

# Valley County Board of County Commissioners

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## IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS CASCADE, IDAHO December 6, 2021

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

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for December 6, 2021. Commissioner Bingaman made a motion to approve the commissioners' agenda for December 6, 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for December 6, 2021.

Chairman Hasbrouck presented the commissioner meeting minutes of November 22, 2021. Commissioner Maupin made a motion to approve the commissioner meeting minutes of November 22, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of November 22, 2021.

Chairman Hasbrouck presented the FY22 Annual Operation Plan with Payette National Forest-Snow Trail Grooming Program. Commissioner Bingaman made a motion to approve the FY22 Annual Operation Plan with Payette National Forest Snow Trail Grooming Program. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the FY22 Annual Operation Plan with Payette National Forest.

Road Director, Jeff McFadden presented the agreement for a retaining wall on Landale Lane. Jeff explained the agreement and advised that the landowner was responsible for the retaining

wall. Commissioner Maupin made a motion to approve the agreement for a retaining wall on Landale Lane. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the agreement for a retaining wall on Landale Lane.

Chairman Hasbrouck presented the Idaho Department of Parks and Recreation Request for Reimbursement/Close out Report for a Recreation Department Pickup. Commissioner Bingaman made a motion to approve signing of the Request for Reimbursement/Close Out Report with Idaho Department of Parks and Recreation for grant for Recreation Department Pickup. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve signing of the Request for Reimbursement/Close Out Report with Idaho Department of Parks and Recreation for grant for Recreation Department Pickup.

Road Director, Jeff McFadden presented the Lakeshore Drive Surface and Drainage Improvements-Final Phase Grant Submission Approval. Jeff explained the matching requirements for the grant and described the project if it was approved by Western Federal Lands. Commissioner Maupin asked about the possibility of a having a bike lane on the project. Jeff asked if she was referring to dedicated bike lane or widening of the road. The commissioners requested that Grant Manager, Mary Rosen review other funding sources for potential bike lanes. Commissioner Maupin made a motion to approve the Lakeshore Drive Surface and Drainage Improvements-Final Phase Grant with the ability to research the possibility of paved shoulders. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Lakeshore Drive Surface and Drainage Improvements-Final Phase Grant with the ability to research the possibility of paved shoulders.

Chairman Hasbrouck presented the Children Pedestrian Safety Program for West Roseberry & Timberline Road Safety Crossing. Road Director, Jeff McFadden discussed the area of concern and why the grant was applied for the area. Commissioner Bingaman made a motion to approve the Children Pedestrian Safety Program Grant for West Roseberry & Timberline Road Safety Crossing. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Children Pedestrian Safety Program Grant for West Roseberry & Timberline Safety Crossing.

Human Resource Director, Pat Duncan presented on the request to start new detention deputy at \$21.41. She explained the Idaho P.O.S.T. certifications that the new employee has. Commissioner Maupin made a motion to approve starting the new detention deputy at \$21.41 per hour. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve starting the new detention deputy at \$21.41 per hour.

Planning & Zoning Director, Cynda Herrick presented Resolution 22-07 to decrease the fees for appeals. She explained the previous fees that were required for appeals. The commissioners had the opportunity to discuss the proposed fees with Planning & Zoning Director, Cynda Herrick. Commissioner Bingaman made a motion to approve Resolution 22-07 Decrease Fees for Planning & Zoning Appeals. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve Resolution 22-07.

Valley County Search & Rescue Manager, Larry Scarborough presented a request to the commissioners to obtain Title III funding for 1 Ton-Pickup. He advised that Valley County Search & Rescue want to donate the existing 1 Ton-Pickup to Yellow Pine Search & Rescue

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Operations and purchase a 1 Ton-Pickup to replace the donated truck utilizing Title III Funds. Larry advised that the Valley County Search & Rescue are requesting \$68,000 to purchase the truck and toolbox and he advised that during his research he only found vehicles available in Ontario, Oregon. Commissioner Maupin made a motion to allow Valley County Search & Rescue to put out a request for bid for 1 Ton-Pickup for the Valley County Search & Rescue Operations. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to allow Valley County Search & Rescue to put out a request for bid for 1 Ton-Pickup for Valley County Search & Rescue Operations.

Recreation Director, Larry Laxson presented on request for a letter of support for the possible expansion of Wallace Lane and Gordon Titus Snowmobile Parking Lot. He explained the current issues related to both areas. He advised that the areas are in Adams County and the letter of support would be to assist Adams County Board of County Commissioners to advocate for the areas to be expanded. Commissioner Bingaman presented his concerns on the Titus Snowmobile Parking Lot and with the congestion that currently exists. He believed that additional ideas needed to be presented for the Titus Snowmobile Parking Lot. He wants to be cautious on how much the Titus Snowmobile Parking Lot was expanded. Recreation Director, Larry Laxson informed the commissioners that Adams County, Payette National Forest, and Brundage Mountain were working towards a solution for the area. Commissioner Bingaman described what he had personally seen with the area and the congestion. Commissioner Maupin advised that she understand the concerns but wants to support the Adams County Commissioners. Commissioner Maupin made a motion to approve a letter of support for expansion of Titus Snowmobile Parking Lot and Wallace Lane. Commissioner Bingaman seconded the motion. During further discussion Commissioner Bingaman wanted language that required collaboration with Valley County. No further discussion, all in favor. Motion passed to approve a letter of support for expansion of Titus Snowmobile Parking Lot and Wallace Lane.

Chairman Hasbrouck began the discussion regarding allowing Smith Ferry residents who work in Cascade access to Smiths Ferry Drive. Chairman Hasbrouck advised that ITD would be opening Highway 55 at 12:00 p.m. on December 6, 2021. Chairman Hasbrouck believed that Valley County Road Department needed to research the possibility of improving Smith Ferry Drive in the future. Road Director, Jeff McFadden presented on the existing issues of Smith Ferry Drive, and he did not believe that with the current condition the road would be a by-pass during the winter months. The commissioners did discuss that if there was another closure there should be alternative options identified with Idaho Transportation Department or arrange for potential compensation for the Smith Ferry residents if there was a need to travel to Boise for medical needs or to rely on a courier service. The commissioners also advised that there were Cascade Rural Firefighters that could potentially be used because they live in Smith Ferry. The commissioners agreed that if the closure of Highway 55 happened again at that area they would have conversations directly with Idaho Transportation Department.

The commissioners recessed until 11:00 a.m.

Payette National Forest Krassel District Ranger, Dave Hogen provided an update to the commissioners regarding matters involving the Payette National Forest Operations. He advised that the Payette National Forest Service was primarily working remotely. He presented that he would like to provide monthly updates to the commissioners. He discussed the third restoration and access management plan which was the East Fork of the South Fork RAMP and advised that

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the scoping period had passed, and they were conducting an Environmental Assessment. He advised that they did receive several comments and described the area that the RAMP incorporated. He submitted that they do have the collaboratives recommendations but acknowledges that there were concerns with members of the collaborative. He described the motorized management plan proposal and advised that it was a polarized issue with restoration and access being points of discussion. District Ranger Hogen presented on the creation of the Forest Service Travel Management Plan for the area. He discussed the challenges that have been identified including lack of easements across private property. The commissioners discussed the need to continue to allow recreation roads to be open to the public. District Ranger Hogen described the process for making decisions and the response that was received from the public. District Ranger Hogen presented on the hazardous fuel reduction project in 118 acres in Big Creek. He advised that the goal was to complete 1000 acres and he discussed scheduled prescribed fires but presented that there were challenges. He advised that they would be going out for request for bid for the commercial thinning project. The commissioners appreciated the presentation from District Ranger Hogen.

The commissioners recessed for lunch at 12:00 p.m.

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

The commissioners conducted the Valley County Jail Quarterly Inspection at 1:00 p.m.

Chairman Hasbrouck opened the Public Hearing for Amendment to Title 10 Subdivision Regulations: Removing 10-1-3-.C. Exceptions 5. A division of land into parcels (containing) one-hundred sixty (160) acres or more; and, one-half a section under Original Parcel definition at 2:00 p.m. and asked if there was any ex-parte communication or conflict of interest. All commissioners advised that none of them had any ex-parte communication or conflict of interest. Chairman Hasbrouck requested a staff report from Planning & Zoning Director, Cynda Herrick.

Planning & Zoning Director, Cynda Herrick provided the commissioners with a staff report and a history of events that occurred prior to the public hearing. She presented on where the notices of the public hearing were distributed and when the notices were published in the Star News and Valley County Website. She discussed the review process and advised that the commissioners had all the analysis information prior to the public hearing. She informed the commissioners of the additional comments that were received including letters from Joshua Leonard who represents DF Development who were in opposition to the proposed amendment to Title 10. She also informed the commissioners about a letter that was received from Mr. Richard Kleint. The commissioners had the opportunity to ask questions to Planning & Zoning Director, Cynda Herrick and she responded accordingly to the questions and gave explanation.

Chairman Hasbrouck asked if there was anyone who wanted to present to the commissioners as a proponent of the proposed Amendment to Title 10.

Mrs. Gretel Kleint who resides in Donnelly, Idaho, presented to the commissioners as a proponent of an Amendment to Title 10 Subdivision Regulations and explained why she was a proponent to the proposed amendment.

Chairman Hasbrouck asked to hear from anyone who was uncommitted to the proposed Amendment to Title 10 Subdivision. The record would reflect that there was no one who presented as an uncommitted individual.

Chairman Hasbrouck asked to hear from anyone who was an opponent to Amendment to Title 10 Subdivision Regulations.

Mr. Joshua Leonard who represents DF Development presented to the commissioners as an opponent to the proposed Amendment to Title 10 Subdivision Regulations and provided an in-depth explanation on why DF Development was opposed to the proposed Amendment. The commissioners had the opportunity to ask questions to Mr. Leonard and provided their opinions regarding the proposed Amendment. Mr. Leonard responded by presenting a request to conduct a comprehensive rewrite. The commissioners explained the reason for the emergency ordinance and why the proposed amendment was scheduled for a Public Hearing. Mr. Leonard requested additional work be conducted to avoid future litigation. He believed that the process needed to be a comprehensive study and not the process that was being pursued by Valley County.

Mr. Scott Carlton who represents DF Development presented to the commissioners as an opponent to the proposed Amendment to Title 10 Subdivision Regulations and explained the reasons for the opposition. The commissioners had the opportunity to ask Mr. Carlton questions regarding his presentation and he responded accordingly.

Mrs. Suzanne Budge who resides in McCall, Idaho wanted to be on the record as an opponent to the proposed amendment.

Chairman Hasbrouck provided his opinion regarding the involvement of government with local government to protect the buyers. He felt that Valley County should allow additional time for the public to provide testimony regarding the issue. Commissioner Maupin asked Josh Leonard for his ideas on how he thought things could move forward using collaboration as tool to address everyone's concerns. Commissioner Bingaman agreed that additional time was needed to develop appropriate amendments to the existing ordinance. Planning & Zoning Director, Cynda Herrick suggested tabling the Public Hearing until next week to obtain a legal opinion from the Valley County Prosecuting Attorney's Office. She also proposed remanding that matter back the Valley County Planning & Zoning Commission but had concerns with the amount of work that was being done by the Valley County Planning & Zoning Commission. Chairman Hasbrouck made a motion to table the Public Hearing Amendment to December 13, 2021, at 4:00 p.m. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to table the Public Hearing Amendment to December 13, 2021, at 4:00 p.m.

Chairman Hasbrouck opened the meeting to the public to present to the commissioners.

Mr. Richard Kleint presented to the commissioners regarding a land that he had that he wanted to develop and discussed the process with the commissioners. He also believed that the realtors in Valley County need to be honest with buyers when individuals purchase property regarding the ability to utilize property purchased.

The commissioners adjourned at 3:20 p.m.

Elting G. Hasbrouck  
Chairman, Elting Hasbrouck

Attest: Douglas Miller  
Douglas Miller, Clerk

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## VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday December 6, 2021

**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 November 22, 2021

FY22 Annual Operation Plan with Payette National Forest-Snow  
Trail Grooming Program

Sign Agreement for Retaining Wall on Landale Lane

Sign Idaho Department of Parks and Recreation Request for  
Reimbursement/Close-out Report

Lakeshore Drive Surface and Drainage Improvements-Final Phase

Grant Submission Approval

Children Pedestrian Safety Program

West Roseberry & Timberline Road Safety Crossing

9:15 **Action Item:** Request to Start New Detention Deputy at Higher Rate – Human Resource  
Director – Pat Duncan

9:30 **Action Item:** Resolution 22-07 To Decrease the Fees for Appeals – Planning and Zoning  
Director, Cynda Herrick

10:00 **Action Item:** Request from Valley County Search & Rescue to Obtain Title III Funding  
for 1 Ton-Pickup

10:15 **Action Item:** Discussion on Supporting the Expansion of Both Wallace Lane and Gordon  
Titus Snowmobile Parking Lots

10:30 **Action Item:** Discussion on Allowing Smith Ferry Residents Who Work in Cascade  
Access to the Smiths Ferry Round Valley Road

11:00 Break

11:30 Update from Dave Hogen District Ranger Payette national Forest, Krassel Ranger District

12:00 Recess for Lunch

1:00 Jail Quarterly Walk Through

2:00 **Public Hearing/Action Item:** Amendment to Title 10 Subdivision Regulations: Removing 10-1-3.C. Exceptions 5. A division of land into parcels (containing) one-hundred sixty (160) acres or more: and, one-half of a section under Original Parcel Definition.

Opportunity for General Public to Present to Commissioners

Adjourn

COMMISSIONER'S FUTURE MEETING DATE

Monday December 13, 2021