

# 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 18, 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 18, 2022. Commissioner Bingaman made a motion to approve the commissioners' agenda for January 18, 2022. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for January 18, 2022.

Chairman Hasbrouck presented the commissioner meeting minutes from January 3, 2022. Commissioner Maupin made a motion to approve the commissioner meeting minutes from January 3, 2022. Chairman Hasbrouck seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from January 3, 2022.

Chairman Hasbrouck presented the commissioner meeting minutes of January 10, 2022. Commissioner Bingaman made a motion to approve the commissioner meeting minutes from January 10, 2022. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes from January 10, 2022.

Commissioner Maupin began the discussion related to requesting a letter to submit to Planning & Zoning Commission to request review of overlays. She explained what type of letter that she wanted to submit to the Planning & Zoning Commission. Commissioner Bingaman provided his

opinion related to a type of letter that he would like to submit to the Planning & Zoning Commission. Chairman Hasbrouck also provided his opinion. Commissioner Maupin indicated that she would draft a letter for the commissioners to review and sign later.

IT Director, Jeremy Wilcox presented the IDEMA Annual Maintenance Contract for Jail Fingerprint Machine. Commissioner Maupin made a motion to approve the IDEMA Annual Maintenance Contract for the fingerprint machine. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the IDEMA Annual Maintenance Contract for the fingerprint machine.

Chairman Hasbrouck presented the memorandum of understanding with Brundage Mountain Ski Area Search & Rescue. Commissioner Maupin had questions regarding the memorandum of understanding and the coverage of insurance. Recreation Director, Larry Laxson submitted comments to the commissioners. Chief Deputy Prosecuting Attorney, Brian Oakey provided his opinion to the commissioners regarding the memorandum of understanding, and he requested that in the future a more in-depth agreement be developed with Brundage Mountain and Tamarack Mountain. The commissioners requested that the Sheriff's Department research all aspects of the proposal. Commissioner Bingaman made a motion to approve the memorandum of understanding with Brundage Mountain Ski Area Search & Rescue. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the memorandum of understanding with Brundage Mountain Ski Area Search & Rescue.

Chairman Hasbrouck presented the direct bill application with Hotel 43. Commissioner Maupin made a motion to approve the direct bill application with Hotel 43. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the direct bill application with Hotel 43.

Chairman Hasbrouck presented the acceptance of the 2021 RAC Funding for the snow drag. Recreation Director, Larry Laxson provided an overview of the grant. Commissioner Maupin made a motion to approve the 2021 RAC Funding for the snow drag and allow the chairman to sign the provided documents. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the 2021 RAC Funding for the snow drag and allow the chairman to sign the provided documents.

Chairman Hasbrouck presented the agency contact information change form for the Local Government Investment Pool. Chief Deputy Treasurer, KC Mauk provided an explanation was needed. Chairman Hasbrouck made a motion to approve the agency contact information change form for the Local Government Investment Pool. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the agency contact information change form for the Local Government Investment Pool.

IT Director, Jeremy Wilcox presented the change order form for the Verizon GPS Devices and explained why there was a need to sign the order form. Commissioner Bingaman made a motion to approve the change order form for the Verizon GPS Devices. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the change order form for the Verizon GPS Devices.

Commissioner Maupin began the discussion related to a request for letter of support for Boise State/Valley County Project. She explained the role of the group and explained that the group was gathering data for FEMA Grant applications. Commissioner Bingaman made a motion to approve the letter of support for Boise State/Valley County Project. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the letter of support for Boise State/Valley County Project.

Chairman Hasbrouck began the discussion related to the review of the vehicle use policy and specifically allowing Road Department and Recreation Employees to take vehicles home for work purposes. Road Director, Jeff McFadden provided the commissioners with an overview of why he was proposing that specific individuals be allowed to take vehicles home for work purposes. Chief Deputy Prosecuting Attorney, Brian Oakey provided his legal opinion to the commissioners and explained that it would need to be considered taxable fringe benefits if a road department employee takes a vehicle home and would need to be reported to the IRS. Commissioner Maupin suggested discussing the requirements with Zwygart & Associates to determine appropriate calculations of the fringe benefits. Clerk, Douglas Miller will research the requirements and report back to the commissioners.

Commissioner Maupin 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. Chairman Hasbrouck seconded the motion. Commissioner Bingaman recused himself from participating. By roll call voted Commissioner Maupin and Chairman Hasbrouck voted "aye". The commissioners went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 10:01 a.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 10:50 a.m. No decision as it was for evaluation purposes.

Chairman Hasbrouck began the discussion regarding the woody debris burning being conducted at the solid waste transfer site. Chairman Hasbrouck advised that Scott Carnes with Lake Shore Disposal had informed him that they did not have any large equipment to assist with the burning of the woody debris pile. He advised that Scott recently informed him that they do have a piece of equipment to assist with the pile. Chairman Hasbrouck also brought up the conversation of when the best time to burn the pile would be. Donnelly Rural Fire Chief, Juan Bonilla presented to the commissioners and informed them that DEQ provided clearance to begin the burn of the woody debris pile at the solid waste transfer site. He explained the reason for the woody debris pile to be started over the past weekend and provided a history overview of the woody debris pile and construction pile. He advised that the construction pile had not been burned. Commissioner Bingaman provided his opinion that the county was being overwhelmed by the volume of the woody debris and believed that alternative solutions should be developed. The commissioners discussed the success of the woody debris program and believed that further planning should be determined moving forward. Chief Bonilla informed the commissioners that because of the county woody debris program it has reduced the amount of burning permits by 40% across the county. The commissioners discussed that in the future there should be a public information announcement when the woody debris pile fire would be started.

Chairman Hasbrouck presented the Southwest Idaho Resource Conservation and Development Council Sponsorship for Fiscal Year 2022 and select the representative. Commissioner Bingaman made a motion to approve the sponsorship for the Southwest Idaho Resource Conservation and Development Council for Fiscal Year 2022 and select Grant Writer, Mary Rosen as the RC&D Representative for Valley County. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the sponsorship for the Southwest Idaho Resource Conservation and Development Council for Fiscal Year 2022 and select Grant Writer, Mary Rosen as the RC&D Representative for Valley County.

Recreation Director, Larry Laxson presented the Idaho Department of Parks & Recreation Grant Application for Wellington Warming Hut Roof Replacement and Chimney Repair Project and Approve letter of commitment for Valley County Contribution. Commissioner Maupin made a motion to approve the grant application and approve the letter of commitment agreeing to an additional contribution of \$5,501. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the IDPR grant application and letter of commitment for an additional contribution of \$5,501.

Chairman Hasbrouck advised that the commissioners would be recessing as the Valley County Board of County Commissioners at 11:30 a.m. and convening as the Board of Equalization to hear Appeal #AF0CC1 for Parcel RP17N02E125376. Chairman Hasbrouck swore in the participants; Appraiser, Jennifer Morgan, Appraiser, Anthony Franseconi and Assessor, June Fullmer. Chairman Hasbrouck also swore in Mr. George Tallabas who is representing the applicant.

Mr. George Tallabas representing the appellants presented to the Board of Equalization and does not feel that the assessed value represents the actual value of the existing property and provided his explanation.

Appraiser, Jennifer Morgan presented to the Board of Equalization and provided an overview of how the property was appraised. Appraiser, Anthony Franseconi also presented to the commissioners.

Chairman Hasbrouck began the deliberation regarding Appeal #AF0CC1 for Parcel RP17N02E125376 and felt that the value that was assessed based on the evidence and testimony provided would uphold the value that was determined. Commissioner Maupin provided her opinion during the deliberation. Commissioner Bingaman also provided his opinion during the deliberation. Commissioner Bingaman made a motion to deny the appeal for #AF0CC1 for Parcel RP17N02E125376. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to deny the appeal for #AF0CC1 for Parcel RP17N02E125376.

The commissioners recessed for lunch at 11:56 a.m.

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

Chairman Hasbrouck opened the Public Hearing that was continued from December 13, 2021, Amendment to Title 10 Subdivision Regulations: Removing 10-1-3.C. Exceptions 5. A division of land into parcels (containing) one-hundred sixty acres or more: and, one-half of a section under Original Parcel Definition at 1:00 p.m. Chairman Hasbrouck asked if there was any ex-

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parte communication or conflict of interest from the commissioners. All commissioners advised that there was no ex-parte communication or conflict of interest. Chairman Hasbrouck asked for an additional staff report from Planning & Zoning Director, Cynda Herrick. Planning & Zoning Director, Cynda Herrick provided a staff report to the commissioners with an overview of additional comments that had been submitted to the commissioners for consideration. The commissioners had the opportunity to ask questions to Planning & Zoning Director, Cynda Herrick and she responded accordingly.

Chairman Hasbrouck opened the Public Hearing to the public and asked for testimony from proponents to the proposed ordinance.

Ms. Lynn Lewinski who resides in McCall, Idaho, presented to the commissioners as a proponent to the proposed ordinance.

Mr. David Gallipoli who resides in McCall, Idaho, presented to the commissioners as a proponent to the proposed ordinance.

Chairman Hasbrouck asked to hear from anyone who was undecided. The record will reflect that there was none.

Chairman Hasbrouck asked to hear from anyone who was an opponent.

Mr. Dwight Jividen who resides in Cascade, Idaho, presented to the commissioners as an opponent to the proposed ordinance.

Mr. Scott Carlton who resides in McCall, Idaho, presented to the commissioners as an opponent to the proposed ordinance.

Ms. Constance Baker who resides in High Valley, Idaho, presented to the commissioners as an opponent to the proposed ordinance.

Ms. Suzanne Budge who owns a home in McCall, Idaho, presented to the commissioners as an opponent to the proposed ordinance.

Mr. Josh Leonard who represents DF Development presented to the commissioners as an opponent to the proposed ordinance. Commissioner Maupin had a question for Mr. Leonard regarding correspondence that was submitted to the commissioners. The commissioners made comments to the public prior to deliberations.

Ms. Lyn Lewinski presented to the commissioners again after the commissioners allowed additional testimony.

Mr. Dwight Jividen presented to the commissioners again after the commissioners allowed additional testimony. He proposed that the commissioners initiate a temporary moratorium.

Chairman Hasbrouck closed the Public Hearing at 1:57 p.m. and brought the ordinance back to the commissioners for deliberation. Chairman Hasbrouck provided his opinion during deliberations and his concerns as well as his perspectives. Commissioner Maupin provided her

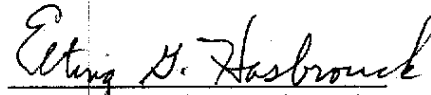
opinion during deliberations and her concerns. Commissioner Bingaman provided his opinion during deliberations and his concerns. The commissioners continued to deliberate on the matter and requested direction from Planning & Zoning Director, Cynda Herrick. Cynda requested that she have the ability discuss with Chief Deputy Prosecuting Attorney, Brian Oakey.

Planning & Zoning Director, Cynda Herrick believed that if the commissioners were proposing material changes from the proposed ordinance it would require another public hearing to allow the public to comment. The commissioners asked additional questions and received a response from Chief Deputy Prosecuting Attorney, Brian Oakey. The commissioners continued their deliberation for an extended period. Commissioner Maupin and Chairman Hasbrouck requested that the matter be noticed again for another Public Hearing. Chairman Hasbrouck made a motion to schedule another Public Hearing and notice the hearing for February 22, 2022, at 1:00 p.m. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to schedule another Public Hearing and notice the hearing for February 22, 2022.

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 agenda, or public school student."-Personnel. Commissioner Maupin seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". The commissioners went into Executive Session at 3:00 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 3:40 p.m. No decision was made as it was for evaluation purposes.

The commissioners adjourned at 3:41 p.m.

  
Chairman, Elting Hasbrouck

Attest:

  
Douglas Miller, Clerk

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## VALLEY COUNTY COMMISSIONERS MEETING AGENDA Tuesday January 18, 2022

**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 January 3, 2022  
Meeting Minutes of January 10, 2022  
Letter to Submit to Planning & Zoning Commission to Request Review of Overlays  
Sign IDEMA Annual Maintenance Contract for Jail Fingerprint Machine  
Memorandum of Understanding with Brundage Mountain Ski Area Search & Rescue  
Direct Bill Application with Hotel 43 Boise, Idaho  
Accept Snow Drag Funding from 2021 RAC Funding  
Agency Contact Information-Change Form for Idaho State Treasurer's Office  
Change Order Form with Verizon for GPS Devices
- 9:15 **Action Item:** Discussion and Decision on Letter of Support for Boise State Valley County Project
- 9:30 **Action Item:** Discussion/Decision on Review of Vehicle Use Policy- Request to Allow Road Department and Recreation Employees to Take Vehicles Home
- 10:00 **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
- 10:30 Woody Debris Burning at Solid Waste Transfer Site

- 10:45 **Action Item:** Southwest Idaho Resource Conservation & Development Council  
Sponsorship Information Form for 2022
- 11:15 **Action Item:** Approve Idaho Department of Parks & Recreation Grant Application for  
Wellington Warming Hut Roof Replacement and Chimney Repair Project  
and Approve Letter of Commitment for Valley County Contribution of  
\$4,500

11:30 **Action Item:** Convene as Board of Equalization  
Appeal #AF0CC1  
Parcel RP17N02E125376

12:00 Recess for Lunch

1:00 **Action Item/Continued Public Hearing from December 13, 2021:** 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.

3:00 **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 January 24, 2022