home with funds in PILT. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the purchase of a manufactured home with money in PILT.

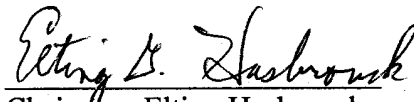
Commissioner Bingaman made a motion to go into Executive Session per Idaho Code 74-206 1(b)-"To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Commissioner Maupin seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". Commissioners went into to Executive Session per Idaho Code 74-206 1(b)-Personnel at 3:43 p.m.

Chairman Hasbrouck brought the commissioners out Executive Session per Idaho Code 74-206 1(b) at 4:50 p.m. No decision was made as it was an Executive Session for coaching purposes.

The commissioners adjourned the meeting at 4:50 p.m.

Attest:


Douglas Miller, Clerk


Chairman, Elting Hasbrouck

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Tuesday September 7, 2021

Valley County adheres to ADA requirements. If anyone requires an accommodation, please contact the clerk prior to the meeting.

PROPOSED AGENDA Note: Any item(s) in need of a motion will be described in the agenda under the appropriate section.

9:00 Call to Order – Pledge of Allegiance – Approve Agenda

9:00 Commissioner Discussion

Action Items: Meeting Minutes of August 23, 2021

Set Oct., Nov., and Dec. Commissioner Meeting Dates

Sign Letter of Support for Treasure Valley Transit Grant

9:15 **Action Item:** 184 Silver Fox Trail Parking – Andy Salisbury

9:30 **Action Item:** V-1-21 Kulack Setback Variance

10:00 **Public Hearing/Action Item:** Ordinance No. 21-09 Title 10-1-3 Subdivision Regulations
- C. Exceptions

10:30 **Action Items:** Request to Make the Refresher Respectful Workplace Training Mandatory
- Human Resource Director, Pat Duncan

10:40 **Action Item:** Request from Edwards Mosquito Abatement District for Extension of
Dollar Certification Form to be Submitted to Clerk's Office-Clerk, Douglas
Miller

10:45 **Action Items:** Approve Accepting E-checks for Treasurer's Office
Increase the Sheriff's Office Impress fund by \$100 – Chief Deputy
Treasurer, Jody Green

11:00 **Action Item:** Discussion/Decision of Impacts to Valley County Roads and Recreation by
the Proposed Stibnite Mine for Inclusion in the DEIS Transportation Study

11:30 **Action Item:** Wildfire Prevention Associates Contract Renewal – Stephanie Nelson

11:45 **Action Item:** Bear Basin Unit #14 Bid Opening-Wildfire Prevention Associates,

Stephanie Nelson

12:00 Recess for Lunch

1:00 **Action Item:** Resolution 21-18 Recovering Forgone Amount of \$1,232,890

1:00 **Action Item:** Resolution 21-19 to approve Valley County Fiscal Year 2022 Budget

1:00 **Action Item:** Convene as Valley County EMS Board Resolution 21-20 to approve EMS Fiscal Year 2022 Budget

1:15 **Action Item:** Approve FY22 Range Chart – HR Director, Pat Duncan
Approve FY22 Sheriff Ranges Chart – HR Director, Pat Duncan
Approve New Gem Plan Percentages - HR Director, Pat Duncan
Approval of Creation of New Positions for FY22 - HR Director, Pat Duncan
Approval of Moving 2 Positions to Fulltime and Converting 2 Positions- HR Director, Pat Duncan
Approve County Employee Salary Increases - Chief Deputy Clerk, Gabrielle Knapp

1:45 Discussion on S.T.A.R. Kick-off BBQ

2:00 **Action Item:** Selection of Advisory Committee to Review the Option of Implementation of Impact Fees

3:00 **Action Item:** Executive Session per Idaho Code 74-206 1(d)-“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

3:15 **Action Item:** Executive Session per Idaho Code 74-206 1(c) “To acquire an interest in real property not owned by a public agency.”-Acquisition

3:30 **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

Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONER’S FUTURE MEETING DATE

Monday September 13, 2021