City of Stanley
Public Hearing/Council Meeting Minutes
August 9, 2012

IN ATTENDANCE FOR THE CITY:
Council President Steve Botti (by telephone), Councilmember Lem Sentz,
Councilmember Laurii Gadwa, Councilmember Melinda Hadzor, and City Clerk Doug
Plass.

OTHER ATTENDEES: Jane McCoy, CJ Sherlock, Gary O'Malley, Keith Reese

PUBLIC HEARING (Proposed Ordinance #189)
Councilmember Gadwa called the public hearing to order at 5:03 pm.

Council comments:
The clerk reads a prepared statement from Council President Botti that is included
with the minutes.

Public Testimony:

In Favor of adopting Ordinance #189:
The clerk reads an email from Brent Estep that is included with the minutes.

Keith Reese: He would like to register his support of allowing offices in the
Commercial Zone. In addition, he supports the use of rustic metal siding as he feels
that it is attractive, fire resistant, and will last longer than wood.

Against the adoption of Ordinance #189:
The clerk reads two emails from Rebecca Arnold that are included with the minutes.

Jane McCoy: She would like to see the issue of fence height addressed. She feels
that the 4’ fence height allowed in 17.47.010(B) is inadequate. She would also like to
see minimum lot sizes addressed in the Commercial Zone to allow residences in
commercial buildings without having minimum lot sizes associated with them.

CJ Sherlock: She is concerned about the use of rusted metal, and feels that it would
not be attractive to have a lot of it in Stanley. She is also concerned about the
possible impact of requiring street frontage on lots in the Commercial Zone.

Councilmember Gadwa closed the public hearing at 5:18 pm.

PUBLIC HEARING (River 1 sign variance)
Councilmember Gadwa opened the public hearing at 5:20 pm to receive comments
on the application by River 1 to vary SMC 17.48 to allow for a sign larger than is
permitted in the code.

Public Testimony:

In favor of the Variance:
The clerk reads emails from Frank Juiliano, Barbara Gudgel, Sandra Beckwith, Emily Engelhardt, and Scott and Dee Williams that are included with the minutes.

There is no testimony submitted against the granting of the Variance.

The Public Hearing is closed at 5:25 pm.

**PUBLIC HEARING (Proposed Appropriations Ordinance #188)**
Councilmember Gadwa opened the public hearing at 5:25 pm to consider the adoption of the Appropriations Ordinance and the FY13 budget.

Public Testimony:

There is no public comment in favor of the Appropriations Ordinance.

Neutral comments:

Keith Reese: He would like to see the snowplowing in the city improved. He sees that the budget for this year is the same as last year. He would like to see a designated snow removal site. He also would like the council to consider, as it is allocating option tax revenue, the possibility of supporting a public/private restroom facility on the Niece Smiley Creek property development. The restroom would need to be maintained and option tax money could support that.

There is no public comment against the Appropriations Ordinance.

The public hearing is closed at 5:29 pm.

**CALL TO ORDER/ROLL CALL:**
The regular council meeting is called to order at 5:31 pm. Mayor Mumford has joined the proceedings. The entire Council is present with Council President Botti joining by telephone.

**AGENDA AMENDMENTS:** None.

**MAYORAL COMMENTS:** The mayor sees that there are a couple of upcoming events in Stanley, and would like to remind organizers to keep the city in the loop, especially events that may be returning. Even though discussions were held with the city in years past informing the city should not be forgotten every year.

**CONSENT AGENDA:** May 10th and June 14th meeting minutes as well as the Payment Approval Report for August. Councilmember Gadwa moves to approve the Consent Agenda. Councilmember Hadzor seconds. All approved. Motion passes.

**PRESENTATION/CITIZEN PARTICIPATION:**
The Clerk reads two emails from Rebecca Arnold that is included with the minutes.

Ellen Libertine: She asks if the council will be voting on the zoning changes in that meeting and is told by the Mayor that the Council will be considering it. She points out that at the first work session regarding zoning, Ann Legg suggested that the council not use a case by case basis for zoning because litigation often results in
those cases. She would like to know why there is a case by case basis in this in the Commercial A minimum lot widths.

Council President Botti points out that the section that Ellen is referring to is in the existing code, and is not a proposed change. The changes suggested are only those where there was broad consensus reached. It seems that that section should be considered for further changes.

**BUILDING PERMITS:**
Building Permit #809 – Jack Stevens communicated with the clerk before the meeting and said that he is not ready to address the permit for the shed at this time.

Building Permit #810 – Niece Smiley Creek LLC. Council member Gadwa motions to approve permit #810. Councilmember Hadzor seconds. Council President Botti says that with the caveat about metal siding in the permit application, the council can approve the permit, but no metal siding can be used without the adoption of Ordinance #189. All approved. Motion passes.

Building Permit #811 – Niece Smiley Creek LLC. Councilmember Gadwa motions to approve permit #811. Councilmember Sentz seconds. All approved. Motion passes.

**STREETS AND ROADS:**
The winter streets and roads bid packets will be available after the September Council meeting. The Mayor reports that he received a report from Dave Walls regarding the stop sign on Wall Street and Ace of Diamonds. It seems that the officer was issuing tickets and warnings both before and after the issue was brought up. Councilmember Hadzor is happy to see the ditch back to how it was

**LAW ENFORCEMENT:**
No Sheriff’s report was received.

**COMMUNITY BUILDING:**
The clerk has been approached regarding the possibility of using the community room for fire operations after August 18th when the School must be made available for instructions, and would ask the council for the authority to rent the room for $50 per day to the fire team if it is requested. Councilmember Gadwa motions to grant the clerk that authority. Councilmember Hadzor seconds. All approved. Motion passes.

The Salmon Festival has requested the rental of the community room on the 25th of August at a reduced fee of $50. They would like to use all of the tables and chairs for the festival at the museum. Councilmember Hadzor moves to approve the room rental. Councilmember Sentz seconds. All approved. Motion passes.

**AD HOC COMMITTEES:**
- **CEDA:** (Mayor Mumford) No report.
- **Gem Committee:** No report.
- **Chamber of Commerce:** (Ellen Libertine) Current activities of the Chamber of Commerce include finding lodging for visitors and promoting summer activities. The fall board meeting will be focusing on advertising.

**UNFINISHED BUSINESS:**
Stanley Sawtooth Chamber of Commerce: The Council would like the specifics of road closures for the Labor Day weekend event. Charlie Thompson has submitted a proposal. They are not proposing the close any streets, but would like to station volunteers at the appropriate places to control traffic while the bike race is happening. The mayor suggests that the volunteers get some bright vests for the volunteers. The council has no further comments.

Park Planning: A planning map has been put together by the clerk after incorporating all the input from the Gem Committee, the Council and the public. A town hall meeting is scheduled for Tuesday, September 4th at 6:00 pm.

Building Permit Form: Council President Botti asks if the permit that is proposed needs to be reviewed further. Councilmember Hadzor suggests that the community review changes to the building permit form. Councilmember Gadwa feels that external agency review is needed as the current code requires proof of approval by the appropriate fire department and public health department. She notes that the form that is being considered includes that clause ‘if applicable’ when considering external agency approval. Mayor Mumford notes that we are just talking about an administrative form, and the idea of changing it is to eliminate problems rather than create new ones. Councilmember Gadwa says that this form is an attempt to make coordination with builders easier and clearer. Mayor Mumford suggests that some clarification that the city is trying to gather information that might not necessarily be required by the code be included. Councilmember Gadwa brings up the example of alerting builders that radon could be an issue building in Stanley, but our code is silent on it. Councilmember Hadzor motions to table discussion on the form for now. Councilmember Gadwa seconds. All approved. Motion passes.

CITIZEN PARTICPATION (REVISITED)
The Mayor notes that the meeting started early and some people have arrived and would like to submit citizen comments.

Ron Gillette: He would like to echo some of the comments of Brent Estep. Rebecca Arnold’s property borders his and he is concerned about the large dirt piles on the property. He would like to know what is going to happen regarding the petition that the city received regarding those piles. Mayor Mumford reports that a formal communication was sent from the city asking for the property owners plans regarding the piles in question. No response has been received.

Randy Johnson (liaison officer with NIMO team): He would like to provide an update on current fire activity. At 3:00 this afternoon, another fire was detected right on highway 21 near Banner Summit. Resources were pulled off the Halstead fire to support it. Three helicopters and one retardant plane were dispatched to the fire. The Bull Trout Campground was evacuated and Highway 21 is closed from Elk Creek to Grandjean. The new fire is named the Bench Fire. There was also another new fire detected at Indian Springs. There is not a lot of detail on that one. The road will reopen as soon as is possible, but the closure will be in effect for at least 24 hours.

NEW BUSINESS:
Proposed Ordinance #189:
Mayor Mumford asks that the Council update him on the public hearing as he was absent and indicate how the council would like to proceed. Council President Botti says that a number of issues have been addressed and that the Council needs to be careful about doing things on a case by case basis. He also feels that parking and
snow removal will need to be addressed. Mayor Mumford asks if Rebecca Arnold has been put in contact with City Attorney Paul Fitzger regarding effects on her property. The clerk says that he has not relayed that to her but would do so now that her comments have been received. Council President Botti is convinced that the clarification regarding lot widths will not affect building on lots that have already been approved. Councilmember Hadzor asks if Rebecca Arnold’s lots would be buildable. Council President Botti says that yes they would be, as street frontage was addressed when the subdivision was approved. Councilmember Gadwa motions to waive the three readings and read Ordinance #189 by title only and to approve Ordinance #189. Councilmember Hadzor seconds. All approved reading by title only. A roll call vote is held on the approval of the ordinance. All council members approve the ordinance. Motion passes.

Proposed Ordinance #188
Councilmember Gadwa motions to read Proposed Ordinance #188 by title only. Councilmember Hadzor seconds. All approved. The Proposed Ordinance is read by title only. Councilmember Gadwa motions to approve the Ordinance. Councilmember Hadzor seconds. A roll call vote is held. All approved. Motion passes.

River 1 Variance
Councilmember Gadwa moves to approve River 1’s request for a variance to allow a sign larger than is permitted by the code, noting that the approval letter should specify that the old sign will be removed, and any new sign will have to be approved before construction. Councilmember Hadzor seconds. All approved. Motion passes.

Councilmember Gadwa comments that we allow temporary signs and sandwich boards for sales, but people need to be reminded that those signs must be temporary.

Keith Reese – Would like to work with the City Engineer to work on the burial of a cistern for fire protection within the city street, and would like to blessing of the Council to move forward on preliminary plans. He would also like the clerk to request deteriorated granite from the Blind Summit pit for supporting parking in the right of way on Crichfield.

CITY CLERK REPORT: (City Clerk/Treasurer Doug Plass)
The Clerk is working with Councilmember Gadwa to assign Cemetery plots and organize what is currently there including making a form which captures all the relevant information, issuing certificates and sending letters to those on the waiting list.

The Sawtooth Music Festival has asked of the Work Session on Large Events to be rescheduled so that Music Festival organizers can attend. The council expresses that they would prefer to go ahead as the issues are larger than only the Sawtooth Music Festival.

The Clerk is working with the USFS to get an agreement and staff for performing a Stanley to Redfish Trail Survey to be performed in the week of 8/20.

The Clerk is requesting permission to attend the yearly ICCTFOA institute on September 19th-21st in Coeur d’Alene. The travel and training budget have only $308 remaining, and the estimated cost is $956. We have applied for a scholarship, but do
not expect to receive one. The administration budget as a whole would support this extra expense.

**TREASURER / OPTION TAX REPORT:** (City Clerk/Treasurer Doug Plass)
June Option Tax receipts are about 25% stronger than last year, and it is expected that July will be strong as well. However, August is likely to be weak, suggesting that we will likely finish the year with about $135,000 in receipts. The compliance from the Mountain Mama's craft fair vendor look good so far as well.

**ADJOURNMENT:**
The City Council meeting is adjourned at 6:55 pm.

[Signature]
Herb Mumford, Mayor

[Signature]
Doug Plass, City Clerk
Since Rebeca Aronki (202) 841-2930

Sincerely,
Rebeca Aronki

--- Original Message ---


Re: Prophecy Or Prodigy Ordinance 182 and Revised Building Permit Application Set for Hearing by Stanley City Council on August 9, 2012

From: Rebeca Aronki

To:5

Subject: Comments on Revised Ordinance 182 and Revised Building Permit Application Set for Hearing by Stanley City Council on August 9, 2012

Stanley City Clerk

August 9, 2012

Re: Prophecy Or Prodigy Ordinance 182 and Revised Building Permit Application Set for Hearing by Stanley City Council on August 9, 2012

I would like to express my concern regarding the proposed Ordinance 182 and the revised building permit application. As a resident of Stanley, I believe that the proposed changes may have a significant impact on the community.

The proposed ordinance appears to be designed to address specific issues related to prophecy and prodigies. While I understand the intent behind this, I believe that it is important to carefully consider the potential consequences of such legislation.

I have reviewed the draft of the ordinance and have identified several concerns. First, I believe that the definition of prophecy and prodigies is somewhat broad and may lead to confusion and misuse. Second, I am concerned about the potential for unintended consequences, such as the stigmatization of individuals who may engage in activities related to prophecy or prodigies.

In light of these concerns, I urge the city council to carefully consider the implications of this proposed ordinance. It is important to ensure that any new legislation is carefully crafted to protect the interests of all community members while avoiding unintended consequences.

I appreciate the opportunity to provide my comments on this matter and look forward to your consideration of my concerns.

Sincerely,
Rebeca Aronki
Thank you for the opportunity to provide testimony and your consideration of the above items. I will be available by phone 208-341-2530 to participate in the hearing as a witness.

Public hearing and answer any questions you may have.

The City adopted the proposed ordinance as written. We would prefer not to be forced into that situation.

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The City adopts the proposed ordinance as written. We would prefer not to be forced into that situation.

Please provide copies of the following concerns and comments be properly addressed by the City and other concerned parties.

With regard to the proposed ordinance 189 amending Title 17 of the Stanley Municipal Code, I request that the following concerns and comments be properly addressed by the City and other concerned parties.

9/4/12
Mayor and Council Members:

On the proposed ordinance 189 and the proposed revised building permit application to be held by the City of Stanley on August 9, 2012.

Please provide copies of the following concerns and comments be properly addressed by the City and other concerned parties.
The proposed changes and clarifications to zoning code for the Commercial, Commercial A and Limited Commercial districts are the result of issues raised by the public, and discussed in various town hall meetings and council worksessions. These changes are intended to liberalize the code by specifying a broader range of permitted commercial uses, by allowing other commercial uses by conditional use permit rather than requiring a variance to be granted, and by allowing certain types of metal to meet the rustic appearance requirement for buildings and fences. Additional wording is intended to eliminate confusion about how to interpret lot dimension requirements by explicit stating the standard legal interpretation of the code.

This interpretation does not add any new requirement for the configuration of lots, and does not affect the status of any existing approved lot. It is simply clarifying the requirement that has existed since 1977. Existing developments, including all lots from the original Stanley townsite, and all subsequent lots approved as part of subdivisions, annexations and minor land divisions remain unaffected, even if they fail to meet the size, setback or frontage requirements. No changes will be required in the configuration and development of these lots because of this clarification.
Hi Everyone:

On Mon, Aug 6, 2012 at 9:19 AM, Brent Estep <brent@segilis.com> wrote:

Ellen

Thank you,

Brent

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Subject: RE: Proposed Zoning Ordinance
To: Brent Estep <brent@segilis.com>
From: Ellen Libbey <ellen.libbey@nlbowski.com>

--- Begin forwarded message:

Dear Ellen,

I am writing to let you know that I will be attending the upcoming City Council meeting on August 15th to support the proposed Ordinance changes. I understand that there may be concerns with the proposed changes, but I believe that they are necessary for the continued development and growth of the city.

I look forward to discussing these issues further at the meeting.

Sincerely,

Brent

--- End forwarded message

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Wednesday, August 8, 2012, 10:16 PM

Brent Estep <brent@segilis.com>

Subject: RE: Proposed Zoning Ordinance
To: Stanley city clerk
From: Ellen Libbey

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Comments:

Ellen Libbey, City Clerk

401 N. Broadway

970-686-6161

Email: cityclerk@nlbowski.com

--- End of comments

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allow most to be used for buildings and fences so long as it is some way from the city of Shalvey could im
subject of public hearing next Thursday. The uses in particular may be of interest to chamber members - we are a proposal to
Would you please distribute to the Chamber members the proposed changes to Shalvey City Ordinance that will be the
Rebecca Arnold has asked that I send you the attached proposal changes to the Zoning Ordinance and the following comments.

HI All,

On Aug 2, 2012, at 3:29 PM, Ellen Liberman <ellen.liberman@hawkwise.com> wrote:

WWW.HAWKWIS.COM

Office: 208-344-1881
Cell: 208-720-3311

Mackay Willow Tree Tips

Mackay Willow Tree Tips

Thanks for taking my comments.

intersection for the last 25 years. When not on the river this is the warehouse, so stop by if you want to chat about this.

For those of you who don't know me, I own Mackay Willow Tree Tips and have been on highway 75 just south of the 21 / 75

I would appreciate it if you could make my comments a part of the record (and maybe even read them out loud) at the meeting.

I am strongly in favor of amending the current zoning ordinance to reflect 48 foot lot width be amended to clearly define the 48

It was mentioned that the city of Shalvey could im
Proposed zone change: 072412.docx

The proposed zone change would not be forced into that
choice other than those required by the City. If the change the ordinance to 48 feet of street frontage. I would prefer not to be forced into that
(except where the City requires 22 feet access easements). Since 6 of my lots would be negatively impacted, I would have no
choice but to comply with the requirements for access and the height restrictions on each lot
result in a height of 48 feet. The City would not meet the requirements of the new ordinance. The lack of access street frontage will render some lots unusable and
likely dwellings (the code currently only requires that parcels be 48 feet wide and this change will render some lots unusable and
into a town of useless buildings and fences) and a new requirement that parcels have a minimum of 48 feet of street frontage per
Retired politician
Sawtooth Rest
The Riverside Model

Frank Juliano

Thank you,

Please approve the River One Sign... It's nice and so are they.

Economy.
We need to address these problems while we encourage and promote those businesses which are positive and contribute to our image and developments later??

I think it’s without question, time to reward the good guys here in Stanley... (I’ll give you my suggestions for what to do with the anti-social see...)

And then consider, if you will, the competitive, uncooperative attitudes which create and foster these public problems...

Consider the ever-increasing dirt piles, unrefined structures, piles of junk on porches and a host of other unsightly sights which our visitors, as one drives around Stanley, there are numerous examples of ERECTIONS EYESORES which impact our tourist-based economy...

Supportive of it.
River One contributes considerably to the Option Tax Fund and causes no problems for our City... Visitors love this place and are extremely

It is a vast improvement over the old existing one...

Please approve the new River One Sign...

Folks...

Subject: River One Sign
Mail and Signage Stand

Where: Mendenhall; Where: Heritage; Where: Lakea; Where: South; Where: Jame
Weedsday, August 06, 2012 2:02 Pm

Frank Juliano (nwwoodcreek@hotmail.com)

Stanley City Clerk

COMMENTS: Re: River One Sign. VARIA:

REMARKS:
Stanley City Clerk

Subject: MR. Doug Pass

To: [Email Address]

Sent: Thursday, August 09, 2012 3:11 PM

From: Barbara Gudge [barbara@milwaukee.com]

Mr. Pass:

I was in the post office today and noticed that one of the agenda items for tonight’s meeting was the sign that the old one, the old one is actually on eyeware to the beautiful city of Stanley.

It is a huge improvement over the old. I hope the city council approves the new sign.

Thank you,

Barbara Gudge

 Attach: MR. Doug Pass
Thank you for this opportunity for consideration.

Striving and family, the proprietors of River One, both as a member of an area business and a "local consumer" have seen that they are conscious business owners and a valuable asset to the Stanley business community. I understand the city council has allotted time during this evening’s meeting to discuss a variance for the sign for the business River One. I can envision no better way to extend this support and would encourage you to approve it.

I am confident that would come to Stanley with the approval of the variance and would encourage you to approve it.

Sincerely,

Stanley, ID 83278
P.O. Box 377
Sandia Beckwith

Subject: "Variance for River One Sign"

To: stanley@cityclerk.com

From: Sandia Beckwith [stbeckwith@gmail.com]

Thursday, August 9, 2012 4:48 PM

Subject: "Variance for River One Sign"

To: stanley@cityclerk.com

From: Sandia Beckwith [stbeckwith@gmail.com]

Thursday, August 9, 2012 4:48 PM
Thank you.

I think the sign looks great and is an improvement from the previous sign.

I was just made aware that the new sign for River I was under public review.

Hi Doug,

Emily

Subject: Public Opinion
To: EmilyEngelhart@cityofriverside.com
Sent: Thursday, August 09, 2012 12:47 PM
From: Steven Clark

Comments: RE: River I Sign Upgrade
Subject: Scheduling
To: You
Sent: Monday, August 06, 2012 11:35 AM
From: Williams@FoothillMkt

Dear Scott and Dee Williams,

Thank you for your consideration and helping business in Stanely.

I am writing to let them know that we are currently at the station and will be able to stay. The station is an attractive station and should be allowed to stay.

In regards to the request of a variance to allow the station at River Drive to operate from the highway, we are very much for the variance to be granted.

From Scott and Dee Williams, owners of property at 605 Edna Mcgowan Ave. in Stanely.

Sincerely,

City Clerk

Re: Allow 1 Sign Variance
Standy City Clerk

4/6/2012 Citizen Participation

Since the Park is not permitted use in the Commercial Zone so this Permit cannot be approved without a variance, which requires a separate process. Office would like to know your variance in the Commercial Zone so that the Permit can be approved without a variance.

Re: Building Permit #12-107 for Hearing by City Council on August 6, 2012
Accepted: 2012/02/19T / Virus Database: 2437/5189 - Release Date: 08/09/12

Checked by AVG - W7.Ms.exe

No viruses found in this message
The subdivision process and once the subdivision is approved, the City can use the building permit process as a check for code issues. If the City discovers any subdivision, building permits, or building permits not building permits, areas of special concern are addressed through the SMC. Building permits are issued for: 

- To repair a broken or a perimeter fence or gate
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Per the SMC, building permits are issued for: 

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This note is for the SMC. The SMC requires that buildings be repaired or replaced as needed. If the SMC requires that buildings be repaired or replaced as needed, the repair or replacement must be completed within one year of issuance of the building permit.

Noting in the SMC requires Simon's River Electric approval of even that a building permit is issued even if it is for a structure. Nothing in SMC requires T&D improvements.

Providing fire safety for the subdivision, the SMC does not require specific standards for fire safety. The SMC requires that buildings be repaired or replaced as needed in the SMC.

The SMC requires that buildings be repaired or replaced as needed in the SMC. Buildings must be repaired or replaced as needed in the SMC.

Provision of fire safety for the subdivision. The SMC does not require specific standards for fire safety.

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Version: 2012.0.2197 / Virus Database: 2437/1589 - Release Date: 08/09/12
Checked by AYG - Wwwey.com
No viruses found in this message.

Sincerely,

(208) 844-2390
Rebecca Amold

and Thomas Amold

Thank you for the opportunity to provide comment on the above items. I will be available by phone 208-844-2239 to participate in the public hearing and answer any questions you may have.

The SWMC requirements for an application to be complete is arbitrary and capricious and not in accordance with the SMA.

Even considering that this is just indicative for a town of the size and resources of Stanley, clearly any attempt by the City to include requirements that are beyond what appears that whenever denied the form and instructions is trying to include so many requirements that the City can just deem in application „Incomplete” and not permit in Stanley and likely will lead to litigation. Do you really want to go there?

if the City subverts, exceeds, manipulates requirements and codes, is the City now attempting to pressure its review beyond what is required/bound under SMA? If the City follows precedent and manipulates construction drawings, the City of Stanley has historically only reviewed building permits to verify compliance with building/health buildingImg.

Full construction drawings, plans and specifications have never been required for building permits and frankly, most people have only had elevation drawings

As far as being people that we cannot afford to be code inspectors? Nothing in the SWMC requires the department approval of septic tanks and building construction materials. In my discussions with Sawtooth board members some

utility and other activities that do involve a structure with plumbing certainly would not require approval from members of the SSA.

Nothing in the SWMC requires proof of membership in the Stanley Sewer Association (SSA) prior to issuance of a building permit so it appears that the City is