

PO Box 1350 219 North Main Street Cascade, Idaho 83611-1350

Phone: 208.382.7115 FAX: 208.82.7119 Email: cherrick@co.valley.id.us

STAFF REPORT

Conditional Use Permit Application No. 20-23
Riverside Pines Event Venue

HEARING DATE:

October 8, 2020

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM

APPLICANT/OWNER:

Sharon Rueth

PO Box 928

Cascade, ID 83611

LOCATION/SIZE:

The 6-acre site is addressed as 342 Cabarton Road. It is parcel RP13N04E062575 in the NENW Section 6, T.13N, R.4E, Boise

Meridian, Valley County, Idaho.

REQUEST:

Event Venue – amendment to C.U.P. 17-12

EXISTING LAND USE:

Event Venue and Single-family Residence

BACKGROUND:

Sharon Rueth is requesting approval to amend C.U.P. 17-12 Sharon's Place and increase the maximum events per year from 10 to 25. Uses include weddings, non-profit fundraisers, and various community functions.

Music and alcohol would end by 11:00 p.m. Guests are to depart by midnight. The maximum capacity for the venue is 225. The applicant owns the Whistle Stop Café and Across the Tracks and has a valid liquor license. Catering is outsourced to vendors.

The existing 56-ft by 80-ft barn, mowed parking area, and yard area would be used. A single-family residence is also located on the site but is not used for events.

Temporary lighting is placed on the barn for events for access to the parking area. There is a potable water source.

Portable restrooms are currently used. A detached bathroom facility is planned near the north end of the barn.

Access is via an existing driveway off Cabarton Road, a public road. The 6-acre site is addressed as 342 Cabarton Road.

FINDINGS:

- 1. Application was made to Planning and Zoning on August 25, 2020.
- 2. Legal notice was posted in the Star News on September 17, and September 24, 2020. Potentially affected agencies were notified on September 2, 2020. Neighbors within 300 feet of the property line were notified by fact sheet sent September 3, 2020. The site was posted on September 23, 2020. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on September 2, 2020

3. Agency comment received:

Central District Health said if restroom facilities are to be installed, then a sewage system must be installed to meet Idaho State Sewage Regulations. There are no objections provided portable restrooms are provided and all food is catered in. No warewashing can occur on site and dwelling bathroom cannot be used for event guests. (Sept. 15, 2020)

Annette Derrick, Valley County Building Official, requires a stamped letter from an engineer stating that the barn meets the 2015 International Building Code for Commercial Construction in order to reclassify the structure to commercial. (September 15, 2020)

Steven Hull, Cascade Rural Fire Protection District Fire Chief, said at this time the Fire District cannot approve the proposal as the property is currently classified as a residential occupancy with a pole barn. The proposed use would be an A-2 occupancy requiring a re-classification by the building official. These requirements will be needed if the re-classification is granted for an A-2 occupancy:

- Interior and Exterior finishes as determined in table (IFC803.3)
- Fire Protection Sprinkler system designed and installed will be required based on the square footage of the building and proposed occupancy load.
- A manual fire alarm system will be required based on the proposed occupancy load.
- Fire flows for an A-2 occupancy will require more than residential occupancy. This requirement is more demanding if a fire sprinkler system is needed. (Sept. 15, 2020)

4. Neighbor comments received:

Kimberly Brown said the Venue will contribute positively to the community and economy. (Sept 21, 2020)

Dixie Hitt said this business fills a gap not currently being provided in Cascade and brings money into local economy, provides local jobs, and has a low footprint on governmental services and schools. (Sept. 23, 2020)

Renee Wright, 11380 Lloyd Court, supports the expansion. (Sept. 23, 2020)

Carol Cooper, 11380 Lloyd Court, supports the expansion. (Sept. 23, 2020)

Tyler Burkley and Melanie Crabb supports it as it would benefit the local economy. (Sept. 23, 2020)

Robert "K" Scott supports the increase in annual events. The added revenue is good for the economy. He had a wedding there on Sept. 19, 2020; the group of 57 attendees spent near \$13,000 during the 3 day stay in Cascade. (Sept. 28, 2020)

Tony Boyd and Jennifer Morgan are planning a wedding at the site in 2021; they support the increase in number of annual events. (Sept. 28, 2020)

- 5. Physical characteristics of the site: Relatively flat with trees and grassy areas; adjacent to North Fork of the Payette River.
- 6. The surrounding land use and zoning includes:

North: City of Cascade acreage - currently bare ground

South: Trinity Pines Church Camp

East: North Fork of the Payette River and City of Cascade acreage - currently bare ground

West: Trinity Pines Church Camp

- 7. Valley County Code 9-3-1 Table 3A. This proposal is categorized under:
 - 5. Commercial Uses (3) Recreation Business

Review of Title 9, Chapter 5 Conditional Uses should be done.

9-5F-1: COMMERCIAL USES; SITE OR DEVELOPMENT STANDARDS:

Commercial uses requiring a conditional use permit shall meet the following site or development standards, except as may be modified by a PUD:

A. Minimum Lot Area:

- 1. The minimum lot area shall be unlimited herein except for the provisions of subsection 9-5-3A2 of this chapter, and except the minimum area for a ski area shall be forty (40) acres.
- 2. Frontage on a public or private road shall not be less than seventy-five feet (75') for each lot or parcel.
- 3. No frontage is required for recreation business.

B. Minimum Setbacks:

- 1. The minimum setbacks for neighborhood businesses shall be thirty feet (30') from front, rear, and side street property lines and ten feet (10') from all side property lines.
- 2. The minimum setbacks for service and recreation businesses shall be fifty feet (50') from rear, front, and side street property lines and thirty feet (30') from side property lines.

3. The minimum setbacks for area businesses shall be the same as those for neighborhood businesses. Salvage yards, auto wrecking yards, or commercial agricultural businesses shall be located not less than one thousand feet (1,000') from any residential development, civic or community service use, or other noncompatible commercial use, unless the impacts are adequately mitigated by implementation of standards as approved by the commission. The setbacks will be determined in relation to impact mitigation.

C. Maximum Building Height And Floor Area:

- 1. Building heights shall not exceed thirty-five feet (35') above the lower of the existing or finished grade.
- 2. The building size or floor area shall not exceed the limitations of subsections <u>9-5-3</u>A and C of this chapter and <u>title 6</u>, <u>chapter 1</u> of this code.
- 3. No building or combination of buildings may cover more than forty percent (40%) of the lot or parcel, except recreation business buildings may not cover more than one percent (1%) of the lot and agricultural business buildings may not cover more than twenty percent (20%) of the lot or parcel.

D. Site Improvements:

4. Parking spaces for recreation businesses shall be provided at the rate of one per each four (4) occupants or as determined by the commission. (Ord. 10-06, 8-23-2010)

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a + 12.

The Planning and Zoning Commission should do their own compatibility rating prior to the meeting (form with directions attached).

Staff Questions/Comments/Recommendation:

- 1. Will there be any signage?
- 2. Will there be live music outside the building?
- 3. Please describe your outdoor lighting.

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation Form

- Compatibility Evaluation
- Vicinity Map
- Aerial Map
- Site Plan
- Pictures Taken September 23, 2020
- C.U.P. 17-12
- Website Information
- Responses

Conditions of Approval - Attachment A

- 1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
- 2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
- 3. The use must be established within one year or this permit will be null and void.
- 4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
- 5. All lighting must comply with the Valley County Lighting Ordinance when parking lot lighting is not needed during events.
- 6. Must comply with Central District Health requirements.
- 7. Must comply with requirements of the Cascade Fire District; a letter of approval is required.
- 8. New structures, including the restroom facility, must receive building permits.
- 9. The site must be kept neat and orderly.
- 10. A sign permit must be obtained prior to placing a sign.

l 1. Hours of operation are limited to $_$	a.m. to	p.m., Monday
through		

END OF STAFF REPORT

APPENDIX A

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RATE THE SOLID SQUARES AS +2

Compatibility Questions and Evaluation

Matrix Line # / Use:	Prepared by:
Response YES/NO X Value	Use Matrix Values:
(+2/-2) X 4	1. Is the proposed use compatible with the dominant adjacent land use?
(+2/-2) X 2	2. Is the proposed use compatible with the other adjacent land uses (total and average)?
(+2/-2) X 1	3. Is the proposed use generally compatible with the overall land use in the local vicinity?
(+2/-2) X 3	Site Specific Evaluation (Impacts and Proposed Mitigation) 4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?
(+2/-2) X 1	5. Is the size or scale of proposed <u>lots and/or</u> structures similar to adjacent ones?
(+2/-2) X 2	6. Is the traffic volume and character to be generated by the proposed use simila to the uses on properties that will be affected by proximity to parking lots, on- site roads, or access roads?
(+2/-2) X 2	Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?
(+2/-2) X 2	8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?
(+2/-2) X 2	9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?
Sub-Total (+)	
Sub-Total ()	
Total Score	

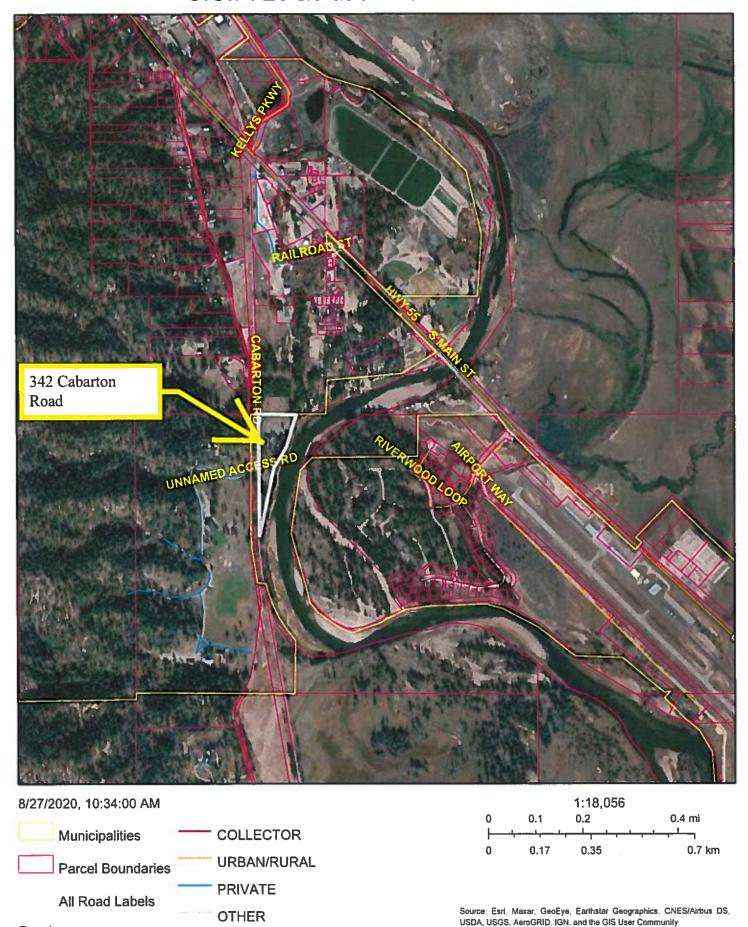
The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

Compatibility Questions and Evaluation

Matrix Line # / Use: 20	Prepared by:
YES/NO X Value (+2/-2)	1. Is the proposed use compatible with the dominant adjacent land use? 2. Is the proposed use compatible with the other adjacent land uses (total and average)? 3. Is the proposed use generally compatible with the overall land use in the local vicinity?
(+2/-2) <u>+/</u> x 3 <u>+3</u> (+2/-2) <u>+2</u> x 1 <u>+2</u>	Site Specific Evaluation (Impacts and Proposed Mitigation) 4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses? **Large** *Large** *
(+2/-2)/ x 2	6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, onsite roads, or access roads? Will be an impact to the uses along Cabarton.
(+2/-2) <u>-/</u> x 2 <u>-2</u>	7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses? Notice
(+2/-2) + Zx 2 + 4	8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas? Yes -in face.
(+2/-2) <u>+2-x</u> 2 <u>+4</u> Sub-Total (+) <u>18</u> Sub-Total () <u>6</u>	9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property? T Revenue
Total Score	

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 20-23 at 342 Cabarton Road



Roads

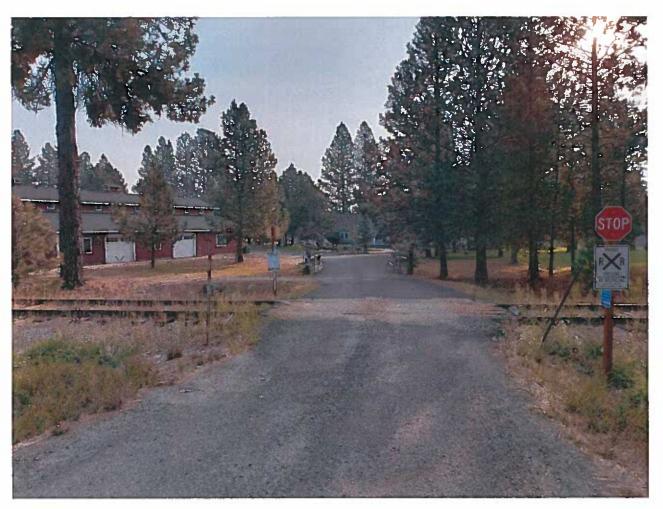
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C.U.P. 20-23 at 342 Cabarton Road



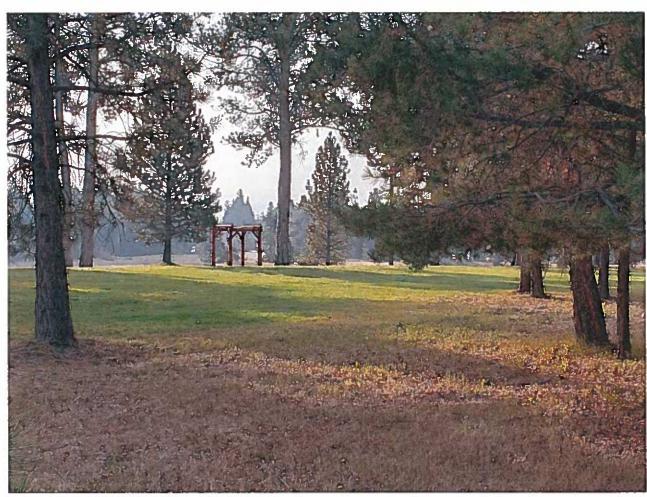








9/23/2020



9/23/2021



Planning and Zoning Commission VALLEY COUNTY IDAHO

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VALLEY COUNTY, CASCADE, IDAHO
9-26-2017 09:42:07 AM No. of Pages: 2
Recorded for: VALLEY COUNTY P & Z
DOUGLAS A. MILLER Fee: 0.00
Ex-Officio Recorder Deputy

Index to: COUNTY MISC

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115 FAX: 208.382.7119

Date

Approved by

CONDITIONAL USE PERMIT

NO. 17-12 Sharon's Place

Issued to:

Sharon Rueth

PO Box 928

Cascade, ID 83611

Property Location:

The site is located in Section 6 of T. 13N, R. 04E, B.M., Valley

County, Idaho and is addressed at 342 Cabarton Road. The site is

approximately six acres.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of September 14, 2017. The Commission's decision stands and you are hereby issued Conditional Use Permit No. 17-12 with Conditions to establish an event venue as described in the application, staff report, and minutes.

The effective date of this permit is September 26, 2017.

Conditions of Approval:

- 1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
- 2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.

Conditional Use Permit Page 1

- 3. The use must be established within one year or this permit will be null and void.
- 4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
- 5. All lighting must comply with the Valley County Lighting Ordinance when parking lot lighting is not needed during events.
- 6. A letter from Cascade Fire Department is required.

END - CONDITIONAL USE PERMIT

CONTACT US

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F.A.0.

OUR SERVICES

HOME

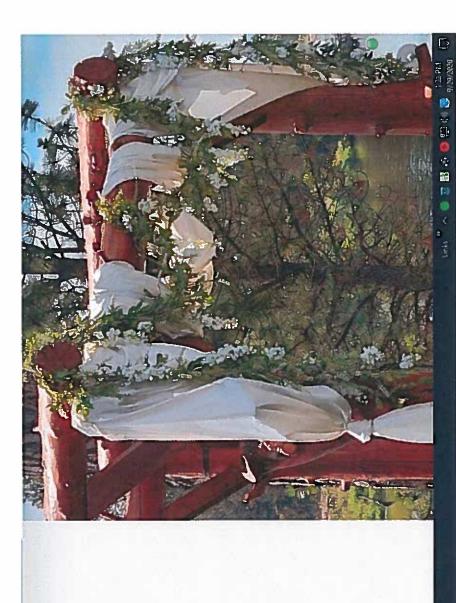
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Tranquility at its finest, Six acres nestled in the pine trees along the Payette River. Located a mile out of Cascade, this private residence boasts amazing views of the Payette River and surrounding areas. The property features a beautiful country home with a large barn style reception hall and a built-in bar. Ample on-site parking for everyone. Best of all, the scenic backdrop will leave you with amazing memories and photos for years to come.

- Venue Price:
- Saturday & Sunday: \$4,995
- Friday: \$3,995
- Monday Thursday: \$3,495
- Includes outdoor riverside ceremony area and indoor barn reception hall
- Restrooms
- Parking for all guests
- Tables and chairs for up to 200 guests
- Event Day: Venue availability 8 AM 11PM
- . Set-up & Clean-up Services (optional): \$500.00



(CENTRAL DISTRICT HEALTH	Valley County Transmittal Division of Community and Environmental Healt	Return to: th
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342 Cabarton Rd

Annette Derrick <aderrick@co.valley.id.us>

Tue 9/15/2020 12:40 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

Prior to the public hearing for Riverside Pines, the Valley County Building Department will need a stamped letter from an engineer stating that the structure located at 342 Cabarton Rd is up to 2015 International Building Code for Commercial construction. At that time we will re-classify the structure to commercial. If you have any questions please let me know

Thanks

Annette Derrick
Valley County Building Official

SERVICE TRANSPARENT ACCOUNTABLE RESPONSIVE



Cascade Rural Fire Protection District P. O. Box 825 109 East Pine Street Cascade, Idaho 83611-0825

208.382.3200 - Phone 208.382.4222 - Fax

9/15/2020

To: Cynda Herrick

Valley County Planning and Zoning

RE: C.U.P 20-23 Riverside Pines

342 Cabarton Road

I have reviewed the Planning and Zoning Conditional Use Permit application 20-23 for Riverside Pines to expand their wedding venue by hosting more events per year submitted by Sharon Rueth. In the review I have referenced Idaho Title 39-4116(3) and the 2015 International Fire Code (2015 IFC) to make life safety determinations that are of concern to Cascade Rural Fire Protection District (CRFPD) related to this project. At this time (CRFPD) cannot approve the current C.U.P 20-23 by Sharon Rueth for the following reasons.

The address for Riverside Pines, 342 Riverside Pines, is currently classified as a residential occupancy with a pole barn, per the IBC and referenced by the 2015 IFC. The IFC does not address single family residence, they are regulated by the International Residential Code. Based on the C.U.P 20-23 application, this use would be an A-2 occupancy requiring a re-classification by the building official.

[A] 102.3 Change of use occupancy. "Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy Or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the International Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the International Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use. "(International Code Council, 201)

Occupancy re-classification to an A-2 will bring various requirements not required by the residential code. I will address these requirements in the following bullet points. These requirements will be needed if the re-classification is granted for an A-2 occupancy.

- Interior and Exterior finishes as determined in table (IFC803.3)
- Fire Protection Sprinkler system designed and installed will be required based on the square footage of the building and proposed occupancy load. (IFC903.2.1.2)

- A manual fire alarm system will be required based on the proposed occupancy load. (IFC907.2.1)
- Fire flows for an A-2 occupancy will require more than residential occupancies. This requirement is more demanding if a fire sprinkler system is needed IFC9507.1)

I have listed several concerns that the CRFPD has with the proposed C.U.P 20-23. Like I stated in the beginning of this letter, CRFPD cannot approve this proposal without re-classification and bringing the facility to meet the re-classification code requirements.

Sincerely,

Steven Hull Fire Chief

Cascade Rural Fire Protection District

steve@cascaderuralfire.com

From: Kimberly Brown < kbrown@pageonepower.com>

Sent: Monday, September 21, 2020 12:03 PM To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Riverside Pines Wedding Venue Planning and Zoning

Good morning!

I just wanted to write in on behalf of the Riverside Pines Wedding Venue and say that, after having been to a couple of weddings there, it's a truly stunning and valuable location! The potential that it has to contribute positively to the community and the economy is evident; everybody at the weddings I attended had a wonderful time, and multiple vendors were used for photography, food, music, lodging, etc.

The owners are wonderful to work with, and grew up in Cascade, so it's clear that they care about the experience of both their guests and maintaining the integrity of the town as well. When considering their application for planning and zoning, please do consider all of the benefits this venue could bring to future couples and to the town of Cascade!

Thank you,

--

Kimberly Brown

Linkable Content Creation Manager Email: kbrown@pageonepower.com Date: September 23, 2020

From: Dixie Hitt

To: Cynda Herrick

Valley County Planning and Zoning

RE: Riverside Pines Wedding Venue Conditional Use Permit

Dear Ms. Herrick,

The purpose of this letter is to share my support for the Riverside Pines Wedding venue to increase their conditional use permit from 10 events per year to 25. As you know, I am a long-time resident of Valley County (48+) and a previous business owner. It is critical for the economic vitality of Valley County that we support growth and expansion of businesses in this area. This business fills a gap not currently being provided in Cascade.

The area businesses depend on year-round income. One benefit of this type of business is it brings visitors into the community who then spend money at local businesses such as restaurants, grocery stores, hotels, and local niche stores which will have a positive impact not only on Riverside Pines but on the business community as a whole. This type of business also has a low footprint on government services and the schools because it is an existing business requesting an expansion. This business also provides jobs for local community members such as myself.

Finally, the owners of this business have been long-time, successful business owners in the county. They are not only a business that provides a service, but support and give back to the community. It is with full confidence that I support this request. If you have any questions regarding my support please do not hesitate to reach out to me. I can be reached at 208-315-2095.

Kind regards,

Dixie Hitt

From: CharlieNRenee Wright <charlesnrenee@gmail.com>

Sent: Wednesday, September 23, 2020 7:06 PM To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Riverside Pines Wedding

To the County Commissioners,

I have grown up in Cascade, worked for Sharon..babysat her kids...and Kadie is an amazing person that I support 100% so please take consideration of my letter...

Cascade has changed over the last years... its progress...like it or not...

This change is for the good...all about we should be able to do what we want with our own property within reason... this won't create a negative... its beautiful ...they keep it clean and its not a huge change...

I recommend the approval to expand their use permit.. it is needed with the growing Valley county...and I know personally...they will keep it The original Valley County..

We are blessed to have such a beautiful place to attract the locals and hahha unfortunately the out of county/state people...

They deserve this..its off the normal path...please approve this...

Renee Wright 11380 Lloyd Court Cascade, ID 83611 From: Carol Cooper <idahograms7@gmail.com> Sent: Wednesday, September 23, 2020 7:25 PM To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Riverside Pines permit

To whom it concerns,

I am a long time Cascade local...retired from Boise Cascade...etc.. so with that I feel my option matters

This woman (Sharon) has worked so hard to establish herself...then her amazing daughter has stepped in...(Kadie)

They are only asking for a minor increase... they are respectful business individuals...

So many changes in our little town...well what use to be.. we have to move on and let it be...they will respect the old time Cascade and make it better...

I endorse this change...please approve this for hard working individuals 🔼



Appreciate your time in listening to my opinion.

Carol Cooper 11380 Lloyd Court Cascade, ID 83611 From: Tyler Burkley <blueheeler24685@gmail.com>
Sent: Wednesday, September 23, 2020 10:01 PM
To: Cynda Herrick <cherrick@co.valley.id.us>

Subject: Riverside Pines

To Whom It May Concern:

My name is Tyler Burkley, I am writing you on behalf of Riverside Pines Wedding Venue. Me and my fiancé are planning our wedding at this location in July of 2021.

We would like to write you, to explain to you why we feel that, Riverside Pines should be allowed to host more events per year, such as weddings like ours.

My fiancé and her family have all grown up in Cascade over the years, and I have visited several times, as I have become part of this family. Cascade is an amazing town, full of great people, adventure, and just an all around wonderful atmosphere.

We all believe Cascade should be a place to visit for people from all around. We all believe that allowing more events to happen at this venue per year, would help the town tremendously. Allowing more events would bring in people from all around to visit, such as families from all different states.

We believe this would boost morale, business, and the lively hoods of the people of Cascade. This would help businesses to stay open and thrive, help families be taken care of by those businesses, and keep businesses and people in your town.

Please take into consideration our support when choosing mandates for local businesses, such as Riverside Pines Wedding Venue.

Thank you for your time,

Tyler Burkley and Melanie Crabb

September 28, 2020

Dear Cynda and Planning and Zoning Team

I would like to write to you in support of Riverside Pines being able to host more events each year. We had a wedding there on the 19th of September and everyone was delited with the venue and location. As a property owner and past resident of Cascade I see a great need to attract more people to Cascade. We need the influx of cash to the local business's and taxes collected. I asked our group of 57 what they spent while in Cascade for the 3 day average stay and it was near 13,000 dollars. Take that or more x 25 events and it is a win win situation for Cascade and Riverside Pines.

So please look at this carefully and see that the impact is small and the rewards are large.

Sincerely

Robert "K" Scott

From: Jennifer <jen-morgan@hotmail.com> Sent: Monday, September 28, 2020 7:08 PM To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: info@riversidepines.org <info@riversidepines.org>

Subject: Riverside Pines

To Whom It May Concern,

We are planning our wedding at Riverside Pines for August of 2021. The purpose of this letter is to express our support in the venue's ability to host 25 events annually from 10.

We have been to events in the past and the venue is absolutely stunning. It is one of the few in Cascade that can offer inside and outside seating and can hold large amounts of people comfortably. It would have been extremely disappointing to not be able to wed in Cascade with all of our family and friends due to the amount of events currently allowed.

Please let us know if there are further questions regarding our support of this matter. We can be reached at (208)630-4710.

Thank you for your time and consideration,

Tony Boyd and Jennifer Morgan