

MAY 2018 TERM  
CALDWELL, IDAHO MAY 1, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5-10-18

The Board of Commissioners approved payment of County claims in the amount of \$91,399.92 and \$71,624.44 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carrier – Sigler in the amount of \$3698.00 for the Facilities department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson's Food Stores #82, #115, #117 and #126; Bon Appetit Management Co. dba McCain Pub; Horacio Tellez Castillo dba Taqueria Janitzio. See resolution no. 18-056.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Gallegos Meat Market, LLC dba Gallegos Meat Market; Walgreen Co. dba Walgreens #05648, #07276, #10672, #11541 and #12483; Jackson's Food Stores, Inc. dba Jackson's #143; Jackson's Food Stores, Inc. dba Jackson's Food Stores #85. See resolution no. 18-057.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson's Food Stores #59, #22, #5, #3, #149, #148 and #147. See resolution no. 18-058.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. Jackson's #144, #64, #63, #62, #61 and #60. See resolution no. 18-059.

## BIWEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:30 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Facilities Director Paul Navarro, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following items: Mayor Nancolas and legal have signed off on an MOU for the Charolais barn so it is now in full production; lifts showed up yesterday, the electrician is putting in the new LED light circuits and paint should be delivered later today. Commissioner Dale is aware of an Eagle Scout group looking for projects, Director Navarro asked him to put them in touch with him as he has several projects they can help with. He will be meeting with Southwest District Health today to tour the CCOA building. The generator for the DMV has arrived so he's working to schedule a time to get it installed. The roof at the jail annex will start next Monday. The IT fire suppression system is getting closer to being finished. Mr. Jensen updated the Board on the following items: there were some phone issues transferring between the Nortel and Skype for Business but those issues have been resolved. They were also able to negotiate an assessment for our Skype for Business; now that they have received the results and recommendations they will analyze how to implement the suggestions. Accela will be kept online until October 1<sup>st</sup> because the City of Caldwell is experiencing some issues with missing data in their new program. All of the landfill equipment is now completely updated. Mr. Jensen is working with Idaho Tower to finalize a service level agreement; it will be approximately \$750 per link and once it's completed it will consist of the fairgrounds, CCNU, landfill and parks (Celebration and Lake Lowell). Director Rast is working on his FY2019 budget numbers to include the weed and pest connectivity via I-84. Commissioner Rule asked Director Navarro if there was any update on the painting project; Director Navarro said he has reached out to ESI and they've agreed to meet with him this week to discuss the possibility of the facilities team doing some of the work. He feels that his team could do the carpentry, the sealing, the priming and pressure washing leaving the actual painting to ESI. The meeting concluded at 8:41 a.m. An audio recording is on file in the Commissioners' Office.

## LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR COURT INTERPRETER MARK CONTA

The Board met today at 9:03 a.m. for a legal staff update and to consider signing an independent contractor agreement for court interpreter Mark Conta. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter left at 9:06 a.m., Clerk's Executive Assistant Taryn Peterson left at 9:06 a.m., Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross.

### ***Consider signing independent contractor agreement for court interpreter Mark Conta:***

Mr. Conta is certified in Oregon but his certification has lapsed in Idaho so he will be used as a last resort. The same hourly rate applies as other interpreters. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign

the independent contractor agreement for court interpreter Mark Conta (see agreement no. 18-038).

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Rule 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. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:18 a.m. with no decision being called for in open session.

As part of the legal staff update a discussion was had regarding the opioid litigation. Commissioner Rule said there was an article in today's paper referencing the Commissioners making a decision on some judicial action involving Canyon County sometime after May 21<sup>st</sup> when the elected officials can meet to discuss it. He asked Mr. Wesley to interpret Idaho Code 31-813 who stated that this code is part of the counties and county law chapter on the powers and duties of the Board of County Commissioners and the text states the following: *Control of suits. To direct and control the prosecution and defense of all suits to which the county is a party in interest, and employ counsel to conduct the same, with or without the prosecuting attorney, as they may direct.* Mr. Wesley said there are some limitations on that meaning that if there is a suit against a particular elected official or office regarding one of their duties the Board wouldn't necessarily control that. Generally speaking, actions that concern the county as a whole the Board of County Commissioners determines the direction and control of the litigation. Commissioner Rule said that in this case if we're in litigation - in this case a national effort - that would fall directly under this scenario. Commissioner Rule feels strongly that this is a time sensitive issue where there is a statute of limitations and counties are joining rapidly and the farther down we get the less chance we have of catching the first flight of the suit and believes it would affect the county financially. Commissioner Rule thinks that a meeting should be scheduled as soon as possible and that the Board has the expertise to make this decision with assistance from Prosecutor Taylor. After the two presentations and direction from the prosecutor's office he doesn't think he needs to wait 3 weeks for the other elected officials to give him permission to make a decision that the Board is charged with anyway. Commissioner Dale believes there is no downside to the county joining in but there is a potential upside; the only decision point is which firm to go with. Commissioner Dale said it's an important enough issue and he would like to get something on next week's schedule. Commissioner Rule agrees that this issue needs to be addressed sooner rather than later as one firm has said they will be filing suit in the next 10 days. Commissioner Dale would really like to have a meeting in the next week and both Commissioners Dale and Rule would like to get Commissioner White involved in the conversation. The Board asked Mr. Wesley to speak with Prosecutor Taylor about gathering

the financial information. The meeting concluded at 9:27 a.m. An audio recording is on file in the Commissioners' Office.

#### MONTHLY MEETING WITH DIRECTOR OF HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:41 a.m. for a monthly meeting with the director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, HR Director Sue Baumgart, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Director Baumgart said the Wellness Program kicked off today and notice will be going out soon.

#### EXECUTIVE SESSION – PERSONNEL MATTER, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING /IMMINENTLY LIKELY LITIGATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*A request was made to go into Executive Session to discuss a personnel matter, communicate with legal counsel regarding pending /imminently likely litigation 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 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (f) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, HR Director Sue Baumgart, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

The meeting concluded at 10:01 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### MONTHLY MEETING WITH THE FAIR DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER AGENDA ITEMS

The Board met today at 10:02 a.m. for a monthly meeting with the Fair Director to discuss general issues, set policy and give direction and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Fair Director Diana Sinner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: They announced the mainstage acts via social media on April 12<sup>th</sup> and they will be announced on the radio tomorrow with tickets going on sale Friday. All the opening acts have been booked but the contracts are not yet ready. The CWI and Albertson's stages are all booked and the contracts will be signed today. For the Sunday entertainment they are working with Hispanic radio and a television station; they are booking a mariachi, salsa band, Spanish rock and Bando. There is also an equestrian group that will be performing. The exhibitor guide will be posted online this week. Sponsorships were confirmed at 77% of budget but they are still in negotiations with several sponsors. \$95,000 of in-kind media

sponsorship has been confirmed. The Thursday thru Saturday schedule has been finalized and will be posted this week and then Sunday will be posted as soon as it's completed.

Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Canyon County Fair Entertainment contracts with the following: Fusion Talent Group (see agreement no. 18-045), Hispanic Folkloric Dancers of Idaho/Brad Ebert (see agreement no. 18-044), Brian Baughman (see agreement no. 18-043), Pacific Animal Productions (see agreement no. 18-042), Tyler Messina and Reptile Adventures (see agreement no. 18-041), Steven Wilson aka Tuey Wilson (see agreement no. 18-039) and Patti Syme (see agreement no. 18-040).

Zach Wesley said the following contracts are slightly different than the standard entertainment contract where we control the language. In this case, in order to get these national groups to come in some concessions need to be made, primarily to indemnification and insurance to where the county bears the insurance and liability risk. The way that these contracts are constructed is also very unusual from how the county normally likes to do business, rather than have a clear agreement it works as a strikethrough so every change has to be initialed as the agreements are gone thru. Mr. Wesley said the contracts have been gone thru and standardized to the extent that they could be, making sure that the language is the way we prefer it to the extent that we can. There is a master agreement with Romeo Entertainment which provides for the payment to the groups and then there are addendums with each group that goes into specific details about sound and lighting. There are also 'rock and roll' riders where the county has gone thru and marked off the requests that cannot be complied with. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the following contracts: Romeo Entertainment Group agreement for Sawyer Brown, Craig Morgan, and Michael Ray (see agreement no. 18-046), Michael Ray contract addendum and rider (see agreement no. 18-049), Sawyer Brown contract addendum and rider (see agreement no. 18-047) and Craig Morgan and Hooah Music Inc. contract addendum and rider (see agreement no. 18-048).

Zach Wesley explained that he and Director Sinner have been working with the Fair Board to create the Fair Advisory bylaws. When the Fair Board was established as an advisory body there was an ordinance that was put into effect that provided that they would establish their own bylaws to run their meetings and to establish their goals and duties. Under the ordinance the Board then has to adopt the Fair Boards bylaws. Ms. Sinner said one of the items they revised was to make the meeting schedule a little more flexible in order to accommodate Board members or future Board members. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution adopting Fair Advisory Board bylaws (see resolution no. 18-060).

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

PUBLIC HEARING – PRELIMINARY PLAT, FINAL PLAT, IRRIGATION PLAN AND WAIVERS FOR MUFFIN SUBDIVISION

The Board met today at 11:00 a.m. to consider a request by Dan Robertson for approval of a preliminary plat, final plat, irrigation plan and waivers of curb, gutter, sidewalks and landscape for Muffin Subdivision. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, TJ Wellard, Dan and Judy Robertson, other interested citizens, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 11:25 a.m. Jennifer Almeida gave the oral staff report noting that staff is recommending approval of both plats, the irrigation plan and the deferment of waivers. The City of Caldwell has reviewed the plats and requested waivers and has recommended a condition requiring the developer to enter into a deferral agreement with the city's engineering department. It has been added as a condition of approval and no new residential building permits will be issued until this condition has been satisfied and a copy of said agreement is supplied to DSD. The P&Z Commission recommended approval of the pre plat, irrigation plan and deferment of waivers. Commissioner Dale believes that when residential lots are contiguous to city limits they should be annexed into the city limits because they're taking advantage of the city's assets without having to participate in the support of those things. TJ Wellard said there are several existing residences on the property which is one of the reasons why the city wasn't pushing for annexation. All services are already provided on most of the property. Dan Robertson said five houses already exist on the property; he has two houses on one lot and he wants to sell one house with its own lot and he was told this is the way to do it. He has owned the property for 40 years and he has no objection to the city annexing it if they want to. Senija Kapic, a neighboring property owner, testified about her concern with a fence encroachment issue due to the property being measured incorrectly. Ms. Almeida said the plat should reflect where those monuments were found and how it was surveyed. Mr. Wellard said a survey was done in 2006 by another surveyor which noted a fence encroachment that's never been addressed. He said the encroachment is onto the Robertson's property and it varies, it goes from 2 feet to 13 feet on one end by the ditch. The County is assessing based on the deeds and taxes are paid based on those assessments and if it's something the neighbors want to pursue they have to take legal action. Mr. Robertson said the fence belongs to the Kapics and when they annexed into the city they were required to put a fence between their property and the Robertson property because they had an automotive repair shop there. He has spoken with Mr. Kapic and his concern is that the property line is close to the shop and the fence is not on the property line. The Board took a brief recess to obtain input from the Prosecutor's Office. Deputy P.A. Zach Wesley arrived at 11:25 a.m. Commissioner Rule said he was concerned that the amount of time a fence was in place might establish a precedent and cause the County some liability but he's been informed that the survey is correct and whatever disputes two landowners have with a fencing issue is not the County's liability; we will go by survey and move forward. Zach Wesley said the purpose of a plat hearing is to go through the ordinance and make sure the materials meet the requirements, contain adequate information, and have the appropriate signatures. As far as the validity of the legal

boundaries the County is not making any decision that would influence that and so if there's a dispute it would have to be contested in the court, the County would not weigh in on that. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat, final plat, irrigation plan, and deferment of waivers for Muffin Subdivision as recommended by the City of Caldwell. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order. The hearing concluded at 11:28 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY DAVID AND LINDA STUBBLEFIELD, REPRESENTED BY CINDY GREINER, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. PH2018-9 & 10

The Board met today at 1:35 p.m. to conduct a public hearing in the matter of a request by David and Linda Stubblefield, represented by Cindy Greiner, for a comprehensive plan map amendment and rezone, Case No. 2018-9 & 10. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Cynthia Greiner, other interested citizens, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The Stubblefields are represented by Cindy Greiner and they are requesting a comprehensive plan map amendment from residential to industrial. They are also requesting a rezone from agricultural to light-industrial M-1. The property is located within Caldwell's impact area and while it's designated as residential on the County's comprehensive plan it's designated as industrial on Caldwell's plan. It is adjacent to other light industrially zoned properties. The property to the north is the Sunroc Batch Plant and the owners are leasing a space on that property for their existing small concrete batch plant for a precast manufacturing business and they are planning to move off that site onto this property. Staff is recommending approval of the comprehensive plan map amendment from residential to industrial, as well as the rezone from agricultural to light-industrial. Cindy Greiner testified they were leasing a portion from Lowe's and they sold to Sunroc about a year and a half ago and they want to put their own small batch plant on the property. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the comprehensive plan map change from residential to industrial. (See Resolution No. 18-061.) Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to accept the Findings of Fact, Conclusions of Law and Order for a zoning map amendment to change the zoning from "A" Agricultural to "M-1" light industrial for Parcel R34129, and to approve the rezone. (See Ordinance No. 18-009.) The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH CANYON COUNTY SHERIFF TO DISCUSS TEMPORARY JAIL HOUSING MEASURES

The Board met today at 2:00 p.m. for a meeting to follow up on a visit jail staff took to Greene County, Missouri to look at semitrailers that are used to house inmates. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Lt. Dale Stafford, Lt. Andy Kiehl, Cpl. Russell Bowers, Chief Civil Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, Sid Freeman, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue arrived at 2:28 p.m. The trailers were constructed by All Detainment Solutions (ADS), a company that has experience building disaster relief trailers. Captain Ward said after seeing how the trailers are constructed he believes it would be a viable alternative for the housing of female inmates and would allow them to move females out of Pod 3 in the Dale Haile jail which would open up 62 beds that could be used for male inmates. Over the past several years the jail has been running at high capacity and the costs for female out-of-county housing has been steadily increasing. Currently there are 62 female beds and with the opening of Annex 2 it brings the total number to 76, but the problem with Annex 2 is it's not optimal to live or work in and it requires a female deputy because of the direct line of sight into the toilet and shower areas. The idea would be to use 28 53-foot trailer units in Canyon County which would provide for a total of 122 beds. The purchase price is \$11,498,196, but Captain Ward believes it would be smarter to lease the trailers since it will be a temporary facility rather than a long term fix, and because ADS would be responsible for any repairs. One of the biggest selling points is that within 180 days of signing a contract we will be moved in and using the trailers. They would be placed in the parking lot in front of the Dale Haile jail where sewer and power are available. It would take three deputies to operate it and the plan would be to shut down Annex 2 and then after doing some revitalization they would be able to shut down Annex 3 and be out of the jail annex altogether. (That's 2 of the 3 deputies per shift they would need to operate the trailers, so they would just need 1 additional person per shift.) Captain Ward said the staffing numbers are better than they've been for quite some time and when they get the teams to the 19-20 per team range they will have the deputies to run the facility without additional staffing. Chief Dashiell said if they can get the vacancies filled they won't need additional staff requested in the budget, they'll be able to operate the trailers and the main jail facility, as well as Pod 5. Captain Ward has shown the plans to Jail Standards Coordinator Cindy Malm and she likes the idea and said it looks like a feasible alternative. It is estimated Canyon County will pay \$600,000 this year for out-of-county housing. While the trailer concept will take care of the majority of the female inmate space needs it will not totally alleviate out-of-county housing needs. Clerk Yamamoto believes it would be better to purchase the trailers for \$11.5M instead of leasing them for \$10.5M. Captain Ward said as soon as we purchase the trailers we are responsible for the maintenance costs and his worry is that the public will view the purchase as a solution to the jail crisis. Sheriff Kieran Donahue concurs with Captain Ward and said that when the Board asked them to look at this concept he wasn't sure what they would find but it was phenomenal to see things come together. However, it's a stop gap measure and it worries him that people will perceive this as a fix-all when in fact it's a Band-Aid on a hemorrhaging artery. It will hopefully be enough to keep us away from



the ACLU lawsuit exposure while trying to bring our numbers down of having to transport to other facilities. There are a lot of reasons to do this but he's not anxious to buy the units, he'd rather lease them so ADS can do the maintenance and we could send them back when the lease is up. The proposal will give us time to work through the road map and build a record that we have exhausted every other option, and it will help us keep moving in a forward direction while maintaining the constitutionality for the inmates, and it will lower the potential exposed liability and costs associated with out-of-county housing. Commissioner Dale asked how it will be financed. Controller Zach Wagoner said there will need to be a revenue source and that would be property tax. The County has roughly \$7M of foregone balance (property tax increases that we have not taken in prior years) that is available to go toward a lease/or a purchase. Commissioner Dale said regardless of what we do we need a new jail and it's going to cost a lot of money and whether it's paid for through property tax or with another source, such as a local option sales tax, it means we're going to be paying for this at some point and once the lease goes away that money would be applied to the payment for a new jail. Clerk Yamamoto said three years back we could have made this lease payment without going into foregone but we are in a very different position than we were three years ago. Commissioner Rule doesn't feel like he can comment on the trailers because he hasn't seen them, and with regard to the local option sales tax, he thinks it's a fantasy rather than a solution. Chief Dashiell said this is not a long term solution, but it's possible it could be an interim solution and we can treat it that way and not stop our other efforts for future bed space. Commissioner Dale wants to discuss the proposal with Mayor Nancolas and the city's P&Z Director and find out if the city will allow it. Commissioner Rule said before we go to the city we need Commissioner White to hear the proposal and then have a Board discussion and see if it's feasible. Clerk Yamamoto said it's not a good option, but it's our only option at this time. He will work on the numbers and see what makes sense so they can report at a later date. A meeting will be set once Commissioner White returns to office. No Board action was taken today. The meeting concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 2, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Company in the amount of \$2925.00 for the Facilities department
- Gunarama Wholesale Inc. in the amount of \$6242.60 for the Sheriff's Office

HEARING TO CONSIDER PUBLIC COMMENT REGARDING STERICYCLE HAZARDOUS WASTE DISPOSAL SOLE SOURCE PROCUREMENT AND POSSIBLE PURCHASE ORDER EXECUTION. CONSIDER SIGNING PROJECT INCOGNITO LETTER AND LEGAL STAFF UPDATE

The Board met today at 9:03 a.m. for a hearing to consider public comment regarding Stericycle hazardous waste disposal sole source procurement and possible purchase order execution, to consider signing Project Incognito letter and a legal staff update. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Tina Wilson, Executive Director for WAED and Deputy Clerk Jenen Ross.

***Consider Signing Project Incognito Letter:*** Brad Goodsell said this is the same letter that the Board generally sends out as a support letter on these types of projects. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Project Incognito letter. A copy of this letter is on file with this day's minute entry.

***Hearing To Consider Public Comment Regarding Stericycle Hazardous Waste Disposal Sole Source Procurement And Possible Purchase Order Execution:*** This is an independent contractor agreement proposed with Stericycle for the annual hazardous waste collection. This will be the third year in a row that we have contracted with Stericycle and each year it's been done as a sole source procurement to which a notice of sole source procurement was published stating that the Board would be considering the agreement this morning and if there were any comments to attend at this time. No one was in attendance to voice opposition and no written opposition was received. Commissioner Rule made a motion to sign the agreement with Stericycle. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-050).

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:* Commissioner Rule made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (d). 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, Tina Wilson, Executive Director for WAED and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:35 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.

PUBLIC HEARING – A REQUEST BY JOHN & CYNTHIA CARPENTER FOR A CONDITIONAL REZONE, CASE NO. CR-PH2018-13

The Board met today at 10:33 a.m. to conduct a public hearing in the matter of a request by John and Cynthia Carpenter (Carpenter Revocable Trust) to conditionally rezone 9.4 acres from “A” (Agriculture) to “CR-RR” (CR Rural Residential). Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Zachri Jensen from T-O Engineers, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The applicants want to rezone the property from agriculture to conditionally rezoned rural residential for the purpose of creating one additional parcel on the south edge of the property. This will be the fourth parcel on the original adjusted property; more than 50% of the property will remain in agriculture. The P&Z Commission recommended approval, and staff is recommending approval as conditioned by the nine conditions. The development agreement has been reviewed by the Prosecutor’s Office and signed by the applicants. Zachri Jensen stated the applicants are in agreement with the conditions of approval. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the ordinance directing amendments to the Canyon County Zoning Map as well as the development agreement. (See Ordinance No. 18-010 and Agreement No. 18-051). The hearing concluded at 10:39 a.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING – REQUEST BY VALERIE PARKER FOR A REZONE, CASE NO. RZ-PH2018-22

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Valerie Parker and Alvin Shaul for a rezone from “A” (Agricultural) to “R1” (Single Family Residential). Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Carrie Parker, Cynthia Korenek, Alvin Shaul, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The property is designated as residential on the Canyon County Future Land Use Map and it meets the criteria for creating two one-acre parcels out of the 2.014 acres. The highway district has no problem with the proposed approach although they’ll need an approach permit when they seek a building permit for the additional lot. The rezone meets the criteria of the zoning ordinance and staff is recommending approval. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law and Order. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the ordinance directing amendments to the Canyon County Zoning Map. (See Ordinance No. 18-011.) The hearing concluded at 1:33 p.m. An audio recording is on file in the Commissioners’ Office.

MAY 2018 TERM  
CALDWELL, IDAHO MAY 3, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Acapulco Mexican Restaurant to be used 5/19/18 for a wedding.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- AK Athletic Equipment Inc. in the amount of \$1218.00 for Juvenile Detention

#### 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, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-760, 2018-746, 2018-775, 2018-774, 2018-745, 2018-758, 2018-757, 2018-748, 2018-749, 2018-874, 2018-650, 2018-750, 2018-877, 2018-751, 2018-768, 2018-752, 2018-747, 2018-685, 2018-754, 2018-860, 2018-865 and 2018-762. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 8:54 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue final approvals for case nos. 2018-311, 2018-387 and 2018-51 with written decisions to be issued within 30 days. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue a second amended final

approval for case no. 2017-609 with a written decision to be issued within 30 days. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-322

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for case no. 2018-322. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to May 31, 2018. The hearing concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:11 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared on the following cases: 2018-237, 2018-403 and 2018-327. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue final denials on the cases as read into the record with written decisions to be issued within 30 days. The meeting concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:21 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared for the following cases: 2018-258, 2018-380, 2018-342, 2018-325, 2018-328, 2018-388 and 2018-400. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The meeting concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 4, 2018

**PRESENT:** Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meeting were conducted.

MAY 2018 TERM

CALDWELL, IDAHO MAY 7, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 5/10/18

The Board of Commissioners approved payment of County claims in the amount of \$57,346.05, \$167,759.47, \$117,086.06 and \$16,696.61 for accounts payable.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Brandi Beard and Wendal Barrett Friend.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount \$6453.00 for the Sheriff's Office

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Shopko Stores Operating Co., LLC dba Shopko; Shushi Sushi, LLC dba Sushi Sushi ; Raising Our Bar, LLC dba Raising Our Bar; Ridley's Family Markets, Inc. dba Ridley's Family Markets; Little Saigon Vietnamese Restaurant dba Little Saigon Vietnamese Restaurant; Golden Palace, Inc. dba Golden Palace; Target Corporation dba Target Store T-2206; Alejandra's 1 LLC dba Alejandra's Mexican Restaurant; Shari's Management Corp. dba Shari's of Nampa #235. See resolution no. 18-066.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Let's Wing It, LLC dba Wingstop; Smashburger Acquisition Idaho, LLC dba Smashburger #1588; Garbonzo's Pizza, Inc. dba Garbonzo's Pizza; Tacos Colimas, LLC dba Tacos Colimas. See resolution no. 18-065.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Kickback Bar, Inc. dba Kickback Bar; MRG, Inc. dba Buck's Saloon & Steakhouse; Nampa Restaurant Ventures, LLC dba T.G.I. Friday's. See resolution no. 18-063.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Hong Kong Restaurant, Inc. dba Hong Kong Restaurant; Red Robin International, Inc. dba Red Robin America's Gourmet Burgers & Brews; JM Assets, LLC dba Garbonzo Pizza; Evergreen Restaurant, LLC 1313 dba Outback Steakhouse; Chapala Nampa, Inc. dba Chapala Mexican Restaurant III. See resolution no. 18-064.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley left at 9:07 a.m., Deputy P.A. Brad Goodsell, Controller Zach Wagoner left at 9:06 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:06 a.m., DSD Director Tricia Nilsson left at 9:04 a.m., Representative from Project Widget, Steve Neighbors and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing legal notice of public hearing on Canyon County Development Services Department's Planning and Zoning fee schedule and building permit fee schedule:*** This is a legal notice for proposed fee changes that were considered a couple months ago, however, at the end of that public hearing the Board requested that a more detailed notice be provided. This current notice will include more detail as to what the fee changes will be. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the legal notice.

***Consider signing a resolution authorizing an increase in the driver's license operating change fund:*** Currently at the driver's license office \$50 is kept in the tills to start the day and then a \$650 change till is kept with lower denominations. With the increase in business they have asked to increase the fund to \$1000 which is an increase of \$350. Controller Zach Wagoner has no issue with this request. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution (see resolution no. 18-062).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND TO CONSIDER NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE

*A request was made to go into Executive Session to discuss records exempt from public disclosure and to consider negotiations involving matters of trade or commerce. The Executive Session was held as follows:*

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 (e). 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, Steve Neighbors for Project Widget and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:20 a.m. at the conclusion of the executive session Commissioner Rule made a motion to sign the letter of support for Project Widget. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the support letter is on file with this day's minute entry.

The meeting concluded at 9:21 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FY2019 BUDGET MEETING FOR THE TREASURE VALLEY PARTNERSHIP

The Board met today at 9:38 a.m. for a budget meeting for the Treasure Valley Partnership. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Bill Larsen was not able to attend the meeting this morning but he did communicate to staff that this year's budget request is \$5,918, which is the same as last year's amount. The budget meeting will be rescheduled so that Director Larsen can make a formal presentation at a later date. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

FY2019 BUDGET MEETING FOR METRO COMMUNITY SERVICES/CANYON COUNTY OFFICE ON AGING

The Board met today at 10:00 a.m. for the FY2019 budget meeting for Metro Community Services/Canyon County Office on Aging. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Carol Teats from Metro Community Services, and Deputy Clerk Monica Reeves. This year the organization is requesting \$125,000 in County funding, which is the same as last year's amount. They are hoping their new facility will be constructed this June/July. The County owns their current building which was recently considered as a possible location for a crisis center, but it was determined the building is not large enough. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

FY2019 BUDGET MEETING FOR THE IDAHO STATE ANIMAL DAMAGE CONTROL BOARD



The Board met today at 10:11 a.m. for the FY2019 budget meeting for the Idaho State Animal Damage Control Board. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Todd Grimm, State Director for the USDA in Idaho, George Quenzer, who serves as Canyon County's Representative on the Animal Damage Control District Board, and Deputy Clerk Monica Reeves. Todd Grimm and George Quenzer reported on the services provided to Canyon County as part of Animal Damage Control District No. 2. Other counties in the district are located in the southwestern part of the state and as far north as Adams County and as far east as Elmore County and Owyhee County. The counties provide funding to support wildlife damage management in those counties to the State Animal Damage Control District Board which allows them to collectively cover damage management issues in the entire 10 counties. They provide service to 50-60 agricultural producers, residents or government entities in Canyon County dealing mostly with coyotes, marmots and starlings. In other counties they deal with gophers, black bears, wolves and mountain lions. They only work upon request so when a rancher or producer calls them that's when they get involved. Their funding request for FY2019 is \$2,000. Commissioners Dale and Rule were appreciative of the report and indicated they support the funding request. The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 8, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Boise Window Tint in the amount of \$1336.00 for the Facilities department

#### APPROVED MARCH 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of March 2018 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.

#### FY2019 BUDGET MEETING FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 9:30 a.m. for the FY2019 budget meeting for the West Valley Humane Society (WVHS). Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director Karly Cantrell, Teri Lutner from the WVHS, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. This year the organization is requesting \$300,000 in County funding. Director Cantrell is proposing changes for 2019, the biggest of which she said is asking for left over maintenance funding to go into a building fund for the future. She wants to see the \$50,000 from this year's maintenance contract be allocated to a fund for large construction costs in the future and then for the contract to read that money not used from the \$100,000 maintenance shelter fund shall be put toward that same fund. Proposed contract changes are as follows:

State code dictates that livestock be held for 15 days if the owner is not known, but the shelter needs some time for disposition whether it goes to auction or is adopted. The contract currently reads that livestock can only be held for 5 days, but she would like it extended out for more time. Commissioners Rule and Dale agree.

Paragraph 5, Section D can be removed because the shelter purchased the vehicle.

Paragraph 8 talks about how the shelter will not represent itself as agents of Canyon County so she would like language that Canyon County personnel will not represent themselves as agents of the shelter.

Paragraph 10 deals with the ex-officio members of the board of directors. She said they are happy to have a member appointed to the board but they would like that member to be vetted according to their bylaws; the member puts the fiduciary, welfare and mission of the shelter first. Commissioner Rule asked for clarification on the language that says members are not to engage in activity that will detract from or harm the financial welfare, programs, goodwill or reputation. Director Cantrell said it's there to outline what they're looking for in a board member. She has encountered a board member who made negative comments on social media about an organization the shelter works closely with and they don't want that to occur. Commissioner Rule said the board of directors could address that but he doesn't think it needs to be in the contract. Commissioner Dale said currently there is a provision for the ex-officio members to be appointed by the City of Nampa, the City of Caldwell and Canyon County and currently you have to take whoever they give you and what you're trying to say is the board wants to be able to say yes or no on the appointment so that it's not just somebody that's an adversarial person coming in. Director Cantrell said that is exactly right, and they are looking at conflict of interest and according to the bylaws this person should be vetted. Commissioner Rule said he cannot commit to that verbiage because a member might be voting to represent their organization not trying to cause harm. Commissioner Dale asked her to work with Zach Wesley and see if he can provide better language because we don't want to bind an ex-officio member in too tight of a box because they might want to represent something the County thinks is important that is perhaps a bit adversarial.

The section in Paragraph 17 can be removed because it deals with insurance for the vehicle they purchased.

Paragraph 21 should be updated to reflect Director Cantrell's email address.

Paragraph 23 deals with the animal control contracts they have with Nampa and Caldwell, changing it to where there is no additional charge for animals to be brought to the shelter, and adding that they will provide 24-hour access to drop off canines to the shelter for Canyon County Sheriff's Office and personnel, however, if the animal is injured it needs to be during regular business hours. They will provide quarantine for vicious or diseased canines,

including canines with rabies, in accordance with any request by the Sheriff's Office or pursuant to any court order. They ask that the Sheriff's animal control officers impound animals that are intact that are running at large and if the owner is known they will be notified that their animal has been impounded. This will further the shelter's mission by allowing them to promote low cost spay and neuter options. Commissioner Dale said there should be clarification that if the owner is known the owner will be notified by the officer before bringing them to the shelter.

Director Cantrell said animal control brings in a lot of animals that are in protected custody and that could mean an owner is incarcerated and they had an animal in the vehicle, or, there has been a death at the home and animals were there with nobody to care for them, or, a variety of other circumstances. Sometimes they are stuck with the animal for a long time so she's asking that animals that fall under a protected custody hold will be accepted by the shelter and that officers will give full disclosure to use in regards to the circumstances of the hold and owner information. Animal control officers and agents of the Sheriff's Office will make every effort to release protected custody animals as soon as possible and this will include making every effort for relinquishment of the animal, contacting extended family members, and/or expedient bond forfeitures. Once an animal is released from protected custody, and/or bite quarantine, or a stray holding period the animal is the sole property of the shelter and will be dispositioned as the shelter sees fit unless the release is accompanied by a court order signed by a judge with a determined disposition.

Another change deals with necropsy. If animal control has a cruelty case or a neglect case a necropsy would be done for a dead animal of unknown reason. A written request for a necropsy has to be made and an additional \$50 charge would be assessed in addition to the shelter cost of requested toxicology and radiographs. They will provide an accounting of all of that with their monthly invoice if they were to utilize it.

Canyon County Animal Control brings dead on arrival small domesticated animals into the shelter for intake processing and disposal as shelter staff searches for an owner. This allows the shelter to provide closure to the owners who've lost animals.

Commissioner Dale said the budget request is \$300,000 with the change to move that unused maintenance portion into a fund that allows them to build up a capital repair fund. Controller Wagoner said in the current fiscal year \$200,000 is dedicated to operations and that goes straight to the West Valley Humane Society. In Paul Navarro's budget there is a specific line item for \$50,000. (For a total of \$250,000.) He asked Director Cantrell if her request is for the maintenance amount to increase to \$100,000 for FY2019 and she said yes, it would be retained for purposes of paying for maintenance. She made reference to the fact that the FY2018 contract stated the maintenance line item amount is \$100,000; however, Clerk Yamamoto said that occurred when the Prosecutor's Office moved the previous year's amount over in the contract. He and the Controller support what Director Cantrell requested last year (which was \$50,000 in the maintenance fund). Controller Wagoner said to date \$12,000 has been spent from the maintenance fund; he asked what amount she is requesting in that fund for FY2019. Director Cantrell said they need to redo the kennel roofing system in the next 4-5 years because they are at the end of their lifespan and she wants to save ahead of time so they can cover those projects. Commissioner Dale said he's good with that because we know the expenses are going to come up and we should save for them. In past years we have allocated a total of \$300,000 for shelter operations and maintenance and given the known expenses he wants to \$200,000 for operations and \$100,000 for the maintenance

fund through Paul Navarro's budget and whatever doesn't get used this year gets put in a reserve fund that's a dedicated savings account for the big items we know are coming up. Director Cantrell wants to keep the \$100,000 maintenance fund knowing there will be things that come up through the year. Clerk Yamamoto has a problem with \$50,000 going out this year that wasn't budgeted. Commissioner Dale said that is a problem, but going into the future if we budget \$100,000 this year we can move it into that fund and start building the fund from this point. Commissioner Rule agrees and said we shouldn't be spending money this year when it wasn't budgeted last year. The amount agreed to last year was \$50,000, although he understands the point that the contract mistakenly listed a different amount. The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS THE OPIOID CRISIS WITH POSSIBLE DECISION TO FOLLOW

The Board met today at 10:06 a.m. to discuss the opioid crisis. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Assessor Brian Stender, Controller Zach Wagoner, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. The Board previously met with the law firms of Crueger Dickinson, and Dewsnup, King, Olsen, and Worel (who partners with Napoli Shkolnik) where both groups made proposals to see if Canyon County wants to join an opioid lawsuit. Commissioner Dale said there's not really a downside to do this but he wants to make sure people understand that the Sheriff's Office, Coroner's Office, PA's Office and Clerk's Office will have some information to provide but other than that there's no cost to us and there is a potential win side that if they get a decision we would get reimbursed for some of those costs. Commissioner Rule likes the proposal submitted by Crueger Dickinson and he believes the upside to joining the litigation is we will get a portion of a very large settlement. He wants to move forward today and get a letter submitted as soon as possible. Sam Laugheed said this is not a class action lawsuit so our damages are going to be specific to Canyon County regardless of what the big award is, and the operational practical hard part of this litigation is proving the damages in Canyon County. Clerk Yamamoto said the offers from the law firms are 25% of the gross (Crueger Dickinson), and 20% of the net (Dewsnup, King); but with 25% of the gross you know what you're getting but with 20% of the net you have no idea because it depends on how they add up their expenses. He suggests going with 25% of the gross since on one hand there's nothing to lose, but, on the other hand the data is not really there because they cannot separate the opioid deaths from the heroin deaths, as an example so he questions whether the data will be meaningful. Commissioner Dale asked if signing on will obligate us to do a certain number of hours of research. Mr. Laugheed said there would not be a penalty assessed against the County if we weren't able to compile the information they need to prove our damage, we just wouldn't be able to get an award. The Prosecutor's Office ran through its Justware system and they cannot distinguish between the opioid cases and the other possession of controlled substance cases to be able to give a definitive answer about what the damages are for their office or how we can calculate the damages for the County. Both law firms need us to produce

the information that they would rely on to prove damages and he doesn't know what that would look like from the Prosecutor's Office. Commissioner Dale said a lot of the pertinent data would be coming out of the Sheriff's office. Mr. Laugheed said the Coroner would have to figure out what kind of data they have, but the indigent services department is the clearest path to proving damages for the County in terms of finances that have been expended. Commissioner Dale is leaning toward saying it'd be good to sign up with somebody and then see what they need and ask them to detail what we need and if we figure out we can't provide it then we are not really out anything. Mr. Laugheed said one firm indicated they had expert economists on staff and some sort of damage model and if we were to find out what the information was and what data they are requesting he thinks we could sign on and not be penalized if we weren't able to produce the information. There is a policy question for the Board about the purpose of the litigation and the goal and the policy implications of pursuing that kind of goal through litigation. He doesn't see a downside in terms of County time. It's a matter of how much work the individual elected officials would be willing to have their staff do to produce information. Clerk Yamamoto is opposed to this because it's part of what's wrong with America. He has a problem with Big Pharma but we aren't fixing anything, we are just going after money so philosophically he's opposed to it. Both parties said we could provide raw data and they would sort through it but he still has a problem with that because the indigent services department doesn't have the time to do that sort of work. He's found no matrix we could use to sort out what's real and what isn't – therefore, he won't stand behind the raw data because it's worthless and he doesn't know how far this would go when we have to prove damages. Commissioner Rule said he doesn't disagree, but he doesn't want to miss an opportunity to get a little funding for a crisis center. Commissioner Dale is inclined to agree with Commissioner Rule and say let's pursue this relationship and find out what we are required to produce. Mr. Laugheed said both firms have letters of representation and one had a resolution for the Board to sign and we could make sure there aren't any unpalatable political statements or anything like that in there, but it would be the equivalent of a contractual relationship between the County and the firm. The requirements on the County would be to simply provide access to information. Commissioner Dale would agree to pursue the relationship but it will have to come back to the Board for authorization once we see a resolution or a contract. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to try to come to an agreement with the Crueger Dickinson firm. The firm provided a draft resolution and a draft letter of engagement that will be considered by the Board next week. The meeting concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 9, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Co. in the amount of \$2155.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 1816

The Board of Commissioners approved payment of County claims in the amount of \$1,569,685.91 for a County payroll.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Rick's Caldwell Meats, LLC dba Rick's Caldwell Meats. See resolution no. 18-067.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Tancendant Taste LLC dba Destination 112. See Resolution no. 18-068.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Dan's Ferry Service LLC dba Dan's Ferry Service; Mother Earth Brew Co. LLC dba Mother Earth Micro Brews; Asia Market, Inc. dba Asian Grocery; Roelof & Lori Speelman dba Keystone Pizza; Williamson Orchards, Inc. dba Williamson Vineyards; Campos On Lonestar dba Campos On Lonestar; Conrad & Bischoff, Inc. dba Garrity 66. See Resolution no. 18-069

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for ItalianToGo, LLC dba ItalianToGo, Co.; Idaho Center Chevron, Inc. dba Idaho Center Chevron; 44 Quick Stop, LLC dba 44 Quick Stop; Try Pi Nampa, LLC dba Blaze Pizza; Bitner Vineyards LLC dba Bitner Vineyards; Caldwell Hospitality Group LLC dba Best Western Inn & Suites. See Resolution no. 18-070.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Maverik, Inc. dba Maverik #551, Maverik #522, Maverik #430, Maverik Store #298, Maverik Store #287, Maverik Store #225 and Maverik Store #178. See resolution no. 18-071.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for La Rosita Mexican Store, Inc. dba La Rosita Mexican Store. See resolution no. 18-072.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for TV Hotels, LLC dba Holiday Inn; Rooster Tale, LLC dba McArthur's; Coronar, LLC dba Los Mariachis Mexican Restaurant #2; 20/26, LLC dba Caribou Lounge; The Woodshed Bar, LLC dba The Woodshed Bar. See resolution no. 18-073.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for IOU Sushi II, LLC dba IOU Sushi II; GMRI, Inc. dba The Olive Garden Italian Restaurant #1731; Monkey Bar, Inc. dba Monkey Bizness; Blazin Wings, Inc. dba Buffalo Wild Wings #592; Treasure Valley Road Runners, LLC dba The Tower Grill. See resolution no. 18-074.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Craft Lounge, LLC dba Craft Lounge. See resolution no. 18-075.

LEGAL STAFF UPDATE AND CONSIDER A REQUEST FOR RECONSIDERATION FOR COPE SAND AND GRAVEL; CASE NO. PH2017-52

The Board met today at 10:01 a.m. for a legal staff update and to consider a request for reconsideration for Cope Sand and Gravel; Case No. PH2017-52. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Commissioner Dale said he received a call from Mayor Nancolas regarding the meeting scheduled for Friday with the Sheriff to discuss temporary jail housing measures. Mayor Nancolas would prefer to have an individual, off the record meeting between himself, Commissioner Dale and possibly Jail Captain Daren Ward and the Sheriff so he has an opportunity to learn more without the media being present. Commissioner Dale thinks it would be best to cancel the meeting and Commissioner Rule agreed.

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:* Commissioner Rule made a motion to go into Executive Session at 10:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). 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. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:24 a.m. At the conclusion of the executive session Commissioner Rule said there was discussion regarding the request for reconsideration from Cope Sand and Gravel. He said Mr. Wesley thoroughly addressed each point and he has an understanding of the Cope's request for reconsideration. Commissioner Rule made a motion to adopt the decision on the applicant's request for reconsideration which encompasses the amended Findings of Fact, Conclusions of Law and Order. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:27 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR COMPASS

The Board met today at 10:31 a.m. for the FY2019 budget meeting for COMPASS. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, COMPASS Executive Director Matt Stoll, and Deputy Clerk Monica Reeves. This year the organization is requesting \$106,102 in County funding. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 10:52 a.m. for the FY2019 budget meeting for Advocates Against Family Violence (AAFV). Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, AAFV Executive Director Kim Deugan, Board Treasurer Virginia Godina, and Deputy Clerk Monica Reeves. Last year the organization requested \$50,000 and this year they are seeking \$150,000. Director Deugan spoke about the services the organization provides and noted the majority of their funding comes from grants (\$720,000) while the remainder comes from foundations, trusts, and fundraising events. They have an annual budget of \$1.3M but they have a deficit in their operations budget. Commissioner Rule spoke about how the County's funding of AAFV is a good use of tax dollars because when people are referred to their program it might prevent a more serious situation that requires hospitalization. Clerk Yamamoto said the average length of a hospital stay for an involuntary hold is between 5 and 8 days with a minimum cost of \$1,200,



plus medical. Commissioner Dale asked how the organization is able to keep its doors open considering their budget sheet shows a deficit of \$155,000. Ms. Deugan said if they run the programs exactly the way they need to they would run at a deficit but every month they look at the numbers and if they're over in a department that staff gets pulled and those services are not provided. The deficit takes into consideration that they have to take in \$257,000 in income and only expend \$103,000 in development and then in the operations they would only be expending out \$166,550. Commissioner Dale doesn't want to see the organization's projections, he wants to see the actuals. Clerk Yamamoto said if you add the income it totals \$1,435,000, but the page prior shows funding sources at \$908,000 so if you subtract that from the \$1.4M that's \$527,000, which he does not understand. Ms. Deugan said the report is saying they have to bring in an additional \$155,000 to help the program; the numbers were generated before the budget was prepared and she will get the actual numbers and the funding sources. Zach Wagoner said if you're going to develop a revenue budget we like to have a high level of confidence that the cash will actually arrive. He asked where the \$500,000 difference comes from. Ms. Deugan said this is the budget projection but she will provide the actual revenue and expenses for 2017 as well as the 2018 balance sheet. The meeting concluded at 11:16 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR CANYON SOIL CONSERVATION DISTRICT

The Board met today at 11:25 a.m. for the FY2019 budget meeting for the Canyon Soil Conservation District. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Lori Kent, Bob McKellip, Dave Dixon, Mike Swartz, Amy Miller, and Deputy Clerk Monica Reeves. This year the organization is requesting \$15,000 in County funding. The meeting concluded at 11:43 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETINGS FOR VALLEY REGIONAL TRANSIT, RETIRED SENIOR VOLUNTEER PROGRAM AND BOISE VALLEY ECONOMIC PARTNERSHIP

Due to a lack of quorum there are no minutes for the FY2019 budget meetings for Valley Regional Transit, Retired Senior Volunteer Program and the Boise Economic Partnership. Commissioner Dale, Clerk Yamamoto and Controller Wagoner received the information on behalf of the Board. An audio recording is available in the Commissioners' Office.

MAY 2018 TERM  
CALDWELL, IDAHO MAY 10, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Business Interior of Idaho in the amount of \$2644.80 for the Court Clerks

### APPROVED CLAIMS ORDER NO. 5-11-18

The Board of Commissioners approved payment of County claims in the amount of \$93.00 for accounts payable.

### APPROVED CLAIMS ORDER NO. 5-14-18

The Board of Commissioners approved payment of County claims in the amount of \$7556.04 for accounts payable.

### FILE IN MINUTES

The Board filed the Treasurer's Tax Charge Adjustments by PIN for April 2018 in today's minutes.

### FY2019 BUDGET MEETING FOR SOUTHWEST DISTRICT HEALTH

The Board met today at 10:16 a.m. for the FY2019 budget meeting for Southwest District Health. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Director Nikki Zogg, Finance Manager Patty Foster, and Deputy Clerk Monica Reeves. The SWDH board is asking for a 3% increase for FY2019. The Board, at the Governor's recommendation, has approved a 3% increase for employee compensation and that takes up most of that 3% increase. Commissioner Rule said if the Governor is going to recommend 3% for his agencies he would prefer the state fund it.

### **Summary of the budget request:**

The contract revenue has gone down. The board of trustees made a decision late last year to not take federal Title 10 and Title 5 dollars any longer. They are contract dollars that came to them as a sub-grant through Health and Welfare and the funds were to be used for providing reproductive health services in the clinic. Part of the challenge is those funds had strings attached; they had to slide several services to zero; they are receiving less and less funds over a period of time so it's financial sustainability of running and operating that way did not look good so the board opted to discontinue those contracts. They have a statewide

health innovation program that was a 3-4 year grant period and that's coming to an end this fiscal year.

There are carryover funds in the amount of \$391,000, which are dollars the state has appropriated to the health districts this year to expand visiting programs. That was a state appropriation and the funding came earlier than anticipated and the intent is to expand the home visiting programs services in our health district. They have federal funds but they are required to only serve citizens in Canyon County and it was the desire of the other board members across the state and legislators to expand those to other counties. Part of the justification from the legislature is they feel like those funds can also help with costs related to foster care.

Trustees benefits – They have some pass through funds, they received a HERSA grant this year that in partnership with Valley Family Health Care out of Payette and some consultants are working to build an internship program for social workers coming out of school and wanting to expand their knowledge around primary care. The change in fulltime employees is a notable change. They haven't needed to fill positions due to the demand for services going down.

Controller Wagoner said the budget indicates there are seven (7) less fulltime positions in 2019 than in 2018, that's a substantial decrease in personnel yet we are being charged more. Commissioner Rule has a concern with that as well as the state mandates and pass through costs and at some point the County has to say no. Clerk Yamamoto asked how the state funds are calculated. Director Zogg said there is a matrix, a single appropriation to the seven health districts and then there's a formula that's approved by the board of trustees and they set the formula on how the money is distributed among the seven districts. The state appropriation for the whole state is just short of \$10M. Mr. Wagoner said in FY2019 the state has increased their appropriation \$4,300, or 1/3 of 1%, and the County has been asked to increase their contribution by 3% or \$39,000. Commissioner Dale said there are some issues that need to be vetted, such as what is the relationship when the budget is going down overall and yet they are asking the counties for an increase. Director Zogg said the conversation around the table at the board meetings has been related to the way the state appropriation funds the health districts because 67% of that is based on the county contribution and if you decrease that amount then the following year dollars that communities are paying are diverted to other health districts. That match could be changed by the trustees but she doesn't know that they'd get support for it. Commissioner Dale said they have had tremendous battles over appropriation amongst the seven trustees over the last two years and the struggle is Districts 3 and 4, which were at odds with the other five districts, would get out voted over the years and that's how we ended up where we're at today. Commissioner Rule said at some point the counties and cities have to take a stand against state mandates because they're holding a knife to the other end of the budget saying you do this or we'll cut you here and that's not the right way to go about solving government funded programs. He said he will be voting no.

This year the organization is requesting \$1,008,280 in County funding, which is a \$34,057 increase over last year's amount of \$974,223. The meeting concluded at 10:36 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 PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 11:01 a.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 pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 11:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) 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, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:17 a.m. with no decision being called for in open session.

FY2019 BUDGET MEETING FOR CANYON COMMUNITY CLINIC

The Board met today at 2:03 p.m. for the FY2019 budget meeting for Canyon Community Clinic. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Tom Bowman from the Canyon Community Clinic, and Deputy Clerk Monica Reeves. This year the organization is requesting \$80,000 in County funding. Their operating budget for this year is just under \$300,000 and it includes the recovery center. They have 490 active patient charts on the medical side and over 2500 visits on the recovery side since October 1<sup>st</sup>. Commissioner Dale said it's a good value and the clinic is serving in ways nobody else does and that eventually could save the County money in the long run because it keeps people out of the indigent program. Mr. Bowman said their recovery center works with the local hospital through the opioid crisis, and recovery center personnel are working with Captain Daren Ward in dealing with how they can better partner with the judicial system, jail, probation and parole and getting into the system and working with them so that when the clients come out or while they are still in what can we do keep them from getting into difficulties and causing problems and spending money either through indigent care or going to the ER. Director Baker said it's difficult to equate how much might be saved if patients are seen at the clinic but they are providing a service nobody else does and it's a significant resource because there aren't a lot of other options for those who aren't insured and need services or medication and so it's very nice to be able to refer them to the clinic. Mr. Bowman said maybe 55%-60% of those who come to the medical center have some sort of substance use disorder so it's easy to send them to the recovery center, and likewise probably 80%-90%

who come into the recovery center have a medical issue. With their recovery center it's to connect the recovery with the recovery community which includes housing and finding opportunities (getting a GED, a place to live, and food) so if people can find the clinic either by referral or before they go to indigent services office it's easy to see where the savings are. Commissioner Dale said the crisis center has been fully funded by the legislature for the first two years: \$1.6M for operations and \$200,000 for facility renovation, and now we are looking for a facility. Mr. Bowman said there is a lot of available space in the building where the clinic is. The meeting concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE NAMPA FAMILY JUSTICE CENTER

The Board met today at 3:01 p.m. for the FY2019 budget meeting for the Nampa Family Justice Center. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Criselda Delacruz from the Nampa Family Justice Center, and Deputy Clerk Monica Reeves. Ms. Delacruz spoke about the services the center provides. The organization is requesting \$20,000 in County funding. The meeting concluded at 3:23 p.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 11, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Alexandria Goeckner.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 6/7/18 for a wedding.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- 2 See Video Productions in the amount of \$4000.00 for the District Court/TCA/Facilities

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Wild Heart Springs dba Wild Heart Springs LLC; Gallegos Meat Market LLC dba Gallegos Meat Market #2; Canyon Golf Partners LLC dba Red Hawk Golf Course; I.C.A.N. Foods Inc. dba The Griddle. See resolution no. 18-077.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Fiesta Arts Inc. dba Fiesta Guadalajara; SAS Restaurant Ventures Inc. dba Denny's Restaurant #6640; The Hop House LLC dba The Hop House; New Empire LLC dba The Blue Eye; The Bird Stop LLC dba The Bird Stop; The Getaway Bar & Grill Inc. dba The Getaway; Fiesta of Nampa Inc. dba Fiesta of Nampa Fiesta Guadalajara. See resolution no. 18-078.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 14, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 5-14-18

The Board of Commissioners approved payment of County claims in the amount of \$41,188.50 for accounts payable.

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:33 a.m. for an office staff meeting. Present were: Commissioners Tom Dale 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. Mr. Decker reported on the following communications issues: He will be working in the Election's Office tomorrow evening to assist with the primary election; the law enforcement memorial ceremony will be held on May 18; his budget meeting is scheduled for May 18; and he has been working on a public meeting regarding a Brownsfield

cleanup grant. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Tom Bicak left at 9:07 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing notice of public meeting of Canyon County's intent to apply for an EPA Brownfields clean-up grant for Anderson Corner, Parma, Idaho:*** Tom Bicak explained this is a requirement for the Brownfields grant to hold a public meeting to get input from the local residents. The meeting will be held on June 8<sup>th</sup> at the Parma Public Library. The grant amount is for \$500,000 to help clean-up the petroleum spill at that location and then about 24 months after it's been cleaned it could be ready to be sold. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the notice of public meeting. Mr. Bicak said with this grant there is a 20% match (\$125,000) but it could be covered in-kind with the excavation being done by the landfill staff and tipping fees at the landfill.

***Consider signing corrected quitclaim deed on Parcel No. 2 - PIN: 28168000 0:*** This is a property located at 126 Charlotte Drive in Melba which was acquired by tax deed. The quitclaim deed contained some errors (% signs were used to indicate ¼) in the legal description which are causing issues in the computerized databases. Commissioner Rule made a motion to sign the corrected quitclaim deed on Parcel No. 2 - PIN: 28168000 0. The motion was seconded by Commissioner Dale and carried unanimously.

***Consider signing a resolution approving hardship fee waiver request for an administrative application fee:*** This hardship waiver originally came before the Board in April but there were some issues with the resolution so it was reagendaized for consideration. This waiver will reduce the fee from \$620 to \$100. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the hardship fee waiver for Lidiya and Aleksandr Sheremet (see resolution no. 18-080).

The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE TREASURE VALLEY PARTNERSHIP

The Board met today at 9:30 a.m. for a budget meeting for the Treasure Valley Partnership. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, TVP Director Bill Larsen, and Deputy Clerk Monica Reeves. This year the

organization is requesting \$5,918, which is the same as last year's amount. The partnership is going along as normal and things are going well. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE PARKS DEPARTMENT

The Board met today at 9:33 a.m. for a budget meeting for the Parks Department. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Parks Director Nicki Schwend, and Deputy Clerk Monica Reeves. Director Schwend reviewed her budget as follows:

- Requesting an increase of \$22,135 to the part-time and seasonal line item to hire employees at a wage that is comparable to their level of experience and qualifications.
- She expects overages in the water well budget, and in the miscellaneous professional services line item due to \$8,380 in invoices to Preservation Solutions related to the historic preservation plan but it will be reimbursable by the Idaho State Historical Society as soon as the project is done in September.
- The irrigation line item has seen a \$2,000 increase because of problems with the irrigation pump.
- Requesting funds for the gun range to focus on construction improvements, renovation signs, and materials for improvements including sand for the range. Commissioner Rule said \$15,000 seems excessive, and he suggested Director Schwend work with Director Loper to obtain sand from the landfill. Director Schwend said there's no solid plan for the gun range except they want extra lanes to make them safer and she's not sure they can use landfill sand; she has to check on whether it has to be more environmentally compliant. Commissioner Dale said we created the gun range advisory board and so we need to find what the right number may be and although \$15,000 is a little heavy we need something for them to work with.
- There is a \$1,000 increase in office supplies to replace used chairs.
- The two line items that increased the most are the building supply materials and ground maintenance supplies. It includes money for disc golf mats and an ADA compliant gangway for the fishing docks at Lake Lowell as well as fire ring improvements at Celebration Park.
- The overall budget went down from \$920,000 to \$887,000. Commissioner Rule said a big chunk of that is due to the \$63,000 that was budgeted last year for a truck and pickups, and \$40,000 for a construction project. Clerk Yamamoto asked if the sun sails are viable given the problems they've experienced with them. Director Schwend



said they are now much better and with the help of the facilities department they were able to upgrade the attachments and rigging to withstand wind gusts. It will require three of the attachments that are too high to have a winch system. The other alternative is to put up a permanent shade system which is much more costly. Clerk Yamamoto asked what the forecast is for the utilization of the museum and dorms at the park. Director Schwend said the big project for the next year is figuring out a marketing plan and how it will operate and as they get things done and apply for grants they will focus on the marketing plan and reaching out to organizations to use the facilities but it has to be completed before she can market it. Clerk Yamamoto asked if she sees that as cost neutral situation and where does she think we're at economically with it. Director Schwend doesn't see it making a profit for the County, it is cost neutral. Commissioner Dale said there has to be a fee attached to the use of the overnight facility and it has to be part of the business plan. Director Schwend will task the outdoor recreation planner to look into it. She advised that the Historic Preservation Commission grant deadline is June 1<sup>st</sup> and they will review on June 5<sup>th</sup> and prepare a recommendation and schedule a meeting with the Board to review.

The meeting concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR JUVENILE DETENTION

The Board met today at 10:21 a.m. for a budget meeting for Juvenile Detention. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Juvenile Detention Director Steve Jett, and Deputy Clerk Monica Reeves. Director Jett reviewed his budget as follows:

- Utilize funds (\$100,000) from the Department of Juvenile Corrections (DJOC) to hire a mental health clinician. For the past 10 years they have contracted with an agency who's paid directly by the DJOC but the advantages to hiring a clinician is to reduce the turnover. They will access the state funds and furnish a clinician 40 hours a week, and have money left over to get a clinician here for a few hours on the weekend and have one on call. Even after paying the salary and benefits we would still have money to get a clinician on a contract basis for nights, weekends, and on-call services.
- The room and board revenue line item reflects that Boise County and Elmore County are using the facility a bit more than they have in the past.
- Director Jett is requesting two additional positions. The federal government has dictated they must live by a 1 to 8 ratio, and on the last PREA inspection the center was out of compliance 4 out of 7 random days on staff ratio so he is requesting additional staff. Commissioner Rule disagreed and said Director Jett runs a great program and sets the standard for other centers. Director Jett said if we remain out

of compliance it could endanger the contracts, it comes down to an issue of liability. Commissioner Rule said Director Jett runs a model ship and he's not on board with the two extra staff members because he thinks they can do a great job without them.

- Other increases: Miscellaneous Professional Services line item has increased from \$12,000 to \$15,000 for UA's for employees; \$11,000-\$15,000 line item for digital fingerprint machine which was being paid by the jail, unbeknownst to Director Jett; Miscellaneous Maintenance Services line item includes a \$1,200 onetime charge for cameras; the airfare and hotel line items have been increased for more training opportunities; there is an increase in the inmate supplies and medical supplies line items; uniforms costs have increased by \$1000 to cover more employees attending the POST academy; a request to increase the computer equipment line item to add more equipment, per IT's recommendation; the small office equipment line item includes \$7,500 to replace an old copier.

The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE PUBLIC DEFENDER

The Board met today at 11:04 a.m. for a budget meeting for the Public Defender. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Public Defender Aaron Bazzoli, Assistant Public Defender Scott James, and Deputy Clerk Monica Reeves. The indigent grant is going up \$48,841. He is requesting \$12,500 for two new conference meeting rooms for the attorneys to meet with clients. A request is being made for a Deputy PD, level 1 position. He is not filling the office manager position because he has taken over those responsibilities and has support staff who have taken on more duties as well. Director Bazzoli spoke of some changes he'd like to see in terms of personnel and positions being grouped together because of experience and tasks. Commissioner Dale instructed him to work with the compensation committee and HR to make sure it's a fair and consistent plan. The meeting concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

#### FISCAL YEAR 2019 BUDGET MEETING FOR THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:31 p.m. for the fiscal year 2019 budget meeting with the Trial Court Administrator. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, TCA Doug Tyler, Judge Susan Wiebe, Deputy Judicial Marshal Wesely Musser and Deputy Clerk Jenen Ross. Doug Tyler reviewed the budget as follows:

- The 'A' budget is close to what it was last year without an increase and he may be able to decrease it more.

- There has been a request for additional money in the Family Court Services budget, specifically in professional services; there was a grant they were receiving to pay for beginning treatment services for domestic battery defendants but that grant is going away so they would like the county to pick up those monies.
- An additional marshal position may be requested; one of the most significant issues they face is that there have already been three judicial threats this year and several days each week they don't have enough marshals to cover the dangerous people in the courtrooms. There are five areas to be covered but sometimes they have four jury trials going on which leaves only one marshal to cover the remaining areas.
- In court device, funds may be used for interlock devices and DUI evaluations as they are restricted funds.
- Problem solving courts are consistent with where they've been in the past with collections being better than in previous years.

The meeting concluded at 1:46 a.m. An audio recording is on file in the Commissioners' Office.

#### FISCAL YEAR 2019 BUDGET MEETING WITH WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

The Board met today at 1:48 p.m. for the fiscal year 2019 budget meeting with Western Alliance for Economic Development (WAED). Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director of the Western Alliance for Economic Development Tina Wilson and Deputy Clerk Jenen Ross. Tina Wilson reviewed the budget as follows:

- A review of WAED member contributions including which cities have increased contributions and new memberships.
- Earlier in the year there was a \$7000 funding shortage with Owyhee County pulling out of the WAED but with the increases from other members and the new members is leaves just a \$617 shortage.
- The requested amount for FY2019 is \$27,000. Commissioners Dale and Rule agreed that Canyon County could cover the shortage amount and increased the support amount to \$27,650.

As part of a grant application Ms. Wilson is working on she has asked the Board to sign a letter of support, which will be provided to the Idaho Department of Commerce, indicating the dollar amount the county is committed to providing. The Board said they would speak with legal counsel about amending the agenda to include signing the letter as Ms. Wilson is against a deadline for submitting the grant application. The meeting concluded at 1:58 p.m. An audio recording is on file with in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (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

Commissioner Rule made a motion to go into Executive Session at 2:36 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 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 via conference call, Assessor Brian Sender, DSD Director Tricia Nilsson, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Tina Wilson, the Director of the Western Alliance for Economic Development, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:49 p.m. While in open session, Commissioner Dale said the Board discussed matters pertaining to Project Big, and Commissioner Rule said the Board has been working on a letter of support for a number of weeks and there is a deadline tomorrow so he made a motion to amend today's agenda to add the signing of the support letter in order to meet the deadline. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to authorize the Board to sign the letter, a copy of which is on file with this day's minute entry. The meeting concluded 2:50 p.m. An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

MAY 2018 TERM  
CALDWELL, IDAHO MAY 15, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$5110.00 for the Information Technology department

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Carl Dille and Jordan Millar.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Winco Foods LLC dba Winco Foods #144 and #11; Lane 23, LLC dba Lane 23. See resolution no. 18-081.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for BFC Nampa LLC dba Boise Fry Company. See resolution no. 18-082.

#### BIWEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:44 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology 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 Navarro updated the Board on the following items: The Charolaise barn at the fair is about 70% done and should be completed this week. The jail annex roof is going on and is about 60% done which is right on schedule. The generator at the DMV will be set tomorrow and in regard to the Landfill addition project they are just waiting on the building permit from DSD. Seal coating of the parking lots will take place in June during the weekends. IT provided the following update: Eric Jensen explained that there was a power outage on Friday that affected several systems and the UPS system on the second floor will need to be replaced along with a port. The recording system in the Commissioners' meeting room was also affected and AA Tronics was contacted for it to be serviced. In regards to the budget, Director Rast expects that there will be some requests for computer equipment and copiers from some of the other offices and departments based on recommendations from the IT department. In FY2020 they will probably request to replace the main mail machine in the mailroom. They recently received the price quote for the fiber to extend from the data center going westbound to the Middleton exit with a splice point at Notus, the range came in at \$67,000 to \$77,000 which Mr. Rast will add to his budget, however, there may be some other monies available to help cover some of this cost. The data growth is growing by about 31 terabytes of data use each year countywide; there are systems in place to help cut down on the redundancy of files that are stored and offices are working to minimize some of the files they store. At the budget presentation tomorrow they will again be requesting the security position that was requested earlier in the year. There has been a push to move notarizing to an electronic format due to all the e-filing; the IT department has met with Taryn Peterson in the Clerk's office about this and will meet with the Secretary of State to see what other

counties are doing because at this point it all seems very unclear. The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:05 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Clerk's Executive Assistant Taryn Peterson (left at 9:11 a.m.), DSD Director Tricia Nilsson (left at 9:16 a.m.), DSD Planner Daniel Lister (left at 9:11 a.m.) and Deputy Clerk Jenen Ross.

Allen Shoff said these contracts are the standard interpreter contract to build the county roster. The hourly rates shift slightly based on the rarity and necessity of the language. The contracts were considered as follows:

***Consider signing independent contractor agreement with Chintana Barden for interpreter services:*** Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the contract with Chintana Barden (see agreement no. 18-054).

***Consider signing independent contractor agreement with Pasa Tukuafu for interpreter services:*** Mr. Tukuafu speaks the Tongan language and has been used several times before. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the contract with Pasa Tukuafu (see agreement no. 18-053).

***Consider signing independent contractor agreement with Shunra Media Inc. (Geerhard U. Bugel) for interpreter services:*** Mr. Bugel speaks German, Dutch and Hebrew; there is currently a German case in the system right now. The rates are significantly more due to a lack of German interpreters. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreement with Shunra Media (see agreement no. 18-052).

***Consider request for reconsideration for Ray and Keith Stilwell; Case No. PH2017-36:*** Zach Wesley explained that the essence of the request for reconsideration is for more time to get everything up to code and the Stilwell's are requesting to be granted a permit for that reason. The issues in this case are based on sewer and water requirements not being able to comply with the Idaho Department of Water Resources and the health department to get the water and sewer up to code. In working with DSD staff the recommendation for this case is to affirm the original denial and to refer the applicant back to the steps that were identified in the initial denial about how they could obtain approval, and that was to get everything compliant with the sewer and water requirements before they request a permit. Commissioner Rule said when this request was considered in March it wasn't an appropriate use of the land and he doesn't know that there is anything they can do to convince him to allow this development based on the history he has of this property. He feels they really need to do something different or the county will be setting a precedent for other cases of a similar situation that have been previously denied. Tricia Nilsson said this property has a long history of county code enforcement issues and there was substantial evidence from Southwest District Health. Commissioner Dale is good with Director Nilsson's recommendation. Upon the motion of Commissioner Rule and second by Commissioner Dale

the Board voted unanimously to affirm the original findings of fact, conclusion of law and order.

***Consider signing a resolution and/or engagement letter regarding the County's representation on a contingency fee basis by Crueger Dickinson, LLC and Simmons Hanly Conroy, LLC in a civil lawsuit against certain opioid manufacturers:*** Sam Laugheed explained that this is a process that began last fall and was formally addressed at the Elected Officials meeting in March, at that time there was a decision to bring two of the law firms in to give presentations to the Board regarding their qualifications and their approach to this opioid epidemic litigation. Two presentations were held and at a meeting last week the Board agreed that Crueger Dickinson was the preferred firm should the Board choose to go forward. Both firms were qualified and expert but Crueger Dickinson has slightly more favorable financial terms and also a pre-familiarity with one of their local representatives. Mr. Laugheed was asked to review the resolution they had prepared along with the letter of engagement. Yesterday he sent the Board and relevant Elected Officials an email about the resolution and the letter of engagement. The resolution is not necessary for the Board to sign in order to enter the litigation and it's his strong recommendation that the Board not sign that resolution, or any resolution, because it would lock the county into certain purposes behind going forward with the litigation. It also contained clauses that would be legally problematic. The letter of engagement is required for the county to participate with Crueger Dickinson which is essentially a contract. The Board has the unilateral authority to enter into this letter of engagement and to sign the contract and can do so although his recommendation would be to do so with the understanding that the Board cannot compel the other Elected Officials or their employees to do more than produce public records that are already available. That has been one of the concerns throughout this process, the idea that the county will need to prove its own damages and Mr. Laugheed is afraid the county doesn't have the records sufficient to prove damages. The Clerk, Sheriff and Coroner have all indicated that they are unwilling to do more than provide public records and the question remains as to what public records do exist and what they can prove. The Prosecutor's office looked earlier this spring to see what opioid related information they could adduce from their JustWare records and it was virtually nothing. Additionally, Mr. Laugheed does not believe the jail nor medical indigency have been measuring the opioid cases either. One of the things the Board thought about, and was discussed in an open meeting, was maybe entering this letter of engagement to find out what specific information would be required and if it turned out that the county couldn't produce the required information what the consequences to the county would be for terminating the agreement. The agreement puts on the county an obligation of cooperation in good faith and it has some provisions specific to termination which were addressed in Mr. Laugheed's email. If it's determined that the county can't produce the information it would be in its best interest to terminate the contract/letter of engagement before Crueger Dickinson has an opportunity to decide that the county is not providing information. If the county were to terminate first it's pretty clear to Mr. Laugheed in the contract that the county would not be on the hook for any payment of fees to Crueger Dickinson, however, if they were to terminate because the county wasn't cooperating then it would be more likely that the county would have to pay some of those fees. It would be fees that are reasonable allocable to the work they've done which he thinks is arguably limited on behalf of Canyon County because they've already drafted up all these documents and filed

them in many cases but there could be some county specific costs at issue. Commissioner Rule thought it would be wise to schedule a conference call with Crueger Dickinson before any decisions are made as it's his understanding that much of the information they are looking for would come from the state. Commissioner Dale agreed that sounds like a good course of action as he's not willing to move forward until there is more information on what will be required. Mr. Laugheed said he would work with the Commissioners' staff to set up a conference call with the purpose being to find out exactly what information will be requested.

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

*As part of the legal staff update a request was made to go into Executive Session to discuss a personnel matter, named personnel, records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:25 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). 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 Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Chief Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 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.

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

The Board met today at 10:01 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Juvenile Detention Director Steve Jett, Juvenile Detention Officer Allison Butler, Juvenile Detention Officer Mykel Schuler and Deputy Clerk Jenen Ross. The following update was provided to the Board: Director Jett brought over Allison Butler and Mykel Schuler who are both new detention officers. Ms. Butler and Mr. Schuler introduced themselves and provided an overview of their backgrounds. There are currently two open positions but there are two people going thru background checks right now. Director Jett received the inspection report yesterday and the Board should be receiving it via email. There seems to be an upswing in juveniles coming in from outside counties including Boise and Elmore counties. They are working to get all the paperwork together for the national school lunch program which has to be resubmitted each year; last year approximately \$65K was reimbursed. Commissioner Rule requested that an agendized visit be scheduled for the Board to tour the juvenile detention center to discuss unused space in that building. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.



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

The Board met today at 10:14 a.m. for a monthly meeting with the directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen Ross. Ms. Catalano updated the Board on the following items: they are currently supervising 390 juveniles which is a combination of kids in the court system and those on a diversion program; this is a number that has been steadily increasing. Controller Wagoner has been assisting Ms. Catalano in pulling reports from Odyssey to show when payments have been made towards court ordered fees and cost of supervision. She will be visiting a facility in Little Rock, AR because there is a juvenile that was placed in this facility by the Department of Health and Welfare. The juvenile is not making progress in the program but the facility is wanting to release him and the Department of Health and Welfare has asked Ms. Catalano to evaluate this young man and give her "blessing". At this point she is not comfortable or ready to say he is ready to come back to a placement other than the detention center as his family structure and environment would not be a good fit for his needs. She will work with the Department of Health and Welfare to continue having him in a facility, maybe not the facility in Arkansas but a different facility and that they would be responsible for payment as the county doesn't have the corporate resources at the community level and his parents/guardians are not in a position to be responsible for payment. Commissioner Rule asked Ms. Catalano to document her trip to Arkansas as he thinks it may be helpful information to share with the IAC. Ms. Catalano provided the feedback she received from her employees at a 'goal setting session' she recently held. Director Breach provided the following update: last week they were working with the state police as one of their offenders is a suspect in a homicide case in Malheur County. A mini-audit was recently conducted on their criminal records by the state police; overall the report was good on how records are secured and tracked. A full audit will take place in October. They have also offered to do a training on the 23<sup>rd</sup> of this month to show the probation officers how to interpret some of the messier criminal records that come in a format or with data they're not familiar with. Background checks on candidates for the open probation officer position are being conducted and once that's complete they'll be able to get someone hired and Director Breach anticipates them being able to start mid-June. The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER A REQUEST BY TYLER HESS/HESS PROPERTIES, LLC FOR A REZONE, PRELIMINARY PLAT, FINAL PLAT, IRRIGATION AND DRAINAGE PLAN; CASE NO. PH2017-74 & 75

The Board met today at 10:32 a.m. to consider a request by Tyler Hess/Hess Properties, LLC, for a rezone, preliminary plat, and final plat, as well as an irrigation and drainage plan, Case No. PH2017-74 & 75. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Tyler Hess, Jay Walker, and Deputy Clerk

Monica Reeves. Kyle McCormick gave the oral staff report and said there is a request to postpone the hearing for the preliminary plat, final plat, irrigation and drainage plan, for Case No. PH2017-75 to July 9 to allow the applicant time to create the required conditions of approval. The applicants are requesting a rezone of the subject parcel which is approximately 18 acres. There is a small section of the property that is currently zoned C-1 (neighborhood commercial) which is not included in the request for a rezone; the rest of the property is currently zoned rural residential and they are requesting to change the zoning from rural residential to single-family residential which allows for a one acre minimum average lot size. The property is located in the Middleton impact area and the city has found the proposal to be in conformance with its comprehensive plan. The P&Z Commission recommended approval of the rezone on April 5, 2018. The surrounding area is a mix of agricultural and residential uses. There are 32 platted subdivisions within one mile for a total of 575 lots; the proposal will create lots that are commensurate with the existing subdivisions in the area. The applicant has completed a nutrient pathogen study and gained approval from DEQ and Southwest District Health. Canyon Highway stated no direct access to Purple Sage will be allowed; the proposed subdivision will have access from an internal subdivision road from Purple Sage Estates No. 1, (Pinehurst Way). There's currently a stub from Pinehurst Way going into the subject property. ITD had initial concerns but after discussing it with them it's mainly on the commercial section of the parcel and that's not what's being considered for the rezone and they clarified that in their late exhibit. Staff is recommending approval of the rezone from rural residential to single-family residential.

Commissioner Dale had concerns about the limited access point. Mr. McCormick said the only access is going to be from the internal subdivision road. Jay Walker testified that this is a transitional property because based on an older plat there are half-acre lots, and they do have access from Phase 1, directly northeast of this phase coming from Plainfield Drive. There is a single access but the applicant is purchasing what will be Phase 3 and that would continue access down and tie into El Paso Road in another access location. If you exceed 30 units on a single access point then you are required to have a secondary access point. This project has 11 buildable lots. The facilities comply with the Canyon Highway District design and guideline policies and are adequate in right-of-way and pavement width to accommodate any of the emergency vehicles. According to Mr. Walker they are tying into the existing pressurized irrigation pump station and main lines that are associated with Phase 1 and it was designed to accommodate the additional lots of Phase 2. All other drainage and irrigation as well as individual wells and septic systems have been designed accordingly and received approval from Southwest District Health and DEQ and are ready to go to construction. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order for the zoning change from "RR" (Rural Residential) to "R-1" (Single Family Residential). Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the ordinance

directing amendments to the Canyon County Zoning Ordinance (See Ordinance No. 18-012). Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing for Case No. PH2017-75 to July 9, 2018. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 16, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 5-25-18

The Board of Commissioners approved payment of County claims in the amount of \$17,386.57, \$38,141.78, \$72,849.27, \$81,554.46, \$49,409.01 and \$125,300.11 for accounts payable.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Pantera Market & Mexican Restaurant #2 LLC dba Pantera Market #2; Deyanira Chapa dba El Rinconcito. See resolution no. 18-112.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Nampa Wings, LLC dba Winger's Restaurant & Alehouse; Caldwell Treasure Valley Rodeo Inc. dba Caldwell Night Rodeo. See resolution no. 18-113.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License Prefunk Beer Bar LLC dba Prefunk Beer Bar II. See resolution no. 18-114.

CONSIDER SIGNING A RESOLUTION TO ADOPT A CHANGE TO THE TITLE OF ONE (1) POSITION IN THE PUBLIC DEFENDER'S DEPARTMENT AND TO CONSIDER SIGNING THE CAPITAL CRIMES DEFENSE FUND APPLICATION

The Board met today at 9:02 a.m. to consider signing a resolution to adopt a change to the title of one (1) position in the Public Defender's department and to consider signing the Capital Crimes Defense Fund application. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed left at 9:05 a.m., Public Defender Aaron Bazzoli, HR Generalist Demi Etheridge and Deputy Clerk Jenen Ross. There was a proposed amendment to the agenda to consider signing the Capital Crime Defense Fund application as it is due by the end of the week and there will not be a quorum present for the remainder of the week. Due to these reasons and that the county may experience financial loss the meeting was not able to be properly agendized with 48 hours' notice. Commissioner Rule made a motion to amend the agenda. The motion was seconded by Commissioner Dale and carried unanimously.

***Consider signing the Capital Crimes Defense Fund application:***

Mr. Bazzoli has completed the Capital Crimes Defense Fund application and included all pertinent documents specific to the capital case of the State v. Phillip Cabrera. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Capital Crimes Defense Fund application. A copy of this application is on file with this day's minute entry.

***Consider signing a resolution to adopt a change to the title of one (1) position in the Public Defender's Department:*** This position was previously called a *Litigation Management Administrator* but they weren't receiving a lot of applications for the open position and thought a title change may draw more interest. The suggested revised title is *Database Management Administrator*. Commissioner Rule made a motion to sign the resolution. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-083).

The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

FY2019 BUDGET MEETING FOR THE IT DEPARTMENT

The Board met today at 9:31 a.m. for a budget meeting for the IT Department. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, IT Director Greg Rast, Assistant IT Director Eric Jensen, Joyce Schmeichel, Jairo Rodriguez, Caitlin Pendell, Becky Brady, Burt Merkley, Lupe Villegas, Jack Sum, Teresa Urvina, Rick Fisher, Ryan Cronrath, Don Dutton, Shawn Adamson, and Deputy Clerk Monica Reeves. Director Rast reviewed the budget as follows:

Significant changes to the "B" Budget:

\$54,000 increase in service contracts

\$10,000 decrease in copier contracts

\$12,000 for construction of cabinetry storage

\$6,000 in internet

\$12,000 increase in education/training (proportionate to the growth in IT; they've gone from 25 employees to 34 employees)

\$10,000 reduction in computer paper costs due to bulk buying and negotiating

\$24,000 has been added for vehicle replacement as recommended by Fleet Director

#### Projects:

Nortel phone system for the Sheriff's Office for \$55,000

Print shop equipment - \$125,000 was approved for this year and he's asking for another \$65k, which includes \$38,000 for a standalone booklet maker

\$75,000 for the virtual machine environment effort

The business continuity and disaster recovery plan is down from \$80,000 to \$46,500

\$65,000 for storage due to data growth

\$34,000 for OnBase, the ongoing costs are 10-15% of that amount

Extending fiber to the weed and pest department

\$12,000 for cabinetry and furniture

The total project cost of "B" Budget is \$580,154 which is a decrease over last year's budget amount. Director Rast believes the department will stabilize at \$4.5 million and 35 positions.

#### Significant changes to "A" Budget:

His original request included two new positions, an imaging specialist and a security position, but he has scaled it back to asking for just the security position. The imaging specialist could pay for itself but there are ongoing costs and he has other plans that will potentially take care of that internally. The priority is the security position because the security risks are going up and he doesn't have anyone allocated "on the wall" monitoring because it's kind of a reactive mode of all the sys admin positions doing it, but he needs someone to make sure the network equipment and firewall policies are up-to-date. There are litigation hold requests that come in at any given time and public records requests where staff has to dig and extract data and he has the sys admins running around trying to fulfill all of the security aspects as well as their other duties as assigned. When he presented this position they were 41.25 weeks behind and right now they're at 45.75 weeks behind. Referring to a handout he said the top half of the spreadsheet includes the items in backlog that have to get done. With current staff he can get it completed in 14 weeks, but that's not realistic; if he has another position he can get caught up in 10.76 weeks. The bottom half of the spreadsheet reflects the daily work they have to do which is a lot, it's a huge responsibility. Commissioner Dale said he knows Commissioner Rule has been pushing for the position and he supports it as well for this year. Commissioner Rule said we should have had it last year and we should fund it now. Director Rast said he has a savings from one vacancy but it may not cover the whole amount. Commissioner Dale wants to explore that, it's kind of critical and if we can fast track it he may be supportive of it. He believes Director

Rast's presentation has expressed a need both last year and this year and we need to fill that need. He is supportive of the position going forward for sure next year, and we need to explore the other option. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE FACILITIES DEPARTMENT

The Board met today at 10:16 a.m. for a budget meeting for the Facilities Department. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Director Navarro reviewed his budget as follows:

##### "A" Budget:

He is gearing up to replace a long-term employee who holds an HVAC license who's planning to retire next year. They have recruited a third year apprentice to stay on and they will help him get his fourth year finished and obtain his licensure and so extra money has been budgeted for that. The locksmith will retire this year as well. He would like the option to offer employees either comp time or overtime pay. Some of his employees are sitting on mountains of comp time, vacation time and sick time and they're required on many instances to come in early, stay late, or work on weekends and some aren't motivated by comp time and so he would like the option to offer overtime hours. Zach Wagoner said it's handled on a case-by-case basis. He said Director Navarro and his team do a wonderful job and save thousands of dollars every year because they can do professional work in-house. He supports paying them OT when appropriately managed. He also said comp time is a liability. Commissioner Dale said we need to have an in-depth discussion with HR and the elected officials about having a unified policy relating to comp time and overtime, or do we want to have a case-by-case policy. Clerk Yamamoto said the employee handbook said four weeks were allowable for comp time and they talked about eliminating that. He said the Board cut it in half; it's in the handbook but not everybody pays attention to it. Commissioner Rule said the intent is to use it or lose it and so HR should review the handbook. The Clerk agrees that a discussion needs to happen; he's not totally opposed to a hybrid situation but he believes we need to go mostly to an overtime policy. Commissioner Dale said we need to evaluate which is the greatest fiscal hit overtime or comp time. Commissioner Rule said when we deny a new position request by paying overtime that's a direct conflict and you're not fixing the problem. Clerk Yamamoto said they watch it closely, and \$2,000 worth of overtime is much cheaper than \$100,000 in a fulltime employee cost. Commissioner Dale would like to discuss it at the next elected officials meeting with HR and get it carefully defined. Director Navarro said his budget includes a salary adjustment for \$1600 to cover raises for those who complete their apprenticeships.

##### "B" Budget:

He doesn't know what is left for DLR or Triad Security Consulting and he's not sure what the plan is for the jail so he would like some input. He has lowered the amounts for architects and engineers as he doesn't have any hardcore projects planned. The miscellaneous professional services line item includes funding for a generator at the DMV; there are two highly specialized HVAC systems in the data center in this building and they have hired the maintenance for those. He has increased the amounts for water and power but he doesn't know what the intent is for the trailers for the housing in the jail parking lot. Commissioner Dale said there hasn't been a decision but it would be good to have a contingency. He has included more money for snow plowing and fire alarm services. His budget includes \$40,000 for architect and engineering fees for the design of the new hard lids that will replace the soft canvas at the animal shelter. He has budgeted for a satellite TV increase in case the jail trailer pods have them. Funding for education and training includes funds to cover two apprentices going through the College of Western Idaho. The HVAC systems increased. The X-ray machine in the courthouse lobby is from 1996 and is obsolete and it may have to be replaced. The cost of batteries has increased to \$4500. The IT Department asked him to replace aging computers, software licenses, and a copier. Regarding the lease payment for the temporary housing trailers, Commissioner Rule asked why we are budgeting for something that hasn't been approved by the Board. Director Navarro said he anticipated it was coming and he received strong impressions that it was a done deal, but he is happy to remove it. Commissioner Dale said it's not a done deal, it's under consideration right now. Again, Director Navarro said he is happy to remove it. Mr. Wagoner said it's not necessarily a mistake, the suggested budgets aren't due until May 21<sup>st</sup> so this is an opportunity to discuss it before we have the formal request. Commissioner Dale said it's good to have the costs added up so it can be part of the consideration when it's being discussed. It's good forward thinking, but it's not been decided on nor do we know if the city will allow it. Commissioner Rule said a better approach would be to say here's my budget and if you have a mobile jail system these would be the associated costs to add to the budget. Director Navarro said capital projects for next year include parking lots that need seal coating. He also wants to finish the "DDC" conversions in the courthouse. They remodeled half, but the other half has older thermostats for the 400 heat pumps that are running on a system that's no longer connected so we want to bring those other pumps in. He wants to do paving on 11<sup>th</sup> Avenue and behind the parking lot in the alleyway near the railroad area. The second floor common area of the courthouse has older restaurant booths and he wants to replace those with actual tables and chairs because the area has grown exponentially for use by the general public and he wants to accommodate that. Several buildings need carpet, ceiling, and painting work. On the 11<sup>th</sup> Avenue side of the courthouse where the officers park, the sidewalk is in really bad shape and so he has gathered bids to replace it. Mr. Wagoner said the \$14,000 that's been budgeted for pews in the juvenile justice center courtroom can be paid for with either court facilities money or juvenile justice funds we receive from the state. Director Navarro said the courts have asked him to remove the folding chairs and put in pews that are fixed to the ground. Commissioner Rule said we should find out which pool of money the courts

prefer to use to pay for the expense. He plans to replace several lawnmowers and purchase a billy goat (lawn vacuum) to suck up leaves and debris. The Fleet Director recommends he replace one truck that has 165,000 miles. Last year's budget was \$4.34M and this year is \$5.3M but that includes \$1.4M for the temporary jail, if it's approved. Commissioner Rule asked him to rebuild his budget with an add-on sheet if scenario B happens that way we can have the associated costs broken out. Commissioner Dale asked what the cost will be if we continue doing the same thing we're doing today with transportation, out-of-county housing, and associated costs versus a temporary solution. The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

### INDIGENT DECISIONS/CONTINUANCES

The Board met today at 11:31 a.m. to consider indigent decisions and continuances. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2018-789, 2018-799, 2018-655, 2018-803, 2018-743, 2018-801, 2018-798, 2018-802, 2018-811, 2018-806, 2018-892, 2018-795, 2018-778, 2018-777, 2018-804, 2018-793, 2018-797, 2018-783, 2018-943, 2018-796, 2018-773, 2018-935, 2018-805, 2018-827, 2018-936, 2018-788, 2018-772, 2018-818, 2018-790, 2018-932, 2018-817, 2018-800, 2018-931, 2018-926, 2018-950 and 2018-780. Commissioner Rule made a motion to issue initial denials with written decisions to be issued within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Case no. 2018-930 does meet the eligibility requirements for county assistance and upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue a written approval within 30 days.

Commissioner Rule made a motion to issue final approvals with written decisions within 30 days on case nos. 2018-656, 2018-448 and 2018-307. The motion was seconded by Commissioner Dale and carried unanimously.

Case no. 2016-696 was pulled from suspension with resolution of its resource for a final approval. Commissioner Rule made a motion to issue an approval with a written decision within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Due to the hearings on May 17, 2018 being vacated the following cases will need to be continued to May 31, 2018: 2018-418, 2018-446, 2018-365, 2018-397, 2018-330, 2018-317, 2018-360, 2018-471, 2018-314, 2018-337 and 2018-530. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the cases as read into the record.



Director Baker explained she's had a request for partial payment for lien satisfaction regarding case no. 2010-1228. When this case was originally brought before the Board it was agreed that a 50% reduction of the \$20,010 outstanding balance would be satisfactory. This was presented to the lender and title company but they are now asking for an additional reduction to \$5700 to receive full satisfaction of the \$20,000 outstanding amount due to the applicant not having sufficient funds in excess of that amount. They were working toward a subordination agreement where the lien would stay in place but they are no longer wanting to do that, they would like full satisfaction. The Board said paying \$5700 and then continuing to pay \$100 per month on the remaining \$4300 would be acceptable, however, the lien will still remain in place and a subordination agreement will still be necessary. Director Baker presented the Board with the subordination agreement to be signed. The meeting concluded at 11:44 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETINGS FOR DEVELOPMENT SERVICES, SOLID WASTE AND FLEET

Due to a lack of quorum there are no minutes for the FY2019 budget meetings for Development Services, Solid Waste and Fleet. Commissioner Dale, Clerk Yamamoto and Controller Wagoner received the information on behalf of the Board. An audio recording is available in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 17, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### FY2019 BUDGET MEETINGS FOR HUMAN RESOURCES, WEED & GOPHER, JUVENILE PROBATION AND MISDEMEANOR PROBATION DEPARTMENTS

Due to a lack of quorum there are no minutes for the FY2019 budget meetings for the Human Resources, Weed & Gopher Control, Juvenile Probation and Misdemeanor Probation departments. Commissioner Dale, Clerk Yamamoto and Controller Wagoner received the information on behalf of the Board. An audio recording is available in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 18, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office

FY2019 BUDGET MEETINGS FOR THE PUBLIC INFORMATION OFFICER AND COUNTY AGENT

Due to a lack of quorum there are no minutes for the FY2019 budget meetings for the Public Information Officer and County Agent. Commissioner Dale, Clerk Yamamoto and Controller Wagoner received the information on behalf of the Board. An audio recording is available in the Commissioners' Office.

MAY 2018 TERM

CALDWELL, IDAHO MAY 21, 2018

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

APPROVED CLAIMS ORDER NO. 5-25-18

The Board of Commissioners approved payment of County claims in the amount of \$77,198.54, \$160,775.19, \$52,532.16, \$13,533.89 and \$24,157.64 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- IDERA, Inc. in the amount of \$7969.50 for the Information Technology department
- Best Buy in the amount of \$2102.80 for the Information Technology department
- BOE in the amount of \$1805.00 for the Information Technology department
- United Micro in the amount of \$3129.71 for the Information Technology department
- Motorola Solutions in the amount of \$1460.00 for the Sheriff's Office
- HP, Inc. in the amount of \$2842.21 for the Information Technology department

FILE IN MINUTES

The Board filed the Treasurer's monthly report for April 2018 in today's minutes.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Lane 23 to be used 5/26/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Lane 23 to be used 7/21/18 for a wedding.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Idaho Golf Partners, Inc. dba TimberStone Golf Course; Aguililla Restaurant, Inc. dba Aguililla Restaurant; City of Nampa dba Centennial Golf Course; Scoria Vineyards & Winery, LLC dba Scoria Vineyards & Winery. See resolution no. 18-091.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Pantera Market 3 LLC dba Pantera Market 3. See resolution no. 18-084.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Soda Stop, Inc. dba Soda Stop. See resolution no. 18-085.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Flying Pie Pizzeria 2 LLC dba Flying Pie Pizzeria. See resolution no. 18-086.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Clifford Randall Raymond dba Red Dog Saloon; Macabi, Inc. dba Acapulco Mexican Restaurant; Tacos Y Mariscos El Compa, LLC dba Tacos Y Mariscos El Compa; Hispanic Cultural Center of Idaho, Inc. dba Hispanic Cultural Center of Idaho; Cook's Two Hole, Inc. dba Cooks Two Hole Bar. See resolution no. 18-087.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Whiskey River, LLC dba Whiskey River; Nampa Hospitality, LLC dba Best Western Plus; Indian Creek Steakhouse, LLC dba Indian Creek Steakhouse; Sportsman's Hideout LLC dba Sportsman's Hideout. See resolution no. 18-088.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Walmart, Inc. dba Walmart #4180, #3739, #2781 and #2780; JFL Vond LLC dba Super C; Messenger LLC dba Messenger. See resolution no. 18-089.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Kanda, Inc. dba Lakeshore Market; Dashmesh, LLC dba Friendly Fred's; Campos Market Nampa, LLC dba Campos Market Nampa; Intermountain Management, LLC dba Fairfield Inn & Suites; Walmart Inc. dba, Walmart Market #4494. See resolution no. 18-090.

#### FISCAL YEAR 2019 BUDGET MEETING FOR THE FAIR

The Board met today at 8:35 for the fiscal year 2019 budget meeting for the Fair. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The budget was reviewed as follows:

##### Fair

- Mainstage Entertainment: increase due to booking 4 days of entertainment instead of just 3 as in previous years
- Mainstage Production: all services related to stage production
- Equipment Rental: increased to include anything that is rented including the mainstage, entertainment stage, trailers, tents, generators, etc.
- Grounds/Fair set-up supplies: increased for project to build storage racks for all of the sheep, goat and swine pens
- 4-H/FCS superintendents: this line changed to \$16,000 to consolidate multiple line items

##### Fair Building

- Concession Stand Supplies: increase due to the wooden tables being removed and replaced with something that would be up to food preparation codes

- Building Supplies and Materials: includes a sign for the exterior of the building
- Other Improvements: LED conversion for the arena lighting and the materials to paint and seal the roof
- Machinery: Cow Comfort fans on the north side of the building
- Capital Construction Projects: architectural and engineering fees for the building at the Wilson Drain property
- There may need to be some money budgeted for the tiling of the Wilson Drain that is planned for this fall

The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 8:59 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Commissioner Pam White arrived at 9:03 a.m., Prosecutor Bryan Taylor left at 9:01 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, Director of Indigent Services Yvonne Baker left at 9:05 a.m., Director of IT Greg Rast left at 9:02 a.m., Juvenile Detention Training Officer Shawn Anderson left at 9:07 a.m., Business Manager Caitlin Pendell arrived at 9:01 a.m. and left at 9:02 and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing Thomson Reuters West Publishing Corporation subscription order form for the Canyon County Prosecuting Attorney's Office:*** This service is used for legal research by the Prosecuting Attorneys and the Public Defenders. Most recently Lexus-Nexus has been used but they would like to go back to using Thomson Reuters West Publishing. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Thomson Reuters West Publishing Corporation subscription order form (see agreement no. 18-055).

***Consider signing purchase order for Duplo 646 rotary tool slitter/cutter/creaser for the Canyon County Print Shop:*** This is the final step in the sole source procurement. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the purchase order for the Duplo 646 rotary tool slitter/cutter/creaser for the print shop.

***Consider signing psychiatric services agreement with Michelle Cullinan N.P. and Hamilton Warren Sutton, M.D.:*** These agreements are to add two new physicians for psych evaluations. Both are with Sage Healthcare but will have individual agreements. Commissioner Rule made a motion to sign the agreements with Michelle Cullinan N.P. and Hamilton Warren Sutton, M.D. The motion was seconded by Commissioner Dale and carried unanimously (see agreements no. 18-057 and 18-056).

***Consider signing memorandum of agreement between Ada County, Southwest Idaho Juvenile Detention Center, and The Idaho State Department of Juvenile Corrections FY2018:*** This is an MOU with the State of Idaho and Ada County Juvenile correction facilities that is signed annually for the emergency placement of juveniles should they not be able to be housed in the SWIDJDC. This MOA was originally signed in October but due to a clerical issue in Ada County they have asked Canyon County to re-sign. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the MOA between Ada County, SWIDJDC and the Idaho State Department of Juvenile Corrections (see agreement no. 18-059).

***Consider signing spring 2018 Canyon County Landfill Office addition project agreement:*** The low bid for this project was received from HASCO, LLC in Meridian. They have signed the contract but the building permit has not yet been secured so there are a couple provisions that have been left blank in regards to the start date, however, it has been agreed that the project will be complete by the end of fiscal year. Paul Navarro explained that although they don't yet have the building permit this will allow some of the long lead time items to be ordered. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Landfill Office addition project agreement (see agreement no. 18-058).

Commissioner Rule asked about an alcohol license for TimberStone Golf Course. There is some concern that if they are required to change the license from last year that kids will no longer be allowed on the course as the course itself is listed as the 'premise' as opposed to just the clubhouse. Allen Shoff said the county ordinance states that that a county alcohol license must follow the corresponding state license. It would be appropriate that TimberStone apply to the state if there needs to be a change so that the county license can accurately reflect that.

#### EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

*As part of the legal staff update a request was made to go into Executive Session to discuss acquisition of an interest in real property and records that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:14 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Dale. 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, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Commissioner Dale left the executive session at 9:28 a.m. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

The meeting concluded at 9:35 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

The Board met today at 10:37 a.m. for a monthly 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 presented the Board with a commuter vehicle authorization which will allow the payroll department to tax usage of the vehicle. A copy of this authorization is on file with this day's minute entry. Director Tolman has temporarily suspended the unemployed inmate work release program in the shop pending legal direction as there have been issues with some of the inmate workers. The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

#### CANVASS ELECTION

The Board canvassed the May 15, 2018 Election results today which are on file with this day's minute entry.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 22, 2018

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

No meetings were conducted.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 23, 2018

PRESENT: Commissioner Tom Dale, Chairman – WIR Conference  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – WIR Conference  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 24, 2018

PRESENT: Commissioner Tom Dale, Chairman – WIR Conference  
Commissioner Pam White – out of the office  
Commissioner Steve Rule - WIR Conference  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Maria Sarmiento dba Alondras Store; Carniceria Mi Tierra, Inc. dba Carniceria Mi Tierra. See resolution no. 18-094.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Victors LLC dba Victor's Hogs N Horns; Wing Nutz Nampa LLC dba Wing Nutz. See resolution no. 18-093.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Crescent Brewery LLC dba Crescent Brewery; Lake Lowell Market Inc. dba Lake Lowell Market; Ridgewood Enterprises dba Legacy Feed & Fuel; Heather Zimmerman dba The Garage Café. See resolution no. 18-092.

MAY 2018 TERM

CALDWELL, IDAHO MAY 25, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

MAY 2018 TERM

CALDWELL, IDAHO MAY 29, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White



APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Victor's Hogs N Horns to be used 6/2/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Gem Lounge to be used 6/8/18 – 6/10/18 for the Idaho Shoot-Out Jet Ski Race.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Twin Peakes Restaurant to be used 6/9/18 for a wedding.

APPROVED CLAIMS ORDER NO. 1817

The Board of Commissioners approved payment of County claims in the amount of \$1,537,760.28 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Caxton Printers in the amount of \$1806.24 for the Parks department
- WW Livestock Systems in the amount of \$14,884.65 for the Fair
- Rodda Paint in the amount of \$11,057.36 for the Facilities department
- Rodda Paint in the amount of \$35,565.00 for the Facilities department
- SECO Construction Supply in the amount of \$2234.11 for the Facilities department
- Carousel in the amount of \$1644.00 for the Information Technology department
- HP, Inc. in the amount of \$1875.00 for the Information Technology department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Agave Cantina LLC dba Agave Cantina. See resolution no. 18-097.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Shewil LLC dba Slicks Bar; La Michoacana Mexican Restaurant LLC dba La Michoacana; BPOE of the USA 1448 Caldwell dba Caldwell Elks Lodge #1448; TNT's Dynamite Bar & Grill LLC dba TNT Dynamite Bar & Grill; Salinas Foods LLC dba Yita's Family Restaurant King Legend Hall. See resolution no. 18-098.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for East Cleveland Beverage & Tackle LLC dba East Cleveland Beverage. See resolution no. 18-099.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING FACILITY RENTAL AGREEMENT WITH NAMPA SCHOOL DISTRICT #131

The Board met today at 8:31 a.m. for a legal staff update and to consider signing a facility rental agreement with Nampa School District #131. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Deputy P.A. Zach Wesley, Director of Court Operations Denise Kennel, Chief Juvenile Probation Officer Elda Catalano left at 8:34 a.m., School Liaison Officer Shannon Jones left at 8:34 a.m. and Deputy Clerk Jenen Ross.

***Consider Signing Facility Rental Agreement with Nampa School District #131:*** This is for a one night educational event and is similar to what the fair uses for building rental. Ms. Catalano and Ms. Jones explained this is for rental of the shop at Nampa High School for a 4 hour event to teach kids about car care. The classes are conducted by volunteers with no cost to the county. They anticipate 8-10 kids will be participating. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreement with the Nampa School District (see agreement no. 18-060).

#### EXECUTIVE SESSION – PERSONNEL MATTER AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 8:31 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter and to communicate with legal counsel regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 8:35 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f). 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, Prosecutor Bryan Taylor, Deputy P.A. Zach

Wesley, Clerk Chris Yamamoto, Director of Court Operations Denise Kennel and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:51 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.

PUBLIC HEARING TO CONSIDER PUBLIC COMMENT REGARDING PROPOSED INCREASES AND/OR ADDITIONS TO THE CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT BUILDING PERMIT FEE SCHEDULE AND THE P&Z FEE SCHEDULE

The Board met today at 9:03 a.m. to conduct a public hearing regarding proposed increases and/or additions to the Canyon County Development Services Department building permit fee and planning and zoning fee schedules. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Building Official Dave Curl, and Deputy Clerk Monica Reeves. Director Nilsson said the zoning fee changes are more cleanup items that followed an ordinance amendment that was done over a year ago. There has always been a \$70 fee for flood plain development permits, but they wanted to have no fee for permits for repairs since a lot of the work staff does is to document it and collect reports. They changed the zoning ordinance to group together wineries, breweries and distilleries so that is being changed to reflect that that use is a \$550 fee. Wineries used to be a C.U.P. with a fee of \$850 and now they are a director's decision with a fee of \$550. Private road applications were created so staff can track the street naming and so we are clarifying that it's an administrative decision that's only \$300. The fee for conditional rezones is \$1,235 to reflect that it's a combination of the rezone fee and the development agreement fee. The fee did not change, they are simply making it clear that you have to have both when applying for a conditional rezone. Because the hard costs of a zoning text amendment are substantial, the Board previously passed a resolution setting the fee at \$2,500 which has been folded into the fee schedule. There is a \$75 fee for mechanical permits per additional system for heat pumps and A/C; they want to clarify that a permit is required for each one. For radiant heating systems they are establishing a \$60 fee and clarifying that mechanical commercial permits are equal to 2% of the bid cost with a minimum \$60 fee. They are also clarifying that there is a \$180 deposit for plan review on new dwellings and commercial structures. No one was present to speak to the proposed fee schedule. Commissioner Rule made a motion to close public testimony which was seconded by Commissioner White and carried unanimously. Zach Wesley said they prepared separate resolutions so that if in the future if the fee schedule needs to change they wouldn't have to bring the zoning ordinance back as well. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the resolutions establishing a revised Development Services Department Planning and Zoning fee schedule and the Building Permit fee schedule. (See Resolution Nos. 18-095 and 18-096.) The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY CHARLES & CHRISTY GARNER/JERRY AND JOAN HESS LIVING TRUST FOR A REZONE, ORDINANCE FOR MAP AMENDMENT, AND FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER, CASE NO. PH2018-15

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Charles and Christy Garner and Jerry and Joan Hess Living Trust to rezone 3.35 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, Case No. PH2018-15. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, William Mason from Mason & Associates, other interested persons, and Deputy Clerk Monica Reeves. Jennifer gave the oral staff report. The subject property is designated as residential on the Canyon County Future Land Use Map. The proposed rezone is consistent with this designation as well as the existing land uses in the area. It is located within Nampa's impact area with a designation of medium density residential. The surrounding area is primarily residential in nature. There are 40 platted subdivisions within one mile for a total of 1,506 lots and those lots have an average lot size of .69 acres. The rezone to R-1 is commensurate with the average lot size within one mile and would not create an incompatible land use. The property is adjacent to existing R-1 zoning located to the south of the property. There is also residential zoning west of the subject property. The rezone request would be commensurate with the land use in the vicinity of the subject property. The southwest corner of the property is located within the AE flood zone and the applicant will be required to adhere to the zoning ordinance as well as FEMA requirements during the platting process and development of the site. Nampa Highway District has no objection so long as their standards are met. The public road will need to be installed where the existing driveway is currently located to comply with the existing deed restrictions which dictates the location of the access onto Madison Road. Nampa Engineering Division has no objection to the rezone and they have requested a dedication of 40-foot right-of-way along Madison Road. The request meets the standards of review for the zoning amendment and is harmonious with the comprehensive plan and future land use map. The P&Z Commission recommended approval on April 5, 2018. William Mason stated this is a continuation of the family planning for Jerry Hess and his wife. The ground slopes to the north and to the west so there's no city services to the property and there won't be for the foreseeable future. According to Mr. Mason they have no problem meeting the highway district requirements or any of the other conditions in the staff report. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said this is pretty straightforward; the maps indicate the trend that's occurring in north Nampa and then he made a motion to approve the Findings of Fact, Conclusions of Law and Order. The motion was seconded by Commissioner White and carried unanimously. Commissioner Rule made a motion to approve the rezone of the property from "A" (Agricultural) to "R-1" Single Family Residential, and to approve the ordinance directing amendments to the Canyon County Zoning Map. (See Ordinance No. 18-013.) The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ROBERT & JOANNE BRADFORD TO CONSIDER CASUALTY LOSS APPLICATION UNDER IDAHO CODE § 63-711 (CANCELLATION OF TAXES); AND BOARD OF EQUALIZATION: MEETING WITH ROBERT & JOANNE BRADFORD TO CONSIDER

#### APPLICATION FOR CASUALTY LOSS UNDER IDAHO CODE § 63-602X (CANCELLATION OF VALUE)

The Board met today at 10:31 a.m. with Robert and Joanne Bradford to consider their casualty loss application (cancellation of taxes) under Idaho Code §63-711. The Board also met as a Board of Equalization to consider the Bradfords application for casualty loss application (cancellation of value) under Idaho Code §63-602X. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Mike and Joanne Bradford, and Deputy Clerk Monica Reeves. Tracie Lloyd said this is another casualty loss in the Burnie Subdivision where the Bradfords were out of their home for 140 days which equates to \$386.02 in property tax. They are requesting the amount be forgiven. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the casualty loss application under Idaho Code §63-711. Treasurer Lloyd said they will process the correction and notify the Bradford's mortgage company, and if they have already paid there will be a refund. Greg Himes said the Bradfords were out of their home in 2018 as well so they qualify for an exemption and he recommended the Board approve the 13.7% quotient for 2018. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the recommended quotient of 13.7% for 2018. The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH MATT DAVISON OF THE IDAHO PRESS-TRIBUNE TO DISCUSS POSSIBLE CHANGES TO THE PUBLICATION OF LEGAL NOTICES

The Board met today at 11:00 a.m. for a meeting with Matt Davison of the Idaho Press-Tribune to discuss possible changes to the publication of legal notices. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Matt Davison with the Idaho Press-Tribune and Deputy Clerk Jenen Ross. Mr. Davison said in 2018 there was bill in the legislature that would have provided the option for government entities to provide public notice via their own website and eliminate the requirement to publish government public notices in newspapers. His understanding is that the Idaho Association of Counties has backed this bill and he wanted to bring a few points to the Board's attention to understand the pros and cons of that bill. The bill was presented as a way to save the government money but he doesn't believe that is accurate. There is also the duty of public notices to serve the public, with an independent 3<sup>rd</sup> party involved it eliminates the burden to the public to have to go to multiple places to try finding the information they're seeking. Mr. Davison's points were as follows:

- Allowing for the internet-only posting of public notices on government websites takes away 3<sup>rd</sup> party neutral interest and removes any independent proof of publication
- Newspapers provide employees trained in the law and handling of public notices, serving as consultants to the legal entity to ensure compliance with state code

- Newspapers serve an important monitoring function. If government entities and private parties publish their own notices to government websites it would be much more difficult for the community to monitor whether they are in fact publishing them
- With an online only publishing format, measuring readership is very difficult. Newspapers are required to demonstrate readership by providing records of paid subscribers, online traffic, maintain postal permits, or submitting to outside subscription audits
- Local newspapers are the traditional medium for public notices where the public expects to find them
- Print newspapers remain more accessible to the public than the internet
- Newspapers offer the public a single, convenient location to find public notices both in print and online
- The internet can be unreliable and full of potential risks
- Interested parties cannot prove that they were properly notified of an impending action whereas newspapers serve as an authentic record of publication
- Idaho newspapers remain committed to keeping the public informed

The meeting concluded at 11:14 a.m. An audio recording is on file in the Commissioners' Office.

#### TOUR OF CANYON COUNTY JUVENILE DETENTION CENTER

The Board met today at 1:34 p.m. for a tour of the Canyon County Juvenile Detention Center. Present were: Commissioners Tom Dale and Steve Rule, Juvenile Detention Administrator Steve Jett, Assistant Juvenile Detention Administrator Sean Brown and Deputy Clerk Jenen Ross. Director Jett gave a tour of the detention center and a discussion was had about space that may be available for use by the Sheriff's Office. The tour concluded at 2:00 p.m. There is no audio recording of the tour.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 30, 2018

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):

- Inland Crane in the amount of \$7000.00 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 6-11-18

The Board of Commissioners approved payment of County claims in the amount of \$67,962.87 for accounts payable.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Burnt Lemon Grill LLC dba Burnt Lemon. See resolution no. 18-100.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for El Tenampa, Inc. dba El Tenampa. See resolution no. 18-101.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/21/18 for a wedding.

#### MEETING TO DISCUSS MOVING THE JAIL PROJECT FORWARD

The Board met today at 8:34 a.m. to discuss moving the jail project forward. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Marv Dashiell, Captain Daren Ward, Kathy Alder, Leslie Van Beek, Hubert Osborne, Ron Harriman, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Today's discussion centered on the questions that must be decided by the Board before we can move forward with the project: Where will the jail be located? How many jail beds are needed? How are we going to pay for it? Prosecutor Taylor said we've had this conversation numerous times and Sam Laugheed has presented a couple of different strategic proposals and plan but before a Request for Proposals (RFP) can be prepared we have to determine the number of beds, the location, and the financing options. Commissioner Rule said the Board has not had a discussion regarding the location or a bond and until the Board decides to move this direction it's really not decided despite Commissioner Dale saying it has. Commissioner Dale said he wants to have a bond question on the November ballot but he has never indicated there's been a vote from the Board. Numerous locations have been thoroughly evaluated and it was decided several years ago that the best location was the property on Highway 20-26 and Pond Lane. The County has looked at the Van Buren facility in Caldwell but there are numerous reasons why that's not a good location, including the fact that the City of Caldwell

does not want a new jail there. Commissioner Rule said the location is far from being decided and he believes previous bond attempts failed because the public did not like the location. As to the desired number of beds, Captain Ward said the DLR Group was hired to do a strategic plan to see what our jail needs were and they came back with a number of 1055 beds and he believes that's the smartest way to go because they were the experts hired through the RFQ process. Given the increase in population he is nervous about 1055 beds being enough. Chief Dashiell spoke about the increase in population and crime and how they have exhausted their options and so either the legislature has to change the statutes, or the judges will have to change sentencing options. What will the community say when that happens. On July 1<sup>st</sup> the state rate will increase from \$45 a day to \$55 a day for bed rent, and the rate for any day after 7 days will be \$75 so that's going to create a competitive market in out-of-county housing when we try to match those numbers. Commissioner Rule said HOK told the County that DLR's number of 1100 beds, with a cost of \$200M, is too high given that other similar sized facilities are being built for \$160M. We have to decide if the taxpayers will support building for the next 20-30 years or building what we need to take care of our immediate needs. Commissioner White said she struggles with adding just 200 beds to our existing number of 477 because there are 650 people who are in other programs because we don't have the space to put them in jail. She has concerns with the liability of the facility. A study was done by Rocky Mountain Corrections in 2006 and they said by 2018 Canyon County would need 1300 beds; she believes we need at least 1000 beds and she is working on a way to pay for it through local option sales tax. Commissioner Dale said without the realistic numbers we can't move forward and the only way to get to that realistic number is to make the decision so he suggests we develop an RFP asking companies to give us realistic numbers for a bed count between 850-1050. Clerk Yamamoto said the taxes in Canyon County are too high and they're going up. He doesn't see a jail bond happening anytime soon, but we need beds now so we should focus on the pod system and whether it's a viable option while we are working on what needs to be done with a permanent jail. Commissioner Rule said a local option sales tax is 5-10 years down the road. He does not support spending \$11.5M on a temporary solution when we could spend \$15M on a permanent solution or try to bond for \$20M-\$30M and take out the Elections Office and utilize the entire block to allow for 300 beds. He said it's a fantasy to think we're going to get the bond passed for \$150M for 800-1000 new beds at the Highway 20-26/Pond Lane property. Commissioner Dale said building at the courthouse location would not result in 300 beds and besides the city would not allow it. It is not good planning to build something that will be overcapacity in a year or two; we have to make sure we are doing something that is operationally sustainable for the long term. Commissioner Rule said the public will not approve a \$150M bond to build an 800-1000 bed jail and we have to address that. Commissioner Dale appreciates the sentiment and said we have to go through the process to refine the numbers and get the right plan that the voters will accept. We need to present to the people this fall. We need more than one finance/revenue source and local option sales tax is used throughout the country but we don't have the liberty on the local level to ask the voters if they'd like to pay for it through a local option, but we need the freedom to ask them. Prosecutor Taylor said the



Board has to identify where the jail will be built and what the number of beds will be. He believes that's one of the reasons the public won't support anything is because we haven't had a consensus on that issue. Commissioner Dale said the Pond Lane property is the right location. The Van Buren facility is not large enough and we'd have to purchase numerous properties around it and go through the process of clearing it and moving water and sewer lines to make it buildable. The most viable site is what we already in our possession: the Pond Lane property. Commissioner Rule disagrees and said we have two failed bonds where voters said they won't build a jail on that site. He thinks the better location is next to the Dale Haile Jail. Commissioner Dale said the last time the bond was voted on was at the depth of the recession and it wasn't about the location. He wants the Sheriff's input on the bed count and whether we can we say with any kind of confidence that an 850 bed facility would serve us for the next 10 years. Or do we need to say let's see what it costs to do 1050 beds. Commissioner White said we can go back and forth on the number of beds so she would like to do an RFP for the 1000 that DLR recommended because it's justifiable to the citizens. We can talk about the design. Prosecutor Taylor said the numbers are dependent upon the pods that are conceptual designs. The 1055 number is because we have so many beds per pod so we either have to eliminate an entire pod or two or add an additional pod so the number in that aspect will be a major swing, like a 300 bed swing with the design that was proposed. It goes back to the original question of what is the number of beds we should move forward with and then we can meet with bond counsel and financial experts and talk about what those costs will be. Commissioner Rule said we already know what 1100 beds will cost based on what's being built across the nation, we know it's going to be \$150-\$170M so why waste that effort on something that won't pass. Commissioner White doesn't believe it will be that amount of money. She wants to get started with the process. Commissioner Dale asked what the bed count would be if a pod is removed. Captain Ward said it's between 56 and 290, but it depends on the type of pod classification. Chief Dashiell said we have to look at what the needs of the County are; the classification needs, the female housing, and male housing rather than basing it on pods because you have to design on bed needs for the different classifications and gender populations. Our necessity is in having the proper beds for the classification. Clerk Yamamoto said the DLR study has a number of 1044 and several County officials spent hours going over the criteria portion and he thinks they did a stellar job of backing up that number. He said if the Board wants to pick a number, that's the number, otherwise let's stop spending money on studies. Captain Ward said the Sheriff is 100% behind the DLR study; staff spent hours with DLR going through everything in order to get to a number, and granted the \$198M scared everybody but DLR says that is their best estimate. Commissioner Dale said in a subsequent meeting DLR said they could reduce one of the program spaces and use a different type of paint and the price was reduced to \$172M. Commissioner Rule said DLR also included \$1.5M worth of art in their proposal. He said we need to find out if the voters will approve a \$50M bond, or a \$190M bond and until the public gives a general consensus why are we trying to choose the number of beds. We have to find out how much they are willing to bond for. Local option sales tax is the best way to do this but it's not reality because it's several years out. Commissioner Dale said we have an

opportunity in the upcoming year to make some progress with the local options sales tax. He agrees with Commissioner White and DLR that 1044 is a reasonable number to take us to the next 20 years. He doesn't want to build something that's going to be full tomorrow because that's fiscally irresponsible. We need to go with the DLR number and the location they studied. Commissioner Rule said it will fail and the Board needs to be realistic and pick a number that will be supported. Commissioner Dale said today's meeting was not designed to have decisions, it was designed for further discussion and this discussion needs to continue. The discussion on temporary housing with perhaps the option that's used in Missouri needs to be on the front burner and right next to it needs to be the long-term solution. The meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - CONSIDER A REQUEST BY VIRGIL IOVU FOR A REZONE, CASE NO. PH2018-6

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Virgil Iovu for a rezone from an "A" Agricultural zone to R-1 Single Family Residential Zone. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, TJ Wellard, Sheena Wellard, Virgil Iovu, Tabitha Iovu, Jessica Skinner, Jim Binns, Ann Binns, Bob Taylor, Daniel Ehnstrom, Nancy Ehnstrom, Michael Sullivan, Costin Pirvu, Sue Necy, David Martin, Margaret Taylor, Marc Taylor, Lois Marshall, Joe Elliston, Natali Elliston, and Deputy Clerk Monica Reeves.

Jennifer Almeida gave the oral staff report. The acreage of the subject property is 2.92 acres and it's currently zoned agricultural. The Canyon County Future Land Use Map designates this area as residential. It is not located within an impact area or a flood zone. The applicant is requesting to rezone lot 2, block 1 of Coyote Cove Subdivision No. 2 from an agricultural zone to an R-1 single family residential zone. Approval of the rezone would allow the applicant to divide his lot into two residential lots and a replat would be required if approved. There are currently building envelopes on the plat that appear to have been placed as a protection of use. The current residence on site is located within the envelope. The CCR's for the subdivision indicates that no lot may be further subdivided except in accordance with the restrictions notated on the plat. Note 3 on the recorded plat for Coyote Cove no. 2 states: with the exception of lot line adjustment there shall be no re-subdivision of any lot within this development unless annexation into the city or rezoning by any agency with jurisdiction occurs. The applicant is requesting to obtain approval of a rezone thus compiling with the plat note. The County does not enforce the rules or requirements contained within CCR's, which are civil agreements among the homeowners that reside within the development. The surrounding area is primarily residential in nature and there are 54 platted subdivisions within one mile for a total of 2,020 lots and those lots have an average lot size of .388 acres. Coyote Cove Subdivision No. 2 has an average lot size of 2.54 acres. The rezone to R-1 is

commensurate with the average lot size within a mile however it would create lots smaller than the average lot size within Coyote Cove Subdivision No. 2. Nampa Highway District indicated no objection the rezone so long as their district standards are met. The applicant will be required to meet approach spacing requirements and the new lot will be required to obtain approach permits prior to submission of a building permit. Nampa Irrigation District had no comment on the application. The P&Z Commission recommended denial of the rezone request on March 15, 2018. Staff has reviewed the proposal and found that the request meets the standards of review for zoning amendment and is harmonious with the Canyon County Comprehensive Plan and future land use map.

TJ Wellard offered testimony on behalf of the applicant, Virgil Iovu. The nearly three acre parcel is difficult for him and his wife to maintain and they like it there so they want to be able to split off their current home and build a new home on the same piece. Under zone criteria B, when considering the surrounding land uses is the proposed zone change more appropriate than the currently zoning designation? This, in our opinion, is indeed the case. Mr. Iovu resides in a platted subdivision with lots ranging from .89 acres to 3.93 acres. The area has a future designation of residential and the current use of its lot and frankly all the others are residential as well. A handful of neighbors may have a few animals on their property but that hardly qualifies for their lots to be considered agricultural. This is primarily a residential subdivision with homes and yards on every single small acre parcel. So yes, rezoning to residential is more appropriate since the land use in the area is mostly residential. Under section C, is proposed rezone compatible with surrounding land uses? Yes, because it is a residential platted subdivision where the primary land use is residential. Average lot size within a mile of the property is .388 acres. Mr. Iovu can only split his ground one time leaving two lots over an acre each. That's larger than the lot right next to him which is under an acre. There are five platted subdivisions along the Coyote Cove Subdivision No. 2 and there's one up in the northwest that has less than one acre parcels. Under section D in the rezoning criteria, will a proposed land use negatively affect the character of the area? No. Once again this a residential subdivision designated as residential on the future land use map and the lot he'll be creating will quite a bit larger than the average lot size within one mile. Also, the CCR's that are in place require homes of a certain character and size to match the surrounding area. The neighbors brought up issues that really aren't something that can be decided in this hearing because they are civil issues but he will address them. There is a claim that CCR's prevent Mr. Iovu from splitting his property and that he agreed to clear stipulations that said he could never split his property. This is simply not true. It states re-subdivision of lots, not lot, may not be further subdivided except in accordance with the restrictions noted on the plat. So we refer to the plat because that is exactly what the CCR's point us to. Note No. 3 states with the exception of a lot line adjustment there shall be no re-subdivision of any lot within this development unless annexation into the city or rezoning by any agency with jurisdiction occurs. The CCR's provide a way to split the property, it is through this jurisdiction and a rezoning that allows this property to be split again. Mr. Iovu is following what has been laid out before him. Mr. Wellard said they are well aware of the building envelopes and Mr. Iovu will not build outside of them and if this is approved the

replat will maintain the same site lines and build within the same building envelopes. Another concern of the neighbors dealt with irrigation, but according to Mr. Wellard this isn't going to put more strain on the irrigation, there will be another well and right now the lawns are sprinkled by wells because the irrigation is pretty dirty and it clogs up the sprinklers. As far as setting a precedent, this only affects Mr. Iovu's lots and everyone else would have to go through the same process that he's gone thru to be able to split their property. He is doing everything within the confines of the law and the CCR's to obtain this rezone. He's not asking to subdivide a bunch of ground in the middle of nowhere surrounded by farm fields, it's one lot within an already platted residential subdivision that has the City of Nampa knocking at its door, it will not affect the character of the area and his lots will still be commensurate with the lots in the subdivision. His lot currently is one of the larger lots in this area so splitting it to where he has a little over an acre for both parcels isn't going to change the character of the area.

The following people testified in opposition:

Daniel Ehnstrom testified that the homeowners association, many of whom are here today, respectfully request the Board deny the request based on the following reasons: 1) the lot sizes of Coyote Cove Subdivision No. 2 are from two to four acres, one lot is a one-acre lot because geographically that's how the area is laid out, there wasn't space to make it a larger property without cutting into some of the others. And, all of this is significantly larger than those in the surrounding communities such as the Red Hawk golf community. They believe their development is quite unique in this part of the county. 2) Approximately half of the owners of Coyote Cove Subdivision No. 2 maintain large animals such as horses, cows, some goats as well as people having chickens and rabbits, etc. One five-acre property which is immediately adjacent to the subdivision maintains 20 alpacas. 3) They are very concerned that rezoning one lot in their subdivision could begin a process of piece-meal rezoning that would completely and irrevocably change the rural nature of their property, something that the residents paid a premium price to create and maintain. 4) None of the other property owners in the development, including the last three who have purchased their homes in the last 15 months, desire their properties to be rezoned to anything other than agricultural for the reasons stated in their written responses.

David Martin stated that he and his wife are the ones who developed this property 20 years ago and their intent was to create a subdivision where they could have horses and cows and maintain the view; they designed lots where they would have views of the mountains and the lake in both directions. There has been quite a lot of development north of us which has cut out the views. Although one lot probably doesn't make a difference to the neighbors it would certainly set a precedent, in fact, there have been inquiries from other owners who have since moved on as to where they can split their lots. He is worried that the rural feel subdivision would go away.

Howard Henning expressed concerns about the distance between houses if Mr. Iovu's rezone is approved, and he believes it would be a non-conforming situation for the rest of the subdivision.

Marc Taylor is concerned that with Mr. Iovu's building envelope he will still have a lot of property to maintain.

Lois Marshall is concerned that some of the wildlife would be compromised with the addition of a higher population. She feels that when a person buys into a subdivision they need to abide by the covenants or find a new place to live. Changing the density, in this case, would set a precedent and would be very difficult to stop.

Joe Elliston, who purchased his 3.93 acre lot in 2004, said they chose this area because of the rural agricultural environment and because they believed the rules governing the property would support that as well. He said 75% of his property goes toward supporting his horses. He said the homeowners are allotted 16 hours per home owner and if the property is divided there will be more people pulling from it which is concerning because they need the water to support their livestock.

During rebuttal TJ Wellard said they are not putting in  $\frac{1}{4}$  acre lots; they are keeping two lots greater than an acre in size which fits the area. He said people live in houses and they do hobby farming and have horses, but that's not really an agricultural use. The aerial photos show that the applicant's property is out on the edge of the subdivision against a .89 acre parcel and where he is going to build is not going to have an effect on sight lines or the neighbors' way of life. We are talking about one new house; a rezone to R-1 will not allow it to be subdivided any further without going through another rezone hearing and that's not what Mr. Iovu is trying to do. Currently the ordinance allows him to build a secondary residence, and the secondary residence could be built in the exact same place as where he'd build a new one if he could split it. What he wants to do is already allowed, he'd just have to live there and rent the other house. He does not believe this rezone will set a precedent because the way it's been laid out it doesn't lend itself further splits. Mr. Wellard said having a one acre or 1.5 acre lot will not change the rural feel, it is right next to Red Hawk Subdivision and the golf course and the rezone is more appropriate than an agricultural zone and it's not going to change the feel of the neighborhood. As you go further to the back of the lot you're going up a hill so where the building envelope is located is a low area thus the protected view lines.

Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close public testimony.

Commissioner Rule said the subdivision has CCR's in place and people buy into a concept with them place. He said Note No. 3 on the recorded plat states that with the exception of lot line adjustments there shall be no re-subdivision of any lot in this development unless annexation into the city or rezoning by any agency with jurisdiction occurs. He can relate to

the neighbors' testimony that everybody purchased their lots on the same concept so why does Mr. Iovu want to change the character of his lot but he doubts there will be a "huge cascade of lots splits". It could set a precedent, however, there is a prescribed note on the plat that says they can ask the County for a lot split and from a property rights standpoint the applicant has the right to request it. Commissioner White said for most people their home is their biggest investment and it's everything they have, but at the same time it is hard to say Mr. Iovu cannot use his property in the way that he wants. It seems the CCR's have been a good road map and served as a guideline to keep the subdivision in uniformity, and even though she believes Mr. Iovu has rights with his property she also believes the HOA has presented a very strong case. Commissioner Dale agrees with many of things stated by both sides, but it comes down to when somebody purchases within a particular subdivision you are agreeing to abide by the rules and you purchased with full knowledge that this is the character of the subdivision. He is in agreement with the residents who have designed, built, and lived there for the last 15 years. Commissioner White made a motion to deny the rezone for Case No. PH2018-6. The motion was seconded by Commissioner Dale. Director Nilsson and Ms. Almeida asked for direction so staff can prepare Findings supporting the Board's decision of denial. Commissioner Dale referred to the minutes of the P&Z Commission hearing where the request was denied and staff was directed to revise Findings of Fact based on Item C, that the proposed rezone is not compatible with surrounding uses, and Item D, that the proposal will negatively affect the character of the area. Commissioner White agreed. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to deny and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote. The Board will consider the written Findings on June 4, 2018 at 8:45 a.m. The hearing concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 31, 2018

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

#### APPROVED CLAIMS ORDER NO. 6-4-18

The Board of Commissioners approved payment of County claims in the amount of \$131.50 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 6-8-18

The Board of Commissioners approved payment of County claims in the amount of \$66,028.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 6-11-18

The Board of Commissioners approved payment of County claims in the amount of \$4411.36, \$30,919.41 and \$158,035.79 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ETB-Tech in the amount of \$1209.39 for the Information Technology department

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Taylor Reeves and Aidan Shoup.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Casa Mexico #3 to be used 6/30/18 for a wedding.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for El Cafetal Colombian Restaurant LLC dba El Cafetal; Hat Ranch Winery LLC dba Val Win Company/Hat Ranch Winery; Pacific Sushi LLC dba Pacific Sushi. See resolution no. 18-102.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Sizzling Platter LLC dba Sizzler Steakhouse #434; Valley Wide Association Inc. dba Valley Wide Cooperative. See resolution no. 18-103.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jose Lopez Garcia dba El Rodeo. See resolution no. 18-104.

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Sodexo America LLC dba Sodexo America; Sodexo America LLC dba Sodexo America. See resolution no. 18-105.

### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0875, 2018-0852, 2018-0868, 2018-0893, 2018-0946, 2018-0896, 2018-0975, 2018-1007, 2018-0848, 2018-0894, 2018-0855, 2018-0834, 2018-0871, 2018-0888, 2018-0984, 2018-0876, 2018-0873, 2018-0955, 2018-0845, 2018-0861, 2018-0890, 2018-0836, 2018-0953, 2018-0831, 2018-0862 and 2018-0792. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days on the cases as read into the record. Case nos. 2018-0976 and 2018-1043 do meet the eligibility requirement for county assistance. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the cases as read into the record. The following cases now meet the criteria for county assistance: 2018-322, 2018-317, 2018-314 and 2018-313. Commissioner White made a motion to issue an approval for the cases as read into the record. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue case no. 2018-751 to June 28, 2018. Commissioner Rule made a motion of denial on case no. 2018-249, the motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to place case no. 2018-520 in suspension.

Director Baker said case no. 2006-356 is an approved case but the applicant is now deceased; there is just \$49.19 remaining on her account. Ms. Baker is requesting that the amount be waived so that the account can be closed and the lien released. Commissioner Rule made a motion to waive the remaining amount. The motion was seconded by Commissioner White and carried unanimously. The Board did request that Ms. Baker present some kind of paperwork that can be signed by the Board affirming this action.

Another case that was brought to the Board's attention was one that was approved with a lien being placed in 2010. At the time of the approval the applicant resided with her



boyfriend in a home that he owned. After they separated the applicant remained in the home and her son moved in to make the mortgage payments. The house was then deeded to the applicant which caused the lien to attach. The house has since been quitclaimed to the son who would now like to sell it. The outstanding balance of this account is \$45,060.89 but the applicant is offering to make payment of \$20,000 in order to release the lien. Commissioner Dale feels that unless there are extenuating circumstances the entire amount should be paid to which the rest of the Board agreed.

The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 9:01 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the criteria for county assistance: 2018-866, 2018-851 and 2018-891, upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue written denials within the next 30 days. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-631

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2018-631. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Case Manager Kelsee Hale, Michelle Davis with St. Luke's, Attorney Mark Peterson for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to July 26, 2018. The hearing concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-418

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for case no. 2018-418. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Amber Jones with St. Luke's, Attorney Mark Peterson for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to

continue the case to June 28, 2018. The hearing concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-606

The Board met today at 9:41 a.m. to conduct a medical indigency hearing for case no. 2018-606. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood with Med Data for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to July 26, 2018. The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-471

The Board met today at 9:54 a.m. to conduct a medical indigency hearing for case no. 2018-471. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood with Med Data for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to uphold the denial. The hearing concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-208

The Board met today at 10:05 a.m. to conduct a medical indigency hearing for case no. 2018-208. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Andrew Lacayo for West Valley Medical Center, the applicant, Interpreter Mercedes Lupercio, Attorney Mark Peterson for West Valley Medical Center and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to deny the case, the motion was seconded by Commissioner White for discussion. Discussion ensued and Commissioner White made a substitute motion to continue the case to July 26, 2018. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-330

The Board met today at 10:51 a.m. to conduct a medical indigency hearing for case no. 2018-330. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Michelle Davis with St. Luke's, Attorney Mark Peterson for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to uphold the denial. The hearing concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 11:08 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. On the following cases neither the hospital nor the applicant appeared: 2018-365, 2018-397, 2018-473, 2018-573, 2018-470, 2018-360, 2018-507 and 2018-337 upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue written denials within the next 30 days on the cases as read into the record. Commissioner Rule made a motion to suspend case no. 2018-446. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 11:13 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE

The Board met today at 11:14 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Zach Wesley said there was a Fair entertainment contract signed on May 1, 2018 for Craig Morgan (Hooah Music, Inc. – agreement no. 18-048) that had some of the pages that needed initial of the strikethroughs were inadvertently left out during the original signing. Nothing in the contract changed, it was only the specifications for sound and stage set-up that needed initialing. The Board initialed as necessary and the contract has been updated.

There has also been a request for mediation by Todd Lakey on behalf of Cope Sand and Gravel. Mr. Wesley said there will be involvement from the affected party (that being the appellants) and the county will be responsible for choosing a mediator to which Mr. Wesley said he would come up with a list of potential candidates. There is a conflict between the County ordinance and the State Law. The State law says that the county pays for the first mediator but the ordinance says the county will not pay for a mediator when the request for mediation is made by the applicant although in this case the Copes have indicated they will pay for the first mediator. Mr. Wesley said the county, affected party and applicant are required to participate in the first hearing and then from there on if someone doesn't want

to participate it would go back to the Board for a decision. After some discussion there is a certain amount of question as to what and/or how much involvement the Board should have in the mediation if the case does indeed need to come back for a decision. Mr. Wesley said he would do some more research and get back to the Board as this is something that has never before happened in Canyon County. The meeting concluded at 11:27 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH ASSESSOR REGARDING THE PROPERTY TAX REDUCTION APPLICATION CERTIFICATION

The Board met today at 2:04 p.m. with the County Assessor regarding the Property Tax Reduction (PTR) program application certification. (The program was previously known as the circuit breaker program.) Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The meeting was originally scheduled so the Board could consider signing the certification, but Assessor Stender said he recently learned the certification does not require the Board's approval so today's meeting is a courtesy and for information only. For 2018 the Assessor's Office received 3,792 applications from taxpayers seeking to reduce their tax burden, and the amount Canyon County will be asking the state to reimburse is \$3,455,000 after they audit the applications. The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION: CONSIDER APPLICATION FOR CASUALTY LOSS UNDER 63-602X FOR HEIDI ROBERTS, KENNETH HARRIS, KATHLEEN TRESNESS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:06 p.m. to consider applications for casualty loss under Idaho Code, Section 63-602X for Heidi Roberts, Kenneth Harris and Kathleen Tresness. Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Greg Himes said lately the Board has acted on several casualty loss tax cancellations but today's applications are for casualty loss exemptions where the value is exempted upfront so it doesn't affect taxing districts. The properties suffered fires that occurred after the first of the year so an exemption is being requested for the time period the owners are out of the house; once they are back in their homes the values will be picked up again. The Assessor's Office is recommending casualty loss exemptions as follows:

Kenneth and Marylea Harris, Parcel No. 32375117 0: A reduction of 19.2%

Kathleen Tresness, Parcel No. 27622013 0: A reduction of 19.2%

Heidi Roberts, Parcel No. 15488000 0: A reduction of 14.2%

Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to grant the exemptions as read into the record. The meeting concluded at 2:10 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF MAY 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. DATED this 30<sup>th</sup> day of July 2018. Signed by Canyon County Board of Commissioners Steven J. Rule, Pam White and Tom Dale. Attest: Chris Yamamoto, Clerk by J.Ross, Deputy Clerk