

**FIRST DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 13, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- R&H Wholesale Supply in the amount of \$1,133.56 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 2-13-17

The Board approved payment of County claims in the amount of \$24,736.38 for accounts payable.

SALARY RATE AND ACCESS CONTROL REQUEST

The Board approved a salary rate and access control request for Jamie Miller in the Commissioners' Office.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Pam White, PIO Joe Decker, Deputy Clerk Jenen Ross, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Commissioner White reported that she toured the print shop and saw that there is no security door on the building and given its location to Pod 5 she wants the facility to be secure with a badge access device installed. Commissioner Dale thinks that's a good idea. Joe Decker reported on the following communication items: He will prepare a press release for the Spring clean-up day at the landfill on April 22 where fees will be waived; he will work with Prosecutor Taylor on a media training class with a crash course on how the criminal justice system works; and he will work on a guest opinion explaining why the Board did what it did with the fair and why it will stay in Caldwell. Commissioner Dale said he's been responding to emails and explaining to people that it was not a political decision nor a philosophical discussion on where the fair should ultimately be, it was a practical move based on the fact there is no money to move the fair. The Board felt the most reasonable and fiscally responsible thing to do is to focus on making the best we can since we cannot afford to move the fair. Because of the great amount of energy and time that the fair board put into trying to move the fair the Board thought it'd be best if the fair board

members were released and strongly encouraged to reapply and work on making the fair the best it can be at the present location for the time being. He said there never was a funding plan for the building; it was never going to be accomplished with private money and was never going to be self-supportive. The goal now is to make some visible improvements in that experience this next year. Mr. Decker received a media monitoring request, which is expensive and unnecessary because it's easy for him to monitor the television stations and newspapers, however, it may be useful for the jail expansion issues to gauge how the public is taking everything the County is doing. Commissioner White said it would also be helpful to keep the County's Facebook page updated with information as well. Commissioner Dale said the contract with Carter Goble Lee needs to be in place, and we should have the Public Policy Institute from BSU do a survey and develop questions that are specific to jail issues and demographics. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE, CONSIDER SIGNING A RESOLUTION TO WAIVE CERTAIN LANDFILL FEES ON APRIL 22, 2017, AND MEETING TO CONSIDER HIRING A LANDFILL SCREENER

The Board met today at 9:01 a.m. for a legal staff update, and to consider signing a resolution to waive certain landfill fees for Canyon County residents on Saturday, April 22, 2017, and to consider hiring a landfill screener. Present were: Commissioners Tom Dale and Pam White, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Landfill Director David Loper, PIO Joe Decker, and Deputy Clerk Monica Reeves. David Loper said the resolution which waives landfill fees is signed every year for a free day at the landfill. It is a popular community event that occurs on the fourth Saturday in April and this year it's on April 22. Brad Goodsell said the resolution waives certain fees, it does not waive every fee; there are some limitations which are set forth in the resolution. The waiver is limited to residential waste and Canyon County residents, it excludes commercial waste. Commissioner White said in light of the destructive winter we've had there might be some residents who want to dispose of sheetrock and plywood. Director Loper said the first one of household waste is free. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the resolution to waive certain landfill fees for Canyon County residents on Saturday, April 22, 2017. (See Resolution No. 17-027.) Mr. Loper will work with Joe Decker to post the information to the website and do some outreach. Mr. Decker left at 9:09 a.m. Sam Laugheed said there are a couple of matters that are appropriate for Executive Session, one of which involves Director Loper and will likely involve action in open session. The Board went into Executive Session at 9:11 a.m. as follows:

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

Commissioner White made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) to consider the hiring of a public employee and to discuss records exempt from public disclosure and attorney-client communication. The

motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Landfill Director David Loper, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:31 a.m. While in open session Commissioner Dale said the Board discussed a personnel matter in Executive Session pertaining to the landfill where Mr. Loper is in the process of filling a hazardous waste screener position and has narrowed the search down to a couple of applicants and he would like to make a job offer to Randy Jones, whom he considers the best applicant. However, Mr. Loper is unable to offer the position to the most qualified applicant because he is related somebody who works at the landfill and there is Rule 3.02 in the personnel handbook that prohibits that. In this case, Director Loper is asking the Board to consider waiving Rule 3.02. Commissioner White recognized that the position is difficult to fill and retain and that Mr. Jones is related to another employee but has no supervisory position or relationship to that job. She indicated that since Mr. Jones is the most qualified individual, and that he passed the background screening, and that he is the best fit for the position, Rule 3.02 should be waived in this instance. Commissioner White made a motion to waive Section 3.02 of the Personnel Manual for Canyon County to permit Mr. Loper to offer the hazardous waste screener position to Randy Jones in this circumstance. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor. The motion carried unanimously. Sam Laugheed said this particular policy goes further than the law and this is entirely a matter of the Board's discretion with the good cause that has been found. Mr. Loper left at 9:34 a.m. Zach Wesley said he understands Commissioner Dale has a meeting with the West Valley Humane Society (WVHS) scheduled for this week and he asked if he would raise the issue about the IT services agreement that they've had for several months. Mr. Wesley has been in communication with the WVHS attorney, Tom Humphrey, who's assured him the agreement has been signed, however they have not provided a copy to the County. The legal staff update concluded at 9:37 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DESIGNATE POLLING PLACES FOR THE MARCH 14, 2017 ELECTION

The Board met today at 9:48 a.m. to designate polling places for the March 14, 2017 election. Present were: Commissioners Tom Dale and Pam White, Elections Supervisor Kathy Bradley and Deputy Clerk Jenen Ross. Ms. Bradley said they will have 26 of the 64 polling places open for the March 14 election. West Ada is running a levy, Marsing is running a bond, Kuna is running a bond and a levy and Vallivue is running a levy with approximately 20,000 voters eligible to vote in this election. Commissioner White made a motion to designate the polling places as listed (a copy of the list is on record with this day's minute entry) for the election on March 14, 2017, and seconded by Commissioner Dale with the Board voting unanimously on the motion. The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER SIGNING A RESOLUTION AUTHORIZING TRANSFER OF COUNTY PROPERTY BY QUITCLAIM DEED TO THE CITY OF MELBA

The Board met today at 10:03 a.m. for a public hearing to consider signing a resolution authorizing transfer of county property by quitclaim deed to the City of Melba. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. Treasurer Lloyd explained this is just the finalization of the quitclaim tax deed property that the City of Melba requested. Mr. Goodsell said these properties were initially part of the tax sale but the City of Melba made a request to the Board to consider transferring these properties to them. Steps have been taken to transfer the property and when the county transfers a property to another government entity we have to publish notice of the county's intentions which was signed on January 24, 2017 and published on January 30, 2017. The public was given notice but no one showed for the hearing today. Mr. Goodsell presented a resolution to grant two parcels, PIN 17596000 0 and PIN 2816800 0, to the City of Melba. The City is not responsible to pay the past taxes on the property as it was not made a condition of this transfer. Commissioner White made a motion to sign the resolution authorizing the transfer of county property by quitclaim deed to the City of Melba, Commissioner Dale seconded the motion with the Board voting unanimously to sign the resolution (See Resolution No. 17-028). The meeting concluded at 10:09 a.m. An audio recording is available in the Commissioners' Office.

MEETING WITH EIDE BAILLY TO RECEIVE FY2016 FINANCIAL AUDIT

The Board met today at 10:32 a.m. for a meeting with Eide Bailly to receive the FY2016 Financial Audit. Present were: Commissioners Tom Dale and Pam White, Jody Daugherty from Eide Bailly, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Clerk Drew Maffei, Treasurer Tracie Lloyd, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Sheriff's Financial Manager David Ivers, and Deputy Clerk Monica Reeves. Zach Wagoner submitted the County's Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2016 as prepared by the Clerk's Office. Eide Bailly audits the report, they examine, they test, and they offer an opinion on the validity and the accuracy of the information presented herein. Clerk Yamamoto said he is quite pleased with the services provided by Eide Bailly. Jody Daugherty said in their opinion the financial statement presented in this report presents fairly the financial position of the County at September 30, 2016. She said of most interest to the Board is the fund level financial statements because that is how the County operates on a daily basis. Page 27 is the balance sheet of the general fund and two of your special revenue funds that meet the definition of major, and all other government funds are lumped in the column called other funds. The general fund ended the year with almost \$7.4 million in unassigned fund balance which is the fund balance that is available for future budgeting; \$6.2 million of that was set aside for capital outlay for projects the Board has already approved. The fund balance for the general fund balance grew by \$860,000 in the current year. Ms. Daugherty said they did not have any journal entries during the audit. Mr. Wagoner said the most critical page is Page 29 which shows the actual financial activity for the County during FY2016. This statement is what

actually happened – how much cash actually came in and how much cash was expended. We began FY2016 with \$31 million in fund balance, and our fund balance decreased by \$881,000 leaving us with \$30 million in fund balance in September 30, 2016. During the budget process we used about \$11 million of fund balance to balance the budget. We were not projecting, we were going to actually use that, it was used to balance the budget. We did not use \$11 million of fund balance, we actually used a little less than \$1 million of fund balance in 2016. Clerk Yamamoto said around 10% of our budget is not on a cash basis, we are using fund balance to balance that budget and we seldom ever dip into that. A lot of it is “A” budget funds that haven’t been spent. Commissioner White asked Ms. Daugherty if she found any weaknesses or points of concern, and Ms. Daugherty said she did not. Clerk Yamamoto said the fund balance is not a savings account; it is liquid and can change daily and when they produce numbers it is a snapshot of that particular time. The number won’t remain that way – it can go up or down. He spoke of how he and the Controller have attempted to work with the departments to build trust so we that we don’t have a “use it or lose it” scenario. They budget adequately and there are contingencies but everyone is careful so at the end when the smoke clears they aren’t worried and they know the Clerk’s Office will work with them on purchases. The Clerk pointed out the statement in the letter Eide Bailly sent to the Board on January 26 which states “The financial statement disclosures are neutral, consistent, and clear.” Ms. Daugherty said this is how they communicate with those charged with governance; there was a new standard this year related to how the investments were disclosed but it didn’t affect the way they were valued or anything. They point out there are some estimates built in and those will change, and if they had any adjustments or issues they would have included them in the letter. She said it is a good clean audit. The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners’ Office.

#### MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:23 p.m. for a meeting with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson reviewed the following topics with the Board: In 2015 FEMA came out to do a field review and had dozens of properties that they requested documentation on. Dan Hunter worked on that and sent all the information to FEMA at the end of 2015. They are now down to a couple of properties that have issues going back 20 years, they are working with the property owners and where they’ve had no response those people would be found in violation and a letter will be sent. At that point they can’t be pursued any further and she will work with the PA’s office to get something recorded so that when the property sells, the new owner will be notified about the elevation certificate. There are two bills that she feels compelled to comment on and will send them to the Board to be forwarded to the IAC. The first bill she refers to as the ‘Air B and B’ bill that affects lodging facilities, currently bed and breakfasts are allowed to the homeowner by right, but if somebody rented out their entire home and were not on the premises it would be a violation of the zoning ordinance and it may be worth tightening up the code so we don’t run into these situations. The

second bill is in reference to park model homes and how these fall on the tax rolls. Canyon County allows homes to be built on a foundation as long as it meets the International Residential Code (IRC) although the state has not adopted the 2016 code, some supplements were approved nationally to help with building code issues and approved by IRC but they wouldn't be effective in Idaho until maybe 2018; tiny homes are being put on trailer frames and other than HUD certified manufactured home there is no national certification standards for RV's or homes built on trailer frames, the only vehicle allowed as a dwelling is a temporary use of an RV any other uses have to be in an RV park. There is a tremendous need for affordable housing in Canyon County and regardless of legislation it is an issue that needs attention as it is a life safety issue. Ultimately it's a liability issue for the county if there is no certification. The meeting concluded at 1:31 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE CITY OF CALDWELL TO DISCUSS FIBER OPTIC CONNECTIVITY TO THE CALDWELL AIRPORT

The Board met today at 1:33 for a meeting with the City of Caldwell to discuss fiber optic connectivity to the Caldwell Airport. Present were: Commissioners Tom Dale and Pam White, Caldwell City Engineer Rob McDonald, Caldwell Airport Manager Rob Oats, Public Works for the City of Caldwell Brent Orton, Deputy P.A. Allen Shoff, IT Director Greg Rast Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Mr. Orton explained that at the Caldwell Airport they've constructed a fiber loop that is partial around the airport and that they spoke with the County in the past about connection to the County's fiber with the intent of being able to have a connection to the server room; they are already connected via the Caldwell Police station with some secondary benefits at the Caldwell airport terminal as it has been identified as a possible emergency operation center. They've constructed conduit that has been placed just short of Linden Rd. where the county owns fiber that extends back to the courthouse and a few other places. In speaking with Director Rast, who has worked with the City to understand some of the needs, if they were to connect to the County's fiber it would need to be in a loop; running a loop out to the airport and then back so that one of the strands of fiber are not cut off or a number of strands of fiber that are heading on towards other destinations further out. The fiber will eventually go all the way around the airport and presently goes from Linden to Ustick on Aviation Way so if the city can provide some assistance to the county in the future in some way getting to a destination needed to reach they'd be happy to reserve some space in that conduit. Mr. Rast explained that dark fiber is a project that came about post 9/11, there was federal money put into the county to join Ada and Canyon Counties, it is called dark because it's not yet being used, but to be used for emergency services. There are 72 strands of individual fiber going from point A to point B with just 10 of those strands currently being used. It takes two strands to talk to and from (to make a connection), the capacity is pretty large and there is plenty of capacity available. He recommends putting 3 strands out at the airport. The county owns the fiber so the Board has the authority to approve who uses it. Once the connection comes back to the courthouse we currently have a connection from the courthouse into the city so that two mile jaunt will use the fiber to alleviate the expense for them. If in the future we ever need to recapture those three pair that were extended to

the airport, we'd just go onsite, loop it and cross connect it back up. What the airport is asking to do is right in line with what this was designed for, it just needs the okay from the Board. Once there is approval from the Board there will just need to be Memorandum of Understanding signed between the County and City of Caldwell. Director Rast explained that ultimately liability lies with the County as we own the fiber but if there is an entity that would like to use some of the previously damaged strands that would be on them to repair. Mr. Orton said there really isn't any cost to the county other than the soft cost in consumption of the fiber and that the run up Linden to where the airport office is, the City of Caldwell would be responsible for that run if there is damage there it would be on the city to repair. Mr. Shoff explained that the MOU would clearly lay out where liability falls. Director Rast said his understanding is that the county owns the fiber and it can be used however the county would like but feels it really should be used for emergency management services as that was the original intent and it couldn't be used for private enterprise due to where the strands terminate and because the county would then have to take responsibility of a private entity in the data center. Director Rast said there are no security concerns as far as hacking or cross-contamination strand to strand. The consensus of the Board is to develop the MOU and continue moving forward with this project. The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER APPOINTING NICKI SCHWEND AS CANYON COUNTY'S REPRESENTATIVE TO THE SOUTHWEST IDAHO RC&D

The Board met today at 2:20 p.m. for a monthly meeting with the Parks Director to discuss general issues, set policy and give direction and consider appointing Nicki Schwend as Canyon County's representative to the Southwest Idaho RC&D. Present were: Commissioners Tom Dale and Pam White, Parks Director Tom Bicak, Outdoor Recreation Planner Nicki Schwend and Deputy Clerk Jenen Ross. Tom Bicak has been serving on the RC&D Board and Nicki Schwend will be taking over that position. Commissioner White made a motion to appoint Nicki Schwend as Canyon County's representative to the SW Idaho RC&D, the motion was seconded by Commissioner Dale with the Board unanimously on the motion (a copy of the letter appointing Ms. Schwend is on file with this day's minute entry). Director Bicak discussed that in an upcoming meeting to consider signing the application for Water Right Permit for Celebration Park he will not be able to attend but wanted to offer the opportunity to the Board to answer any questions they may have in regards to this. Ms. Schwend continued with the monthly meeting and reported on the following topics: several stolen items were recovered by two park technicians at the Deer Flat Wildlife Refuge; now that the snow is gone clean-up is underway; a new compressor was received; sandbags were offered at Lake Lowell Park on January 20<sup>th</sup>; they are in the process of doing interviews for temporary part-time Interpretive Specialists and full-time seasonal Parks Technicians; Lake Lowell Area Bicycle and Pedestrian Access Plan (FLAP Grant); update on the museum construction and the well drilling project; the Black Elk Exhibit Reception was well received and they had a good turnout; May is Idaho Archaeology and Historic Preservation month; DStretch technology; they are hoping to host Dr. Jon Harman over Memorial Day weekend and Desert Studies Institute (A copy of this

presentation is on file with this day's minute entry). Commissioner Dale asked about our position on the wildlife refuge, he feels we need to be prepared to defend our territory so the people have access to this lake. He understands there was to be a survey last year done on the Grebes and wondered whether that happened. Director Bicak has made multiple requests for a copy of the Grebe study but hasn't received anything yet but will ask again. He finds that anytime there is a change in plans at the refuge it's done informally and is not written, he's just informed of the way it will be and documents the conversation and forwards the information to the Board. Commissioner Dale would like to identify a time, possibly in April, to go over and talk with the National Wildlife Refuge in Portland. He wants to keep the pressure on and request any data they have from any studies that have been done. The 'no wake zones' and 'exclusion zones' are to protect the Grebe population but there haven't been any studies done on what boats do to the Grebes or how many Grebes are in Lake Lowell and wants to fight any more restrictions on the lake. Director Bicak explained that he's worked with Facilities to get some window locks on the museum windows but the ones that were chosen aren't working. The windows don't close and he would like every lock keyed the same so that they can't be opened by kids, right now they have 15 different keys. Also, the lock that was chosen was physically wrong because if you push the window the lock will snap and breaks off. He's found a new lock he'd like to order, they're \$7.00 and he'll need 15, he would like to just buy the locks and have park staff install them. The Board has approved this purchase and is okay with him moving forward. In addition to the new window locks he would also like to purchase two new keyless locks as he already owns two; they would be installed on the exhibit hall, the visitor center, the shop at Celebration Park and the office at Lake Lowell. Right now every employee is given a key that opens all the buildings but sometimes the keys are lost, stolen or an employee leaves without notice so it's become troublesome having keys out that are unaccounted for. Commissioner Dale is okay with the keyless being purchased as long as once wireless access is available they'll be able to be retrofitted to work with the wireless, Director Bicak said he would look into that and keep the Board updated. The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

**SECOND DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 14, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

**APPROVED SALARY RATE REQUEST**

The Board approved a salary rate request for Randy Layne Jones.

**APPROVED PURCHASE ORDER**



The Board approved the following purchase order(s):

- L&W Supply in the amount of 1077.13 for the Facilities Department
- Delta Fire Systems in the amount of \$1285.00 for the Facilities Department
- Caldwell Glass in the amount of \$2059.34 for the Facilities Department
- D&A Door & Specialties in the amount of \$1248.00 for the Facilities Department
- Overhead Door in the amount of \$5000.00 for the Facilities Department

APPROVED CLAIMS ORDER NO. 2-24-17

The Board of Commissioners approved payment of County claims in the amount of \$57,128.18, \$82,357.23, \$137,864.87 for accounts payable.

APPROVED NOVEMBER 2016 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2016 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

BIWEEKLY MEETING WITH THE HUMAN RESOURCES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:50 a.m. for a biweekly meeting with the Human Resources Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Controller Zach Wagoner, HR Director Sue Baumgart, Fair Director Diana Sinner, Facilities Director Paul Navarro (left at 8:57 a.m.) and Deputy Clerk Jenen Ross.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, ATTORNEY-CLIENT COMMUNICATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 8:50 a.m. for a biweekly meeting with the Human Resources Director to discuss general issues, set policy and give direction. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation, attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 8:51 a.m. pursuant to Idaho Code, Section 74-206 (1) (b) (d) (f) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Controller Zach Wagoner, HR Director Sue Baumgart, Fair Director Diana Sinner, Facilities Director Paul Navarro (left at 8:57 a.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

The meeting concluded at 10:00 a.m. An audio recording is available in the Commissioners' Office of the open portion of the meeting.

#### BIWEEKLY MEETING WITH THE INTERIM FAIR DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:01 a.m. for a biweekly meeting with the Interim Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Interim Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Ms. Sinner reported on the following items: headlining entertainment for the fair has been booked for Thursday, Friday and Saturday including the opening acts; signed contracts are still being worked on. Food concession applications have been sent out and are due back in March, Commercial vendor applications have been sent out and are due back in May. She has been working on the exhibitor guide changes for 4H and open class, that document is published the beginning of May and distributed mid-May; it contains all the show schedules, rules and class listings. Ms. Sinner will meet with Paul Navarro and Zach Wagoner tomorrow to review fair building expenses. They are already getting inquiries regarding building rental for 2018 – 2020 and is wondering if blocks of time should be marked out when the building isn't rented so that the facilities department will have access and be able to make improvements. Commissioner Dale said to work with Mr. Navarro to identify what needs to be done and go from there. She will be meeting with the PA's office to review the contracts from last year and then whatever is in the works for this year and will continue meeting with the extension office regarding this year's fair and potential changes for next year. Commissioner Dale asked if the email situation had been worked out and Ms. Sinner indicated that emails being sent to Rosalie Cope's address are now being forwarded to her. The Board instructed that if she has any questions or needs help getting into Ms. Cope's computer to work with IT to obtain what she's looking for. There is a meeting scheduled for the 21<sup>st</sup> with the City of Caldwell to discuss the future of the fair. The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

#### WEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:33 a.m. for a weekly meeting with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Navarro reported on the following items: update on Pod 5: the hardening material is on its way and his department is doing some prep work in the meantime; materials for the kitchen lid have been ordered and should be arriving by the end of this week. They've met with the Sheriff and his staff and they've requested that just the lid be installed at this time but they may need to revisit the subject at a later time. The door for the kitchen is done, he originally wanted to put a continuous hinge on there but were unable to because of the way the door sits in a canvass frame, you have to have 3-4 inches on each side and that space just isn't available, however, stronger hinges were installed. With regard to the lid for the rec yard: he is headed to Jerome County tomorrow with Houston Bugatsch Architects (HBA) and Performance Engineers to meet with Sheriff McFall; they will work to get pictures and dimensions of the fencing material that has been offered by Jerome County. Director Navarro is working with Sam Laugheed to put the remainder of the fencing project out for bid. He explained that we have final drawings and that he met last Tuesday with the Sheriff's command staff and Chief Dashiell and that they have a design which the architect is putting on paper so it can be submitted as part of the SUP hearing and the neighborhood meeting. He has filed for the SUP with the city and is on the March 6 agenda for the city council meeting and then will have a neighborhood meeting for property owners within 300 feet of the jail, which will take place on February 23 at 7:00 pm. Commissioner Dale feels the presenter at these meetings should be someone from the Sheriff's staff or Mr. Navarro. An update was given on the fairgrounds; there has been a lot of clean up over the last week, they've cleaned up the front of the property and done a lot of landscaping and are gathering estimates on immediate needs and determining what can be delayed. The building needs a lot of TLC, there is a lot of painting that needs to occur and he thinks he may be able to work with some Eagle Scout troops to help with some of that. In general the building is deteriorating, there are gutter issues and water is coming into the building. The priority right now is determining what can be done before the fair this year and what large capital improvements can be budgeted for in FY2018. He has obtained a copy of the budget for the fair and there is approximately \$55K available between ground and building supplies and then another line for stall repair and maintenance for \$7000. He is meeting with Diana Sinner and Zach Wagoner to identify immediate needs can come out of that budget. Mr. Wagoner has told him that it is a fair fund and is not supported by the general fund, the fair is its own taxing entity and he doesn't want to use county general fund money. Mr. Navarro estimates the cost to be between \$90K and \$150K for repairs and maintenance as the building is in severe neglect. The heaters are 35 years old and gas continues to flow out of them, there are water issues and during the spring there can be up to 1.5 inches of water in the restrooms or the office downstairs, storm water problems, the equipment is in pretty good shape but there are some long-term items that need to be addressed that are in pretty bad shape. He will work with Mr. Wagoner on budget numbers and report back to the Board. Director Rast reported on the following topics: beginning in March the print shop will be locked during the day and only employees with a badge will have access. He is continuing to work with the City of Caldwell and legal to line out the

liabilities and responsibilities regarding the MOU for use of the dark fiber at the Caldwell Airport. There is a meeting tomorrow with the Ambulance District to discuss them coming under the county IT services, they are not getting great support thru the consultant they're currently using causing ambulances and connectivity to be down for days at a time because a technician can't make it out. Director Rast is working with Zach Wagoner to evaluate what the charge back for this service would look like. Commissioner Dale asked if this would require extra staff for the IT Department, Director Rast indicated it would require the addition of 2 more staff to support the Ambulance District. He is looking at a 70/30 split with 70% of the time allocated to the ambulance district, 30% Canyon County use. Additionally, IT will soon be taking over the Waste Works system at the landfill, Waste Works is how payments are accepted, the scales, credit card processing. Right now currently 20% of the annual landfill revenue is paid back to the county and he is hoping some of that will offset hiring an addition person. Commissioner Rule instructed Mr. Rast not to be afraid to ask for the 20% to be increased to 22% or 24%. Idaho Tower came out yesterday to do the line of site testing, they tested out by fleet, the landfill and parks; we're now just waiting for their proposal. They'll provide information on how high they need to go and also any requirements or recommendation. Parks is posing a problem with all the trees so they've asked Idaho Tower to give options. The Enterprise fund will pay for the towers from parks to landfill. The employee portal is being rolled out and will be a service site for HR, fleet, facilities, IT and auditing. The evaluation tool deadline is March 1, they are going thru final testing with HR right now. Audio in the super courtroom has been completed and described as "50,000 times better" and are now going to bring in a video expert to look at video capabilities. The estimated timeline for completion is one courtroom per week, hopefully to be completed by March 14. Commissioner Dale asked about card locks at the parks offices, Director Navarro explained that it's a huge time drain for his employee to run out to Celebration Park or the Lake Lowell office every time an employee is added or deleted, there is only one person who has access to the database and can add or delete employees from the system; but explained that creating PIN's can be done easily but a badge is more involved. The Board also asked about creating individualized PIN's for the BOCC and staff for the office doors, Mr. Navarro will have John Blight get in contact with the office to get those number created. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

**THIRD DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 15, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

**APPROVED CLAIMS ORDER NO. 1710**

The Board approved payment of County claims in the amount of \$1,528,159.52 for payroll.

### CONSIDER INDIGENT DECISIONS

The Board met today at 1:16 p.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Hearing Specialist Michelle Kidd and Deputy Clerk Jenen Ross. Ms. Kidd presented the following cases as initial denials as they do not meet the criteria for approval: Case Nos. 2017-0466, 2017-0450, 2017-0411, 2017-0429, 2017-0549, 2017-0463 and 2017-0594; Commissioner Rule made a motion to move forward with the initial denials as read into the record, Commissioner Dale seconded the motion with the Board voting unanimously on the motion. Case No. 2017-491 for cremation was recommended to be taken under advisement with a final decision to be issued within 30 days, Commissioner Rule made a motion to take the case under advisement and Commissioner Dale seconded the motion with the Board voting unanimously on the motion. The meeting concluded at 1:19 a.m. An audio recording is on file in the Commissioners' Office.

### EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING POTENTIAL LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 1:33 p.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding potential claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 1:34 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, PIO Joe Decker, and Deputy Clerk Monica Reeves. Mr. Decker left at 1:47 p.m. The Executive Session concluded at 2:13 p.m. with no decision being called for in open session.

### MEETING TO DISCUSS AMBULANCE DISTRICT IT SERVICES

The Board met today at 2:14 p.m. regarding a request by the Canyon County Ambulance District for IT services. Present were: Commissioners Tom Dale, Pam White and Steve Rule,

IT Director Greg Rast, Ambulance District Director Robb Hickey, Steve Platos from the Ambulance District, and Deputy Clerk Monica Reeves. Director Hickey has had discussions with Director Rast regarding their IT needs, and although he is happy with their current contracted provider they do not have the depth or the response the district needs. Director Rast said the district's current provider is a good company, but they are not taking care of the needs. He discussed this with the Controller and they are thinking of four options:

- 1) Leave it as-is
- 2) The County takes on the district as a service, but that's not really an option
- 3) Do a charge-back model per hour
- 4) Do a lump transfer back to the County for services on a fiscal basis

He submitted a spreadsheet with the lump transfer recommendation which will take two IT staff and 70% of the time to allocate to them for redundancy and depth and on-call needs. (70% for the district and 30% for the County.) The big picture cost is \$198,806, which includes on-call, benefits and salary for EMS System Administrator (Network Architect) and an EMS Network Technician (Lead Technical Services). The County salary responsibility is \$59,641, with a chargeback amount of \$154,867. Commissioner Rule said this is speculative, and it's difficult for Director Rast to see what the true program will entail. He asked if they would consider a time and materials approach the first year. He also said perhaps we should look at other options. Director Rast said the ambulance administrative building is a stone's throw away from the DMV building and we could extend the core network to the building. He said the Board trusts him to run the IT Department and this is the proposal. He has vetted it through the Controller and he likes the chargeback with a guaranteed 70%. Commissioner White asked if it can be looked at on a yearly budget cycle with the understanding there is the flexibility in both budgets for increases or decreases. Director Rast said there will be an annual review; the Board is getting the worst case scenarios on salary and that's why he added on-call with benefits. The scalability with 70/30 is a moving target which means they can track the time and if it slides to 85/15 then they'll charge 85% on the next budget cycle, but that is worst case. He said there will be an MOU between the two entities and it would be reviewed every year. With regard to the current provider, Commissioner Dale said it sounds like they need assistance now and he said they should do this in the most efficient way possible. Director Rast said the County will not assume any responsibility for hardware, this is strictly labor, not material. IT would do the labor and the work, so instead of paying the third party the District will pay the County. He feels very comfortable with the proposal and the only thing he'd ask is to just getting it done (May 1) and making sure we have a target date and then we prorate from May 1 and see what that looks like. We have to get the connection to the district office before we cancel their existing contract. Director Hickey said conduit is the fiber optic is not there. Commissioner Rule asked Director Hickey to schedule another meeting with the Board and bring an inventory map of their sites, how many staff operate out of each site, and how many vehicles are at each. Commissioner Dale said it sounds like we are onboard so they should bring back a proposal. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING APPLICATION FOR WATER RIGHT PERMIT FOR CELEBRATION PARK

The Board met today at 2:39 p.m. consider signing an application for a water right permit for Celebration Park. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, and Deputy Clerk Monica Reeves. David Eames said there is a new building at the park and they have been going through a process to get a new well at that site. They met with DEQ and one of things that needs to be done is apply for a water right permit. The application has been completed by Carl Geiger from Focus Engineering. Commissioner Rule said there is a line about the proposal for a new dam, but it's confusing to have it on the document. Mr. Eames said that was typed on the pre-existing application and the engineer checked "No" after it and filled in "N/A" on the blank spots. He thinks it's clear that it's just for the well. There is a \$100 application fee. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the application to appropriate public waters of the State of Idaho. Mr. Eames said they're not sure we'll need the water right approval but we have to apply anyway and the State will determine that based on how much water usage went through there. DEQ still has to do their final approval. There is a concern they could make the County re-drill the other well that's located by the main office at Celebration Park, but if they do we will fight it. There were a couple things the engineer said we would be fine doing by putting in a backflow and a couple of other things at a minimal cost; he doesn't think we will have to fix something that isn't broken, but we have to wait for final approval. At that point we will go through the procurement process. The meeting concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

**FOURTH DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 16, 2017**

**PRESENT:   Commissioner Tom Dale, Chairman  
              Commissioner Pam White  
              Commissioner Steve Rule  
              Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Overhead Door Company in the amount of \$21,500.00 for the Facilities Department
- R&H Wholesale Supply in the amount of \$2,032.00 for the Facilities Department
- Western Building Supply in the amount of \$4,993.89 for the Facilities Department
- Canyon Truck Upfitters in the amount of \$7,495.86 for the Fleet Department
- Dell in the amount of \$3,165.49 for the Information Technology Department

APPROVE COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved commuter vehicle authorization forms for Sheriff's Office employees Amanda Messenger and Adeline Lustig.

#### CONSIDER AN INDIGENT DECISION FOR CASE NO. 2017-491

The Board met today at 9:04 a.m. to consider an indigent decision. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Interview Specialist Kellie George, and Deputy Clerk Monica Reeves. Director Baker said Case No. 2017-491 was brought to the Board yesterday and it was initially denied, but after discussions with the Prosecutor's Office it appears the Board took it under advisement for approval. She wasn't here yesterday so she wasn't certain of the details that were given to the Board, but she said there is an appeal requesting payment of \$1,625 for cremation, however, the County's resolution only allows up to \$1,000 for assistance. Director Baker presented the Board with the actual decision for signature for Case No. 2017-491. The proceeding concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-0083

The Board met today at 9:11 a.m. to conduct a medical indigency hearing for Case No. 2017-0083. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, the applicant, Kelly Hobza from St. Luke's Regional Medical Center, Attorney Mark Peterson, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take the case under advisement for final approval to be rendered in 30 days. The hearing concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1206

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for Case No. 2016-1206. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, the applicant, the applicant's father, Flyer Seabrook from St. Luke's Regional Medical Center, Attorney Mark Peterson, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the case under advisement for final approval to be rendered in 30 days. The hearing concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.



MEDICAL INDIGENCY HEARING FOR CASE NOS. 2016-1099 AND 2016-1289

The Board met today at 9:35 a.m. to conduct a medical indigency hearing for Case Nos. 2016-1099 and 2016-1289. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Cassie Caciopo from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. The applicant did not appear for this hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take the case under advisement for final approval to be rendered in 30 days. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1722

The Board met today at 9:44 a.m. to conduct a medical indigency hearing for Case No. 2016-1722. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, the applicant, the applicant's girlfriend, Kelly Hobza from St. Luke's Regional Medical Center, Attorney Mark Peterson, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the case under advisement for final approval to be rendered in 30 days. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2016-0697 AND 2016-0696

The Board met today at 10:00 a.m. to conduct a medical indigency hearing for Case Nos. 2016-0697 and 2016-0696. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, the applicants, the applicants' mother, Attorney Rick Tuha, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the case No. 2016-0697 under advisement for final denial to be rendered in 30 days. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to place Case No. 2016-0696 in suspension. The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2016-0746 AND 2016-0745

The Board met today at 10:12 a.m. to conduct a medical indigency hearing for Case Nos. 2016-0746 and 2016-0745. Present were: Commissioners Tom Dale, Pam White and Steve

Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take Case No. 2016-0746 under advisement for final denial to be rendered in 30 days. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take Case No. 2016-0745 under advisement for final approval to be rendered in 30 days. The hearing concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1657

The Board met today at 10:25 a.m. to conduct a medical indigency hearing for Case No. 2016-1657. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, the applicant, the applicant's mother, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. The hospital representative did not appear for the hearing. Commissioner Rule made a motion to deny the case and issue a written decision within 30 days. The motion was seconded by Commissioner Dale. Commissioner White was opposed to the motion to deny. The motion carried by two-to-one split vote with Commissioner White casting the only dissenting vote. The hearing concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY MATTERS

The Board met today at 10:44 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, Interview Specialist Kelsee Hale, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to continue Case No. 2016-1705 to May 18, 2017 and Case No. 2016-1710 to March 9, 2017. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the following cases under advisement for final approval within 30 days: Case Nos. 2017-30, 2016-1559, 2016-1704, and 2016-925. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to place Case No. 2017-243 in suspension pending final outcome of the outstanding resource. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the following cases under advisement with the final decision denying the case to be rendered within 30 days: Case Nos. 2017-177, 2016-1714, 2016-1517, 2017-36 and 2017-94. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING RESOLUTION OF THE CANYON COUNTY BOARD OF COMMISSIONERS DESIGNATING SURPLUS PERSONAL PROPERTY WITH NOMINAL VALUE

The Board met today at 11:03 a.m. for a legal staff update and to consider signing a resolution of the Canyon County Board of Commissioners designating surplus personal property with nominal value. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Chief Deputy P.A. Sam Laugheed, Deputy P.A. David Eames and Deputy Clerk Jenen Ross. Mr. Laugheed explained that Assessor Kuehn will resign at the end of the month and it has been the practice of the county that when an elected official leaves the county will allow them to keep their county issued phone if it is below a certain value. Director Rast said they've run Assessor Kuehn's phone, a Samsung Galaxy S7, thru their online appraisal system and the phone is valued at \$155. This resolution memorialized that value and makes a record of who it belonged to and that if it were not granted to Assessor Kuehn it would simply be destroyed or repurposed to no real value. Director Rast explained that they will clean up the phone before it is turned over to Assessor Kuehn and help him port the number onto his personal account at his own cost. Commissioner Rule made a motion to sign the resolution designating surplus personal property with nominal value, the motion was seconded by Commissioner White. A roll call vote was taken with the Board voting unanimously to sign the resolution (See Resolution No. 17-029). Mr. Eames continued with the legal staff update stating that a while back a safe driving course was discussed. The course that was proposed is thru ICRMP and is no cost to the county; the training is specifically geared toward speeding but ICRMP has approximately 8-10 different programs that rotate each year. Mr. Eames doesn't feel its sufficient driving training and doesn't cover multiple safety issues. In addition to the online training, the training courses also require two in-person classes. Commissioner Dale indicated that ICRMP offers several safety training courses called ICRMP University and feels it needs to be considered as it offers a 5% discount. The offset to the discount would be the cost of employee time; this was discussed amongst the elected officials a few years ago and at that time it they decided against the trainings. Mr. Laugheed pointed out that there are two different issues here, the first being the driving claims and the second being workplace safety. He indicated that most of the driving claims are associated with the Sheriff's Office just due to the nature of the job and workplace injury claims are tracked thru HR and eventually turn into workman's comp claims. At this point the Board is not ready to move on any of the driving training courses but Commissioner Dale suggested we determine our points of weakness and specifically address those. Mr. Laugheed agreed and stated that HR and IT have several training courses that are rolled out regularly and that Director Tolman and the fleet department may be able to create driving related courses that specifically address the needs of the county and integrated into the new employee portal. The meeting concluded at 11:17 a.m. A recoding of the meeting is on file in the Commissioners' Office.

**FIFTH DAY OF THE FEBRUARY TERM, A.D., 2017**

**CALDWELL, IDAHO FEBRUARY 17, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Steven J. Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Northwest Service Technologies in the amount of \$3,190.00 for the Facilities Department
- Hyland Software in the amount of \$3,000.00 for the Information Technologies Department
- Henriksen Butler Design in the amount of \$2,708.95 for the Information Technologies Department
- Netwrix in the amount of \$22,074.00

APPROVED SALARY RATE AND ACCESS CONTROL REQUEST

The Board approved a salary rate and access control request for Scott Hagen, Deputy Public Defender II.

LEGAL STAFF UPDATE, AND CONSIDER SIGNING A RESOLUTION TO ISSUE A REFUND TO TRUDY WEBB FOR AN ADMINISTRATIVE DECISION AND A RESOLUTION TO APPOINT ELIZABETH MAMER TO THE CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 9:00 a.m. for a legal staff update and to consider signing a resolution issue a refund to Trudy Webb for an administrative decision, and a resolution to appoint Elizabeth Mater to the Canyon County Mosquito Abatement District Board of Trustees. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, DSD Director Tricia Nilsson, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. Director Nilsson said Trudy Webb paid a fee for a minor re-plat of Lot 7 in Riverfront Estates. The subdivision was approved 9-10 years ago and staff was first alerted there was an issue with Lot 7 when they inquired of a flood plain question, but when Director Nilsson reviewed the plat she found a bigger issue in that it is a common lot and they cannot issue a building permit for it. Staff has been working with them and the only way to remove it is to do a minor re-plat. They have designated a different lot as a common lot so the current state of the subdivision is consistent with the Board's approval. Commissioner Rule questioned the refund because fees are based on staff's time. Director Nilsson said if Ms. Webb had come in with a building permit and

paid \$70 for a zoning review staff would have been denied; it was up to make the building permit issuance clean. She said there hasn't been a lot of work on our end, but there has been a lot on Ms. Webb's end. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the resolution issuing a refund to Trudy Web in the amount of \$550. (See Resolution No. 17-030.) Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the resolution reappointing Elizabeth Mamer to the Canyon County Mosquito Abatement District Board of Trustees. (See Resolution No. 17-031.) As part of the legal staff update, Commissioner Dale said the Board received two tort claims for pothole accidents on the freeway, and he wanted to know if it costs the County for the time the attorneys have to spend on such claims for which the County has no jurisdiction, authority, or liability. Sam Laugheed said the amount of time he spends is pretty negligible because it's easily reviewable on its face that the County has no involvement. There are a number of attorneys in the valley who are under the impression that tort claims have to be filed with the Clerk of the Board even if it doesn't involve the County and so the Prosecutor's Office has tried to correct that in the past and it's proved not worth their time to have that dialog so they just pass the claims on to ICRMP. The Board went into Executive Session as follows:

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Rule made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:07 a.m. with no decision being called for in open session.

An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

**SIXTH DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 21, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Steven J. Rule**

## **Deputy Clerk Monica Reeves / Jenen Ross**

### APPROVED SALARY RATE AND ACCESS CONTROL REQUEST

The Board approved a salary rate and access control request for Diana Sinner as the Interim Fair Director.

### APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Caxton in the amount of \$5816.56 for the Trial Court Administrator
- Skyline Silversmiths, LLC in the amount of \$4,520.00 for the County Fair
- E.G. Staats & Co., Inc., in the amount of \$4,850.00

### APPROVED CLAIMS ORDER NO. 2-24-17

The Board approved payment of County claims in the amount of \$7,658.64, \$40,206.69, \$113,538.32 and \$111,216.43 for accounts payable.

### WEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 11:05 a.m. for a weekly meeting with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Rast gave updates on the following items: At the end of this fiscal year we will be separating our Accela agreement from the City of Caldwell, they will be going to a hosted solution and the county will be going to an in-house written solution. The separation was planned for this past weekend but it didn't go as planned and the upgrade did not take place. They are going back to the drawing board and meeting with the City of Caldwell to see what went wrong and how to move forward. They recently closed out a project for the Sheriff's Office records, a legacy application call Delphi, the application was written 15 years ago and it's being converted over to reports that can be pulled from the database. Line of site between the courthouse and the landfill and the structure were proven good by Idaho Tower, also the line of site between the landfill and Lake Lowell was proven good other than we may need to install a 25 ft. tower at the lake due to the trees and the lake. They've also done a scope at Celebration Park to make sure we can extend from the parks office to the museum and the shop for the dorms back behind. They are working to determine the cost at this point, the landfill will be paid from the Enterprise fund so they'll continue moving forward with that portion and the other locations will need to be vetted to see where budgeting comes in.

The target date to go live with the employee portal is this Friday, or worse case next Friday. He's been working with HR and legal on the new employee procedures; it's in the final stages at HR and he hopes to have it in front of the Board soon for approval so that it can be adopted. Director Navarro updated the Board on the following items: He's met with the Controller and the fair staff and they have identified a list of things that can be done before the fair this year; they will be replacing all the man-doors, roll-up doors, bathroom dispensers, doorknobs and light fixtures and then putting up a new sign at the end of the building that faces 22<sup>nd</sup>; there are 3 Eagle Scout groups that he has lined up to do some painting projects and there is an epoxy floor system that the facilities team will do themselves; he's been in contact with the company that provides the big fans and they are working on a proposal for 3 – 20ft. in diameter fans, these will be installed by the facilities team also although it is going to take some re-working of the electrical panels. Director Navarro met with the Jerome County Sheriff last week to look at their rec yard and lid; worst case scenario there are 360 linear feet of 10-foot chain-link that they have offered. Mr. Navarro reviewed a drawing with the Board of what the Sheriff would like for the fencing around the rec yard and the lid, the Sheriff is asking for 10 feet of chain-link with 2 4-foot automated gates operated from the inside of the tent; he is still trying to design the lid with a chain-link type claw for the top, the downside is that there are 4 trusses that are fabricated but they are not well made and will not pass inspection. He has a plan for the design of those trusses and will try to fabricate those in-house. He has blueprints printed out for the upcoming neighborhood and City Council meetings which will address both the Special Use Permit and the variance for the fence. The Reynobond is being installed and he hopes to have it done Friday and the kitchen lid will be started Monday with completion by Friday. Commissioner Dale said he plans to attend the neighborhood meeting with Mr. Navarro. The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A RESOLUTION AUTHORIZING PAYMENT OF EXCESS SALE PROCEEDS PURSUANT TO IDAHO CODE §31-808

The Board met today at 2:08 p.m. to consider signing a resolution authorizing payment of excess sale proceeds pursuant to Idaho Code §31-808. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Controller Zach Wagoner, Megan Sullivan-Conrad from Zions Bank, and Deputy Clerk Monica Reeves. The resolution distributes the excess funds from the November 2016 tax sale to parties in interest with the remainder being sent to the State Treasurer as unclaimed property to be distributed pursuant to their procedures. There weren't any objections to the resolution. Megan Sullivan-Conrad, who represents Zions Bank, was here only to observe. Tracie Lloyd said in the past the County had to hold onto the funds for three years and put them in trust waiting for distribution, but this year they will be sent to the State Treasurer and they will follow the unclaimed property procedures. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the resolution authorizing payment of excess sale proceeds pursuant to Idaho Code §31-808. (See Resolution No. 17-032.) The meeting concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE DIRECTORS OF MISDEMEANOR PROBATION AND JUVENILE PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:31 p.m. for a biweekly meeting with the Directors of Misdemeanor Probation and Juvenile Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Chief Juvenile Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Juvenile Probation Electronic Monitoring Officer Everett Taylor, Juvenile Probation Community Service Officer Ross Garven, Juvenile Probation Pre-Sentence Investigator Flor Gaona, Juvenile Probation Intake Officer Angie Martinez, Juvenile Probation Unit Supervisor Leticia Vance and Deputy Clerk Jenen Ross. Ms. Catalano brought several support staff with her who each explained their job responsibilities within Juvenile Probation. Director Breach reported on the following items: there is a domestic violence shareholders meeting coming up on Tuesday and then he'll have a better sense of what the domestic violence court will look like going forward. In March they will be sending one of their probation officers along with Judge Kline and the statewide domestic violence court coordinator over to the 7<sup>th</sup> district to view how they run the domestic violence court, get a sense of their best practices and what it working well for them that Canyon County can apply to the domestic violence court, the Supreme Court will be paying the expenses for this trip; they will be visiting Bingham County, Bonneville County and will also view Bonneville County's high-risk domestic violence court, he believes it will be a good opportunity for the team to see how it's working. The uniform policy has been put in place and so far it's gone pretty well with only a few minor complaints. Lisa Sheehan and Julie Cornell will be attending LSI instructor training this week. Director Breach recently attended a training on risk assessments so when Ms. Sheehan and Ms. Cornell return from training they'll be moving forward to better quality control on risk assessments to make sure they are really being done well across the board. Training will be complete in May when the national instructors will be here to make them certified trainers, they will then be the instructors for this judicial district. The meeting concluded at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE JUVENILE DETENTION DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:47 p.m. for a biweekly meeting with the Juvenile Detention Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett reported on the following items: they are staying below 30 juveniles in the detention center which is good for programming. Valley County is closing their detention center and have approached Director Jett about housing their kids; Zach Wesley is reviewing the contract that would be put in place for this to happen. The contract would not involve any transportation, it would be housing only. Commissioner Rule fully supports the housing of Valley County juveniles but not any sort of transportation as it is a liability to the county; Director Jett confirmed that they don't transport any kids unless it's an emergency situation. He only anticipates having kids a



couple days a month but may see an increase in juveniles coming from Washington or Gem Counties as they had previously used the Valley County detention center. One county did approach him about a reduced cost and he denied that request due to the cost of programming and he's not willing to just let kids sit in their rooms all day. Zach Wesley is also working on a couple of contracts for PREA audits of the 3B detention center in Bonneville County and the 5C detention center in St. Anthony. He has 3 of his new officers that started in October at POST with several staff members and himself teaching various courses. The garden has started back up and they've been approached by Ariel Agenbroad from the U of I Extension office about Craig Olsen helping Payette County start a garden; Director Jett said he's okay with him going to a meeting or two but not doing the garden for them. Commissioner Rule asked for a written schedule of Payette County's request of Mr. Olsen's time. Mr. Jett testified recently about the Rule of 80 for Juvenile Detention and Juvenile Probation but it failed to get out of committee. He has been approached by ETR (Education, Training and Research) regarding some classes they could do in detention but he has not given them an answer yet. Commissioner Rule asked if he had any building issues, Mr. Jett didn't report any issues. The meeting concluded at 3:00 p.m. An audio recording is on file in the Commissioners' Office.

#### MONTHLY MEETING WITH THE SOLID WASTE DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 3:14 p.m. for a monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper reported on the following items: the manpower of the work release program is a valuable program to the landfill and the community and he will continue to work with the Sheriff in regards to keeping the program running; review of waste amounts, they are down 10.4% from last January and about even for the fiscal year. They are in the process of planning the household hazardous waste event for the spring or early summer, he's been working with Stericycle to coordinate a venue to handle the amount of traffic that comes thru; the Idaho Center is willing to work with the County for the event without charge; tentatively looking at June 11, however it's a Sunday vs. a Saturday. Still in the process of doing the GPS equipment demos, so far 2 different models have been tested. He will work with Brad Goodsell for the bid process once they've narrowed the search; the total cost of the equipment will be approximately \$30 - \$50K and will allow them to get accurate elevations, cut and fill and make sure the gas lines are correct. They will go over to Ada County next week to see how their gas lines are installed and learn their process; they will also be able to see how they handle the bio-solid loads. Director Loper hopes to start receiving the bio-solids in the spring, he's spoken with the consultant and she's worked up an operational plan with strategies and rates. Would really like to do the first round of tier 4 air sampling before the first load is brought in, which will give him an idea if they're close to hitting the limit or pretty far off still; they may look at putting more requirements on the percentage of dryness required before it can be brought to the landfill. Commissioner Dale asked if they've seen a lot of onions come over since the collapse of the onion sheds, Mr. Loper said he's taken a few onions from Canyon County but not much over

the normal amount; he tries to space out the loads being brought in so they don't get too many in one day. He will be attending the Idaho Solid Waste Association Conference in March; it's a local conference that will take place at BSU and he plans to send some of his staff for some industry training. The day before the conference is an operator training which included a field trip where they'll visit the Meridian Transfer Station and then will tour the Pickles Butte Landfill. The windstorm today blew over the portable bull-fences along with about an 80 yard section of the permanent fence so he will be having SILD workers help with the debris clean up. The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 3:34 p.m. for a biweekly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman reported on the following items: New vehicles will be coming in soon so he has some surplus vehicles ready to go out. He presented titles for 8 patrol vehicles, 1 SILD van and one CID vehicle to be signed so the vehicles can be sold on the auction site. A couple years ago they purchased two shipping containers but have never had the opportunity to utilize them as the Public Defender files have been stored in them the entire time, he has asked if he should look into purchasing additional storage containers as he has an entire bay in his shop currently being used for storage. Commissioner Rule suggested sending an email to Paul Navarro and copy the Board to see if something can be worked out to get those containers cleaned out. The meeting concluded at 3:41 p.m. An audio recording is on file in the Commissioners' Office.

**SEVENTH DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 22, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Steven J. Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mike's Metal Fab, Inc in the amount of \$2922.00 for the Solid Waste Department

MONTHLY MEETING WITH THE PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:27 a.m. for a monthly meeting with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Public Defender Tera Harden, Office Administrator Deepak Budwani Fleet Director Mark Tolman (left at 8:34 a.m.) and Deputy Clerk Jenen Ross. The topics of discussion included the following items: the files being held in the storage containers located on the fleet and maintenance lots were discussed, Ms. Harden explained that her office has no file storage and the files being stored go back to the 1980's. They are in the process of getting all the files scanned and she feels that they can probably consolidate the files into just one storage unit. Director Tolman said that even having one storage container freed up would help immensely. They will look at what they have still stored and will work with crews from the facilities and possibly fleet to help in moving the files around. Ms. Harden feels that this summer she'll have some staff available to help with getting more of the files scanned and out of the containers. Ms. Harden continued with her meeting giving a review and breakdown of her budget, time spent on cases and caseloads; her biggest area of concern is conflict counsel as there have been a lot of cases going to trial which require a significant amount of work, however, she believes they have a couple of other line items they can take from to cover the conflict counsel budget. Her other area of concern is airfare, car rental and education and training, in order for Ms. Harden to stay death penalty qualified she recently had to attend a training in San Diego; the additional benefit of attending the training is that she has the opportunity to meet with experts across the county such as pathologists and a developmental disability psychologist and those individuals will frequently consult on cases at no or very low cost because of this relationship. Last week she was able to send her two newest lawyers to an intensive training in King County at no cost because of the relationships she's created in her work with Gideon's Promise, which is a national defense training organization based out of Atlanta; the training alone would have cost over \$1000 per lawyer but the only cost to the county was for airfare, hotel and food. They've hired a new lawyer who will start on February 27, he has been practicing for the last 13 years in Montana. Asked if there were any questions in regards to the annual report and pointed out that there was an increase of 38.5% in cases from 2015. The biggest change from 2016 to 2017 is that the public defender will be appointed on all juvenile cases. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER INDIGENT DECISIONS

The Board met today at 9:08 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Ms. Baker presented the following case numbers that do not meet the criteria for eligibility: 2017-483, 2017-479, 2017-515, 2017-484, 2017-614, 2017-442, 2017-482, 2017-495, 2017-185, 2017-471, 2017-504, 2017-516, 2017-465, 2017-591, 2017-592 and 2017-496 Commissioner Rule made a motion to approve the initial denials for the case numbers as read into the record, Commissioner Dale seconded the motion with the Board voting unanimously on the motion. Upon the motion by Commissioner Rule to issue initial determination of denials and second by Commissioner Dale on the following cases, the Board voted unanimously to issue initial determination denials on the cases as

read into the record: 2016-1701, 2016-1702, 2016-1622, 2016-1611, 2016-865, 2016-1419, 2016-1621 and 2016-1703. The following cases do meet the criteria for eligibility: 2016-662, 2016-454 and 2016-1583, Commissioner Rule made a motion to issue a final approval for the cases as read into the record and Commissioner Dale seconded the motion with the Board voting unanimously on the motion. The following case meets the criteria for eligibility for a burial: case no. 2017-633, Commissioner Rule made a motion to approve the burial decision and Commissioner Dale seconded the motion with the Board voting unanimously on the motion. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

**LEGAL STAFF UPDATE AND CONSIDER SIGNING CANYON COUNTY JAIL RENEWAL APPLICATION FOR MEDICAL PROFESSIONAL LIABILITY INSURANCE**

The Board met today at 9:17 a.m. for a legal staff update and consider signing Canyon County Jail renewal application for medical professional liability insurance. Present were: Commissioner Tom Dale and Steve Rule, Deputy P.A. Mike Porter, Jail Captain Daren Ward (left at 9:18) and Deputy Clerk Jenen Ross. Mr. Porter explained that this is a renewal of an application for medical professional liability insurance. The jail runs a medical unit with a doctor and a PA on staff as well as an RN and several LPN's and this is the insurance for that program. Mr. Porter confirmed that there are no legal issues with the document. Commissioner Rule made a motion to sign the Canyon County Jail renewal application for medical professional liability insurance, Commissioner Dale seconded the motion with the Board voting unanimously to sign the agreement (See Agreement No. 17-005). There were no discussion items for the legal staff update. The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

**EIGHTH DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 23, 2017**

**PRESENT:   Commissioner Tom Dale, Chairman  
              Commissioner Steven J. Rule  
              Deputy Clerk Monica Reeves / Jenen Ross**

**APPROVED PURCHASE ORDERS**

The Board approved the following purchase order(s):

- Executrain in the amount of \$1,300.00 for the Information Technology Department

**MEDICAL INDIGENCY MATTERS**

The Board met today at 8:46 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Steve Rule, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, and Deputy Clerk Monica Reeves. Neither the hospital representative nor the applicant appeared for the following cases: Case Nos. 2017-127, 2017-58, 2017-170, 2017-63, 2017-230, and 2017-29. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take the cases under advisement for a written decision of denial to be issued within 30 days. The proceeding concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-233

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for Case No. 2017-233. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, the applicant, the applicant's son, Attorney Mark Peterson, Kassi Daugherty from St. Luke's Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take it under advisement and issue a written decision for approval within 30 days. The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1403

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for Case No. 2016-1403. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, Timothy Ryan from Saint Alphonsus Regional Medical Center, Interpreter Mercedes Lupercio, the applicant, the applicant's daughter, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take the case under advisement and issue a written decision for denial within 30 days. The hearing concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1406

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for Case No. 2016-1406. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, Interpreter Mercedes Lupercio, Attorney Bryan Nickels, Cassie Cacciopo from Saint Alphonsus Regional Medical Center, the applicant, the applicant's mother, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take the case under

advisement and issue a written decision for approval within 30 days. The hearing concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1614

The Board met today at 9:37 a.m. to conduct a medical indigency hearing for Case No. 2016-1614. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, the applicant, the applicant's sister, Attorney Mark Peterson, Kassi Daugherty from St. Luke's Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take the case under advisement and issue a written decision for approval within 30 days. The hearing concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1221

The Board met today at 9:57 a.m. to conduct a medical indigency hearing for Case No. 2016-1221. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, the applicant, Attorney Bryan Nickels, Timothy Ryan from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to take the case under advisement and issue a written decision for denial within 30 days. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-128

The Board met today at 10:05 a.m. to conduct a medical indigency hearing for Case No. 2017-128. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, the applicant, Attorney Mark Peterson, Amber Jones from St. Luke's Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue Case No. 2017-128 to May 18, 2017. The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY MATTERS

The Board met today at 10:25 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Hearing Specialist Michelle Kidd, Interview Specialist Kellie George, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted

unanimously to take the following cases under advisement for a written decision of denial within 30 days: Case Nos. 2017-159, 2017-114, 2017-134, 2017-173, 2016-957, 2017-59, 2017-133, 2016-1310, and 2016-1433. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 10:38 a.m. for a legal staff update. A request was made to go into Executive Session regarding acquisition of an interest in real property, to discuss records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:39 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d), (f), and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Director Navarro left at 11:03 a.m. The Executive Session concluded at 11:06 a.m. with no decision being called for in open session.

PUBLIC HEARING TO CONSIDER A REQUEST BY DAN RICHARDS FOR AN APPEAL OF A CONDITIONAL USE PERMIT, CASE NO. PH2016-37

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of Dan Richards' appeal for a Conditional Use Permit, Case No. PH2016-37. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Tina Wilson, Dan Richards, Israelle Henman, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The applicant has filed an appeal of the P&Z Commission's denial of a C.U.P. to operate a special events facility. The property is located at 2200 Ten Davis Road in Parma. Staff is recommending approval of the request with recommended conditions. Dan Richards testified that he has lived on the property for 12 years and has owned Rocky Mountain Landscape for 25 years and he is hoping this business venture will replace income. There is a covered building that's been on the property for 10 years and he'd like to request the building permit be waived on it since it's been in existence for a decade. Israelle Henman supports the venture because it is her source of personal income and she's put four years of time and energy into it and would like to continue doing it. Tina Wilson, who serves as the director of the Western Alliance for

Economic Development, said she has been working with the applicants after the denial from the P&Z Commission in helping them get their paperwork together. Regarding the building permit issue, she said the building was built 10 years ago for the family to use and they called it their boat house but people started asking to hold events there so a few years ago they decided to set up the business. Director Nilsson said when a structure is built and used for occupancy and there is a change in how they use it they still have to go through the building permit application process and check for a change of occupancy. The building inspector will review it under that specific occupancy class and see what is required; it can be handled administratively. Ms. Wilson said in the application it was discussed about having only one entrance in and out but after further discussion the applicant applied for the development application for the roadway that goes along Sand Hollow Creek, in comparison to the initial application which said they would go in and out on the eastern road. She asked if it is possible for the applicant to loop it now that he has the application in for the development permit. Can they use both roads for the event center? Director Nilsson said there is a driveway that has been used and another driveway to the events center area from the public road that's in the floodplain. They call it a development permit but it is to authorize the development of that roadway in the flood plain which may require special studies to be submitted before we can authorize use of that roadway to comply with FEMA requirements. She said the condition of approval is to make sure all information is in hand before the County can authorize use of the driveway. Until the development permit is approved they cannot use the western driveway. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Rule made a motion to overturn the P&Z Commission's denial of Case No.PH2016-37 and approve a conditional use permit to operate the special events facility on Parcel R3841-012, subject to the conditions of approval. The motion was seconded by Commissioner Dale who said the request is ideal and opens up the opportunity for some employment and use of the ground for generation of income. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor. The motion carried unanimously. The hearing concluded at 1:57 p.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER AGENDA ITEMS FOR FEBRUARY 23, 2017

The Board met today to consider agenda items for February 23, 2017. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell (left at 2:37 p.m.) Assessor Brian Stender (left at 2:37 p.m.), GIS Land Records Supervisor Sarah Van Dyke (left at 2:37 p.m.), Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Clerk Drew Maffei, HR Specialist Cindy Lorta and Deputy Clerk Jenen Ross. The Board considered the agenda items as follows:

**Consider signing resolution ratifying GIS data products license agreement with the City of Middleton and resolution ratifying GIS data products license agreement with Black Knight Real Estate Data Solutions, LLC**

Ms. Van Dyke explained that the data is used by several different companies, both public and private and occasionally the companies will want to make small



modifications to the license agreements. Mr. Goodsell said that in the past the Assessor's Office has signed the agreement with the other governmental entity who will be granted access to the data and over time it's developed into an agreement that really only the County Commissioners can bind the county for. He has asked the Board to ratify the two agreements before them today and then going forward the Board will just sign the agreements as an entity comes forward and want to use the date. The City of Middleton is granted access for free, however, they want to share the information with a contractor and that has been addressed in the agreement. The other agreement with Black Knight Real Estate Data Solutions, they will be purchasing the data, in the past they've been prohibited from selling the same data the county is selling to them to make a profit, however, they are allowed to modify the data to make it more useful and then sell the more useful data. Commissioner Rule made a motion to sign the resolutions ratifying GIS data products license agreement with the City of Middleton (See Resolution No. 17-035) and Black Knight Real Estate Data Solutions, LLC (See Resolution No. 17-034), the motion was seconded by Commissioner Dale with the Board voting unanimously to sign the resolutions.

**Consider signing a resolution adopting changes to job descriptions, title and salary of positions in the Elections department**

Mr. Maffei explained that they've been working to do some clean-up of the titles of positions within the elections office and Clerk Yamamoto stated that they are restructuring the entire office, how they do business and the staffing needs. Commissioner Rule made a motion to adopt the changes to job descriptions of two positions and title and salary range of one position in the elections department, one senior customer service specialist, one elections technical specialist and one elections technical administrator, the motion was seconded by Commissioner Dale with the Board voting unanimously to sign the resolution (See Resolution No. 17-033).

The meeting concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

**NINETH DAY OF THE FEBRUARY TERM, A.D., 2017  
CALDWELL, IDAHO FEBRUARY 24, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Steven J. Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED CLAIMS ORDER NO. 3-10-17

The Board of Commissioners approved payment of County claims in the amount of \$44,240.89, \$38,439.54 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Global Assets Integrated in the amount of \$1526.37 for the Sheriff's Office

#### APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Rafael Monqueira-Figueira, Joe Dorn, Cory Rowell, Larry O'Dell, Vickie Berry, Jacque Henrickson, Sonya Miller, Deborah Ellis, Megan Thomas, Allie Goeckner and Erin Bostwick.

#### APPROVED DECEMBER TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of December 2016 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### CONSIDER SIGNING RECREATIONAL BOATING SAFETY FUNDS AGREEMENT

The Board met today at 9:01 a.m. to consider signing a recreational boating safety funds agreement. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. David Eames, Deputy P.A. Mike Porter, Lt. Ben Keyes, and Deputy Clerk Monica Reeves. Lt. Keyes said the funds come from the coast guard to the state who filters it to the counties. Canyon County's amount is \$35,052 and it has to be matched at 50%, which comes from motorboat license fund. The funds will be used for salaries and fuel and possibly buoys and cables. The Prosecutor's Office has reviewed the paperwork. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the recreational boating safety grant and authorize the Chairman to sign the agreement. (See Agreement No. 17-009.) The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE

#### LEGAL STAFF UPDATE

The Board met today at 9:07 a.m. for a legal staff update. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. David Eames, and Deputy Clerk Monica Reeves. Commissioner Dale referred to correspondence he received from Chief Civil

Deputy P.A. Sam Laugheed regarding Lake Lowell and the Deer Flat National Wildlife Refuge. He said we have an opportunity with President Trump, who has stated an objective in his Presidency to roll back some of the federal regulatory bureaucratic controls that are rampant throughout the nation. This was established by an executive order and it seems an appeal to President Trump to do an executive order to turn over the reserve to the State Fish and Wildlife Service might have a great chance of success. Mike Porter said we have the creation by the Bureau of Reclamation of the reservoir for irrigation purposes and we have the overlying migratory bird section, and if there were subsequent acts by Congress then the regulation would have to be backed out by more than just rescinding an executive order but he doesn't know the answer to that. He said Sam Laugheed is the expert on this subject so he will talk to him about it. Commissioner Rule would like a complete legal review to see if we can make a proposal to see if we can get a U.S. Senator to take it to President Trump. Commissioner Dale would like to ask Governor Otter to get on board and rather than just rescinding the wildlife refuge he'd like an executive order to transfer the ownership to the state. Commissioner Rule would rather it be transferred to Canyon County since we put funds toward it. He doesn't want to give up the water from the Bureau of Reclamation, and he thinks the fish and wildlife service would embrace the idea of managing it. Mr. Porter said they will do some research on whether it's possible through the executive branch of the federal government to return control to the County. The meeting concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER VARIOUS NEW PROPERTY TAX EXEMPTION APPLICATIONS AND RENEWING VARIOUS EXEMPTIONS UNDER CODES: 50-2014, 63-602B, 63-602C, 63-602D, 63-602E AND 63-602GG

The Board met today at 9:34 a.m. to consider various new property tax exemption applications and renewing various exemptions under codes: 50-2014, 63-602B, 63-602C, 63-602D, 63-602E and 63-602GG. Present were: Commissioners Tom Dale and Steve Rule Assessor Brian Stender, Sr. Administrative Specialist Jennifer Loutzenhiser, Chief Deputy Assessor Joe Cox, Controller Zach Wagoner and Deputy Clerk Jenen Ross.

**Urban renewal applications under Idaho Code 50-2014:**

PIN 13322000 0, vacant library building that is now owned by Nampa Urban Renewal  
PIN 13327000 0 parking lot on 10<sup>th</sup> Ave owned by Nampa Urban Renewal  
PIN 04557000 0 property on Main St. across from the Bird Stop owned by Caldwell Urban Renewal

Commissioner Rule made a motion that the property tax exemption application be approved under code 50-2014, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemptions

**Religious applications under Idaho Code 63-602B:**

PIN 01136000 0 for Apostolic Assembly of Faith in Jesus Christ Inc. – this is a house that is contiguous to the church, it is currently vacant as church use although they were told at one point that it would be remodeled to be turned into classrooms. It appears that the pastor is living in the house. The church is looking for a religious exemption due to the house being used as a parsonage. Commissioner Rule made a motion to approve the exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

PIN 30381000 0 for Fellowship Baptist Church Inc. – this is a new church on new property, it was previously a farm house and some ag land. The back 11.5 acres will remain in ag and will be leased to a farmer. The Assessor recommends that the portion of the property that is used by the church for religious purposes be granted the religious exemption and the remainder of the property stay taxable under the ag exemption. Commissioner Rule made a motion to approve the partial exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

PIN 78392000 0 for First United Methodist Church – this church has a religious exemption, they have a mobile unit on their property but need additional space for classrooms. The Assessor recommends this property be granted an exemption. Commissioner Rule made a motion to approve the exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

PIN 29261011 0 for General Assembly and Church of the First Born Inc. – this church just acquired this property, it was previously owned by another church. The property is almost 3 acres. The previous church had an exemption on the church building and parking and the front half of the property, the back half of the property just sat in weeds and wasn't being used for anything. The religious exemption says that the property be used exclusively for religious purposes. Ms. Loutzenhiser has visited the property and spoken with the pastor and it appears to still be sitting in weeds although the pastor explained they have their previous church location on the market and once that property sells they are going to expand the church, parking lot and do some landscaping in the back. The Assessor's Office recommends that this property be granted an exemption on the front portion of the property and the back half remain taxable. Commissioner Rule made motion to grant the tax exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

PIN 14990002 0 for West Valley Baptist Church – the property is owned by the church and has a partial exemption. Half of the building is leased to an automotive shop, however, the automotive shop will be vacating in the spring and then the church will be doing some construction to build classrooms as they've outgrown their current space. They would like to expand their exemption, the Assessor believes by this time next year they will be occupying the full property and will qualify for a full exemption but for this year is recommending no change in exemption. Commissioner Rule made a motion to issue no change in exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously for no change in exemption status.

PIN 35797000 0 for Christian Faith Center Assembly of God Inc. – the church purchased this property last year and are now moved in. The Assessor recommends granting the exemption. Commissioner Rule made a motion to grant the exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

PIN 31355010 0 for Maranatha Romanian Church of God – they lost their exemption last year due to issues with the mail system and are asking for their religious exemption be reinstated this year. Commissioner Rule made motion to grant the tax exemption under code 63-602B, Commissioner Dale seconded the motion with the Board voting unanimously to approve the exemption.

### **Educational applications under code 63-602E:**

PIN 16862000 0 for Breaking Chains Academy of Development – this property was recently sold but is still being used for educational purposes.

PIN 13034012 0 for Idaho Arts Charter School – they have moved the elementary school over to the old Broadmoor Golf Course giving them two campuses. They are requesting the exemption for the parcel they already have. PIN 64941357 0 for Insight Investments LLC and PIN 64941362 0 for NA Pali Coast Capital LLC – both are companies that lease to the Nampa School District. The Assessor recommends full exemptions for the property that's leased to the schools and then the real property owned by the other two organizations. Commissioner Rule made a motion to grant exemptions for the properties read into the record under code 63-602E, Commissioner Dale seconded the motion with the Board voting unanimously to grant the exemptions.

PINs 31730000 0, 31729010 0, 31728000 0 and 31729000 0 for Mission Aviation Fellowship – they are looking to expand their campus and have purchased some contiguous property. It is currently under development with part of their campus completed. They've provided a site map for reference, the large parcel labeled as 22891000 0 is currently exempt, only the four parcels as listed are being considered. There are only two houses that have been built so far and the roadway in front of the houses has been developed. They've started some berms to get ready for some landscaping but no real landscaping has been done yet. Eventually they will merge all the parcels but at this point they are in two different tags so they're working with the city to get that resolved. While they are in this transition phase the Assessor recommends that an exemption is granted on the bottom part of 31728 for the two house already built and the bottom part of 31729 where the road has been put thru with no exemption on 31730 and 31729101. The portion of 31728 south of the road and a portion of 31729 south of the road that exists will be the section granted an exemption, a motion was made by Commissioner Rule to grant the exemption under code 63-602C with Commissioner Dale seconding the motion and the Board voting unanimously to grant the exemption. Commissioner Rule made a motion regarding parcels 317290010 and 31730000 0 to deny tax exempt status with Commissioner Dale seconding the motion and the Board voting unanimously to deny the exemption.

### **Site improvement applications under code 63-602W:**

Cumberland Subdivision for phase 2 & 3 – there are 4 parcels in phase 2 and 13 parcels in phase 3. Exemptions are based on that the lot hasn't changed ownership and construction has not begun. Once construction begins the exemption will be removed. PINs can be found on a spreadsheet with this day's minute entry. Commissioner Rule made a motion to grant the exemptions under code 63-602W, Commissioner Dale seconded the motion with the Board voting unanimously to grant the exemption.

### **Properties that have been previously granted an exemption and need to be considered for 2017:**

Nampa Development Corp. that fall under the urban renewal exemption 50-2014 – the Assessor recommends no change in exemption. Commissioner Rule made a motion for no change in exemption status under code 50-2014, Commissioner Dale seconded the motion with the Board voting unanimously to not change the exemption status.

Commissioner Rule made a motion for no change in exemption status under code 63-602C, Commissioner Dale seconded the motion with the Board voting unanimously to not change the exemption status on the properties as follows: Caldwell Chapter of the Izaak Walton League of America, Lifeline Crisis Pregnancy Center, Inc., Hands of Hope Northwest Inc.(3 parcels), Boise Rescue Mission Inc.(5 parcels), Caldwell Model Railroad Club & Historical Society Inc., Idaho Youth Ranch (6 parcels), Goodwill, Grand Lodge of ID IOOF Inc., Caldwell Odd Fellow Lodge #10, Idaho Development Housing (9 parcels), Grace Place, Warhawk Air Museum, Inc.(7 parcels), Fraternal Order of Eagles #3691, Advocates Against Family Violence Inc., Lizard Butte Easter Sunrise, Pleasant Ridge Grange #135, The Salvation Army(5 parcels), Nampa Lodge #1389 BPOE, Fleet Reserve Association Branch 382, Witco Inc.(4 parcels), Mt. Moriah Lodge 39 A F AM Inc., Lambda-Chi Chapter of Kappa Sigma House Corp., Canyon County Historical Society Inc., Shep Rock Foundation, Love Inc. of Treasure Valley, Idaho Fish and Wildlife Foundation Inc., Mission Aviation Fellowship (3 parcels), Treasure Valley Transit Inc., American Legion Joseph H Murray Post 18 and Pacific Press Publishing Association.

Commissioner Rule made a motion for no change in exemption status under code 63-602E, Commissioner Dale seconded the motion with the Board voting unanimously to not change the exemption status on the properties as follows: College of Idaho Inc. (26 parcels), Idaho Conference of Seventh Day Adventists Inc. (3 parcels), Vision Charter School Inc. (2 parcels), Canyon Owyhee School Service Agency, Stevens Henager College, Alturas Treasure Valley Crossing LLC, Idaho Arts Charter School (6 parcels), Western Idaho Community Action Programs Inc. (4 parcels), Nampa Christian Schools Inc. (6 parcels), Aspen Creek Partners (4 parcels), Big Sky Investors LLC (2 parcels), Legacy Public Charter School Inc., Victory Charter School, Zion Lutheran School, De Lang Landen Financial Services Inc., Northwest Nazarene University Inc. (9 parcels), Caldwell School Development LLC, Thomas Jefferson Charter School Inc., IDACold LLC, Greenleaf Friends Academy (2 parcels), Liberty

Charter School Inc., Treasure Valley Community College and Vision Charter School Inc. (9 parcels)

**Low income housing applications under code 63-602GG:**

This exemption has a requirement that the tenants cannot be evicted for the inability to pay. In previous years Advocates Against Family Violence has had 13 parcels with individual homes that have been exempted under this code, however, this year the answer given was 'cannot be evicted for 3 months' but it is unclear what happens after the 3 months. Generally an organization works with the tenants to evaluate their income situation and re-work the equation to determine the rent amount. The Assessor's reservation in granting this exemption on the 13 parcels has to do with their earlier statement regarding 'cannot be evicted for 3 months'. The Board suggested that the Assessor's Office get in contact with Kim Deugan from AAFV to discuss their applications and get some clarification. The five properties that do qualify for the exemption are as follows: Idaho Friends Retirement Homes, Inc., Trinity New Hope Inc., Nampa Christian Housing Inc. and Elderly Opportunity Agency Inc. (2 parcels). Commissioner Rule made a motion to grant no change in exemption status under code 63-602GG to the parcels as read into the record, Commissioner Dale seconded the motion with the Board voting unanimously to approve no change in exemption status.

The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

**CONSIDER SIGNING THE FINAL PLAT FOR JOPLIN VIEW ESTATES SUBDIVISION, CASE NO. PH2016-36**

The Board met today at 10:30 a.m. to consider signing the final plat for Joplin View Estates Subdivision, Case No. 2016-36. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Jennifer Almeida, Lance Warnick, and Deputy Clerk Monica Reeves. Commissioner Rule recused himself from considering the final plat due to a potential conflict of interest that was raised earlier on in this process. A brief recess was taken so staff could attempt to reach Commissioner Pam White to see if she could call in for this matter. The Board went back on the record at 10:41 a.m. Those present were: Commissioner Dale, Commissioner Pam White (via conference call), Jennifer Almeida, Lance Warnick, and Deputy Clerk Monica Reeves. Ms. Almeida said Joplin View Subdivision consists of four residential lots and is located in a rural residential zone. The applicant has met all required conditions of the preliminary plat, and the final plat is in substantial conformance with the approved preliminary plat. The final plat meets the requirements of the Canyon County Zoning Ordinance and the mylar has been signed by the required signatories. The applicant currently has a bond in place for the irrigation system; and this is the only required subdivision improvement for this project.

There are no internal roads that are required to be constructed as all of the lots have frontage onto Joplin Road. The plat is ready for the Board's signature and staff is recommending approval. Commissioner White asked if this is an appeal of a former decision. Ms. Almeida said it is simply a request for a signature on a final plat; it was not part of an appeal or anything of that nature. The underlying rezone was approved by both the P&Z Commission and the Board. Lance Warnick said the applicants are taking a nine-acre piece and dividing it into four lots and it will take access with the existing roads that are in place. Construction is underway for the irrigation system and will be completed shortly. The bond is in place and everything is ready to go. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the final plat and authorize the chairman to sign the final plat for Joplin View Subdivision. The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH PUBLIC DEFENDER REGARDING PERSONNEL ISSUES

The Board met today at 3:36 p.m. for a meeting with the Public Defender regarding personnel issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Tera Harden, and Deputy Clerk Monica Reeves. Ms. Harden has modified the independent contractor agreement for conflict counsel and she will send it to the Prosecutor's Office for review. The biggest change was the removal of the caseload; the Public Defense Commission did not implement caseloads and she didn't feel like it was appropriate to implement them for the contractors, and she removed the maximum billing amount (the caps). Under Idaho Code, Section 19-859, it precludes fixed fee contracts or caps. She added a paragraph regarding outside costs which requires a contractor to seek prior approval from the public defender for all the costs associated with representation (investigators, experts, transcripts, witness fees, trial expense, lodging, etc.) It outlines malpractice insurance as well as premises liability insurance for their offices. At 3:42 p.m., the Board went into Executive Session as follows:

#### EXECUTIVE SESSION – DISCUSS PERSONNEL MATTER AND RISK MANAGEMENT

Commissioner Rule made a motion to go into Executive Session at 3:42 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (i) to discuss a personnel matter and risk management issues. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Tera Harden, and Deputy Clerk Monica Reeves. Ms. Harden left at 4:10 p.m. The Executive Session concluded at 4:16 p.m. with no decision being called for in open session.



An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION APPOINTING BRIAN STENDER TO THE OFFICE OF THE CANYON COUNTY ASSESSOR

The Board met today at 4:17 p.m. to consider a resolution of appointment for Brian Stender to the Office of the Canyon County Assessor. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Assessor Gene Kuehn, Chief Deputy Assessor Joe Cox, Brian Stender, Jennifer Loutzenhiser, Kevin Sorensen, Roger Craig, PIO Joe Decker, and Deputy Clerk Monica Reeves. Commissioner Dale read into the record the letter from Republican Central Committee Chairperson Julie Yamamoto, which stated the Republican Central Committee, by unanimous consent, recommends Brian R. Stender to serve as Canyon County Assessor. Given the years he has worked with Gene Kuehn the committee is confident Mr. Stender will continue to serve with competency and integrity. Commissioner White thanked Gene Kuehn for his years of service noting that he has set a precedence for professionalism and the matters of the Assessor's Office. Commissioner Rule extended his deepest respects to Assessor Kuehn for his 40 years of service, and then he made a motion to sign the resolution to appoint Brian Stender to the Office of the Canyon County Assessor. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion which carried unanimously. (See Resolution No. 17-036.) The meeting concluded at 4:23 p.m. An audio recording is on file in the Commissioners' Office.

**TENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO FEBRUARY 27, 2017**

Commissioners attended the National Association of Counties Legislative Conference in Washington, DC

**ELEVENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO FEBRUARY 28, 2017**

Commissioners attended the National Association of Counties Legislative Conference in Washington, DC

**TWELFTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 1, 2017**

Commissioners attended the National Association of Counties Legislative Conference in Washington, DC

**THIRTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 2, 2017**

Commissioners attended the National Association of Counties Legislative Conference in Washington, DC

**FOURTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 3, 2017**

**PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steven J. Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

**APPROVED CLAIMS ORDER NO. 1711**

The Board of Commissioners approved payment of County claims in the amount of \$1,453,647.04 for a County payroll.

**APPROVED PURCHASE ORDERS**

The Board approved the following purchase order(s):

- Tek Pipline in the amount of \$1659.14 for the Information Technology Department
- ConvergeOne in the amount of \$21,940.54 for the Information Technology Department
- Barracuda Networks in the amount of \$6752.72 for the Information Technology Department
- ConvergeOne in the amount of \$10,990.00 for the Information Technology Department
- Waxie Sanitary Supply in the amount of \$2400.00 for the Parks Department
- Grizzly Sports in the amount of \$13,050.00 for the Weed Control Department
- Sunshine Window Cleaning in the amount of \$2105.00 for the Facilities Department

- Tyco Structural Enterprises in the amount of \$3590.00 for the Facilities Department
- R&H Wholesale Supply in the amount of \$1315.12 for the Elections Department
- Granger Industrial Supply in the amount of \$1578.39 for the Misdemeanor Probation Department

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for: NS Hospitality Group LLC DBA La Quinta Inn & Suites (See Resolution No. 17-037)

#### APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Norma Hosford, Mikel Hautzinger, Robert Jason Williams, Christina Taillon, Andrew Woolf and Mary Gigray.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Indigent Services Director Yvonne Baker, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to uphold the initial denials for the following cases: Case Nos. 2017-529, 2017-643, 2017-383, 2017-510, 2017-517, 2017-519, 2017-526, 2017-518, 2017-528, 2017-382, 2017-521, 2017-520, 2017-613, 2017-524, and 2017-525. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to initially approve Case No. 2017-642. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION – PERSONNEL MATTER; ACQUISITION OF AN INTEREST IN REAL PROPERTY; RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION; AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, acquisition of an interest in real property, records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f). The motion was seconded by

Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. HR Director Sue Baumgart arrived at 9:03 a.m., and left at 9:24 a.m. Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, and Facilities Director Paul Navarro arrived at 9:24 a.m. Sheriff Donahue, Chief Dashiell and Captain Ward left at 9:38 a.m. The Executive Session concluded at 9:48 a.m. with no decision being called for in open session.

#### CONSIDER SIGNING SPRING 2017 CANYON COUNTY JAIL NEEDS ANALYSIS WITH CARTER GOBLE

The Board met today at 9:48 a.m. to consider signing the Spring 2017 Canyon County Jail Needs Analysis with Carter Goble. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Sam Laugheed presented the Board with the final signed version of the independent contract agreement with Carter Goble Companies, LLC. The attached scope of work, which has been reviewed by the Board and the other elected officials, has been fine-tuned since the original version in response to our needs. The cost is a fixed fee of \$144,906 and it includes travel and out-of-pocket costs, and they'll be coming here at least three times including assistance with public education. They suggest it will take four months to complete. In response to Commissioner White's questions about additional fees, Mr. Laugheed said if we develop other items during the course of their review we could argue that anything we come up with is already covered by the scope of work and failing that we would renegotiate. He is confident we will get a work product out of the scope of work that meets the need that we perceive right now. Additional work would be negotiated. Commissioner Dale said we need to be able to move forward with a comprehensive and complete set of information to present to the public to get their buy-in on this. Sheriff Donahue said any additional work would be at our request. Commissioner Rule said this is a waste of tax dollars because we know we need jail space and we know how many beds we need and if we don't we can come within 10% pretty easily and he doesn't need to pay Carter Goble Lee \$144,000 to tell us that. He said there is expertise we've contracted with who can do conceptual designs; we don't need Carter Goble Lee to do that necessarily. Lombard Conrad did a fine set of plans and if it's not big enough hire them to do another one, and regarding a cost analysis, he said Director Navarro can tell us within \$4-\$5 per square foot of what the cost will be. He said the only thing we need is a public education plan, but we don't need the other because we have enough history, experience, and two sets of plans. Commissioner Dale said in order to get projects approved by the public you have to have the expert analysis and when you provide the proper information and educational background for a project the public can understand it much better. This is Step 1 to get this project done

and to have a comprehensive analysis done by an outside neutral party – which has never been done – for the jail. Director Navarro asked if it includes an analysis on the old jail, the 1948 jail annex, and the Pod 5 structure. Mr. Laugheed said we have referred to the whole thing as the jail facility but potential reuses of the jail facility will be considered to reduce the amount of space required in a new facility. It is not an architectural analysis but a space analysis. Commissioner White said Carter Goble Lee has access to that information so it should make it easier for them, and it makes all of it, the Highway 20-26 property and the jail expansion at the campus site, important to what we're doing. Commissioner White made a motion to sign the Spring 2017 Canyon County Jail Needs Analysis with Carter Goble Lee. The motion was seconded by Commissioner Dale. A roll call vote was taken with Commissioners White and Dale voting in favor and Commissioner Rule voting in opposition. The motion carried by a two-to-one split vote with Commissioner Rule casting the only dissenting vote. (See Agreement No. 17-007.) The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING A RESOLUTION TO APPROVE THE ADDITION OF ONE POSITION IN THE IT DEPARTMENT

The Board met today at 10:34 a.m. to consider signing a resolution to approve the addition of one position in the IT department. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Assistant Director of IT Eric Jensen, HR Generalist Jennifer Allen, Business Manager Caitlin Pendell, Director of Facilities Paul Navarro arrived at 10:39 a.m. and Deputy Clerk Jenen Ross. Director Rast explained this is a new position to share the back-up of phone reception for the courthouse as well the print shop. He's spoken with the Controller and there is enough savings in the 'A' budget to cover this position for the remainder of the fiscal year. Commissioner White made a motion to sign the resolution to approve the addition of one position in the IT department, Commissioner Rule seconded the motion with the Board voted unanimously to sign the resolution. After the original motion was made it was brought to the Board's attention that there is also a change of job description on the resolution; this position is to backfill the position of an employee promoted within the IT Department. Commissioner White made a second motion to change the job description of the telecom analyst position, Commissioner Rule seconded the motion with the Board again voting unanimously to sign the resolution (See Resolution No. 17-038). The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING DOCUMENT TO PARTICIPATE IN THE IDAHO FEDERAL SURPLUS PROPERTY PROGRAM

The Board met today at 10:42 a.m. to consider signing a document to participate in the Idaho Federal Surplus Property program. Present were: Commissioners Tom Dale, Pam White and Steve Rule and Deputy Clerk Jenen Ross. Commissioner Rule said this is a

program the county has participated in in the past and doesn't believe it has any liability associated with it. He believes it is a good way to get rid of surplus property the county no longer needs. Commissioner Rule made a motion to sign the document to participate in the Idaho Federal Surplus Property program, Commissioner White seconded the motion with the Board voting unanimously to sign the document. The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION CLASSIFYING RECORDS OF THE CANYON COUNTY CLERK AND AUTHORIZING THE IMAGING AND OR DESTRUCTION OF CERTAIN FILES/RECORDS, AND CONSIDER RESOLUTION TO INCREASE COURT OPERATIONS OPERATING CASH FUND

The Board met today at 11:01 a.m. to consider a resolution classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records, and to consider a resolution to increase court operations operating cash fund. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Controller Zach Wagoner, Director of Court Operations Denise Kennel, Chief Deputy Clerk Drew Maffei, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Resolution classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records:*** Drew Maffei said the resolution will allow them to clean up election records that are stored in the warehouse. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to sign the resolution. (See Resolution No. 17-039).

***Resolution to increase court operations operating cash fund:*** Zach Wagoner said last fiscal year the court clerks processed \$6.6 million in cash. They currently have 10 cash drawers with \$2,225 available to make change and process payments and they would like to add 6 cash drawers and request an increase in petty cash of \$675 to bring it to a total of \$2,900. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the resolution to increase court operations operating cash fund. (See Resolution No. 17-040.)

The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

**FIFTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 6, 2017**

**PRESENT: Commissioner Tom Dale, Chairman**

**Commissioner Pam White  
Commissioner Steven J. Rule  
Deputy Clerk Monica Reeves / Jenen Ross**

APPROVED CLAIMS ORDER NO. 3-10-17

The Board of Commissioners approved payment of County claims in the amount of \$140,432.17 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Joe Decker reported on the following topics: KBOI talking points; he will attend a local emergency planning committee (LEPC) meeting on Wednesday; Prosecutor Taylor reached out to him about a grant opportunity for the justice and mental collaboration program; a consolidated election will be held next week for school districts; he has been asked to speak at career day at Emmett High School; the Idaho Press-Tribune has asked for information about a bike plan around Lake Lowell. Commissioner Dale said we don't have any real detailed information on it. Commissioner Rule said a few weeks ago John Starr talked to him about an organization that wants to bring in an organic, odorless processed fertilizer to deal with the carp problem in the lake, and, he asked if the County has grants for that sort of thing, or whether we would offer a bounty per carp, and Commissioner Rule told him the answer would be "no" to both questions. There was discussion about the status of the fair board appointments. Commissioner Rule wants the fair director to be involved in the selection of those members and said it would probably be discussed in executive session with a decision to follow in open session. A public records request was submitted for the applications submitted by fair board candidates and the Prosecutor's Office is reviewing the information and will determine what is appropriate to release given the fact the applications contain personal information. Commissioner White would prefer that a director be in place before the fair board is set. Currently there is an interim director and Commissioner Rule said he'd prefer the fair board be established before a director is hired. Commissioner Dale said the fair employees are in agreement that they can manage the fair if we get them a few helpers and if we don't get a full board that's okay, we'll just wait but we need to be careful and judicious in who is appointed to the board. He is looking for people who will work to make the fair the best it can be with what we have without any further statement. He said comments on the Save IdahoAg Facebook page suggest the group wants to flood the fair board with people who will try to force the issue of the moving fair, but the bottom line is people have to understand we are not going to raise taxes to build a new fair building and the money isn't there and that's why we moved the direction we did. We have to be careful with selections; we don't have an ulterior motive –

our overt motive is to have the best fair we can. Commissioner Rule said if they move the fair he will support it, but if they can't get the money to do that then we need to have the very best fair we can at the facility we have. Mr. Decker reported that he shot a PREA video for the jail. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION AUTHORIZING THE TRANSFER OF EXCESS SALE PROCEEDS TO THE STATE TREASURER, AND CONSIDER CANYON COUNTY HISTORIC PRESERVATION SUPPORT AWARD AGREEMENT WITH THE HISTORICAL SOCIETY OF MIDDLETON

The Board met today at 9:30 a.m. to consider a resolution authorizing the transfer of excess sale proceeds to the State Treasurer and to sign the historic preservation support award agreement with the Historical Society of Middleton. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Last week the Board approved distribution of excess proceeds from the November 2016 sale to parties in interest, and Mr. Goodsell said that was the final thing we needed to do in order to reach this point where we can now send the remaining funds from that sale, as well as all the funds from previous sales that we've been holding, to the State Treasurer's Office and they will now be considered unclaimed property and people can make their claims to the State. Treasurer Lloyd said the statute was vague and they didn't have the mechanisms in place like the State does so it cleans it up and it eliminates the need for us to hold the proceeds for three years and then turn them over to the indigent fund. Commissioner White made a motion to sign the resolution authorizing the transfer of excess sale proceeds to the State Treasurer. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners White, Rule and Dale voting in favor of the motion which carried unanimously. (See Resolution No. 17-041). The next item considered was the historic preservation support award agreement with the Historical Society of Middleton. Commissioner Rule said the agreement came in a few months ago and it was sent to Tom Bicak to make sure the monies that were previously given to the organization for historical efforts were used appropriately. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the support award agreement. (See Agreement No. 17-008). The meeting concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR WIND RIVER ESTATES SUBDIVISION

The Board met today at 9:46 a.m. to conduct a public hearing in the matter of a request by the Breckenridge Family Trust for approval of preliminary plat and irrigation and drainage plan for Wind River Estates Subdivision, Case No. SD-PH2016-58. The development of parcel R38200010C consists of four residential lots on approximately 9.053 acres, and is



located in an RR (Rural Residential) zone. The proposed development is located at 12145 Purple Sage Road in Middleton. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, TJ Wellard, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report stating that the proposal is to develop a nine-acre parcel into four residential parcels with a private road and driveway easement. It is in substantial compliance with the state statutes and Canyon County Code. There are some improvements that have to be completed prior to the final plat, and staff is recommending approval of the proposed development as conditioned. TJ Wellard stated the project is a five-lot subdivision with four residential lots and one private road lot. There is an existing house on Lot No. 1 so there will be three new residences built; the developer plans on building out each lot himself. Gravity irrigation will be provided to each lot and there will be individual wells and septic systems. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the preliminary plat and irrigation and drainage plans for Wind River Estates subject to conditions of approval and to approve the Findings of Fact, Conclusions of Law and Order. The hearing concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION ISSUING REFUND TO VALLEY WIDE COOPERATIVE FOR MECHANICAL PERMIT; AND CONDUCT BIWEEKLY MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:56 a.m. to consider a resolution issuing a refund to Valley Wide Cooperative for a mechanical permit and to conduct a biweekly meeting with the Director of the Development Services to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Director Nilsson presented a request from Tim Beymer of Valley Wide Cooperative who had applied for a mechanical permit for piping for a homeowner, but the owner changed their mind and is not moving forward so he's asking for a full refund. Staff is recommending a full refund in the amount of \$180. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue a refund to Valley Wide Cooperative for the mechanical permit fee. (See Resolution No. 17-042.) Topics of discussion for Director Nilsson's biweekly report included the following:

Budget and permit update: The department went over \$500,000 in revenue and they're expecting a very busy construction season. Commissioner Dale asked if there is any movement on the definitions of park models or tiny homes. Director Nilsson said there is a bill carried by the industry and their goal is to clear up the tax assessment issue but the building code and zoning issues are unresolved. There's no national certification of safety in living in a park model or an RV; the industry won't do it, HUD won't do it, and therefore local agencies aren't going to say they're safe and take on that liability. At a national level there

have been some changes to the international residential code but they wouldn't be effective in Idaho until 2018 when the 2016 building code is adopted.

COMPASS meetings: Canyon County has three votes on RTAC and they are prioritizing projects and COMPASS staff will filter those into different funding categories and we'll see those as a communities in motion grant priority list.

Lake Lowell Area Pedestrian and Bicycle Plan: It is an effort led by the Canyon and Nampa Highway Districts to do a plan to identify a route around the lake and how the Nampa and Caldwell systems would feed into that. She was going to bring it forward to a work session with the Board but she wanted to make sure the cities adopted it first. It would be adopting a plan by reference as part of the comprehensive plan and it would enable us to bring it up if we were reviewing development in the area, and to be eligible for grant monies. The route is on the local roads, it is not internal to the Deer Flat National Wildlife Refuge.

Updates to ordinance: Director Nilsson reported that she has sent an ordinance update to the Prosecutor's Office for review which deals with the nonconforming status of existing properties. Commissioner Rule wants to make sure the update does not stall in the review phase which started last fall and now it's March and we don't yet have a document for review. Director Nilsson will follow up with Zach Wesley.

US 20/26 Corridor Study Status: Director Nilsson will attend a meeting on Thursday with the Idaho Transportation Department regarding the preparation of an environmental analysis of the corridor.

Permit activity: From February to February they were about the same: 46 vs 51 but the values are up in terms of the value of the work being done, and HVAC's are up as well. She said we need to go back to reporting the value of work and the remodel and alteration values so that we can determine where are people investing or not investing.

The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### BIWEEKLY MEETING WITH FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:30 a.m. for a biweekly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Fleet Director Mark Tolman, and Deputy Clerk Monica Reeves. Mr. Tolman reported that 12 vehicles will soon be listed on the public surplus website; he plans to purchase 7 (seven) new patrol units, and three (3) units for the Sheriff's CID; he thanked the Board for its help with a locked storage container; he would like to acquire the fork lift from the Fair for County use; he is requesting a structure change for next year's budget which

would move one position to an assistant manager position. The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 74-206(1)(E) TO CONSIDER  
PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE IN  
WHICH THE GOVERNING BODY IS IN COMPETITION WITH GOVERNING BODIES IN OTHER  
STATES OR NATIONS

The Board met today at 1:31 p.m. to conduct an Executive Session to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, DSD Director Tricia Nilsson, Tina Wilson, the Executive Director from the Western Alliance for Economic Development, representatives from Project Arrowhead, and Deputy Clerk Monica Reeves. Mr. Goodsell said in order to preserve the confidentiality of the negotiations the business is operating for these purposes under the pseudonym *Project Arrowhead*. Commissioner White made a motion to go into Executive Session at 1:33 p.m. pursuant to Idaho Code, Section 74-206(1) (e). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. The Executive Session concluded at 1:56 p.m. with no decision being called for in open session.

**SIXTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 7, 2017**

**PRESENT: Commissioner Steven J. Rule  
Commissioner Pam White  
Commissioner Tom Dale  
Deputy Clerk Monica Reeves/Jenen Ross**

**APPROVED PURCHASE ORDER**

The Board approved the following purchase order(s):

- Snake River Supply, Inc in the amount of \$1260.00 for the Sheriff's Office

**APPROVED CLAIMS ORDER NO. 3-10-17**

The Board of Commissioners approved payment of County claims in the amount of \$20,992.01, \$29,132.58, \$221,524.60, \$117,424.31, \$100,028.46 for accounts payable.

BIWEEKLY MEETING WITH THE DIRECTOR OF JUVENILE PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. for a biweekly meeting with the Director of Juvenile Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule (arrived at 8:43), Director of Juvenile Probation Elda Catalano, Joe Langan from the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross. Director Catalano gave updates on the following items: Joe Langan from the Idaho Department of Juvenile Corrections is visiting today; Mr. Langan is the district liaison between the Juvenile Probation Department and the Idaho Department of Juvenile Corrections and is the main source of communication. He also makes sure all reports are provided to the state as required. Mr. Langan reviewed the most current information reported between October and December of 2015 (2016 information will not be available until late summer), the information is compiled for the district but also for the state report. The numbers reported on included juvenile arrests, petition filing with a break-down of offences, intakes and releases with a break-down of average age, gender and race and ethnicity at the point of intake on probation, community service hours performed, restitution collected, successful completion of probation and recidivism rate and a one-day snapshot of juveniles in custody in Canyon County and the state along with the number of suspend/commits on that day. 33% of the Juvenile Justice budget is made up with monies from the tobacco tax, lottery tax and JCA (Juvenile Correction Act) funds. The Ancillary funds consist of two federal funding streams and a state funding stream. The mental health program is the state funding stream; if Canyon County has a juvenile that comes in with a mental health issue and in need of financial assistance they'll have services set up as far as Medicaid to assist with medication and counseling. The CIP, the Community Incentive Program, is a program for juveniles at risk of being committed to the IDJC. This is to assist with setting up a mentor program to meet with the juvenile once or twice a week and discuss how to be successful law abiding adult. There are no mental holds in juvenile courts; if a juvenile is experiencing a mental health crisis they typically go to a medical doctor to determine if they're in danger, but they typically don't come into a detention facility but are admitted to a hospital instead and is funded thru Medicaid or other insurance. Probation doesn't get involved at that level, it is between the family and the doctor. Ms. Catalano has seen a rise in mental health issues and the monies to assist in that care is utilized by application. They are able to help juveniles that come into the system in need of mental health services without Medicaid or another way by helping them apply for access to that funding. She explained that there are restrictions on how monies can be spent; the legislature directed that the JCA, tobacco and lottery funds may only be used for juvenile services at the county level. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION,

*Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter and records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Sue Baumgart and Deputy Clerk Monica Reeves. Director Baumgart, Clerk Yamamoto and Controller Wagoner left at 9:46 a.m. Tina Wilson arrived at 9:46 a.m. Prosecutor Taylor left at 9:54 a.m. The Executive Session concluded at 10:23 a.m. with no decision being called for in open session.

#### PUBLIC HEARING – REZONE HEARING FOR ROCKETCHUN HOLDEN, CASE NO. PH2016-62

The Board met today at 10:50 a.m. to conduct a public hearing in the matter of a request by Rocketchun Holden, Case No. PH2016-62, to rezone approximately 9.965 acres from Agricultural to Rural Residential. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, DSD Planner Jennifer Almeida, Rocky Holden, Russ Barsby, Janie Burns, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report noting that the P&Z Commission forwarded the case with a recommendation of approval. The applicant's concept plan indicates a proposed development of three residential lots, although if the rezone is approved it could potentially be platted into four lots. Staff recommends the Board approve the rezone from Agricultural to Rural Residential. Rocky Holden testified in support of his request. He has owned the property for 12 years and wants to divide it to either sell it or develop it. Russ Barsby offered neutral testimony and said he has no issues with the request as long as it's done right. He said in four to five years he will likely sell his property for development. Janie Burns is opposed to the rezone because it affects the agricultural quality of Canyon County. In order for agriculture to be viable we need contiguous blocks where farmers can support each other and where the irrigation structure that's been put in place can operate efficiently and effectively. Canyon County has one of the strongest agricultural economies in the nation; where do you draw the line on when the last agricultural property will be rezoned? Mr. Holden offered rebuttal testimony and said subdividing is happening everywhere and said there are other areas Ms. Burns can move to if she is concerned. He sees the wave of development coming and he wants to be part of it. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said it is evident the City of Nampa is growing to the south and he believes the request is appropriate growth for the area. He said farm ground has increased

by 9,000 acres in the past few years so he is not alarmed by the loss of this ground. He'd prefer the ground around Nampa, Caldwell and Middleton be preserved before some of this more marginal ground. Commissioner White recognized Ms. Burns' love for the land and the value she puts in the agricultural lifestyle. She also has empathy and respect for those whose land is their savings/retirements. Commissioner Dale said the Board has to balance the rights of the private property owner versus preservation of farm ground and he's not willing to tell someone they cannot sell their land or do anything other than farm it. The property is in the Nampa impact area which is an area the city plans to grow into within the next 10 years. Commissioner Rule made a motion to approve the rezone from Agricultural to Rural Residential and sign the Findings of Fact, Conclusions of Law and Order. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion which carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the ordinance directing changes to the zoning map. (See Ordinance No. 17-002.) The hearing concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

#### BIWEEKLY MEETING WITH DIRECTOR OF JUVENILE DETENTION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:45 p.m. for a biweekly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett, Juvenile Detention Deputy Administrator Sean Brown, Juvenile Detention Officer Audrey McKay and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: Ms. McKay recently received her POST certification and will be conducting the training on the 20<sup>th</sup> and 24<sup>th</sup> which will include some of the curriculum she wrote. She also wrote the National Partnership for Juvenile Services position statement on searches. Director Jett indicated that they have one supervisor that will be leaving so they will be moving one assistant supervisor into the supervisor position and one line staff into the assistant supervisor position. Taga Bah is sponsoring his weight loss challenge again this year with the stipulation that in order to win you have to participate at least once a week in one of his group fitness classes. There will be a training for the detention officers on the 20<sup>th</sup> and 24<sup>th</sup>. The HR department will be coming over to do a recap of benefits as Director Jett feels there are several employees not taking full advantage of the benefits offered. Several staff member will be training the probation department on the use of force on the 14<sup>th</sup> and 15<sup>th</sup>. Sean Brown and Shawn Anderson will be attending the International Law Enforcement Educators and Trainers Association in St. Louis this year. The National Partnership Training will be held in Orlando this year, Ms. McKay confirmed it's a very beneficial training. The garden has been started, it has been in place for 6 years and the past two years have produced over 3500 pounds of produce. The food is donated to several organizations in the area including Hope's Door, The Disabled American Vets, CCOA, Caldwell Senior Center and they will sometimes have the kids on community service help with the distribution. There are currently 27 kids in custody with that number

holding relatively steady. The meeting concluded at 3:04 p.m. An audio recording is on file in the Commissioners' Office.

**SEVENTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 8, 2017**

**PRESENT: Commissioner Steven J. Rule  
Commissioner Pam White  
Commissioner Tom Dale  
Deputy Clerk Monica Reeves/Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$6215.84 for the Facilities Department
- Intermountain Pet Hospital in the amount of \$1282.74 for the Sheriff's Office

CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Ms. Baker read into the record initial decisions that do not criteria for eligibility as follows: 2017-530, 2017-569, 2017-683, 2017-485, 2017-684, 2017-560, 2017-561, 2017-531, 2017-559, 2017-563, 2017-412, 2017-558, 2017-636, 2017-565, 2017-431, 2017-413, 2017-562 – Commissioner Rule made a motion approve the initial denials for county assistance, the motion was seconded by Commissioner Dale with the Board voting unanimously on the motion for denial. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 10:00 a.m. for a legal staff update. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. There was discussion about the possibility of having Captain Daren Ward serve as the contact person for Carter Goble Lee while they are working on the jail needs project. Commissioner Rule said DSD Director Tricia Nilsson has been working on an ordinance change that was sent to Zach Wesley for review and he wants to know when his review will be complete. Mr. Wesley said he received it last week and he hasn't had an opportunity to delve into it yet but he will have something to the Board next week. The Board went into Executive Session as follows:

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Rule made a motion to go into Executive Session at 10:04 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (i) to discuss acquisition of an interest in real property, records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:17 a.m. with no decision being called for in open session.

An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION TO APPOINT GEORGE DEFORD, JR. TO THE HISTORIC PRESERVATION COMMISSION

The Board met today at 10:45 a.m. to consider a resolution to appoint George DeFord, Jr., to the Canyon County Historic Preservation Commission (HPC). Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Tom Bicak, Assistant Parks Director Kathy Kershner, Outdoor Recreation Planner Nicki Schwend, and Deputy Clerk Monica Reeves. Tom Bicak said the HPC is a blue ribbon commission and its members have to be highly qualified. It is certified by the State of Idaho and the National Parks Service and its members include an anthropologist, an archaeologist, two attorneys, a historian, an architect and a parks employee. They review applications from local historic preservation programs or entities every year and make recommendations to the Board of Commissioners for possible funding of those projects. George DeFord, Jr., has been serving as the secretary of the HPC and he consented to take on another term. Commissioner White made a motion to approve the resolution to reappoint George DeFord, Jr., for a two-year term. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion which carried unanimously. (See Resolution No. 17-043.) The meeting concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.



PRESENTATION OF PLAQUE FROM CALDWELL VETERANS FOR HISTORIC PRESERVATION FUNDING

The Board met today at 11:00 a.m. for a presentation of a plaque from the Caldwell Veterans Council. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Tom Bicak, Assistant Parks Director Kathy Kershner, Outdoor Recreation Planner Nicki Schwend, Clerk Chris Yamamoto, Terry Harrell, John Muirhead and other members of the Caldwell Veterans Council, as well as Deputy Clerk Monica Reeves. John Muirhead spoke of the renovations that are being made to the old Carnegie Library and how their charter is to convert it into a Veterans Memorial Hall. The total project investment is approaching \$2.3 million. A plaque was presented to the Canyon County Historic Preservation Commission and the Board of Commissioners in appreciation for the funding support the organization has received. The presentation concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A COMPREHENSIVE PLAN MAP AMENDMENT, CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT FOR TREASURE VALLEY RENEWABLES, LLC; CASE NOS. PH2016-55 & 56

The Board met today at 1:32 p.m. to conduct a public hearing to consider a Comprehensive Plan Map Amendment, Conditional Rezone, and Development Agreement for Treasure Valley Renewables, LLC, Case Nos. PH2016-55 & 56. The applicant is requesting a Comprehensive Plan Map Amendment to change the designation of R38904 & R38904-010 from "Agriculture" to "Industrial". A portion of the property that is designated "Commercial" is requested to be changed to "Industrial." Also requested is a Conditional Rezone to change the zoning designation from "A" (Agricultural) to "CR-M-1" (Conditional Rezone /Light Industrial), along with a request for a Development Agreement which will limit land uses on site and place conditions on the development. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Neill Goodfellow, Brandon Keller, Tina Wilson, Dave Jones, Bob Pitman, Kurt Christensen, Kevin Pack, Jim McCune, Will Charlton, Chuck Anderson, Jon Watson, Margie Watson, Lynn Thueson, John Hartman, Nikki Dale, Harrison Dale, Gerri Cain, Suzanne Thacker, Karen Winkle, Matthew Eicher, Trent Weber, Whitney Weber, Michelle DeGiorgio, Lucas Thomas, Jim Smith, Dennis Cain Jason Page, Randall Taylor, Cindy Hansen, Aaron Flynn, Matthew Johnson, Maria Weber, Shigae Flynn, Bonnie Weber, Shawnda Kasma, Alan Weber, Dorinda Wilkins, Jeff Kasma, Jan Phillips, Liz Rohrbacher, Craig Weber, Gayle Nielsen, Harold Rohrbacher, Brian Jemmett, Reggie Stevenson, Michelle Page, Floyd Sumsion, Gary Hansen, Diana Sitts, Deloris Thueson, Laurie Nielsen, Jerry Payne, Chad Nielsen, Don Bowers, Hugh Phillips, Eric Jemmett, Jarom Jemmet, and Deputy Clerk Monica Reeves. Commissioner Dale disclosed his participation on the Western Alliance for Economic Development Board, which is a nonprofit organization that works to bring development into Canyon County and

Owyhee County. He said they do not benefit financially from the success or failure of any of the applicants they bring in, nor does he benefit financially in any way, from success or failure, of the application. Commissioners Rule and White did not make any disclosures. Jennifer Almeida gave the oral staff report. The request is for a comprehensive plan map amendment to industrial and a conditional rezone to light industrial, and it includes a development agreement. The applicant is proposing the development of a three-business complex on the subject property. The first component is Bio Ag Resources which will produce molded plates, bowls and other products for the food industry. Sorghum will be received from a farmer's co-op and Boise Ag Resources will also produce the process water and heat that is needed. The second component is called Boise Biogas, LLC, and the facility will operate an anaerobic digester for the production of biogas. A few of the byproducts of the digester result in fertilizer, mulch and livestock bedding for local agriculture and the biogas that is produced will be utilized by Dual Fuels Technology. This component of the complex would require approval of a Planned Unit Development (PUD) prior to commencement of the use on site. The third component is Dual Fuels Technology, LLC; this component cleans the biogas created from the anaerobic digesters and compresses the gas into a pipeline for sale to medium and heavy-duty vehicle operators at retail fueling stations at remote locations. Tanks on specialized containers are filled on site and delivered to fueling stations at other locations. Dual Fuels will supply clean and converted biogas to the onsite power generators and these generators will provide electricity for the overall facility in conjunction with Idaho Power. This component also requires approval of a PUD prior to commencement of the use. In regards to the comprehensive plan map amendment, a portion of the property is designated as commercial and the remainder is designated as agriculture. The applicant is requesting to change the designation of the parcels to industrial. In regards to the conditional rezone, properties south of Highway 20-26 are designated and zoned light-industrial and this particular request to light-industrial would not be out of character with the surrounding industrial uses in the area. In regards to the PUD requirement, the appeal is scheduled to be heard by the Board on April 4. It requires a development agreement be part of the application and it contains conditions of approval. The inclusion of the use would allow manufacturing or production of hazardous chemicals or gases on site. At the conclusion of the public hearing on December 15, 2016 the P&Z Commission recommended denial of the comprehensive plan map amendment, conditional rezone and development agreement. Their decision was signed on January 19, 2017. Staff is recommending approval of the comprehensive plan map amendment, conditional rezone and development agreement that contains recommended conditions in an effort to mitigate potential impacts.

The following people testified in favor of the request:

Neill Goodfellow testified that Bio Ag Resources takes sorghum that is grown by their farmers and they convert it to a pulp that's used in the making of a fiber molded bowl, plate or tray. The goal is to replace Styrofoam and to have an annual renewal substrate to do this with. Boise Biogas needs a digester to take the excess biomass and water and the best place to handle that is in a digester. They can use other materials such as local manure and other

substrates to make methane gas. One of the challenges has been finding adequate power generation in Payette County, Malheur County and Canyon County. One of the ways to solve that is to generate power and that's what the methane gas production does, it allows them to generate power. Dual Fuels is the company that will take the methane gas and process it and clean it and prepare it for injection into the gas grids. They also make the compressed natural gas that can be used in trucks, cars and commercial vehicles. It's a green project; they will not create any toxic chemicals or make any toxic wastes or put out strong odors. There is opposition to the project and a lot of inaccurate statements have been made and he'd like to address them. Odor will be minimal and they are providing a multi-layered approach to controlling odor. Noise will be at 65 decibel level. They have provided a detailed traffic analysis and the traffic impact will be minimal. The highway district and ITD are willing to work with them and they do not see any issues. He is well aware of farming practices and said they will not impact farming operations at this location. Fumigants will not be a problem at this location. He does not think they will have a setback issue of more than 25 feet on part of the property, but it could extend as much as 68 feet. Somewhere between 60%-70% of the acreage is nonprime farm ground and that is where projects like this need to be located. He said one of their representatives made a statement that property values might go down, but that was an inaccurate statement. According to their research some property values have been shown to increase after similar projects were located nearby. Mr. Goodfellow said the Parma Rural Fire Department will not provide a detailed plan for them at this time. He has provided a detailed outline of the scope and intent relative to fire and hazmat response and the fire department has assured them they have the capability, training and equipment to handle any kind of fire or hazmat response that is required. Their program will be based on the American National Standards for roadways and aerial lighting equipment. In response to safety concerns expressed by some of the neighbors, he said digesters don't blow up. They have a stellar safety track record and they will do everything within the requirements to make sure they have a safe operation. He said compressed natural gas and/or bio methane gas is extremely safe, it is not toxic or corrosive and it's safer than propane. They plan to have site security 24 hours a day, 7 days a week. They have provided a detailed and complex scope and intent regarding the various water questions that have been raised, and they will comply with all local, state and federal water control issues. The project will not increase or substantially alter the current mosquito or bug population. There is no regulation that says they have to do an environmental impact study as they are not in the type of development or circumstance that requires one. They have had six community meetings and some representatives have met privately with a number of people and tried to answer their questions. They have provided information and been truthful and are not trying to circumvent rules or laws. Mr. Goodfellow said some people have said their project has been rejected by other places, but that is not true, in fact, a community has reached out to see if they would come there. They have looked at a site in Nyssa but there are some unique issues with Oregon and they prefer to stay in Idaho. The Payette County P&Z Commission unanimously approved the project but there is a new commissioner and that person didn't show up and because of the complex nature they tabled

it and at their next meeting that same new commissioner failed to show up. Commissioner Shigeta made a motion to approve the project and the other Commissioner didn't second it so for lack of a second it failed. He said they were introduced to this property and feel it's a better site. There is a tremendous amount of work to be done but they think it can be a real benefit to the community and to the County. Commissioner Rule had questions about the lagoon on the property. Brandon Keller said it's not anticipated to be a large lagoon; it will be lined and designed to DEQ standards but it's too early to give an accurate size at this point because they have not gone to that level of detail at this stage.

Tina Wilson, the Executive Director of the Western Alliance for Economic Development, read from a prepared statement regarding the potential economic impact the project will have on the Western Alliance region. They have a capital investment of \$94 million to build their complex and it will bring 70-75 new jobs to Canyon County. They intend to work with local educators and training facilities such as COSSA to train potential employees locally. The anticipated annual payroll will be \$3.15 million. Research shows there will be an increase in land values. She spoke of why the applicants chose this location.

The following people offered neutral testimony:

Jon Watson said this is indeed in the comprehensive plan as M-1, but it started coming as M-2 and now it has morphed into an M-1 ½. The plan has a lot of benefits, but there is huge amount of risk and he doesn't know if the applicant has addressed what the risks might be. With the exception of noise he sees no method of which to measure success of failure of those mitigating processes that they feel will address the issues of odor, noise, excess light and excess traffic. The Board needs to look through, get help and go look at a facility and see if the development agreement will address all the issues.

Margie Watson said the project has potential but there are too many things left undone to proceed without knowing more.

The following people testified in opposition to the request:

Matthew Johnson, whose background is in environmental law and local government work, said at first glance it looks like a good idea, but the problem isn't the first look, it's in the second look when you get into the in-depth questions and the location of the project. It's a rural agricultural area where the prime use is farming. Those who live there enjoy the farming and rural lifestyle and the comprehensive plan designates the area primarily as agricultural with a small sliver of commercial along the highway. The Parma future land use plan does extend as a commercial industrial mix toward this area but nobody planned for the idea that this area would develop into an industrial place. The project will bring pollution, odor, and noise concerns. He said the applicant came in last fall, went through neighborhood meetings, a P&Z hearing and since then they've been through a PUD hearing where the concerns were again raised and most of the questions weren't responded to. The focus on the project has been on bringing new jobs, but they have failed to address the concerns. He said another law firm submitted a letter (Exhibit 56) giving an alternative

analysis and it goes through the standards and offers an alternative staff report and he agrees with the letter. There are dangers in the storage of hazardous gases and they need to get a letter from the fire department and he questioned whether Intermountain Gas will support it. The neighbors have concerns about water supply, waste water, and the impact to agriculture and the agricultural lifestyle. The project is manufacturing and processing – it is not agriculture and it is not conducive to the area. Mr. Johnson said it should be rejected as a comprehensive plan change and the conditional rezone should be denied, but, if the Board does move forward he suggests the conditions deserve a much deeper look than they've had up to this point to make sure the County and the neighboring properties are protected.

Diana Sitts testified that she lives across the road from the proposed project and she was raised there and her dream was to purchase land from her dad so she could build her home with the idea that her grandchildren could enjoy the rural lifestyle. She is concerned about the safety of children loading on school buses on Shelton Road, which is a narrow country road. She wants to keep the rural environment for those have been established there.

Jarom Jemmett testified about property values and said there would be negative impact with the loss of the agricultural aspect. He doubts job creation will have a direct impact on the City of Parma because there is no housing in Parma. He said it's irresponsible and unprofessional that this is the third location they've proposed for this project and with that they still don't know what size of ponds they'll need. He said this project is valuable, but the location is not suitable.

Jason Page is a state certified crop consultant and board certified crop advisor and his testimony focused on fumigation and block spraying issues. There is a possibility of off target drifting so if you put a facility next to farm ground, especially onion production ground, there will be issues with fumigation and chemical exposure.

Randall Taylor has concerns about truck traffic and he said this is not the right location for the project.

Michelle DeGiorgio said this is a good project, but not at this location. She has concerns about the odor and additional truck traffic that will be generated by the project.

Alan Weber spoke of his concerns with truck traffic and the kind of waste (liquid cow manure and slaughterhouse waste as well as other bio food waste) that will be brought to this site from other counties. The owners and operators of the project don't live in Canyon County, and of the grower group that was started 6 years ago, 24 of the 25 growers are from Oregon and one is from Payette County.

Maria Weber stated she is not opposed to change or growth but rather the type of change because she does not want to have industrialism in her backyard. It is unfair to ask people who have been established for generations in the community to change their lifestyle for an unknown entity that has not been proven. It is not ag friendly to ask a farmer to not grow something so that someone else can be their neighbors and change the way they live.

Shawnda Kasma testified about traffic concerns and the loss in property values, and she finds it bothersome that the applicants feel they don't have to do an impact statement. There is a lot of industrial areas in Canyon County and she believes the applicants should look to one of those areas.

The Board took a brief recess at 3:23 p.m. and returned at 3:32 p.m. With testimony in opposition resuming as follows:

Jan Phillips questioned the wage amounts the project representatives have stated and spoke of her concerns with decreasing property values as well as safety and traffic.

Harrold Rohrbacher, who farms in the area, said if you can't fumigate potatoes the yield and quality will drop significantly. The topography of the property is steep and there will have to be some dike work done because you cannot evaporate 20,000 gallons a day, nor can you spend \$90 million on 48 acres and not have a huge effect on a community.

Craig Weber said his family has farmed in the area since 1944 and he does not feel the project should be a priority over those who live in the community.

Karen Winkle spoke of concerns with evaporation and said everything that comes to the location has got to leave either through evaporation or be hauled off.

Rebuttal testimony was offered as follows:

Will Charlton, who has been in the anaerobic digester industry as an expert for 18 years, said he wants to erase the question about the water balance. Most materials they bring on site are brought in at 23% solids and they prefer to get them down to 8%-11%. During the process they are cleaning the solids and extracting them out of the water so they can recycle the water back through to the beginning to provide the makeup. There is a plus or minus of 24 ton per day on the water balance and it gets modified as they get into the detailed engineering. He spoke about the evaporator technologies and odor management technologies they will use.

Neill Goodfellow said there has been a lot of testimony that is contrary to some things they have stated but there is no way he can provide technical answers to all the questions in his remaining six minutes of rebuttal testimony. He stands by what has been said and said the information is accurate. They do not believe the project will have a detrimental impact to anybody or their farming operations. Regarding fumigation, he has spent considerable time talking with Simplot about application rates, labels of the chemicals they use and how they came up with the numbers for the possible setbacks. They do not fit within the EPA's description of emergency evacuation. He said they will work with the farmers if there's an issue that needs to be dealt with and said they should not have a serious impact on the farmers having to do fumigation. They will be well within any setbacks that need to be applied. He said they do not want to lessen the neighbors' concerns but he believes the concerns have been addressed in a satisfactory way. When asked if the applicants would consider a traffic impact study, Mr. Goodfellow said it's hard to justify that kind of expense

and it's not an issue because neither the highway district nor ITD required it. Commissioner Rule said if it takes \$15,000 to qualify a \$94 million project that's not out of line. Mr. Goodfellow said they want the opportunity to locate here but they can't justify spending millions on a what-if scenario. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously close public testimony. Commissioner Rule asked if the project qualifies under M-1 zoning. Ms. Almeida said the sorghum element could be operated in an M-1 zone, however, the other two components (Boise Biogas and the Dual Fuels) cannot be operated in an M-1 zone without approval of a PUD, which will be heard by the Board on April 4. Commissioner Rule asked if there is any problem with adding a condition for covered loads. Director Nilsson said it is a specific condition and there's been some concern about enforcement. Ms. Almeida said the condition requiring that all feedstock shall be delivered in covered trailers, truck beds or fully enclosed vessels is in Exhibit 50, Condition No. 26. (All feedstock, not all loads, but it could be changed if that's what the Board wants.) Commissioner Dale said his big question was on the enforceability of the development agreement; he wants reaffirmation on the enforceability because this is a very extensive agreement with 31 conditions that need to be adhered to. He also wants to see something from Intermountain Gas Company before he makes a decision. Commissioner White doesn't want to physically visit other sites but she does want information on other projects that are similar to the proposal. Commissioner Dale said the objections we need to focus on are the issues of safety, odor, and noise, as well as those things that are generated by the parts of the proposal that would be required under the PUD. A continuance would allow time to look up some examples. Director Nilsson recommended the Board continue the hearing to April 4<sup>th</sup> at 1:30, which is when the PUD appeal will be heard, and one hearing could flow into the other. The Board has asked for two additional exhibits 1) a summary of other similar digester sites; and 2) a letter from Intermountain Gas. The record could be left open for those two exhibits and when we reconvene we would give people an opportunity to testify to those new exhibits since they weren't available for today's hearing and conduct that continuance as a mini-hearing on those new exhibits and then continue the Board's deliberation. Commissioner White made a motion to continue the hearing to April 4, 2017 at 1:30 p.m. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion which carried unanimously. The hearing concluded at 4:37 p.m. An audio recording is on file in the Commissioners' Office.

**EIGHTEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 9, 2017**

**PRESENT:   Commissioner Steven J. Rule  
              Commissioner Pam White  
              Commissioner Tom Dale**

## **Deputy Clerk Monica Reeves/Jenen Ross**

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Integra Paperless Business in the amount of \$69,937.00 for the Information Technology department

### FILE IN MINUTES

The Board filed the 2016 Missed Supplemental & Transient Property Assessed Value by Taxing District in today's minutes.

### WEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:21 a.m. for a weekly meeting with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Director of Facilities Paul Navarro, Director of IT Greg Rast Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Navarro reported on the following items: he has filed the fence and rec yard lid variance with the City of Caldwell and will probably be on the P&Z agenda in April. They've met with Sam Laugheed from legal and Rick Bugatsch from LCA and believe there are two bid packages that have arrived; the fence will consist of just putting in the poles, rails and the fencing, they are working on getting the bid documents together for that project. That will involve them going to Jerome County to harvest the 360 linear feet of 10-foot chain-link and the erecting it here; the rec yard lid will require a general contractor that knows how to read engineered drawings and can do concave to convex welding so it is a little bit more complex; the drawings are not yet finalized but he was with the architect yesterday taking measurements. Construction is busy in the Valley so he is having a hard time getting the architectural engineers to nail down a timeframe; he is hoping to have the plans in hand by March 28. They have started on the Juvenile Justice remodel project, adding the second clerks' window. Next week they will start on the Clerk's Office remodel on the 3<sup>rd</sup> floor of the admin building. There will be two new offices built, one for the new chief deputy and an actual office for the Clerk. He is working with IT on their data center as the two cooling units in that room are not working properly. He has brought in YMC Mechanical for help on this room and then will bring IT onto the digital controls network so that Director Rast and his team will be able to monitor the room from their phones. In regards to the fairgrounds, he has a bid for the big fans but there is an issue with the power; the existing panels are packed and he's trying to determine the best course of action so he's met with Idaho Power on that project. He's been in contact with the Eagle Scouts about three upcoming projects: two are for painting at the fairgrounds and he hopes to have those done by April or May. Due to the utilities being pulled out of the jail parking lot it no longer has lighting and is very dark, there is also a large dirt patch were Crown Bail Bonds used to sit. Estimates



have been gathered to asphalt over that and to start putting parking lot lighting in. It will be done in two phases with the lights and poles being purchased by Facilities and then having a contractor do the trenching and help with the installation. Commissioner White asked Director Navarro to share his idea in regards to the fair; Mr. Navarro said that in learning the importance of 4H to Canyon County and looking at some of the events that the building is rented out for on the weekends we may not be recouping the cost with having to regrade the arena and cleaning bathrooms afterwards. He thought perhaps a good gesture from the County may be to offer the building for full 4H use at no cost. It is simply his opinion just based on learning that they are renting church space and using monies to have other 4H activities and thought maybe the county could partner with them to offer the building as their 4H central location. Commissioner White thinks it's a great idea and needs consideration as there are some organizations that rent the building but are very hard on it. Commissioner Dale thinks this may be an appropriate time to evaluate the facility rental fees and any damage fees. Commissioner Dale asked about the rental for the horse boarding but Mr. Navarro does not yet have an answer; he's reached out to Director Sinner but she is on vacation this week. Director Rast continued with his meeting and gave an update on the following items: Director Sinner would like IT to take over the processing of mail for the fair, they have a meter machine now but it is getting old and not working very well; he has offered the courthouse mailroom services but it will still require the fair employees to come to the courthouse for mail services although IT does have a vehicle and may be able to help with some of the pick-up and delivery; the details are still being worked out. Commissioner White and Dale were okay with this service as long it will be beneficial and not add any costs to the IT department. IT will also be taking over the fair website, including designing a new website for them, which they will probably start right after the fair concludes so they'll have August thru November to get it completed. Right now the site is being hosted outside the county and by having IT take it over there will be a cost savings. Concerts tickets will continue to be sold thru an e-ticket system. There is wireless site-to-site at the fairgrounds with plans to update this fall, Director Rast asked if the Board is still wanting to put money into the infrastructure of the fairgrounds. Commissioner Dale is in favor of it as the fair will be at that location for the foreseeable future. Additionally, the phone system will also need to be upgraded in the fall. Director Rast has made contact with a new computer vendor as the county was paying 32.5% - 60% more than it should be with the vendor that was previously used and it will be removed from the preferred vendor list. Contracts have been set up directly with HP and Dell for the custom use. With this new vendor there will be an opportunity to get demo units for the county to use for 30 - 60 days before there is a purchase. Director Rast presented a PO for \$69,000, this is for the OnBase expansion of licenses; the budgeted amount was \$73,000 so the remaining amount will be used for renewal that comes due in September. He has heard rumors thru other departments that they want to hire OnBase administrators for the paperless software but he cautions the Board to really look at that because he feels the OnBase expertise should be in IT. They have a new position that they've hired for this very purpose and OnBase is not a software to just be installed and used, a solution needs to be developed first. Commissioner White suggested Director Rast attend the elected officials meeting in March to discuss this issue. The OnBase system will eventually replace all paperless programs including PaperClip and PaperVision. The MOU with the City of Caldwell for the dark fiber was signed Monday, it will be coming back soon for Board

signatures. Mr. Rast reported that they now have numbers back from Idaho Tower for the landfill and Lake Lowell; the numbers are within budget with the exception of the landfill. The landfill came in at \$70,000 but he said Director Loper is looking at that and working with legal on how this going to come about. Lake Lowell and Celebration Park came to \$58,000 total, which will include a 25 ft. tower at Lake Lowell to get the elevation up. There will need to be some coordination with facilities as there will be some trenching between the office, the shop and the tower. Director Rast believes this will be a great extension of the network at these locations because it will now allow for wireless badging, Wi-Fi access and cameras. He is hoping to get Celebration Park completed in the spring or early summer so that the service will be available during the busy season at the park. With this new equipment, the signals between the sites will be FCC certified and the county will be on its own frequency so it can't be hacked or disturbed. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NOS. 2016-1710 AND 2017-90

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for Case Nos. 2016-1710 and 2017-90. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, Timothy Ryan from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take both cases under advisement and issue a written decision within 30 days. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-962

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for Case No. 2016-962. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, the applicant, Kelly Hobza and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to place the case in suspension pending further information. The hearing concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-722

The Board met today at 9:24 a.m. to conduct a medical indigency hearing for Case No. 2016-722. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, the

applicant's husband, Flyer Seabrook and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take the case under advisement for approval with a written decision within 30 days. The hearing concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NOS. 2017-104 AND 2017-105

The Board met today at 9:36 a.m. to conduct a medical indigency hearing for Case Nos. 2017-104 and 2017-105. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, the applicant, Kelly Hobza and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to May 4, 2017. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-109

The Board met today at 9:50 a.m. to conduct a medical indigency hearing for Case No. 2017-109. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, the applicant, Kassi Daugherty and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to April 6, 2017 at 9:00 a.m. The hearing concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1064

The Board met today at 10:09 a.m. to conduct a medical indigency hearing for Case No. 2016-1064. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, Flyer Seabrook and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to take the case under advisement and issue a written decision of denial within 30 days. The hearing concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY HEARING FOR CASE NO. 2016-1396

The Board met today at 10:23 a.m. to conduct a medical indigency hearing for Case No. 2016-1396. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, Kassi Daugherty and Michelle Davis from St. Luke's Regional Medical Center, Attorney Mark Peterson, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to place the case in suspension pending the social security resource. The hearing concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY MATTERS

The Board met today at 10:30 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. David Eames, Indigent Services Director Yvonne Baker, Hearing Generalist Kellie George, Hearing Specialist Michelle Kidd, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue Case No. 2016-847 to April 6, 2017. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to take Case No. 2017-165 under advisement. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to deny the following cases, with a written decision to be issued within 30 days: Case Nos. 2017-27, 2017-102, 2017-204, 2016-1607, and 2017-65. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to issue a determination of denial for the following cases: Case Nos. 2017-61, 2016-1680, 2017-15, 2017-171, 2017-92, 2016-1599, 2016-1337, 2016-1287, 2016-1367, and 2016-1587. The proceeding concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

### LEGAL STAFF UPDATE, AND SIGN LETTER OF SUPPORT OF PROJECT ARROWHEAD

The Board met today at 10:43 a.m. for a legal staff update and to consider signing a letter of support for Project Arrowhead. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, HR Director Sue Baumgart, who arrived at 10:50 a.m., and Deputy Clerk Monica Reeves. The Board met with representatives from Project Arrowhead earlier this week and had some preliminary negotiations with them regarding matters of commerce and they've requested the Board sign a letter of support to the Department of Commerce for their project. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously

to sign the letter of support which will be sent to Director Megan Ronk at the Department of Commerce, a copy of which is attached to this day's minute entry. The Board went into Executive Session at 10:44 a.m. as follows:

EXECUTIVE SESSION – PERSONNEL MATTER, REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY, AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

Commissioner White made a motion to go into Executive Session at 10:44 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c) and (d) regarding a personnel matter, acquisition of an interest in real property, and records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Mr. Goodsell left at 10:49 a.m. HR Director Sue Baumgart arrived at 10:50 a.m. The Executive Session concluded at 11:07 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING MEMORANDUM OF UNDERSTANDING BETWEEN CANYON COUNTY AND BONNEVILLE COUNTY FOR THE ASSIGNMENT OF STEVE JETT TO CONDUCT PREA AUDIT

The Board met today at 11:11 a.m. to consider signing a Memorandum of Understanding (MOU) between Canyon County and Bonneville County for the assignment of Steve Jett to conduct a Prison Rape Elimination Act (PREA) audit. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Juvenile Detention Director Steve Jett, and Deputy Clerk Monica Reeves. Director Jett is certified by the Department of Justice to do PREA audits for the prison rape elimination act and the MOU is a cooperative agreement between Canyon County and Bonneville County to reimburse us for the time he spends doing the audit. Zach Wesley said it's a unique relationship where we're lending Director Jett to the other counties as a friendly way to help them conduct business and save costs and give him the benefit of learning things he can bring back to our facility. It makes it clear that the contract does not affect his at-will status and makes sure the counties can get out of the contract if we were to no longer employ Director Jett. The scope of work and costs are explained in the exhibits. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the MOU with Bonneville County for the assignment of Steve Jett to conduct a PREA audit. (See Agreement No. 17-009.) The meeting concluded at 11:21 a.m. An audio recording is on file in the Commissioners' Office.

**NINETEENTH DAY OF THE FEBRUARY TERM, A.D., 2016  
CALDWELL, IDAHO MARCH 10, 2017**

**PRESENT: Commissioner Steven J. Rule  
Commissioner Pam White  
Commissioner Tom Dale  
Deputy Clerk Monica Reeves/Jenen Ross**

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Bonneville Blueprint Supply in the amount of \$22,766.76 for the Solid Waste department
- Henriksen Butler in the amount of \$2450.00 for the Prosecuting Attorney Office

MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE TO DISCUSS GENERAL ISSUES

The Board met today at 8:00 a.m. for a monthly meeting with the Administrative District Judge to discuss general issues. Present were: Commissioners Pam White and Steve Rule, Judge Brad Ford, and Deputy Clerk Monica Reeves. Judge Ford reported on the following topics: courtroom remodel and audio system improvements that have been made; he's reached out to the elected officials about his desire to have a periodic meeting to improve communication and make sure everybody is on the same page; the Odyssey program was discussed; Judge Kerrick will be leaving at the end of the month and four names have been sent to the Governor: Gene Petty, Matt Roker, Chris Topmiller and Thomas Whitney. Judge Kotyk will retire in September and the Magistrates Commission will start again in the next few weeks. Commissioner Rule spoke of his surprise about comments that were made by Judge Burdick when he recently visited the Commissioners' Office. He understood the Judge to imply that previous Boards did not support the courts and Commissioner Rule found those remarks disturbing. Judge Ford said he will pass along the concern, and then he thanked the Board for the support and spoke of the strides that have been made in the last four years with the transition to the administration building and the construction of new courtrooms. No Board action was required or taken. The meeting concluded at 8:31 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 9:02 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Commissioner Dale reported on the Lake Lowell preseason coordination meeting he attended this morning. There wasn't anything proposed and it was asked what the regulations or closures for the grebe protection will be this year and it was his understanding there wouldn't be any restrictions on the "narrows" area. They put some added restrictions in there last year but they didn't have any documentation that anything had changed so they're not doing it this year. They talked about carp control and how there are two fishing operations trolling for carp but it's not controlling the population. The Parks Department reported it would take the entire production for rotenone in the United States for a year and a half to treat the carp problem in Lake Lowell. There is a koi virus that can be used but it will be difficult to convince the public it will be safe to put a virus into a swimming lake. Commissioner Dale thinks the best option is to introduce the sterile tiger muskie and if we see that they're affecting the ducks rather than the carp then we won't put anymore in there. He wants to take a delegation to Portland to discuss the Lake Lowell issue, and he'd like Parks Director Tom Bicak to provide some numbers about where to get the fish and how much it will cost and try to do it this summer. Commissioner Rule supports that idea and he supports sending a delegation to Portland. The Board went into Executive Session as follows:

EXECUTIVE SESSION – REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND A PERSONNEL MATTER

Commissioner Rule made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding an acquisition of an interest in real property and records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Mike porter and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:25 a.m. While in open session Commissioner Dale asked for a motion to amend the authority to enter into Executive Session to include the section for named personnel. Upon the motion by Commissioner White and the second by Commissioner Rule, the Board voted unanimously to amend the authority to enter into Executive Session to include Idaho Code, Section 74-206(1) (b).

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING CHANGE ORDER WITH TETRA TECH

The Board met today at 9:34 a.m. to consider a change order with Tetra Tech. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Landfill Director David Loper, and Deputy Clerk Monica Reeves. Brad Goodsell said this is a proposed change order to the existing agreement with Tetra Tech, and the scope of work involves three different things: well abandonment, updates to the operations plan as well as conceptual landfill expansion plan. The total is \$68,849. Director Loper said he budgeted for these items for FY2017 and he explained that the well needs to be abandoned because it's in the middle of the site and at some point it will be under hundreds of feet of garbage so we want to make sure it's detailed and done correctly. In 2015 he applied for an extension to the operations plan and they are due for a recertification for 2018. The last phase is putting together a conceptual expansion cut and fill plan so that in the future he can bring for discussion the proposal for expanding the site, if that's something the County wants to do. Upon the motion of Commissioner White and the second by Commissioner Rule the Board voted unanimously to sign the change order with Tetra Tech. The meeting concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A PRELIMINARY PLAT AND IRRIGATION & DRAINAGE PLAN FOR SMALL WOOD TRAIL SUBDIVISION

The Board met today at 10:01 a.m. to conduct a public hearing to consider a request by Eric Houdek and Dennis Garrison for approval of a preliminary plat, final plat and irrigation and drainage plan for Small Wood Trail Subdivision, Case No. SD-PH2016-13. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Deb Root, Eric Houdek, Dennis Garrison, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report noting that the property is currently conditionally rezoned rural residential, subject to a development agreement the Board approved on May 29, 2013. The applicants have submitted their preliminary plat in accordance with the development agreement and zoning ordinance requirements. The project will be a five-lot subdivision restricted by the conditional rezone and development agreement. The County surveyor has indicated the plat is in accordance with the ordinance and statutes. There is an agreement with the highway district to develop Trail Lane in the future. The P&Z Commission recommended it for approval and staff is recommending approval as well. Eric Houdek stated he has obtained approval from the appropriate agencies; he just needs the County Treasurer's signature. Ms. Root said the final plat will be brought back to the Board at a later date. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule made a motion to approve the preliminary plat and irrigation and drainage plan for Small Wood Trail Subdivision, Case No. SD-PH2016-13. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor. The motion carried unanimously. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.



### CONSIDER REFUND RESOLUTION FOR STEVEN BARFUSS

The Board met today at 10:11 a.m. to consider a resolution refunding a building permit fee to Steven Barfuss. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Director Nilsson said Mr. Barfuss is a local contractor who has two clients who have decided to discontinue their building permits projects and so staff is requesting a refund of the fees he paid minus the time staff spent on zoning and plan review. The total refund for both permits would be \$1,437. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to issue a refund to Steven Barfuss. (See Resolution No. 17-044.) The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER APPROVING TAX CHARGE ADJUSTMENTS BY PIN AND FILE TREASURER MONTHLY & QUARTERLY REPORTS

The Board met today at 10:31 a.m. to consider approving tax charge adjustments by PIN for December and January, and to file the Treasurer's Monthly and Quarterly Reports. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Treasurer Lloyd said the tax charge adjustments are procedural and occur every month or two. In this case there are Board of Tax Appeal adjustments which adjust the tax dollars up or down, depending on the situation. The report shows a reason as to why the adjustments occurred. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the tax charge adjustments for December 2016 and January of 2017 and to file the Treasurer's monthly report for November as well as the quarterly report for October through December. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF FEBRUARY 2017 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

APPROVED: \_\_\_\_\_  
Commissioner Steven J. Rule

\_\_\_\_\_  
Commissioner Tom Dale

\_\_\_\_\_  
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

\_\_\_\_\_, Deputy

DATE: \_\_\_\_\_