

# 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 January 3, 2022

**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 January 3, 2022. Commissioner Maupin made a motion to approve the agenda as presented for January 3, 2022. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for January 3, 2022.

Chairman Hasbrouck began the discussion related to appoint Chairperson for Calendar Year 2022. Commissioner Bingaman made a motion to appoint Commissioner, Elting Hasbrouck as the Chairperson for Calendar Year 2022. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed for the appointment of Commissioner, Elting Hasbrouck as the Chairperson for Calendar Year 2022.

Chairman Hasbrouck presented the meeting minutes of December 27, 2021. Commissioner Maupin made a motion to approve the commissioner meeting minutes of December 27, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of December 27, 2021.

Chairman Hasbrouck presented the special use authorization permit for a web camera at the upper elevation on Gordon C. Titus Winter Recreation Parking Lot with the Payette National

Forest. IT Director, Jeremy Wilcox presented on the equipment that would be utilized to install at the southeast corner of the Gordon C. Titus Winter Recreation Parking lot and the cost of \$40 per month. Commissioner Bingaman made a motion to approve the special use authorization permit for a web camera at the upper elevation on Gordon C. Titus Winter Recreation Parking Lot with the Payette National Forest. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the special use authorization permit for a web camera at the upper elevation on Gordon C. Titus Winter Recreation Parking Lot with the Payette National Forest.

Chairman Hasbrouck presented the amendment to financial assistance award for the Abstein Road Bridge Replacement. Road Director, Jeff McFadden provided additional information to the commissioners related to the amendment to financial assistance award for the Abstein Road Bridge Replacement. Commissioner Maupin made a motion to approve the amendment to financial assistance award for the Abstein Road Bridge Replacement. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the amendment to financial assistance award for the Abstein Road Bridge Replacement.

Chairman Hasbrouck presented the outlay report and request for reimbursement for the Abstein Road Bridge Replacement. Commissioner Bingaman made a motion to approve the request for reimbursement for the Abstein Road Bridge Replacement. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the request for reimbursement for the Abstein Road Bridge Replacement.

Chairman Hasbrouck presented the letter of support for the Shepherds Home to the Idaho Department of Health and Welfare. Commissioner Maupin made a motion to approve the letter of support for the Shepherds Home to Idaho Department of Health and Welfare. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for the Shepherds Home to Idaho Department of Health and Welfare.

Clerk, Douglas Miller presented on Fiscal Year 2021 County Vessel fund reporting and remittance form. Commissioner Bingaman made a motion to approve the Fiscal Year 2021 County Vessel Fund reporting and remittance form. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the Fiscal Year 2021 County Vessel Fund reporting and remittance form to be submitted to Idaho Department of Parks and Recreation.

Clerk, Douglas Miller presented the financials for the snow grooming program that need to be submitted to Idaho Department of Parks and Recreation. Commissioner Maupin made a motion acknowledging that the Fiscal Year 2021 financials had been collected and will be submitted to Idaho Department of Parks and Recreation. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed acknowledging the Fiscal Year 2021 financials for the snow grooming program had been collected and will be submitted to Idaho Department of Parks and Recreation.

Road Director, Jeff McFadden and Recreation Director, Larry Laxson presented the No Business Memorandum of Understanding with Mr. Jay Jacques for road maintenance during the winter. The commissioners discussed additional amendments that were needed to be made to the No Business Memorandum of Understanding with Recreation Director, Larry Laxson and Road

Director, Jeff McFadden. Commissioner Bingaman made a motion to table the No Business Memorandum of Understanding. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to table the No Business Memorandum of Understanding for road maintenance until later in the meeting.

Commissioner Bingaman made a motion to go into Executive Session per Idaho Code 74-206 1(b)-"To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student"-Personnel. Commissioner Maupin seconded. By roll call voted all commissioners voted "aye". The commissioners went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 9:45 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 10:07 a.m. No decision as it was for evaluation purposes.

Chairman Hasbrouck began the matter related to the request for proposals for dark fiber. Commissioner Maupin presented that there was a request for proposals submitted by Zipley Fiber but the proposal did not meet the specifications as outlined in the request for proposals. Commissioner Maupin made a motion to deny the request for proposal submitted by Zipley Fiber as it did not meet the specifications as outlined in the request for proposal. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed.

Chairman Hasbrouck began the discussion related to the application that Valley County received requesting cancellation of property taxes for Tax year 2021, 2022, 2023, 2024 and 2025 from Mr. Michael Barton. Treasurer, Johanna Defoort presented to the commissioners a history related to the property taxes for the property and explained that the individual did not turn in the application for circuit breaker for tax year 2021. Chairman Hasbrouck believed that there was a program that could be offered through the State of Idaho in which the individual would have the ability to obtain assistance. Commissioner Maupin agreed that the individual should research the program offered through the State of Idaho. Commissioner Bingaman submitted similar comments. Commissioner Maupin made a motion to deny the request for property tax cancellation and recommend that Mr. Michael Barton contact the State of Idaho related to the deferred circuit program. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to deny the request for property tax cancellation as submitted by Mr. Michael Barton.

Chairman Hasbrouck began the discussion related to assignment of Valley County Board of Commissioners to committees and boards. Chairman Hasbrouck made a motion to approve the appointment of commissioners to committees and boards as presented. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed.

Commissioner Bingaman made a motion to go into Executive Session per Idaho Code 74-206 1(d)-"to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code."-Indigent & Charity Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to go into Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 11:20 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent and Charity at 11:25 a.m.

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

The commissioners recessed at 11:25 a.m.

The commissioners returned at 2:00 p.m.

Chairman Hasbrouck opened the Public Hearing for VAC 21-07 Vacation of a portion of Longhorn Way and Durham Lane at 2:00 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communications or conflict of interest. All commissioners advised that there was no conflict of interest or ex-parte communications. Chairman Hasbrouck asked for a staff report. Planning & Zoning Director, Cynda Herrick presented a staff report to the commissioners. She advised that the Valley County Planning & Zoning Commission unanimously voted in favor of the vacation of a portion of Longhorn Way and Durham Lane. The commissioners had an opportunity to ask questions to Planning & Zoning Director, Cynda Herrick and she responded accordingly.

The applicant, Mr. Dan Burnup provided testimony to the commissioners related to the VAC 21-07 Vacation of a portion of Longhorn Way and Durham Lane. The commissioners had the opportunity to ask questions to Mr. Burnup and he responded accordingly. Planning & Zoning Director, Cynda Herrick provided additional information to the commissioners.

Chairman Hasbrouck asked for testimony from proponents. The Record will reflect that there was no one in attendance.

Chairman Hasbrouck asked for testimony from undecided. The record will reflect that there was no one in attendance.

Chairman Hasbrouck asked for testimony from opponents. The record will reflect that there was no one in attendance to present as an opponent.

Chairman Hasbrouck closed the Public Hearing for VAC 21-07 Vacation of a portion of Longhorn way and brought the matter back to the commissioners at 2:27 p.m. Commissioner Maupin made a motion to approve VAC 21-07 Vacation of public ROW for Longhorn Way and Durham LN in M&E Wagon Wheel Subdivision No. 3; authorizing the Chairman to sign Resolution 22-09; and authorizing the Chairman to sign the deeds transferring the property once they are prepared by the applicant. This motion is made with the understanding that the vacation will not be effective until the deeds are recorded. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve VAC 21-07 Vacation of public ROW for Longhorn Way and Durham LN in M&E Wagon Wheel Subdivision No. 3; authorizing the Chairman to sign Resolution 22-09; and authorizing the Chairman to sign the deeds transferring the property once they are prepared by the applicant. This motion is made with the understanding that the vacation will not be effective until the deeds are recorded.

Chairman Hasbrouck opened the Public Hearing for Amendment to Title 6 Building Regulations-Agricultural Category Change and Prohibition of Treeforts for Human Habitation

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at 2:33 p.m. Chairman Hasbrouck asked if the commissioners had any ex-parte communications or conflicts of interest. All commissioners advised that there was no ex-parte communications or conflicts of interest. Chairman Hasbrouck asked for a staff report. Planning & Zoning Director, Cynda Herrick presented a staff report to the commissioners. Building Director, Annette Derrick provided a presentation to the commissioners.

Chairman Hasbrouck asked for testimony from proponents. The record will reflect that there was no one in attendance.

Chairman Hasbrouck asked for testimony from undecided. The record will reflect that there was no one in attendance.

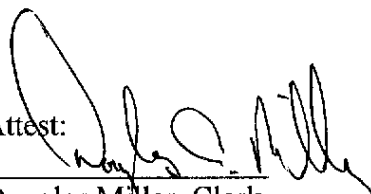
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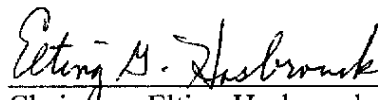
Chairman Hasbrouck closed the Public Hearing for Amendment for Title 6 Building Regulations 2:48 p.m. and brought the matter back to the commissioners for deliberation. Commissioner Bingaman made a motion to approve Ordinance 2022-01 Changes to Title 6 discontinuing agricultural buildings on Assessor's Category 6 and Category 7 (timber); not allowing tree houses for human habitation as presented; and authorizing the Chairman to sign the ordinance with an effective date of January 13, 2022. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed approve Ordinance 2022-01 Changes to Title 6 discontinuing agricultural buildings on Assessor's Category 6 and Category 7 (timber); not allowing tree houses for human habitation as presented; and authorizing the Chairman to sign the ordinance with an effective date of January 13, 2022.

Chairman Hasbrouck began the tabled matter related to No Business Road. Commissioner Bingaman made a motion to approve the No Business Road Maintenance Agreement. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the No Business Road Maintenance Agreement.

During the opportunity for the public to present to the commissioners. Mr. Charlie Gowing from Cascade, Idaho had an issue related to Cascade Rural Fire Protection District. The commissioners requested that he speak with Planning & Zoning Director, Cynda Herrick.

The commissioners adjourned at 2:52 p.m.

Attest:   
Douglas Miller, Clerk

  
Chairman, Elting Hasbrouck