

Valley County Board of County Commissioners

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**IN THE OFFICE OF THE VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO
February 22, 2021**

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

Commissioner, Dave Bingaman led the Pledge of Allegiance.

Chairman Hasbrouck presented the commissioners' agenda for February 22, 2021. Commissioner Maupin made a motion to approve the commissioners' agenda for February 22, 2021. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioners' agenda for February 22, 2021.

Senior Deputy Auditor, Kalyn Mauk presented the commissioners with Fiscal Year 2021 claims and board order claims.

Fiscal Year 2021 Claims

General Fund	\$200,013.42
Road & Bridge	\$69,660.48
District Court	\$1,874.35
Election Consolidation	\$984.44
Indigent & Charity	\$1,675.00
Revaluation	\$1,365.35

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Solid Waste	\$112,077.29
Weeds	\$489.80
Waterways	\$10,999.98
McCall Donnelly Snowmobile	\$3,793.14
Cascade-Warm Lake Snowmobile	\$2,769.73
Smiths Ferry Snowmobile	\$662.54

Board Order

Sheriff Capital Equipment Fund	\$2,546.64
Extension Agent Trust	\$294.72
OHV Trust	\$101.74
PILT Trust	\$8,488.80
Interlock Device Fund	\$79.95

Total:	\$ 417,877.37
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Commissioner Bingaman made a motion to pay the claims and board order claims as presented for Fiscal Year 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve payment of the claims and board order claims as presented for Fiscal Year 2021.

Assessor, June Fullmer presented on the staffing situation of the Assessor's Office. She reported that the Department of Motor Vehicles Registration Office would be opening back on March 1, 2021, with limited hours from 9:00 a.m. to 3:30 p.m.

Clerk, Douglas Miller provided an overview of matters related to the Clerk's Office. He advised that the investiture for Magistrate Judge Adam Dingeldein would be on March 5, 2021, at 4:00 p.m. in Valley County.

Prosecuting Attorney, Brian Naugle presented to the commissioners and advised that the office was catching up on criminal cases and explained that there will be jury trials moving forward in March of 2021. He presented the breakdown of the cases each attorney would be handling and advised that his staff had returned to the courthouse fulltime as of February 16th, 2021.

Sheriff, Patti Bolen informed the commissioners that Tackle Tom's wanted to donate safe action training weapons to the Valley County Sheriff's Office. Chairman Hasbrouck made a motion to accept the donations from Tackle Tom for safe action training weapons to Valley County Sheriff's Office. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to accept the donations from Tackle Tom for safe action training weapons.

Sheriff Bolen reported that Idaho Department of Corrections had notified the Idaho Sheriff's Association that they would be reducing the amount of state inmates that are in county jails across the State of Idaho, but she had informed Idaho Department of Corrections that Valley County was still willing to allow for state inmates to be housed at the Valley County Jail.

Building Official, Annette Derrick informed the commissioners that Building Inspector, Tony Boyd was attending training. She reported on additional training that she would be attending within the next month. She provided an overview of additional matters that the Building Department had been working on.

Court Services Director, Skip Clapp presented to the commissioners on matters related to the operations of the probation department. He informed the commissioners that Prosecuting Attorney, Brian Naugle would be utilizing an office at the McCall Annex.

Human Resource Director, Pat Duncan informed the commissioners about open positions within Valley County and informed the commissioners about a new hire at the Drivers License Office. Pat presented a request for additional TTI Assessments for Valley County Department Heads and advised that there were three department heads who have already received the assessments. Commissioner Maupin made a motion to allow additional Valley County Department Heads to obtain the TTI Assessments. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to allow additional Valley County Department Heads to obtain the TTI Assessments. The commissioners discussed returning to operations for Valley County pre-COVID 19 and believed that operations should continue requiring masks and appointments. They believed that further discussions should take place regarding operations after continuing to monitor the positive COVID-19 cases.

Planning & Zoning Administrator, Cynda Herrick presented to the commissioners on matters involving the Planning & Zoning Department. She advised that a concern for the Planning & Zoning Department was the definition of subdivisions related to the flood plain zones. The commissioners requested that the matter be first presented to the Valley County Planning & Zoning Commission. Cynda was concerned that splits might need to be presented to Planning & Zoning Department to determine approval. Commissioner Bingaman advised that he had been getting calls regarding Air Bnb's that have been in violation and wanted to know appropriate action. Cynda requested that the complaints be submitted to the Planning & Zoning Department for action to be taken. She discussed that the Prosecuting Attorney's Office would be responsible for prosecuting the violators but presented to the commissioners proposed legislation that was being discussed limiting the enforcement of potential violators.

Recreation Director, Larry Laxson informed the commissioners about repairs that were made to the snow groomer for the McCall area and repairs that were needed for the snow groomer in Cascade. Larry discussed the parking issues at the Francie Wallace Snow Park, and he informed the commissioners that Idaho Department of Lands has indicated that Valley County does have the ability to determine parking regulations at the parking lots. He informed the commissioners about the cost of maintaining the parking lots. He believed that the program would see an increase of revenue of twenty percent based on the number of visitors in Valley County. He informed the commissioners that the Recreation Department was down three groomers and he explained that he was working with Human Resource Director, Pat Duncan to hire additional groomers. He informed the commissioners about additional signage that had been posted regarding parking related issues. Larry presented to the commissioners the possibility of stopping the grooming on March 15, 2021, in the McCall area due to lack of funding.

Road Department Superintendent, Jeff McFadden presented to the commissioners the request from individuals to perform year-round maintenance of Zoon Lane, Landmark North and 161

Meadows Place. The first area discussed was Landmark North which would include Gamma Loop. Jeff explained the areas within the subdivision that currently receive winter maintenance near Landmark North. He was informed by Mr. David Schunke that the road was currently upgraded to county standards and he reported that the area currently takes approximately 6 to 9 hours to provide winter maintenance. Mr. Schunke informed the commissioners that Mr. Brad Howlett currently provides winter maintenance to the area. He advised that he was informed recently by Planning & Zoning Administrator, Cynda Herrick that in 1990 the road was accepted by Valley County as public road. Ms. Carla Draper who is the Secretary/Treasurer of the Landmark North Homeowners Association also presented to the commissioners and provided information to the commissioners regarding the residents of the area. Road Superintendent, Jeff McFadden requested to be allowed to conduct an onsite inspection of the road during the spring to determine if the road has been built to Valley County standards. He did share with the commissioners what roads in the area are maintained by Valley County in the winter. Planning & Zoning Administrator, Cynda Herrick informed the commissioners that she could not find any records where prior administration agreed to provide year road maintenance to the area. She voiced concerns about accessibility to other areas within the subdivision if the road was determined to be private. Commissioner Maupin discussed the purpose of the Road Advisory Committee and explained that these matters are being discussed. Mr. Schunke provided input and concerns to the commissioners regarding the existing road policy of Valley County related to road standards as well acceptance of additional roads within Valley County. The commissioners believed that further discussion needed to take place and believed that additional clarification needed to be determined by Valley County. Commissioner Maupin made a motion to table the discussion regarding the long-term maintenance of Gamma Drive and Emma Loop until further research and discussion can be held on how Valley County would be maintaining the public right of ways with no maintenance while allowing one homeowner to have access to their home and allowing the subdivision homeowners association to maintain their private signage until a formal decision can be made. Commissioner Bingaman seconded the motion. Further discussion continued regarding maintenance continued. The matter went to a vote and all commissioners voted "aye" to table the discussion regarding the long-term maintenance of Gamma Drive and Emma Loop until further research and discussion can be held on how Valley County would be maintaining the public right of ways with no maintenance while allowing one homeowner to have access to their home and allowing the subdivision homeowners association to maintain their private signage until a formal decision can be made.

Road Superintendent, Jeff McFadden presented on the request from 161 Meadows Place to have year-round maintenance. Mr. Russell Alloway who owns the property also presented to the commissioners. Donnelly Rural Protection Fire Chief, Juan Bonilla reported that there was a fire hydrant in the cul-de-sac of the location. Commissioner Bingaman made a motion to add 161 Meadows Place to the winter maintenance schedule of the Valley County Road Department. Chief Deputy Prosecuting Attorney, Brian Oakey provided his legal opinion to the commissioners on how winter maintenance decisions can be made within Valley County. He believed that a specific policy should be developed but, in the meantime, he advised that the commissioners should use their best judgement when adding additional roads. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to add 161 Meadows Place to the winter maintenance schedule of the Valley County Road Department.

Road Superintendent, Jeff McFadden presented on the request from Zoon Lane to have year-round maintenance. He provided a description of the area and the amount of time that it currently

takes to provide winter maintenance. He advised that the area had been previously privately plowed. Chairman Hasbrouck made a motion to authorize the Valley County Road Department to provide winter maintenance to Zoon Lane. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to authorize the Valley County Road Department to provide winter maintenance to Zoon Lane.

Chairman Hasbrouck presented the meeting minutes of February 16, 2021. Commissioner Bingaman made a motion to approve the commissioner meeting minutes of February 16, 2021. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the commissioner meeting minutes of February 16, 2021.

Chairman Hasbrouck presented the professional services agreement with Juan Bonilla to be still active as the Emergency Service Manager. Commissioner Maupin made a motion to approve the Professional Services Agreement with Juan Bonilla to be the active Emergency Services Manager. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to approve the Professional Services Agreement with Juan Bonilla to be the active Emergency Services Manager.

Chairman Hasbrouck began the discussion related to Valley County becoming members to the Southwest Idaho Resource Conservation and Development Council. Commissioner Maupin reported on the research that she had done related to the membership request and believed that Valley County should approve the membership. Commissioner Maupin made a motion to have Valley County join the Southwest Idaho Resource Conservation and Development Council and ask Grant Writer, Mary Rosen to serve as the Valley County Representative with Commissioner Maupin being the alternate and to pay the annual \$500 membership dues. Commissioner Bingaman seconded the motion. No further discussion, all in favor. Motion passed to have Valley County join the Southwest Idaho Resource Conservation and Development Council and ask Grant Writer, Mary Rosen to serve as the Valley County Representative with Commissioner Maupin being the alternate and to pay the annual \$500 membership dues.

Chairman Hasbrouck began the discussion related to the request for Vacation of Right of Way from the City of Cascade. He asked if the intent was to also ask Idaho Power to remove the existing power. The commissioners believed that existing easement when remain in place with ownership being transferred to Valley County. The commissioners continued to discuss the matter and asked for clarification on why the security committee was recommending the vacation of the right of way of the alleyway from the City of Cascade and how much of an area was going to be requested. The commissioners also asked about the possibility of splitting the area with adjacent property owner. Human Resource Director, Pat Duncan provided testimony to the commissioners regarding the recommendations from the security committee to move forward with the request for the Vacation of Right of Way from the City of Cascade. Commissioner Bingaman made a motion to move forward with the Vacation of Right of Way from the City of Cascade for the alleyway between the Valley County Jail and the Valley County Courthouse. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed motion to move forward with the Vacation of Right of Way from the City of Cascade for the alleyway between the Valley County Jail and the Valley County Courthouse.

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, Idaho

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Code." 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 12:05 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(d)-Indigent & Charity at 12:18 p.m.

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

21-JD067 Stipulation
21-GB085 Assignment of Lien
21-GB085 Approval
21-RE082 Denial

Chairman Hasbrouck advised that the commissioners would be recessing until 12:18 p.m.

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

Chairman Hasbrouck opened the Public Hearing for ZON-20-01 for 379 Elo road, TBD Elo, 14179 State Highway 55, TBD State Highway 55, and TBD Krahn. Chairman Hasbrouck asked if the commissioners had any ex-parte communication or conflict of interest related to the Public Hearing being heard. All commissioners advised that they did not have any ex-parte communication or conflict of interest related to Public Hearing for ZON-20-01. Chairman Hasbrouck asked for a staff report.

City of McCall Community & Economic Development Director, Michelle Groenevelt presented a staff report to the commissioners regarding the existing Public Hearing for ZON-20-01. She advised that the McCall Planning & Zoning Commission had unanimously voted to deny the zoning application and explained why the matter was now being heard by the Valley County Board of County Commissioners.

Chairman Hasbrouck asked to hear from the applicants. Mr. Jeff Hatch who resides in Nampa, Idaho and representing the applicant from Hatch Design Architecture presented to the commissioners related to the proposed Public Hearing for ZON-20-01. The commissioners had questions for Mr. Hatch, and he responded. The commissioners asked additional questions to City of McCall Community & Economic Development Director, Michelle Groenevelt and she provided responses to the questions.

Mr. Kelly Clark who resides in McCall, Idaho, presented to the commissioners as a proponent to ZON-20-01.

Mr. C.W. Hurless who is the applicant and owns commercial property in Valley County presented to the commissioners as a proponent to ZON-20-01.

Mr. Curtis D. Hurless who also owns commercial property in Valley County presented to the commissioners as a proponent to ZON-20-01.

Mr. Heinrich Bell who has property in Valley County presented to the commissioners as a proponent to ZON-20-01.

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

Chairman Hasbrouck asked to hear testimony from opponents. The record will reflect that there was no presentation from anyone who was an opponent.

Chairman Hasbrouck asked to hear a rebuttal from Mr. Jeff Hatch. Mr. Hatch provided further testimony to the commissioners.

Chairman Hasbrouck closed the Public Hearing for ZON-20-01 at 1:58 p.m. and brought the matter back to the commissioners for deliberation. The commissioners had additional questions for City of McCall Community & Economic Development Director, Michelle Groenevelt. Michelle Groenevelt continued to refer the commissioners back the comprehensive plan that was approved by the City of McCall and Valley County in 2018 related to the area of impact. Michelle Groenevelt recommended that the applicant comes back to the City of McCall for a formal conditional use application regarding specific types of development and not proposing to change the entire zoning area. The commissioners continued to deliberate on the matter being presented and the testimony that had been presented for ZON-20-01. Commissioner Maupin made a motion to table a decision for ZON-20-01 to allow for further conversations between the applicant and the City of McCall to discuss other options and to allow the City of McCall and Valley County to discuss long term plans for the area. Commissioner Bingaman seconded the motion. Further discussion continued with City of McCall Community & Economic Development Director, Michelle Groenevelt to clarify the matter that was before the Valley County Board of County Commissioners. The commissioners voted with all commissioners voting "aye". Motion passed to table a decision for ZON-20-01 to allow for further conversations between the applicant and the City of McCall to discuss other options and to allow the City of McCall and Valley County to discuss long term plans for the area.

Commissioner Maupin began the presentation regarding a request to design and approve a mission statement for the Valley County Road Advisory Committee. She explained what the request had been from the Valley County Road Advisory Committee. The commissioners discussed the involvement of the Valley County Road Advisory Committee with the commissioners and the Valley County Road Department. Commissioner Maupin advised that she would continue to work on guiding principles and present to the commissioners at a later date. She requested that the matter be placed on the agenda for March 1, 2020.

Planning & Zoning Administrator, Cynda Herrick presented on the Clear Creek Estates Final Plat. Commissioner Bingaman made a motion to approve the final plat for Clear Creek Estates Subdivision; validate Alpha View Place as a private road; approve the Private Road Declaration; acknowledge the CCRs; acknowledge the License Agreement with the Alpha Ditch Company; acknowledge the easement for maintenance of the irrigation pipe easement; agree to withhold building permits until a final letter of approval is received from the Cascade Fire District; and authorize the Chairman to sign the plat. This motion is made with the understanding that Alpha View Place is a private road; and Valley County has no responsibility

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thereto. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the final plat for Clear Creek Estates Subdivision; validate Alpha View Place as a private road; approve the Private Road Declaration; acknowledge the CCRs; acknowledge the License Agreement with the Alpha Ditch Company; acknowledge the easement for maintenance of the irrigation pipe easement; agree to withhold building permits until a final letter of approval is received from the Cascade Fire District; and authorize the Chairman to sign the plat. This motion was made with the understanding that Alpha View Place is a private road; and Valley County has no responsibility thereto.

Commissioner Bingaman presented the letter to Idaho Department of Lands regarding the Payette Endowment Lands Strategy. The commissioners discussed modifications to the letter. Chairman Hasbrouck made a motion to approve the letter to the Idaho Department of Lands regarding the Payette Endowment Lands Strategy. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the letter to the Idaho Department of Lands regarding the Payette Endowment Lands Strategy.

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. Commissioner Bingaman seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". The commissioners went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 2:58 p.m.

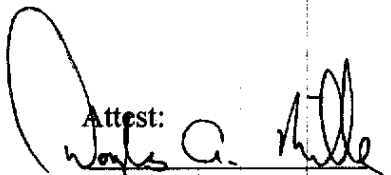
Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 3:19 p.m. Commissioner Bingaman made a motion to approve the action that was discussed in the Executive Session and to allow the contractor to continue the work. Commissioner Maupin seconded the motion. No further discussion, all in favor. Motion passed to approve the action that was discussed in the Executive Session and allow the contractor to continue the work.

Chairman Hasbrouck made a motion to go into Executive Session per Idaho Code 74-206 1(b)-Personnel. Commissioner Bingaman seconded the motion. No further discussion, by roll call vote all commissioners voted "aye". The commissioner went into Executive Session per Idaho Code 74-206 1(b)-Personnel at 3:20 p.m.

Chairman Hasbrouck brought the commissioners out of Executive Session per Idaho Code 74-206 1(b)-Personnel at 4:30 p.m. No decision was made as it was a coaching/evaluation session.

The commissioners adjourned at 4:30 p.m.


Chairman, Elting Hasbrouck

Attest:

Douglas Miller, Clerk

Valley County Board of County Commissioners

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VALLEY COUNTY COMMISSIONERS MEETING AGENDA Monday February 22, 2021

To minimize possible public exposure to COVID-19, the Valley County Board of County Commissioners will continue to hold regular Commissioner meetings, but they will be limiting the number of individuals in the commissioner's room to 10. To promote full transparency the meetings will be live streamed and may be viewed by accessing the Valley County web site at www.co.valley.id.us There will be prompts at that site to guide you to the live stream. If a member of the public wishes to make a public comment about any of the matters pending, please contact the Valley County Clerk, Douglas Miller at 208-382-7102 to make those arrangements

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 **Action Item:** Claims, Board Order Claims & Junior College Tuition- Senior Deputy Auditor, K.C. Mauk
- 9:10 **Elected Official Reports/Discussion**
Assessor – June Fullmer
Clerk – Doug Miller
Prosecutor – Brian Naugle
Sheriff – Patti Bolen
Action Item: Request to Accept Donation of Safe Action Training Weapons
Treasurer – Gabe Stayton

Department Head Reports - 5 Minutes each

- Building Department – Annette Derrick
Court Services – Skip Clapp
Extension Office- Melissa Hamilton
Human Resources/Risk Management – Pat Duncan
Action Item: TTI Assessment for Directors
Information Technology
Planning and Zoning-Cynda Herrick
Parks and Recreation- Larry Laxson

- 10:45 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
- 11:00 Road & Bridge Presentation- Jeff McFadden
Action Item: Zoon Lane Request for Year-Round Maintenance
 Landmark North Request for Year-Round Maintenance
 161 Meadows Place Request for Year-Round Maintenance
- 11:45 Commissioner Discussion
Action Items: Meeting Minutes of February 16, 2021
 Request from Valley County Search & Rescue to Utilize Title III Funds to Purchase Equipment
 Professional Service Agreement with Juan Bonilla Emergency Service Manager
 Discussion/Decision Regarding Membership to Southwest Idaho Resource Conservation and Development Council
 Selection of Commissioner as Representative and Alternate Representative
- 11:50 **Action Item:** Discussion/Decision Related to Request for Vacation of Right of Way from the City of Cascade
- 12:00 Recess for Lunch
- 1:00 **Action Item:** Public Hearing ZON-20-01
 379 Elo Road, TBD Elo, 14179 State Hwy 55, TBD. State Hwy 55, and TBD Krahn Ln. Jeff Hatch of Hatch Design Architecture for C.W. Hurless: An application to change the land use designation of five (5) existing parcels totaling approximately 160 acres within the McCall Area Future Land Use Map, from RR, RE, and R1 residential zones to CC – Community Commercial. The property is more particularly described as:
 PT. NW4 NE4 SE4 LESS DEEDED COUNTY RD AND HIGHWAY R-O-W, NE4 NE4 SE4 LESS DEEDED COUNTY RD R-O-W, PT W/2 SE4 LESS STATE HWY ROW, TAX NO. 11 IN SW4 NE4 , and Amended Tax Lot 33 in NE4, Section 21, T18N, R3E, B.M., Valley County, Idaho.
- 2:00 **Action Item:** Design and Approve a Mission Statement for Valley County Road Advisory Committee
- 2:30 **Action Item:** Clear Creek Estates Final Plat – Planning and Zoning Administrator, Cynda Herrick
- 2:45 **Action Item:** Review and Approve the Draft County Letter to IDL Regarding Payette Endowment Lands Strategy

- 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
- 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

Adjourn

COMMISSIONERS FUTURE MEETING DATE
Tuesday March 1, 2021