

MAY 2019 TERM
CALDWELL, IDAHO MAY 1, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$68,070.68 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Premier Wireless Solutions in the amount of \$7970.25 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/15/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/7/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 7/20/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/2/19 for a retirement party.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/1/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 7/6/19 for a wedding.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization forms for Erin Stanley, Nichole Schwend and Scott Hoke.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Chapala Mexican Restaurant #7, Inc. dba Chapala Mexican Restaurant #7; Chapala Nampa, Inc. dba Chapala Mexican Restaurant III; GMRI, Inc. dba The Olive Garden Italian Restaurant #1731; City of Nampa dba Ridgecrest Golf Club. See resolution no. 19-069.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Bon Appetit Management, Co. dba McCain Pub; City of Nampa dba Centennial Golf Course; Conrad & Bischoff, Inc. dba Garrity 66; Golden Palace Inc. dba Golden Palace; Owyhee BBQ, LLC dba Owyhee BBQ; Owyhee Motor Sales, Inc. dba Owyhee Motor Sales, Inc. See resolution no. 19-070.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson left at 9:20 a.m., Director of Juvenile Detention Steve Jett, Chief Deputy Sheriff Marv Dashiell left at 9:35 a.m., Captain Mike Armstrong left at 9:35 a.m., Controller Zach Wagoner left at 9:35 a.m., Chief Public Defender Aaron Bazzoli left at 9:15 a.m., Deputy P.A. Dan Blocksom, Facilities Director Paul Navarro left at 9:35 a.m., Deputy P.A. Mike Porter, HR Generalist Jennifer Allen left at 9:20 a.m., Chief Deputy P.A. Sam Laugheed arrived at 9:30 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

AMENDMENT TO AGENDA: Consider signing Public Defense Commission grant application: Mike Porter explained that there is a deadline of today to turn in paperwork for a substantial grant but it was not on the agenda 48 hours in advance. Under Idaho Code §74-204 (2) if there is a potential for financial loss the agenda notice requirements can be waived. In this case the amount of money and the deadline are just such a reason to amend the agenda without notice and move forward. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to amend the agenda to consider signing the Public Defense Commission Grant application. Mr. Bazzoli explained that they have been working with the PDC and Controller Wagoner to get accurate numbers and did not really have finalized numbers until last Friday. He gave an explanation of how the dollars are calculated and how his office is in compliance with PDC requirements. Controller Wagoner spoke about how prior year's grants were tied to expenditures in the past. We're looking at current and forward and we've seen a tremendous increase in spending for conflict counsel so the hope is to receive some money from the state to offset that increased cost. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the FY2020 Indigent Defense Grant application. A copy of the application is on file with this day's minutes.

Consider signing a resolution to adopt the changes to the title and job description of one (1) position in the Development Services Department: Director Nilsson said this was a position that was created in this year's budget to help with workload relief in the building division. The function of this position would be a front desk plan reviewer and would have qualifications to do residential plan review and perhaps certified to be a building inspector in order to back up the building permit function. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution to adopt the changes to the title and job description of one (1) position in the Development Services Department (see resolution no. 19-061).

Mr. Porter spoke about the Detention Center Medical Services RFP stating that today was the day for the recommendation to be made. Due to the amount of submissions that were received making a recommendation today is unrealistic. He asked the Board to sign a letter which will be sent to the vendors who provided submissions extending the deadline out 45 days. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the letter. A copy of the letter is on file with this day's minute entry.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, 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 records exempt from public disclosure, 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 Van Beek made a motion to go into Executive Session at 9:21 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Chief Deputy P.A. Sam Laugheed, Chief Deputy Sheriff Marv Dashiell, Captain Mike Armstrong, Facilities Director Paul Navarro, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:06 a.m. with no decision being called for in open session.

The meeting concluded at 10:06 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR PURPLE SAGE ESTATES NO. 3

The Board met today at 10:12 a.m. to consider a request by Jay Walker for preliminary plat, irrigation and drainage plan approval for Purple Sage Estates No. 3, Case No. SD2018-0020. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Jay Walker, Tyler Hess, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is zoned R-1 (Single Family Residential) and is designated as residential on the future land use map. It contains 21 residential lots and one common lot and will utilize individual domestic wells and septic systems. The lots will be irrigated via pressurized irrigation and there will be internal public roads. The City of Middleton requested a two-acre minimum lot size; however, Ms. Almeida advised that this property is already zoned for R-1 development and the property could be developed at a one-acre average minimum. The highway district requested notes be added to the plat and revisions be made to the intersection right-of-way lines and the applicant has complied with that request. Staff has found the plat and irrigation plan meet the requirements for approval. Commissioner Van Beek had questions about a traffic impact study, specifically at what point is one triggered, and she asked for additional information on the project phasing. Director Nilsson said 100 dwelling units trigger a traffic impact study. Ms. Almeida said this is the third phase of a project but this plat is not divided into phases, it's an entire phase of a larger project. Jay Walker said this is a consistent and compliant residential product continuing with phases 1 and 2. There is access onto El Paso Road and they are dedicating the 40-foot half section frontage to the Canyon Highway District. He said the applicant pre-emptively linked arms with the highway district and area agencies and connected El Paso Road and it was completed and paved to the proper section from Willis Road north to Purple Sage Road. He contributed financially with Albion Estates and other developments in completing that section of road and that was done in lieu of a traffic impact study, per se, and it included not only surface improvements but culvert crossings and things for drainage. They are preparing for and approaching a possible phase 4 and 5 but Mr. Hess has asked that the County and the highway district remember that there were financial contributions and resources expended in improving that road. According to Mr. Walker they

have addressed the irrigation district's comments in the irrigation design and they are piping the surface irrigation source which conveys it to a neighboring property. There are two stubs that come from the north to the southerly phase 3 and adequate capacity, flow and pressure will be provided in a riser to each lot. He also spoke about retention and drainage. Tyler Hess, who is the project developer, testified that he purchased this property from the City of Caldwell and they were working with Canyon Highway District to extend El Paso Road and part of his purchase was to pay for his portion of that road. They went above the standard to address the issues because they knew there would be future phases. He paid for the road to be extended which has tremendously helped that area. He has addressed the highway district's comments, and he is working with the irrigation district on piping the proper water so the farmers can continue to receive their water. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close the public hearing. Commissioner Dale said this is well thought out based on what we've seen in the area and he appreciates the engineering and the thought Tyler Hess has given this project. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the FCOs for Case No. SD2018-0020 and to approve the preliminary plat, irrigation and drainage plan for Purple Sage Estates No. 3 subject to the conditions of approval. The hearing concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPROVAL/DENIAL OF VARIOUS NEW PROPERTY TAX EXEMPTION APPLICATIONS AND RENEWING VARIOUS EXEMPTIONS

The Board met today at 11:30 a.m. to consider approval/denial of various property tax exemption applications and renewing various exemptions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Chief Deputy Assessor Joe Cox, Assessor Brian Stender, Representatives from Bannock County Assessor's Office and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

63-602C: Charitable

01788000 0 Living Independence Network Corp. (LINC)

37939000 0 Blazing Hope Youth Family Ranch Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption.

63-602B: Religious

33946000 0 Canyon Springs Christian Church

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant a partial exemption.

32273000 0 Sunny Ridge Assembly of God

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

04222000 0 Canyon Hill Church of the Nazarene

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

13611000 0 International Church of the Four Square Gospel

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to remove the exemption.

22961000 0 Teen Challenge International Pacific Northwest Centers

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

13718000 0, 15426010 0, 13715000 0 Christian Faith Center Assembly of God Inc.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the original decision.

63-602E: Educational

13034011A0 Idaho Arts Charter School Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption.

17885010 0, 02287000 0, 32121000 0 Building Hope

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

30498011 0 RCG Nampa LLC

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to deny the exemption.

63-602GG: Low Income Housing

12983500 0 Trinity Hope

38770000 0 Elderly Opportunity Agency

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to remove the exemption.

12983500 0 Trinity Hope

19406000 0 Elderly Opportunity Agency

15438000 0 Nampa Christian Housing

36243000 0 Idaho Friends Retirement Homes Inc.

02147000 0, 02147000 0 Columbia Gardens, Inc.

35333236 0, 32564318 0, 35333212 0, 35129131 0, 32504483 0, 27438106 0, 32480180 0, 06438102 0, 06438114 0, 06438106 0 Advocates Against Family Violence, Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption.

Low Income Housing and Charitable

02147000 0 Columbia Gardens

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to deny both exemption applications.

The meeting concluded at 12:03 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR CANYON COUNTY COMMUNITY CLINIC

The Board met today at 1:02 p.m. to discuss the FY2020 preliminary budget request for the Canyon County Community Clinic. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Indigent Case Manager Camille Tilden, clinic representatives Pat Kissel, Rick Tivis, Barbara Howard, and Kathy Simkins, as well as Deputy Clerk Monica Reeves. Rick Tivis thanked the Board for the financial support the County has provided over the years. He gave a summary of the clinic's services as well as a review of its challenges and accomplishments. Their medical director took a position in California and he connected us with Dr. Reese who has taken over as medical director. Our chairman stepped down due to personal commitments but he continues to financially support them. They had a bit of a shakeup in July that resulted in a reorganization of the clinic. In January the recovery center reached a point where they felt stable enough to be on their own so they formed their own 501 (c)(3) and they remain a partner with us. They have moved upstairs which gives room for the crisis center so we're looking at being in the same space as the crisis center, recovery center and the clinic being a hub to help people. Last year the County provided funding in the amount of \$75,000 but this year they are seeking more in order to be able to hire a clinic manager. Barbara Howard shared some patient stories from the last two years highlighting how important it is to take care of the patients' mental health as well as their chronic diseases. The clinic wants to be available to care for those who are the most vulnerable who are sick, have no resources, and no family support. Pat Kissel said as board members they have financially contributed this past year. Commissioner Dale said he is excited about the partnership that exists in that building between you and the recovery center and the crisis center – it's going to be a hub for caring for people with all kinds of needs. No Board action was required or taken. The meeting concluded at 1:24 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 2, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/6/19

The Board of Commissioners approved payment of County claims in the amount of \$22,064.38 for accounts payable.

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$37,259.93 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Mariscos La Perla to be used 5/10/19 – 5/11/19 for a concert.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Blu to be used 5/11/19 for a wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Raising Our Bar, LLC dba Raising Our Bar; Silvia K. Lane dba The Vault 21 Club; Fred Meyer Stores, Inc. dba Fred Meyer #226; Costco Wholesale Corporation dba Costco Wholesale #734; 44 Quick Stop, LLC dba 44 Quick Stop; Heather Zimmerman dba The Garage Café; AH Schade, Inc. dba Gem Stop #20; AH Schade, Inc. dba Gem Stop #32. See resolution no. 19-072.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for AH Schade, Inc. dba Gem Stop #016; AH Schade, Inc. dba Gem Stop #15; AH Schade, Inc. dba Gem Stop #11; AH Schade, Inc. dba Gem Stop #10; 2C Family Brewing Company dba 2C Family Brewing Co.; Aguililla Restaurant, Inc. dba Aguililla Restaurant; AH Schade, Inc. dba Gem Stop #009; AH Schade, Inc. Gem Stop #8. See resolution no. 19-071.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0561, 2019-0623, 2019-0730, 2019-0589, 2019-0652, 2019-0620, 2019-0668, 2019-0625, 2019-0715, 2019-0664, 2019-0667, 2019-0572, 2019-0718, 2019-0676, 2019-0635, 2019-0659, 2019-0716, 2019-0709, 2019-0721, 2019-0603, 2019-0655, 2019-0628, 2019-0647, 2019-0720, 2019-0671, 2019-0653, 2019-

0636, 2019-0656, 2019-0686 and 2019-0713. Upon the motion of Commissioner Van Beek and second by Commissioner White 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.

Commissioner Van Beek made a motion to issue initial approvals with written decisions within 30 days on case nos. 2019-0688, 2019-0673 and 2019-0792 as they meet the criteria for county assistance. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:59 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

Ms. George requested the cases be continued as follows:

- Case no. 2019-345 continue to July 11, 2019
- Case no. 2019-307 continue to June 20, 2019
- Case no. 2019-540 continue to July 11, 2019
- Case no. 2019-301 continue to June 6, 2019
- Case no. 2019-467 continue to July 11, 2019
- Case no. 2019-285 continue to June 6, 2019
- Case no. 2019-350 continue to July 11, 2019
- Case no. 2019-362 continue to July 11, 2019

Commissioner Dale made a motion to continue the cases as read into the record. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days on case nos. 2019-305 and 2019-298.

The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-122

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for case no. 2019-122. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Donna Sharp with St. Alphonsus, the applicant and her spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the denial. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-347

The Board met today at 9:19 a.m. to conduct a medical indigency hearing for case no. 2019-347. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Donna Sharp for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to June 6, 2019. The hearing concluded at 9:24 a.m. There are two audio recordings on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 9:31 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2019-378, 2019-326, 2019-329, 2019-365, 2019-321 and 2019-323. Upon the motion of Commissioner Van Beek 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 9:32 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEM

The Board met today at 10:01 a.m. for a meeting with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley arrived at 10:09 a.m., Steve Torrano and Luis Fernando with Breaking Chains Academy of Development and Deputy Clerk Jenen Ross. The following action item was considered:

Consider signing non-objection to disbursement of funds to Breaking Chains Academy of Development for Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

Mr. Cornwell explained that Breaking Chains has applied for funds from a JAG grant and the county has to sign off that it has no objection to the funds passing thru to Breaking Chains Academy. By signing this non-objection letter the county is neither waiving the right to apply for funds or accepting any responsibility it is simply not objecting to the funds passing thru to Breaking Chains Academy. Mr. Fernando gave a history of the program, how he became involved in the program and what the program does. The amount being applied for is \$54,997 and the funds will be used for wages and operational costs. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the non-objection to disbursement for funds to Breaking Chains Academy of Development for the Edward Byrne Memorial Justice Assistance (JAG) Program. A copy of the letter is on file with this day's minutes.

There were no items for discussion at the legal staff update.

The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY MATTHEW WHITE FOR A CONDITONAL REZONE, CASE NO. CR2018-0010

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Matthew White for a conditional rezone from "A" Agricultural to "R-R" Rural-Residential, Case No., CR2018-0010. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Matt White, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 9.77 acres and is zoned agricultural and the future land use is residential. The applicant is not proposing to divide the lot or change its current configuration through this process, but is requesting the conditional rezone to exclude the property from the existing Stoney Brook Subdivision, the basis for this request is to meet Black Canyon Irrigation District rules that will not allow two allotments of irrigation to the property. The irrigation district requires the property be excluded in order to move the point of delivery and the applicant has agreed to enter into a development agreement. The lot will remain in its current configuration and the basis of the request is not for further development but only to be able to have access to irrigation water at the desired location. The proposed conditional rezone meets the standards of review and is harmonious with the Canyon County Future Land Use Map and Comprehensive Plan. Both the P&Z Commission and staff have recommended approval. Commissioner Van Beek had questions regarding irrigation delivery. Director Nilsson said this property is already developed and was done in compliance and received a flood development permit when the house and other buildings were constructed on site. Staff prepared an exhibit documenting the permitting history of this property and to prove to the state that we know it's in the flood plain, the development is there and has been permitted in accord with the ordinance. If there is future development it will go through the same review and requirements. Matt White testified that he has one point of delivery which is the historical point of diversion. The Stoney Brook Subdivision was created with pressurized irrigation to all the lots that were part of that subdivision

except for his property which has a ditch. The issue in this case is that all water shares were transferred to the Stoney Brook Subdivision and so there was a double allocation. When he worked with the ditch rider he was given a separate account with the historical account number and that's what he put in for but in their records they had a double allocation so they went to an electronic filing system and when they did that they imported the County records and that's where this issue surfaced. He was allowed to draw water last year but going forward they can no longer have the double allocation, it has to be fixed. Commissioner Van Beek made a motion to approve the conditional rezone from "A" to "RR" and to approve the development agreement which will rezone the property not to allow it to be divided but to receive water rights for Lot No. 10. The motion was seconded by Commissioner White. Commissioner Dale said the hearing should first be closed. Commissioner Van Beek withdrew her motion. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Van Beek made a motion to approve the conditional rezone and development agreement with the conditions enumerated. (See Agreement No. 19-056.) Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to approve the ordinance directing amendments to the Canyon County Zoning Map. (See Ordinance No. 19-018.) The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

MEETING REGARDING THE RIGHT TO FARM BILL

The Board met today at 3:01 p.m. to discuss the right to farm bill. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, and Darrell Bolz, Steven Parrott and Ashley Howling of the Nampa/Caldwell Agri-Business Committee, and Deputy Clerk Monica Reeves. The Board met previously regarding this issue and the meeting was continued to today in order to allow time for the County to determine if it could accommodate the group's request to develop an ordinance regarding the right to farm act in order to bring more awareness to property owners regarding agricultural activities. Zach Wesley said an idea discussed was how broadly the County could apply these waivers, could we ask for one on every land use application, or every time a deed is recorded and his reading of the statute is that the County's specific authority in the right to farm act to use those nuisance waivers is limited to residential property divisions. One of the forms looked at was Owyhee County's model, which is a one-sheet short disclosure statement or nuisance waiver that says when someone makes application they sign and say they understand the right to farm act is applicable and that the County follows it. Canyon County doesn't use a waiver but we use plat notes and so when there's a residential property division the new records are recorded with the plat and it's available publicly for anybody that would do due diligence on the property. The disclosure statements could be used for a specific nuisance if you had somebody who was doing a residential property division next to a major dairy, for example, you could disclose or waive that particular nuisance of the dairy. There are some narrower uses you could use but it doesn't change the effect of the right to farm act, it's just more notice. Director Nilsson said in addition to the standard plat note, we have a standard note that goes at the end of

every administrative land division and that gets recorded as well. The code enforcement officer is well trained on what constitutes a nuisance, and as long as someone is following acceptable agricultural practices we cannot declare them a nuisance. Discussion ensued about how to make people more aware of the right to farm act, and how the title company has to be very careful in terms of the explanation they give on documents that are not generated by their office. The group wants the County to do an ordinance or proclamation that requires this to be revealed at every closing. Commissioner White asked why it has to be an ordinance or resolution, and Ms. Howling said it's because they cannot do it voluntarily, they have to have written instruction. Commissioner Van Beek asked if there's anything preventing the printing of a simple statement about the right to farm act. Mr. Wesley said there are a couple problems with what's being discussed: 1) our authority to require a document would be limited to that nuisance waiver on residential property divisions and so if we're talking about an educational piece that's included with the closing documents, one that's not what the County has traditionally done, there may be something preventing that that may interfere with mortgage laws. The problem then becomes what about a closing that occurs outside the County; i.e., if you're buying a house in Nampa but you choose to use a title company in Ada County. How do you enforce it and who do we penalize if it's not done. Ms. Howling agrees those are good points but she feels some instruction from the County would be a great way to make disclosures upfront before investments are made. Commissioner Van Beek said there is a certain level of responsibility that the homeowner has to assume and they should do their homework. There's a level of overreach that we cannot engage in so while she is compassionate to the request she wants to politely say we cannot go forward if the liability makes it too great to provide notice with just a simple sheet of paper. Steven Parrott said they wanted to start at the County level, however, it is state code so they may need to go to the legislature for more conversations. Ms. Howling said they are looking for the education piece upfront as a preventative and a proactive measure rather than a reactive issue. Commissioner White said Darrell Bolz is a highly regarded and well-respected individual in the legislative body and she suggests they start a conversation there and find out where they can go from there. She is hesitant to do a resolution at this point but she encouraged the group to follow up with the legislature. Commissioner Van Beek said the Farm Bureau has an amazing network and there are places to put that information, it's just a matter of having someone write it up. In regards to the title company's request to obtain the exemption forms, Commissioner Dale said the Board cannot tell the Assessor how to run his office. The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): FAIR BOARD CANDIDATE EVALUATIONS AND REAPPOINTMENTS

The Board met today at 3:47 p.m. to evaluate and consider reappointments of fair board candidates. Commissioner Dale made a motion to go into Executive Session at 3:48 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding a personnel matter and to discuss records exempt from public disclosure. The motion was seconded by Commissioner

Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale, and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Fair Director Diana Sinner, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:59 p.m. with no decision being called for in open session.

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

The Board met today at 4:03 p.m. with the Chief Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: review of budget line items; clearance rates for FY2019, month of April; attorney active cases as of May 2, 2019. The meeting concluded at 4:41 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 3, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$138,035.36 and \$63,020.93 for accounts payable.

CONSIDER RATIFYING MASTER SERVICES AGREEMENT WITH FORENSIC LOGIC, AND CONSIDER APPROVING AND SIGNING SUPPLEMENTAL SERVICES ADDENDUM WITH FORENSIC LOGIC FOR COPLINK DATA INTEGRATION MAINTENANCE

The Board met today at 9:02 a.m. for a legal staff update and to consider ratifying the Master Services Agreement with Forensic Logic, and to consider signing the Supplemental Services Addendum with Forensic Logic for Cop Link Data Integration Maintenance. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The master agreement was signed in 2018 and the supplemental agreement will be what we use going forward. Chief Dashiell said the original contract was with IBM several years ago and it encouraged law enforcement agencies to share their data, the biggest advantage of which is being able to share the

information around the nation and so it pays for itself in terms of law enforcement community security.

The first two years were covered under the initial grant and after that point the local agencies had to pick up the amount which is covered by the homeland security grant. A couple years ago IBM turned this over to Forensic Logic and there were no changes in the operation aspects. Commissioner Van Beek asked questions about the non-appropriation clause and the termination clause which were answered by Dan Blocksom. Upon the motion of Commissioner Van Beek and the second by Commissioner White the Board voted unanimously to ratify the master services agreement with Forensic Logic (Agreement No. 19-057.) Upon the motion of Commissioner Van Beek and the second by Commissioner White the Board voted unanimously to approve the supplemental services agreement addendum with Forensic Logic for CopLink data integration maintenance (See Agreement No. 19-058.) Chief Dashiell left 9:19 a.m. An Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:19 a.m. pursuant to Idaho Code, Section 74-206(1) (d) discuss records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 6, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$16,269.34 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pineapple Express to be used 5/12/19 for a Mother's Day event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/10/19 for a wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Woodshed Bar, LLC dba The Woodshed Bar; Blazin Wings, Inc. dba Buffalo Wild Wings #592; JTT Enterprises, Inc. dba Dutch Goose; Fraternal Order of Eagles dba 2103 Aerie; Fun and Ann Yee dba Orphan Annie's. See resolution no. 19-074.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Fiesta's Arts, Inc. dba Fiesta Guadalajara; Fiesta of Nampa, Inc. dba Fiesta Guadalajara. See resolution no. 19-075.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Smashburger Acquisition Idaho, LLC dba Smashburger #1588; Albertson's LLC dba Albertson's #1602; Albertson's LLC dba Albertson's #176; Albertson's LLC dba Albertson's #166; Albertson's LLC dba Albertson's #103; Shari's Management Corporation dba Shari's of Nampa #235. See resolution no. 19-076.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JFL Vond, LLC dba Super C; Walmart, Inc. dba Walmart Market #4494; Walmart, Inc. dba Walmart #2780; Walmart, Inc. dba Walmart #2781; Walmart, Inc. dba Walmart #3739; Walmart, Inc. dba Walmart #4180; Thrifty Payless, Inc. dba Rite Aid #5409. See resolution no. 19-077.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Deyanira Chapa dba El Rinconcito. See resolution no. 19-078.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 10:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro left at 10:11 a.m., Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward left at 10:11 a.m., Communications Manager Roxanne Wade, Deputy P.A. Dan Blocksom, Nicole Foy from the Idaho Press and Deputy Clerk Jenen Ross.

Consider signing independent contractor agreement for design/engineering services - installation of occupancy of a secure temporary facility with Houston Bugatsch Architects, Chtd.: Dan Blocksom explained that this agreement will memorialize what the architect will do, scope of work and the 'not to exceed' cost. Per Director Navarro drawings are done and have been submitted to the state and will be submitted to the city soon. Money is set aside in the contract for change orders once the project is onsite and/or unforeseen costs that may arise. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the agreement (see agreement no. 19-059).

Consider signing declaration and notice of sole source procurement for Motorola CallWorks 911 call-taking system and maintenance services for the Canyon County Sheriff's Office: In 2018 the 911 phone system vendor recommended it be upgrade. Roxanne Wade was able to apply for and was awarded a grant to accomplish this. Chief Dashiell spoke about the new vendor that was chosen and how it's a good fit with the systems already in place. Matching funds for grant will come from 911 funding. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the declaration and notice of sole source procurement for Motorola CallWorks 911 call-taking system and maintenance services for the Canyon County Sheriff's Office. Mr. Blocksom explained for the record the reason for sole source is due to that it would be unreasonable or impractical to go thru the procurement process.

The meeting concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

Jail Bond employee meeting - Administration building-Public meeting room; 111 North 11th Ave, Caldwell, ID

Commissioner White attended the jail bond employee meeting which was held this afternoon in the Administration building public meeting room. Information was exchanged with and between the employees on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at approximately 11:00 a.m. and was scheduled to conclude by 2:00 p.m.

PUBLIC HEARING – REQUEST BY TRADITION CAPITAL PARTNERS FOR A REZONE AND COMPREHENSIVE PLAN MAP AMENDMENT, CASE NOS. RZ2018-0038 & OR2018-0009

The Board met today at 2:01 p.m. to conduct a public hearing in the matter of a request by Tradition Capital Partners for a rezone and comprehensive plan map amendment, Case Nos. RZ2018-0038 & OR2018-0009. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Alan Mills, Spencer Kofoed, Zach Porter, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is approximately 4.8 acres and is zoned agricultural. The future land use map designates the property as agricultural and is within the Middleton Impact Area. The proposed map amendment to residential would not be out of character with the area, the property is adjacent to a residential designation south of the property. Middleton's future land use map shows the property as low-density residential. South of the property is a platted subdivision, Star River Ranch Phases 1 and 2, which was annexed into the City of Star. Within one mile of the subject property there are three platted subdivisions with a total of 112 lots and an average lot size of .89 acres. The proposed rezone will fit within the forecasts for this area. The property is not within a nitrate priority area. Canyon Highway District indicated the property has frontage on River Ranch Lane and the existing approach for the development shall be utilized. A traffic impact study is not required. ITD stated no objection to the rezone as presented. The property is located with an AE flood zone and at the time of platting the applicant will be required to adhere to the zoning ordinance as well as FEMA requirements for development within a flood plain. Star Fire requested the development have an adequate water supply and access. The P&Z Commission recommended approval the comprehensive plan map amendment and denial of the rezone request. Staff has found the request meets the standard of review for a comprehensive plan map amendment as well as the zoning amendment.

Alan Mills testified in support of the request. He spoke about how the property didn't get much attention when the comprehensive plan was done because it fell in a "no man's land". If you follow the corridor from Middleton to Star there is consistent commercial on the corridor frontage and residential on the back side away from Highway 44 and then it hits a section of city limits and they didn't do anything from that point to Star. The Star Water and Sewer district is disassociated from the City of Star, it's a separate district and those utilities are available on Bent Lane subject to getting some agreements. Because there isn't a comprehensive plan map for the area, or a joint powers agreement, or an impact area he is concerned about it being legal or wise to get involved in that kind of a jurisdiction until those things get ironed out. He believes this was an issue for the P&Z Commission. The City of Star has given notice that they are going to annex all the way to Lansing Lane. According to Mr. Mills the property was prime agricultural ground at one time but it's no longer good soil. Because it's in the flood plain it had to be built up so the owner had a chance to work with the gravel operator and got a development permit to work in the flood plain and raised it commensurate to what's going to be needed. Commissioner Van Beek questioned the project density noting that the staff report says it is for four lots but the applicant's testimony at the underlying hearing indicates it will have 10 lots. Mr. Mills said the ordinance allows for higher density if you have central water and sewer; they are restricted to four lots if they don't access the water and sewer utilities. The project will mirror the nearby Star River Ranch development. Commissioner Van Beek is familiar with the area and said the size and

ground type prevent this property from being really productive prime farm ground. Spencer Kofoed testified that the berms and approaches are in. Star Sewer and Water is along the property, and there is pressurized irrigation from the Star River Ranch development. It was swampy ground but they have filled it with 25,000 yards of pit run and it's now level and ready to go. He wants to keep the property in the County so he didn't see any reason to move it to the City of Star. He has spoken to representatives at Star Sewer and Water and he was waiting to annex but he needed to make sure there's a comprehensive plan and zoning that would allow such. The only thing he can ask for in Canyon County is R-1 but if you attach city services you can do more density. The neighbors know he wants to do 10-13 lots or whatever the engineering allows, but there is a high likelihood that he will attach to Star Sewer and Water. The subdivision to the south has been there for 15 years and their pump station is defunct and they took the generator to another place and it needs to be fixed so he has spoken to them about paying for a portion of the repair. Commissioner Van Beek asked if the City of Star has given input on this case. Director Nilsson said over the last few years the Board sent a letter to the City of Star regarding the need to establish an area of impact but Star has declined to do that so we don't have a legal mechanism to apply another jurisdiction's standards that we ourselves have not adopted or have any agreement with. We would follow our own ordinances and/or impact area agreement that we have only with Middleton. Mr. Kofoed said CC&Rs for River Ranch Estates are restrictive and high-end and he doesn't think Corey Barton has a product to start building out there. He said Tim Eck, is Barton's partner and he is building the 26 high-end homes at the back of the property and he wants to maintain the CC&Rs to keep his property values high so he is not allowing Mr. Barton to do his standard product. Mr. Kofoed will be the developer of this parcel and he will have a nice subdivision that will go through the County's platting process. Commissioner Van Beek asked staff to review why the P&Z Commission recommended denial of this request. Ms. Almeida said they found that the proposed zone amendment was not compatible with surrounding land uses because it was not restricted by a development agreement to specifically adhere to the same residential design in the Star River Ranch Subdivision. Also, that the proposed zoning map amendment would have a negative impact to the character of the area as required improvements may differ between the County and Star. The County does not have any sort of agreement with Star nor standards to require them to meet. In response to Commissioner Van Beek's questions about the flood area, Mr. Kofoed said the 4.8 acres were brought up almost four feet and now it matches the lots behind it in Star River Ranch. They did the development permit and brought in pit run and raised it per the engineer's guidelines. There will be a drainage plan submitted with the final plat. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public testimony. Commissioner Dale said a lot of good background work has done. The City of Star has a lot of issues they are dealing with and there seems to be confusion as far as what they want to do in the future so he agrees with keeping this project in Canyon County. It's a great plan and with a water and sewer supply it will be a nice development. Commissioner Dale made a motion to approve the comprehensive plan map amendment for Case No. OR2018-0009. Commissioner Van Beek seconded the motion for discussion. She said likes that we're not going to violate comp plan policy no. 5 where we have to coordinate with adjoining counties. She appreciates the goal to encourage growth and development in an orderly fashion that minimizes the adverse effects on differing land uses, public health, safety and infrastructure and services. There are

differing uses in this, light industrial with a mining operation which will become a good water feature and this is adjacent to an already platted subdivision that we hope turns into a high-end project. It provides orderly development that minimizes adverse impacts which can sometimes be poor planning and poor development. The flood zone appears to be adequately handled. The property is too small for equipment and it may grow certain crops but that might be questionable based on the porous soil type. She believes it is a good plan. The motion carried unanimously. Commissioner Dale made a motion to approve the rezone and approve the findings of fact, conclusions of law and order, as well as the resolution, and ordinance. (See Resolution No. 19-073 and Ordinance No. 19-019.) The motion was seconded by Commissioner Van Beek. The hearing concluded at 2:36 p.m. An audio recording is on file in the Commissioners' Office.

CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – MIDDLETON TROLLEY STATION

Commissioner Van Beek attended the educational jail bond town hall meeting which was held this evening at the Trolley Station located at 310 Cornell Street in Middleton, Idaho. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at approximately 7:05 p.m. and concluded at 8:20 p.m.

MAY 2019 TERM

CALDWELL, IDAHO MAY 7, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek – IAC Spring County Officials Institute
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$47,493.30, \$5,176.50, \$23,169.02, \$62,493.26 and \$27,340.07 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 6/1/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 5/25/19 for a wedding.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Tom Dale, Chief Deputy Sheriff Marv Dashiell left at 9:04 a.m., Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross.

Consider signing a resolution approving to award officer's badge and duty weapon to Deputy Michael Jenks: Chief Dashiell stated that Deputy Jenks has been with Sheriff's Office for 15 years and had some military service ahead of starting with the county. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution approving the award of officer's badge and duty weapon to Deputy Michael Jenks (see resolution no. 19-079).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

A request was made to go into Executive Session to discuss records exempt from public disclosure. The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 9:05 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 White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:42 a.m. with no decision being called for in open session.

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

CONSIDER APPROVAL/DENIAL OF VARIOUS NEW PROPERTY TAX EXEMPTION APPLICATIONS AND RENEWING VARIOUS EXEMPTIONS

The Board met today at 9:43 a.m. to consider approval/denial of various new property tax exemption applications and renewing various exemptions. Present were: Commissioners Pam White and Tom Dale, Administrative Analyst Jennifer Loutzenhiser, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

63-602W - Site Improvements

Toll ID I LLC (Carriage Hill North 6) – Doc no. /Instrument No.: 2018-053694

Timbercreek Partners, LLC (Timbercreek No. 2) - Doc. No. /Instrument No.: 2018-015380

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemption.

63-602P – Pollution Control

PIN: 62222119 0, Packaging Corp. of America
PIN: 62222120 0, Fleetwood Homes, Inc.
PIN: 62222121 0, JR Simplot Co. Nampa Plant
PIN: 62222122 0, JBS USA LLC
PIN: 62222123 0, Crookham Co.
PIN: 62222124 0, Darigold, Inc.
PIN: 62222126 0, HM Clause Inc.
PIN: 62222132 0, S and W Seed Co.
PIN: 62222135x0, Sorrento Lactalis, Inc. (WWTP)
PIN: 62222137 0, CTI/SSI Food Services, Inc.
PIN: 62222141 0, JR Simplot Co. (WSI)
PIN: 62222147 0, JR Simplot Co. (TECH)
PIN: 62222153 0, Amalgamated Sugar, Co. LLC
PIN: 62222158 0, Hydroblend, Inc.
PIN: 62222162 0, Great American Snacks, Inc.
PIN: 62222165 0, Micron Technology, Inc.
PIN: 62222166 0, Admiral Beverage Corporation – Nampa
PIN: 62222173 0, JR Simplot Idaho Plant
PIN: 62222174 0, JR Simplot Waste Water Treatment
PIN: 62222175 0, Materne North America Corp.
PIN: 62222186 0, Mother Earth Brew Co.
PIN: 22160000 0, Swift Beef Co.
PIN: 24414000 0, JR Simplot Co.
PIN: 35000000 0, Simplot Feed Lots Inc.

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602D – Hospitals

St. Luke's Caldwell Pediatrics, PIN 64941410 0

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemption.

St. Alphonsus Medical Center Nampa Inc., PIN 31095000 0

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemption.

St. Alphonsus Regional Medical Center Nampa Inc. – PINs 64932721, 64937541 and 64940652

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to remove the exemption for the parcels as read into the record.

St. Alphonsus Medical Center Nampa Inc. – PINs 31084012A and 31084012B

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemptions.

St. Alphonsus Emergency Department Neighborhood Hospital – PINs 64941585 and 64941490
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemptions.

St. Alphonsus Medical Center Karcher Clinic – PIN 64941293
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemption.

Mercy General Cardiology – PIN 64937538
General Surgery Nampa – PIN 64940656
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemptions.

Saint Alphonsus Medical Center Nampa Inc. - PINs 31104011 and 31104012
Commissioner Dale made a motion to grant a full exemption on parcel 31104011 and a partial exemption on 31104012. The motion was seconded by Commissioner White and carried unanimously.

Saint Alphonsus Medical Center Nampa Inc. – PINs 31093010A and 31093010 0
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemption.

Saint Alphonsus Medical Center Nampa, Inc. – PIN 31097000
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to deny the exemption.

63-602D – Hospitals

Saint Alphonsus Medical Center Nampa – PINs 64940651, 64935408, 31084000, 31099010, 31096000, 31098000, 31099000, 31112010, 31100000, 64940653, 64940645, 64941099, 64940654 and 64940734

Idaho Elks Hearing and Balance Center – PIN 64941482
St. Luke's Regional Medical Center Ltd. – PINs 01649000, 64940243, 64940185, 64941483, 64940186, 64941492, 30995011, 30995011F0

Mountain States Tumor Inst. – PINs 61111025 and 11766000
Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602C – Charitable

Hands of Hope Northwest, Inc. – PINs 11805010A0, 11805000 and 11805010

Idaho Youth Ranch, Inc. – PINs 37781011 and 37785000

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602B – Religious

Jehovah's Witnesses Caldwell Idaho, Inc. Central Congregation – PIN 05799000

Apostolic Way Inc. – PIN 08807000

Church of God Prophecy – PIN 75396000 and 02119000

First Methodist Church of Caldwell – PINs 00485000, 35391000 and 35389000

New Direction Inc. – PINs 13570000 and 13530000

First Congregational Church United Church of Christ Nampa Inc. – PIN 32007000

Harvest Life Ministries, Inc. – PIN 31454000

Sterry Memorial Presbyterian Church, Inc. – PINs 39122000, 39089010 and 39123000

Assembly of God Church of Caldwell – PINs 02653000 and 02657000

Oregon Trail Church of God, Inc. – PIN 34536000

Valley Pentecostal Church, Inc. – PIN 35133000

Grace Bible Church, Inc. – PIN 32001010A0

New Covenant Baptist Church – PIN 16270500

First Baptist Church Caldwell – PIN 06161000

Southern Idaho District Council of the Assemblies of God – PIN 15216000

Greater Life Church, Inc. – PINs 11134000 and 11133000

College Church of the Nazarene Inc. – PINs 10993000, 11204000, 11200000 and 11205000

Church of God of Prophecy – PIN 31478010

Protestant Episcopal Church of Idaho – PIN 02709000

Golden Gate Baptist Church – PIN 19928000

KTSY Radio Station – PIN 61111005

Church of God of Caldwell – PIN 02157000

Bible Pentecostal Church Inc. – PINs 13443000, 13441000 and 13439000

Methodist Church – PIN 17993000

Boone Memorial Presbyterian Church Inc. – PINs 01353000, 01354000, 01342000 and 01341000

First Southern Baptist Church of Caldwell - PIN 24563000

Community Baptist Church of Melba Inc. – PIN 17535000

Parma Church of the Nazarene – PIN 19192000

Melba Friends Church Limited – PINs 17544000 and 17537000

Sandhollow First Baptist – PIN 37691000

Christ the King Community Church International – PIN 67274100

Nampa 1st Church of Nazarene – PINs 14950550, 09845000, 13817000, 13891000, 15458000 and 10031027

Calvary Chapel of Nampa – PINs 23113000, 31395000, 23118000 and 31394000

Fairview Church of the Nazarene, Inc. – PINs 14303000, 14327000, 14301000, 14302000 and 14329000

Canyon Hill Church of Nazarene – PINs 04221000, 04255000 and 04218000

Mennonite Church – PIN 16034010

Lakeview Bible Church, Inc. – PIN 32096000

Iglesia Misionera Pentecostes – PINs 02090011, 02092000, 02091000 and 25266000

Fargo Community Church – PINs 75203000 and 37169000

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously grant the exemptions. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE HEARING REGARDING REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC FOR A DEVELOPMENT AGREEMENT, CASE NO. OR2018-0004 & CR2018-0002

The Board went on the record at 1:34 p.m. to reschedule the public hearing in the matter of a request by Karcher Farm, LLC, and SS Karcher, LLC for a development agreement, Case Nos. OR2018-0004 & CR2018-0002. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. The applicant and the representative prefer to have three Commissioners present to discuss the development agreement and conditions and they have asked that this case be continued to May 28, 2019. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to reschedule the hearing to May 28, 2019 at 1:30 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 8, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 1916

The Board of Commissioners approved payment of County claims in the amount of \$1,644,544.29 for a County payroll.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 5/25/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 6/13/19 for a wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Stinker Stores, Inc. dba Stinker Store #41; Stinker Stores, Inc. dba Stinker Store #44; Kammi Reynolds dba Chaparral Sports Bar & Grill; Valley Wide Cooperative, Inc. dba Valley Country Store; Target Corporation dba Target Store T-2206; Lake Lowell Market, Inc. dba Lake Lowell Market. See resolution no. 19-080.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Carniceria Mi Tierra, Inc. dba Carniceria Mi Tierra; Garbonzo's Pizza, Inc. dba Garbonzo's Pizza; La Rosita Mexican Store, Inc. dba La Rosita Mexican Store. See resolution no. 19-081.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Macabi, Inc. dba Acapulco Mexican Restaurant; Nampa Wings, LLC dba Winger's Restaurant & Alehouse; Craft Lounge, LLC dba Craft Lounge; Brick 29, LLC dba Brick 29; Evergreen Restaurant, LLC 1313 dba Outback Steakhouse; Dos Caminos Mexican Restaurant, LLC dba Dos Caminos Mexican Restaurant. See resolution no. 19-082.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Ridley's Family Markets, Inc. dba Ridley's Family Markets; Nampa Gusher, LLC dba Nampa Gusher; Bitner Vineyards, LLC dba Bitner Vineyards. See resolution no. 19-083.

EXECUTIVE SESSION: CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): FAIR BOARD CANDIDATE EVALUATIONS AND REAPPOINTMENTS

The Board met today at 9:31 a.m. to evaluate and consider reappointments of fair board candidates. Commissioner Van Beek made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding a personnel matter and to discuss records exempt from public disclosure. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Fair Director Diana Sinner,

Mike Larkin and Deputy Clerk Monica Reeves. (Commissioner Pam White joined the session just as it was ending.) The Executive Session concluded at 9:49 a.m. with no decision being called for in open session. Director Sinner noted that a resolution will be prepared for the Board's consideration next Monday which will include all fair advisory board members. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 10:02 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 legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:03 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, DSD Director Tricia Nilsson, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Mr. Porter left at 10:19 a.m. Director Nilsson and Mr. Lister left at 10:19 a.m. The Executive Session concluded at 10:44 a.m. with no decision being called for in open session.

COMMISSIONERS ATTEND CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – PARMA RURAL FIRE PROTECTION DISTRICT

Commissioners Pam White, Tom Dale and Leslie Van Beek attended an educational jail bond town hall meeting at the Parma Rural Fire Protection District located at 29200 US-95 in Parma. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at 7:05 p.m. and concluded at 8:15 p.m.

MAY 2019 TERM

CALDWELL, IDAHO MAY 9, 2019

PRESENT: Commissioner Pam White, Chair – Board of Equalization training
Commissioner Tom Dale – Board of Equalization training
Commissioner Leslie Van Beek – Board of Equalization training
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$90,647.44 for accounts payable.

CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – TOWER THEATRE FRIEND'S CENTER IN MELBA

Commissioners Pam White, Tom Dale and Leslie Van Beek attended an educational jail bond town hall meeting at the Tower Theatre Friend's Center located at 321 Carrie Rex Avenue in Melba. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at 7:05 p.m. and concluded at approximately 8:30 p.m.

MAY 2019 TERM
CALDWELL, IDAHO MAY 10, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Northwest Elevator & Contracting in the amount of \$18,000.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 5/10/19

The Board of Commissioners approved payment of County claims in the amount of \$23,550.74, \$9408.59, \$99.35, \$74,228.38 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Caldwell Hospitality Group, LLC dba Best Western Inn & Suites; Stinker Stores, Inc. dba Stinker Store #75; Stinker Stores, Inc. dba Stinker Store #113; Stinker Stores, Inc. dba Stinker Store #82; Stinker Stores, Inc. dba Stinker

Store #60; Stinker Stores, Inc. dba Stinker Store #48; Stinker Stores, Inc. dba Stinker Store #108. See resolution no. 19-085.

MEETING WITH MAYOR COREY DICKARD OF MELBA TO DISCUSS IMPACT OF DEVELOPMENT ON THE CITY OF MELBA

The Board met today at 10:06 a.m. with Melba Mayor Corey Dickard to discuss impact of development on the City of Melba. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner III Kate Dahl, Melba Mayor Cory Dickard, Melba City President Chris Hinderliter, and Deputy Clerk Monica Reeves. Mayor Dickard spoke of the city's concern about development that's occurring in the impact area outside of Melba and what he believes is a lack of notification of P&Z Commission hearings. The city clerk and superintendent receive hearing notices but Mayor Dickard wants to make sure he receives notice as well. The city just installed a new water system to be able to take on more homes but they have one of the highest sewer and water rates in the state because it's such a small municipality that's paying for a multimillion dollar facility. When they installed the new water line they were able to replace $\frac{3}{4}$ of the main line but there's more that needs to be replaced. Chris Hinderliter said the city's frustration is the lack of ability to force annexation except under extreme situations. They want to make sure they are not landlocked in and continuing to have the massive burden to carry a load that's serving a much bigger area. Mayor Dickard spoke of a four-lot development that's coming and the concern about it increasing the nitrate levels and the possibility that there could be additional splits outside of the city's subdivision ordinance, but he was pleased to see the hearing notice said if there were any more parcels to be added it would require annexation into the city. Director Nilsson said she's heard board members get frustrated with development applications on the doorstep of cities and she is ready to "rip the Band-Aid off" and start with Melba and send a letter to each city requesting a change to our area of impact agreement. For Melba it would say *"Applications for subdivisions and rezones within the Melba area of city impact shall occur as a result of a request for annexation to Melba; however, Canyon County may consider such applications and those exceptions where annexation is not approved by Melba or where the parcel is not contiguous and therefore cannot be annexed."* It will force people if they have a rezone or subdivision to first request annexation to the city and only after the city makes a decision would the County consider the application. We want them to be in the city. It would be a stop gap to get that in there right away. Director Nilsson doesn't understand why the County's comprehensive plan land use doesn't match the city's plan. The County has a large commercial designation which she refers to as the Melba Mall, but it is out of scale for the town and we want to get that aligned with the city's plans and the service area for water and sewer along with the COMPASS growth forecast. Commissioner Van Beek wants to have a chance to look carefully at both sides of the issue. Commissioner Dale said if we don't do what Director Nilsson is suggesting it will create enclaved areas with a Swiss cheese effect where people are enjoying city services but they are not helping to pay for it and that's not equitable. If the property is contiguous to a city it should be annexed and receive services. Director Nilsson said the first step is to add that sentence so people can be annexed because it will take more time to do the technical review, but in the meantime we don't want to handle these things next to the cities. It could be a simple ordinance

coordinated with the city and if they are good with it we can schedule hearings and make that happen. It would be an official amendment to our mutually adopted area of city impact ordinance for Melba. She also said there's some antiquated language over the last 25 years that we need to remove because it's been determined to be unconstitutional. Mr. Hinderliter said it would be nice if there could be language that said if the property is in the area of impact that once annexation is possible by contiguity they could not reject annexation. Director Nilsson said 25 years ago we adopted Melba's Subdivision Ordinance to apply, we just haven't had any plats, and we want to take some time and improve that and if somebody is subdividing and they cannot be annexed then they have to deal with the County then we want to make sure there's an opportunity to get deferral of improvements or things if that's approved by the city and then that's the opportunity that we let the city and property owner negotiate that deferral agreement and it would include the consent to annex when it's contiguous and then we fold that into our final approval for a plat. It's get recorded and executed with the city before the Board signs it. Commissioner White asked the Mayor if he feels Director Nilsson's suggested language will satisfy the city's concerns. Mayor Dickard said it does satisfy his concern. Their biggest fear is getting landlocked as development happens around Melba, and they want to be a sustainable town that's affordable and they want to benefit from the growth that's happening so they can help offset the costs of their water system. They're not yet at a point of emergency yet with septic and nitrate levels, but if those can be limited it would be beneficial to the city. Director Nilsson said the way to get new parcels within an impact area is when people exercise their administrative land divisions so we can look at the subdivision ordinance - that's what we work out with the cities too, sometimes they are more restrictive on the number of administrative divisions in the impact area but our agreement with Melba is whatever mutually acceptable policies that the city and county want to work on and that might be to require those administrative divisions to be on city water and at least get a consent to annex. If someone wanted to do a residential subdivision near the city it would require an amendment to the comprehensive plan, a rezone, and a plat and it will go through a public hearing process. She said they discourage those at staff level because staff cannot make positive findings of fact. Commissioner Dale said it's been clearly communicated to developers that a 300-lot subdivision is not going to be permitted until they have contiguous land and can join a city. Director Nilsson noted that over 100% of our growth is happening within city limits; the rural population has declined. Mr. Hinderliter said they do not want explosive growth. They want to retain the best parts of Melba and they want to become as self-sufficient as possible so they're not a burden to the people who live there. Director Nilsson said there are subdivisions the County approved by conditional use permit years ago and some died on the vine but some are still out there so DSD will try to map those out with the names. Mayor Dickard said it felt like things were happening out of control but he is comfortable with what's he's heard today. Director Nilsson said she will work with the Prosecutor's Office to draft a change and make a formal written request to renegotiate and there could be a mutual agreement to waive the need to meet if we're just going to make a few changes. Once we do that it has to go to the Melba P&Z Commission for adoption. Time is of the essence for things that are at the city's doorstep that need to be annexed so she will draft Melba's ordinance. She is ready to do this with all cities to prevent pitting the city vs. the county and people wanting to under-develop when they are literally next to a city water line. There was a brief discussion regarding impact fees. Director Nilsson said Kate Dahl (Planner III) will attend

the city council meeting on Monday to gear up for the comprehensive plan planning group. Commissioner Van Beek said 10 years ago the City of Caldwell had a plan to make properties contiguous but the services were about 4-5 miles away so they went through a lot of gyrations and it was corner-to-corner touchpoints to get down to a piece of property that didn't make sense and that is why she is hesitant to blanket everything. It needs to be evaluated and it has to make sense. The meeting concluded at 11:02 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM
CALDWELL, IDAHO MAY 13, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

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

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-621, 2019-494, 2019-733, 2019-690, 2019-691, 2019-700, 2019-568, 2019-833, 2019-695, 2019-692, 2019-687, 2019-701, 2019-594, 2019-699 and 2019-696. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. Commissioner Van Beek made a motion to issue initial approvals on case nos. 2019-789 and 2019-657. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter left at 9:54 a.m., Deputy P.A. Brad

Goodsell left at 9:17 a.m., Deputy P.A. Dan Blocksom left at 9:14 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:54 a.m., IT Director Greg Rast left at 9:14 a.m., Assistant IT Director Eric Jensen left at 9:14 a.m., Business Manager Caiti Pendell left at 9:14 a.m., Chief Probation Officer Elda Catalano left at 9:23 a.m., Fair Director Diana Sinner left at 9:04 a.m., Weed and Pest Director AJ Mondor left at 9:14 a.m., HR Director Sue Baumgart left at 9:54 a.m., GIS Land Records Supervisor Sarah Sluss left at 9:17 a.m., Controller Zach Wagoner left at 9:54 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution appointing members to the Advisory Fair Board: Zach Wesley explained that interviews have been completed and there has been a preliminary conversation about the resolution. This resolution will appoint six (6) members to the Advisory Fair Board. Mr. Wesley reviewed the terms members will serve. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing members to the Advisory Fair Board (see resolution no. 19-084).

Consider signing request for proposals and legal notice for FY2019 Canyon County Weed and Pest Fiber Optic Extension Project: Dan Blocksom said this project is to extend fiber optic cable from the courthouse campus to the Middleton exit. Director Rast explained the statement of work and history of how this project came to be. The budget is \$77K but Mr. Rast is hopeful it can come in under that number with the work to be completed by the end of August in order to be paid in FY2019. Proposals will be due by June 14th with the hope of work beginning in July. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the request for proposals and legal notice for FY2019 Canyon County Weed and Pest Fiber Optic Extension project. A copy of the RFP and notice are on file with this day's minute entry.

Consider signing internet access agreement with Southwest District Health: Brad Goodsell said this is a standard agreement that is signed with other governmental entities for GIS spatial data and there is no legal reason not to sign. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the internet access agreement with Southwest District Health (see agreement no. 19-060).

Consider signing BYU Idaho Master Internship agreement with Canyon County: Two interns will be working at the county this summer, one in the Juvenile Detention department and the other in the Coroner's Office. This master agreement will run for 3 years and any interns that come from BYU Idaho will fall under this agreement. BYU Idaho does provide some insurance to cover any errors by an intern. The County's obligation is to supervise and report on the interns. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the BYU Idaho Master Internship agreement with Canyon County (see agreement no. 19-061).

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Dale made a motion to go into Executive Session at 9:25 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, HR Director Sue Baumgart, Deputy P.A. Mike Porter, Controller Zach Wagoner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:08 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.

CONTINUE MEETING WITH DIRECTOR OF DEVELOPMENT SERVICES

The Board met today at 10:10 a.m. to continue the meeting with the Director of Development Services. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to continue the meeting to 2:00 p.m. today. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:03 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Human Resources Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following:

- Working on her budget.
- Working to get Jobscore up and running by building and customizing templates.
- One front desk person gave notice and her last day was Friday, additionally one of the generalists will be on leave for the summer. In order to make sure everything is covered she will be rotating staff.
- Has been working with the compensation committee over the past few months and that has been going well.
- Reviewing workman comp. claims to see where some safety trainings would be helpful.
- Commissioner Van Beek asked about what kind of policy is in place if an employee were to get into an accident in a county vehicle. Ms. Baumgart said the HR investigator has been trying to get an idea of what other counties and cities have been doing and has written a draft policy which will be reviewed and they will meeting with legal to go over it again.

EXECUTIVE SESSION – PERSONNEL MATTER

Commissioner Dale made a motion to go into Executive Session at 11:14 a.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:30 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.

REQUEST BY MATTHEW WHITE FOR FINAL PLAT APPROVAL OF WHITE RANCH ESTATES SUBDIVISION, CASE NO. SD2018-0030

The Board met today at 11:31 a.m. to consider a request by Matthew White for approval of the final plat for White Ranch Estates Subdivision, Case No. SD2018-0030. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Staff requested a continuance in order to make contact with the applicant. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to Tuesday, May 14, 2019 at 9:30 a.m. The meeting concluded at 11:32 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR TO DISCUSS GENERAL ISSUES

The Board met today at 1:32 p.m. with the Administrative District Judge and Trial Court Administrator. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Susan Wiebe, Trial Court Administrator Doug Tyler, Assistant Trial Court Administrator Benita Miller and Deputy Clerk Jenen Ross. Discussions were had regarding court reporters and the service they provide but that there is a shortage of people with that skill. They are planning to ask for an additional Marshal position during the budget process and possibly add someone to Family Court Services although they haven't had their in-depth meeting with the Controller yet. Judge Ford will be retiring at the end of May. Interviews for District Judges are scheduled for May 23rd. There is a pre-trial conference taking place tomorrow. The meeting concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY CANYON COUNTY FOR ADOPTION OF A ZONING ORDINANCE TEXT AMENDMENT AND COMPREHENSIVE PLAN FOR FLOOD HAZARD OVERLAY ZONE, CASE NO. OR2019-0001

The Board met today at 2:05 p.m. for a public hearing In the matter of a request by Canyon County for adoption of a zoning ordinance text amendment and comprehensive plan for flood hazard overlay zone, Case No. OR2019-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Acting Floodplain Administrator Stephanie Hailey, and Deputy Clerk Monica Reeves. Dan Lister said the text amendment to the zoning ordinance is required as part of the new flood insurance rate maps and flood insurance study received from FEMA and we have until June 7, 2019 to adopt the new maps with the ordinance. Adoption allows the County to participate in a national flood insurance program allowing citizens to become eligible for flood insurance and meet the minimum requirements to obtain flood insurance or keep their existing flood insurance intact. Approval will keep Canyon County in good standing with the NFIP. Staff is proposing text changes to certain items in the ordinance, the definition section, the flood hazard overlay zone, and some other changes as well including the airport overlay section that's being changed to a new overlay section. They have also added language to the mineral extraction related to floodway development standards and modified the subdivision ordinance when it comes to the floodplain moving it over to the new floodplain section, as well as making some revisions to the penalties in the enforcement section. There are not too many changes from the current ordinance, a lot of it is updated definitions and formatting.

Definitions for the zoning ordinance:

Accessory building – A flood overlay uses a terminology of accessory structure (building) and it doesn't really change much, it cleans it up to match what we've added to the flood plain overlay area.

Recreational vehicle – Staff took this opportunity to match the definition in state law. It has nothing to do with floodplain ordinance; it was an opportune time to fix it and make it consistent with state law.

Development – FEMA and our state coordinator for the NFIP said we have to meet a certain definition for development which is FEMA's definition of development, however, the state currently has its own definition which precludes maintenance in irrigation canals and it doesn't have to meet those standards. FEMA and the state are working on that so staff came up with a definition that matches FEMA's but also gives us a way out. We follow the state because they give us the guidance to have the floodplain standards so staff included a caveat that the County will follow it until the state says you can't.

Accessory structures – The current ordinance allows accessory structures to meet a minimum standard which doesn't require a base flood elevation certificate. The new guidance we received from the state was to reduce the accessory structure to 200 square feet, what we have is 1500 square foot, after reviewing the code of federal regulations there is nothing that says you have to make a size limitation, it's based on the use so staff kept the 1,500 sq. ft. size; however, it does preclude the use. The use is solely for parking access and storage so if it's beyond that the accessory structure does have to meet the elevation certificate standard. Stephanie Hailey spoke about the elevation certificate saying it's a FEMA document that tracks the size of the structure and how it's going to be either wet flood proofed or dry flood proofed so that we have a better understanding of if there's damage that took place what was done to mitigate those damages. Director Nilsson said Mr. Lister and Ms. Hailey really looked

at the changes from the state and pushed back a little because it would have required citizens to spend a bit of money to get an elevation certificate.

Mr. Lister said another change staff made was to the variance requirements. Currently, if there's a variance it goes to the hearing body for a decision, but they changed this because the variances they've seen do not escalate to that level so it was changed to allow the floodplain administrator to make those decisions. If there's an appeal it would come to the Board for decision. Another reason for the change is an ag-related structure doesn't fall under accessory structures, it falls under a non-residential structure and would have to meet substantial requirements. In this case if staff applied the variance they could vary it and say it meets the accessory structure. Each case will be reviewed by the floodplain administrator to make sure it meets the standards. Director Nilsson said they can deal with it quickly as an administrative approval and the decision will be documented. Mr. Lister said FEMA and the state coordinator require their own penalties and enforcement section and instead staff updated our enforcement section to comply with what is needed for the flood plain and for our zoning ordinance. They moved the floodplain requirements for a subdivision into the floodplain area. One of the things the state coordinator requested is to add information on the plat showing the panel number and date that is demonstrated where the floodplain is on the plat, but there is nothing in the code saying they have to add that information to the plat so staff removed it. Director Nilsson said staff evaluates it through platting, but FEMA wanted it on the actual mylar to show the panel number, which is good to evaluate the development relative to the flood boundary but not on the final plat (mylar). Mr. Lister said after going to the P&Z Commission they recommended approval of the ordinance but they had a concern about a section shown that mistakenly applied to all A zones. It said if there was no designated floodway within a floodplain then you would have to do the flood study before you can develop and they mistakenly added the A zone, which is an area that is not studied which doesn't have a floodway or a base flood elevation so it would mean every A zone would have to have a study. Staff spoke with FEMA and they said no, this is only for areas that have a base flood elevation. It was a corrective measure so that the A zone doesn't have to do a study. If a parcel that is over five acres or has greater than 50 lots they have to do the base flood elevation in the A zone where there's no study. This alleviated the P&Z Commission's concerns. Commissioner Van Beek asked if the updates resulted in a gain or loss of areas designated in the flood zone. Ms. Hailey said there's a mix, there were areas that were put into the floodplain that were not there previously but based on the flooding that took place in 2017 a lot of those areas that took on water are now in the floodplain. Director Nilsson said they looked at all parcels in Canyon County that were going to be affected, either coming in or coming out, and at least all of those were notified of the changes, some were in cities. Mr. Lister said in the A zones where there is no base flood elevation data they removed one of the requirements where there was a stream setback which required you to be at least 50 feet from the bank, or the stream's width itself away, and if you're in that area you have to do a base flood study. They removed that because the new change says in the A zone if it's five acres or 50 lots or greater a study is required so there's no need to do a setback of some sort if it's below the five acres or 50 lots. Additionally, they changed the floodplain overlay to an actual overlay section so later on if they're adding more overlays they can add it within an overlay section. They moved the airport overlay zone into that. Commissioner White asked if there were any responses from public agencies. Mr.

Lister said there were responses from ITD, the City of Greenleaf, Idaho Department of Water Resources, and FEMA, but there wasn't any real opposition. Director Nilsson said they had a committee of local city engineers who would be affected, and they heard Steve Sweet, the engineer for Flood District No. 10, who commented in his personal capacity and he was able to get the professional engineers association to meet with Idaho Department of Water Resources on this subject. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted unanimously to approve the zoning ordinance text amendment and comprehensive plan for flood hazard overlay zone for Case No. 2019-0001. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted unanimously to approve the findings of fact, conclusions of law and order. The Board will sign the ordinance and the summary for publication on May 20, 2019. The hearing concluded at 2:37 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:39 p.m. for a biweekly meeting with the Development Services Department Director to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Topics of discussion included the following: budget update; comprehensive plan update status; ordinance updates; and P&Z Commission training which will be held on May 23. There was a brief discussion regarding the City of Star's comprehensive plan. The affected residents have raised concerns, but the city neither wants nor needs the County's involvement. Director Nilsson has been in communication with the residents as they reach out to her. Commissioner White said this isn't new, it happened with Nampa's impact area in the City of Kuna. A lot of times they see growth as a way to meet their infrastructure needs and they see it as a path of least resistance. Commissioner Van Beek said she had a discussion with Senator Lakey who doesn't want the board to approve or deny land use cases based on TAZ (traffic analysis zone). *(Note for the record: The recorder stopped working for a portion of this meeting.)* Director Nilsson spoke about how they look at which areas are growing faster and how growth needs to be balanced because if it's not balanced the transportation model isn't very useful. They look at how much of the growth is happening in city limits versus outside cities. From 2010-2019, over 100% of our growth has been in cities where they have infrastructure. She monitors this because there are a lot of myths that Canyon County allows anything to develop in the agricultural area. With regard to the ordinance update, now that the floodplain has been updated we need to address the radio tower ordinance. Staff will attend a meeting next month with the state organization of ham radio operators and if the major stakeholders are okay with the draft ordinance they will schedule it for hearings. With our floodplain ordinance we want to take the tact that we are the model for other jurisdictions and make it easier for everybody by letting them copy our ordinance. Staff is updating the writing standards for the wineries and they will take the draft ordinance to the Caldwell Chamber travel and tourism committee to have them review it. With the lack of standards they are always wondering what they can or cannot do and so DSD wants to address food service, and help new wineries avoid any onerous traffic studies.

Director Nilsson would like direction on updating the area of impact with the cities to add a sentence that if a development is adjacent to city limits they have to ask for annexation first rather than putting DSD staffers in the position of saying they should do it. Commissioner Van Beek asked what the concerns/drawbacks would be to that. Director Nilsson said the easy thing for the developer is to do septic and wells and ignore the fact that the area is planned for municipal sewer/water system and the connection fees and all that planning the cities do for infrastructure requires growth to reduce the financial burden from all the other people on that system and so we're talking about just those properties that are already adjacent to the city limits and are planned for those services. It will cost more to develop but then by going into the city they should get a lot higher density than what our zoning would provide for. Commissioner Van Beek said perhaps they don't want dense population but prefer a rural lifestyle or hobby farms. Director Nilsson said the land next to the city is where growth is planned and we have an area of impact agreement that's defined that area as where we want growth to occur. Commissioner Dale said requiring a developer to go to city to request annexation doesn't mean you have to go to high density. Director Nilsson said if they want to do a low-density development they can work with the city. DSD has had to "referee" where they may not want the density at this time but perhaps they do in the future and they can work out the deferral agreement with the city on when improvements would be required. It'd be a consideration of balancing the developer's goals with the city's planning. Commissioner Van Beek asked if there is any benefit on the aquifer side to connecting to city services. Director Nilsson said we do have high nitrate areas around some areas and it would help mitigate some of that by going into a municipal system, but in terms of recharging the aquifer she doesn't have any data on that. As you get more wells and with the nitrates you might have a higher well construction standard and it might be cheaper to connect if water is available. They've had cases with non-residential where they need the fire flow and to get it you have to request annexation, but they'd like to not have that argument with people and say you have to get annexed for that type of density or use. Director Nilsson said on the general context of how development happens in impact areas, it'd be a more substantive discussion with the cities and what are their water plans. We have not used a strategy to hold an area of impact zoning at an agricultural zone until annexation, that's where we'd get some pushback. On another topic, training will be held next Thursday evening regarding subdivision plats and they have invited the P&Z Commissions from all the towns in the County. Commissioner Dale asked if the County has approved any largescale subdivisions in the last four years. Director Nilsson said we have not, the only subdivisions of any consequence she can recall is the future phases of Britannia Heights, but it's been in coordination with the City of Nampa because they water and in some of the phases they designed a sewer that the city could take over. Commissioner White said she read about one in the newspaper near Melba that reportedly has 200+ homes. Director Nilsson said there may have been approvals through a conditional use permit and a preliminary plat but then the recession hit and they all expired and went away so there aren't any left. The items discussed were general in nature and did not require Board action. The meeting concluded at 3:15 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

An educational jail bond town hall meeting was held this evening at the Nampa Public Library located at 215 12th Avenue South in Nampa. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at approximately 7:00 p.m. and concluded at 8:15 p.m.

MAY 2019 TERM

CALDWELL, IDAHO MAY 14, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$1209.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 5/19/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 6/9/19 for a wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Agave Cantina, LLC dba Agave Cantina; El Guero, LLC dba Pollos Y Mariscos El Guero; Stewart & Christensen, LLC dba Stewart's Bar & Grill. See resolution no. 19-087.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Idaho Center Chevron, Inc. dba Idaho Center Chevron; Tacos El Rey, LLC dba Tacos El Rey Restaurant #5; Franklin United, Inc. dba

United Oil; J&R Distributing, LLC dba Sunnyslope Market; Scoria Vineyards & Winery, LLC dba Scoria Vineyards & Winery; Sushi Sushi, LLC dba Sushi Sushi; Alejandra's 1, LLC dba Alejandra's Mexican Restaurant. See resolution no. 19-089.

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

The Board met today at 8:33 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, 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:

- Finished Gabiola Fields, seed is down and watered, should be sprouting this week.
- Crews are continuing to work on Wilson Creek.
- Fair building has been painted and should be done this week.
- Clarity Credit Union has vacated the courthouse and Facilities will start the remodel in the next few weeks.
- A request was made by the Clerk, he has asked for set-up help at a church in Nampa which hosts two polling locations. The Board would like clarification as to which budget facilities salaries would come out of. Director Navarro said he normally doesn't charge for labor, he doesn't have a line item for it. He believes the work is very minimal, only a couple hours on each day. The Board would like tracking of cost although everyone is on okay with Facilities staff helping with the set-up.

Director Rast updated the Board on the following:

- They are starting to rewrite a few applications for the elections department; Eric Jensen expanded on the details of the programs being written. The anticipated completion is the beginning of 2020.
- Commissioner White asked about the spam emails that have been coming in and how it's being addressed. They have been focusing over the past 3 weeks to make sure legitimate emails are coming in and once they are sure the legitimate emails are working they will start concentrating on the spam. They have a work ticket into the vendor to assist with this as it's not working as they anticipated.
- An MOU with the Ambulance District is being worked on to set up two new servers to work with Spillman. Charges back to the Ambulance District will be \$400/year per server. Legal has been involved to make sure everything is vetted properly.
- Scanning has been finished in the Sheriff's Office. Hard files have been removed and all electronic documents have been verified. They are continuing to work thru the other offices and departments to complete scanning.

The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 9:12 a.m., Chief Marv Dashiell left at 9:12 a.m., Captain Daren Ward left at 9:12 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro left at 9:12 a.m., DSD Director Tricia Nilsson arrived at 9:09 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing amendment 1 to temporary detention facility equipment lease agreement - inspection/delivery: There have been some delays in getting the plans in order for the State Division of Building Safety which prompted discussions with ADS about extending the delivery date and lease. Mr. Laugheed doesn't believe it's legally necessary under the terms of the lease but more as a matter of convenience for both ADS and the county to amend the agreement and condition the delivery date based on the final inspection. The original agreement had a delivery date of May 30th but this amendment will make the delivery date not later than 100 days after the equipment has received final approval from the 3rd party inspector. Commissioner Van Beek asked if liquidated damages can be built into the contract as a way to keep ADS from pushing it out further. Mr. Laugheed doesn't feel liquidated damages would be appropriate in this kind of situation. He, along with Director Navarro, Captain Ward and Chief Dashiell all agree that completing this project is in ADS's best interest as it is taking up floor space for them and preventing them from moving forward with other projects. Director Navarro said there have been many delays just in getting the architect and engineer to review and sign off on all the plans and then waiting for the review from the State of Idaho which can take 3-4 weeks. He did say though that the site is prepared and all the conditions of the Special Use Permit have been met. In response to a question from Commissioner Van Beek, it was clarified that all shipping costs for the units are incorporated into the contract and Director Navarro confirmed that there are two lots available for staging once the units arrive. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign amendment 1 to temporary detention facility equipment lease agreement – inspection/delivery (see agreement no. 19-062).

Consider signing resolution approving a fee waiver request to Carke Short in the amount of \$2500.00 for a public hearing case: Director Nilsson said this applicant will need to apply for a comprehensive plan amendment and a conditional rezone so DSD is recommending that the fee be reduced to just the conditional rezone fee of \$1235 and not the \$2500 for the comprehensive plan amendment. Director Nilsson said the applications will go concurrently so all the hard costs will be covered by the conditional rezone fee. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving a fee waiver request to Carke Short in the amount of \$2500 (see resolution no. 19-086).

The meeting concluded at 9:16 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR WHITE RANCH ESTATES SUBDIVISION

The Board met today at 9:31 a.m. to consider a request by Matthew White for final plat approval of White Ranch Estates Subdivision, Case No. SD2018-0030. (This matter was continued from yesterday.) Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Matthew White, and Deputy Clerk Monica Reeves. Director Nilsson reported that the Board approved the conditional rezone and development agreement on May 2nd for this project and now the flat plat is being considered. All conditions of approval for the conditional rezone have been met, the final plat has been approved by Keller & Associates, and meets Idaho Code and the Canyon County Zoning Ordinance requirements. The applicant has obtained all other necessary signatures and we recommend the board approve and sign the final plat. Mr. White has the original property and because of water rights issues with Black Canyon Irrigation District he needs to separate his property out from the plat so it will be its own lot. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the final plat for White Ranch Estates Subdivision. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REZONE REQUEST FOR PELICAN LANE, LLC, FOR A REZONE

The Board met today at 9:34 a.m. to conduct a public hearing in the matter of a request by Pelican Lane, LLC for a rezone, Case No. RZ2019-0003. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Dan Lardie, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is to rezone approximately 32.87 acres from agricultural to rural residential. This property was previously approved for development prior to the downturn in the housing market and the applicants are back to request residential zoning so they can continue on with development plans. The property is a long narrow strip and is located in an area where rural development is occurring. It is identified as residential on the comprehensive plan so staff is recommending approval of the rezone for the purpose of developing the 13-lot subdivision. Commissioner Van Beek expressed a concern about homeowners trying to further divide their lots. Director Nilsson said there would be a rigorous review process if the owners of a two-acre lot wanted to further divide. Staff tends to see those more in an area of impact where city services are reaching an area, but they don't really see it in the rural areas very often. Ms. Root said they do see some effort to divide larger lots in the impact area where those lots were of significant size and had been divided by deed and people bought the properties that didn't have building permits available because they were divided illegally or not in accordance with the ordinance. Going through a re-plat is a significant investment so they have to have a desire to divide because they cannot manage the property or something. Commissioner Van Beek asked for more information on road ownership discrepancy and the enforceability issue. Ms. Root said Mr.

Schatzel does own it but it's also part of the adjacent subdivision which was phase 1 of what this strip of land was intended to be developed as but it didn't get developed at the time. It appears from the emails the neighbors are satisfied with the conversations they've had with Mr. Schatzel with regards to the road and the intent and the inclusion of the new lots in the maintenance agreements. The road will be paved as part of this process. According to Ms. Root, the CC&Rs were provided by Mr. Bachman, a homeowner, who was concerned about the road but the County does not enforce them, they are enforced by civil means by the homeowners association. Ms. Root said there were concerns about who would maintain and provide access and who would pay for the improvements, but Mr. Bachman sent an email saying he is satisfied that Mr. Schatzel will make them whole and that the maintenance agreement will be included and all homeowners will be responsible, that they will not responsible for the cost of the initial improvements. Dan Lardie from Leavitt & Associates Engineers testified that Mr. Schatzel came before the Board in 2007 and received a conditional use permit and he proceeded to do a level one nutrient pathogen study and a joint trench. The property went dormant and was later farmed, but now that the market has improved Mr. Schatzel is trying to put it back into use but because his conditional use permit expired he has to do a rezone. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek said she hopes the property develops in a way that people are able to maintain the property and have creativity in their platting and design. Commissioner Dale believes it fits in with the nature and trend of the development in the area; he then made a motion to approve the request by Pelican Lane for a rezone and to sign the findings of fact, conclusions of law and order as well as the ordinance amendment. (See Ordinance No. 19-020.) The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – WILDER RURAL FIRE PROTECTION DISTRICT

Commissioner Leslie Van Beek attended an educational jail bond town hall meeting at the Wilder Rural Fire Protection District located at 601 Patriot Way in Wilder. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at 7:05 p.m. and concluded at 8:15 p.m.

MAY 2019 TERM

CALDWELL, IDAHO MAY 15, 2019

PRESENT: Commissioner Pam White, Chair – WIR Conference
Commissioner Tom Dale – WIR Conference
Commissioner Leslie Van Beek – WIR Conference

Deputy Clerk Monica Reeves / Jenen Ross

Commissioners attended the Western Interstate Region Conference in Spokane County, Washington.

APPROVED CLAIMS ORDER NO. 5/15/19

The Board of Commissioners approved payment of County claims in the amount of \$18,476.00 for accounts payable.

CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – ADMINISTRATION BUILDING

Commissioner Leslie Van Beek attended an educational jail bond town hall meeting at the Canyon Count Administration Building located at 111 N. 11th Avenue in Caldwell. Information was exchanged with and between the public on the jail bond issue with no motions, action items, or Board direction entertained or given. The meeting began at 7:00 p.m. and concluded at 8:20 p.m.

MAY 2019 TERM

CALDWELL, IDAHO MAY 16, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

Commissioners attended the Western Interstate Region Conference in Spokane County, Washington.

MAY 2019 TERM

CALDWELL, IDAHO MAY 17, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

Commissioners attended the Western Interstate Region Conference in Spokane County, Washington.

MAY 2019 TERM
CALDWELL, IDAHO MAY 20, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/20/19

The Board of Commissioners approved payment of County claims in the amount of \$2024.04 and \$330.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 5/24/19

The Board of Commissioners approved payment of County claims in the amount of \$164,801.05 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- DataBank in the amount of \$56,410.90 for the Information Technology department
- HP, Inc. in the amount of \$19,395.00 for the Information Technology department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Canton Café, Inc. dba Canton Café; Mi Tierra, Inc. dba Mi Tierra; Tacos Colimas, LLC dba Tacos Colimas. See resolution no. 19-088.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Elections Supervisor Hailey Hicks and Deputy Clerk Jenen Ross.

Consider signing Polling Location Facility use agreement with the Nampa Civic Center and the Hispanic Cultural Center: The agreement with the Hispanic Cultural Center has been reviewed and amended by legal. Mr. Blocksom said he has spoken with the representative for the Civic Center and emailed his proposed changes which he reviewed with the Board. After several conversations and failed email attempts the representative from the Civic Center verbally authorized the changes and Mr. Blocksom initialed the revisions. Clerk Yamamoto said that although all the locations are not ideal all the precincts are covered. They have received some complaints and concerns about the changes in polling places but they are doing their best to explain the situation to everyone. Commissioner Van Beek made a motion to sign the polling location facility use agreement with the Nampa Civic Center. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 19-063). Commissioner Dale made a motion to sign the polling location facility use agreement with the Hispanic Cultural Center. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-064).

The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING

The Board met today at 9:35 a.m. for an elected officials' meeting which was held in the Administration Building located at 111 North 11th Avenue in Caldwell. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Chief Civil Deputy P.A. Sam Laugheed, PIO Joe Decker, and Deputy Clerk Monica Reeves. Clerk Yamamoto reported that tomorrow is Election Day and so far there have been 1,600 early and absentee votes. He also reported that he met with the ambulance district director who reported that ridership continues to decline. Tracie Lloyd said the Treasurer's Office mailed reminder notices and are getting ready for collections again. To date they have taken \$68,000 in over the counter payments which is up quite a bit. Interest rates are up which is good news. New assessment notices will go out the end of the week, and according to the Assessor they are up 12%-15%. Commissioner Van Beek reported that she toured the Zorroco facility that's getting ready to expand, and she attended five of the six town hall meetings regarding the jail bond. Commissioner Dale attended the recent WIR conference and said there was a good presentation on how counties can better deliver services to our Veterans by having certified service officers. Clerk Yamamoto said we provide office space for that function and we have a certified person who works two days a week and he's hopeful that by this summer it will be increased to five days a week. Commissioner Dale said perhaps we can recruit more people to take the course to be volunteers. Prosecutor Taylor said his office just finished a 3-week murder trial and they are starting another one today and are anticipating another one at the end of the month. He asked what impact the crisis center is expected to have on the mental health aspect, and do we have a plan in place to determine if it's going to help us from the jail aspect to the number of mental cases we'll have to deal with. Commissioner Dale said the Idaho Falls facility has shown a decrease in the involuntary holds which saves the county a lot of money but they didn't have a system to keep really good records. Through Director Zogg's leadership we

have a much better system in place and part of that is in creating a code system so that if somebody comes in and they have insurance we can bill the insurance company. We should have some data generated within the first 6-12 months. Clerk Yamamoto said the medical indigency office will be working with the crisis center to see if we can have some interaction that will improve that. Prosecutor Taylor asked if there is anything we can do versus having a third-party doing it. Commissioner Dale said we'll see if our involuntary holds drop off from the previous years, but as far as actual data it will take a while before we see that. Commissioner Van Beek asked where we're at with the opioids class-action lawsuit that the county is a party to. Canyon County is represented by the law firm of Crueger Dickinson and they are in negotiations which are confidential. Joe Decker will reach out to the law firm for an update. With regard to the upcoming budget, Prosecutor Taylor asked if we are sticking with the same approach as in years past. Clerk Yamamoto said it will be status quo but we will see something a little different than what we've been experiencing. Due to the influx of population we are getting stretched on everything and we don't have a good handle on how many new positions will be requested but we know there will be some. With our compensation plan retention is working – consequently we are seeing the cushion on the A budget side going away. Where we operated on 10% of the budget unfunded we are not going to see that much of that. Prosecutor Taylor said the compensation plan has been outstanding with retention and recruitment. We had the original Carter Goble Lee presentation, it was a strategic plan, but we haven't really done one with all the elected officials since that time. As a County we can only sustain so many more positions and so we should have a workshop with the elected officials to discuss how we're going to expand with regards to personnel for each office so it will make it easier for budget planning for future years. Commissioner Dale said that's a good idea and we almost need a facilitator to direct the thoughts. Commissioner Van Beek she's had this conversation with Sam Laugheed, Tricia Nilsson and Paul Navarro where we create a capital improvement plan and identify what the County owns and start thinking about what exactly is being talked about. That's on her docket and it's just a matter of getting people into place and looking at it. Clerk Yamamoto said we've had those discussions and when you talk about adding positions it's fairly obvious we are maxed out on space. Prosecutor Taylor said we need a long-term strategic plan that's sustainable, not allocating certain funds for future generations but we need more facilities and we need to know where those facilities are ultimately going to be. We need long-term plans and we need to know what the budget can sustain. He has no problem with having a facilitator but perhaps the elected officials should try it first before we hire someone. Commissioner Dale agreed and said the strategic needs analysis looks at the compensation plan that we developed a few years ago, and those are long-term business decisions we have to plan. Clerk Yamamoto said he and some other elected officials tried to get that discussion going during the planning phase for the administration building but it didn't happen, and the sole criteria considered was how much money was available rather than looking at what the needs were. Commissioner Van Beek is happy to follow up and put some of that together. She has a copy of Ada County's plan and they stage their development into a five-year plan and it talks about the project description, allocation of resources, and what year that would fall in. They have department heads and elected officials submit their plans and a committee stages it and determines where they're going fund it. Clerk Yamamoto said every bit of it is property tax money and therein lies the issue. Clerk Yamamoto said we're not at a crisis level yet but we can see it coming and it's scary. We have mandated functions we have to

provide and yes, the retention plan costs money and the A budget goes up but if you can have good people that produce a high volume of work it's better than having more with a mediocre field to work with. Commissioner Van Beek said we talked about providing department head training at the supervisor level so they could be gifted with those skills to create a better supervisor and identify people that maybe should be let go if they're not producing at a certain level. There should be some market productivity or something that evaluates whether or not they stay or go. Clerk Yamamoto said when he took office one of the main things used in promoting within offices was longevity and it had nothing to do with you productivity or competency and that needs to go away. Commissioner Dale said great work was done by the compensation committee and it's paying the dividends that were expected. The Clerk is very concerned about the burnout his employees are dealing with; he's trying to mitigate it, but it is a concern. Joe Decker asked for an update on the status of the placement of an ATM for the courthouse. He has received a lot of inquiries since the ATM was removed when the Clarity Credit Union vacated its lobby-area location at the courthouse. Some offices only accept cash and we have no place to get cash in the courthouse. Sam Laugheed said the Prosecutor's Office is working on an RFP for ATM services. Clerk Yamamoto spoke about an Armed Services Day event that was planned for last Saturday at the Caldwell Veterans Memorial Hall where there were plans for three motorcycle clubs to be involved; however, there was communication which resulted in the club participants not attending. The Clerk was frustrated by this and plans to look into why police officers and deputies were apparently suggesting to the clubs that they should not attend the event. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:30 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Commissioner Dale left the meeting at 11:00 a.m. Director Tolman updated the Board on the following:

- A PO will be coming thru for a new compressor which should be around \$2000; the one they had is no longer working. Director Tolman would like to change the compressor to a rotary system and Commissioner Dale agreed this may be a better way to go as they may have better longevity and better warranty. A review of his budget indicates he has just enough to install the rotary system this fiscal year. Commissioner Van Beek would like a project description and breakdown of the budget.
- For the FY2020 budget he would like the consideration of an additional technician. He has two technicians that will be retiring in the next two years and it takes about 2 years to get a technician fully up to speed. He has added \$60K to his budget to accommodate wage and benefits.

In the capital line of his budget he has included motor-pool and the PA's Office but is continuing to work to get some of the other Board departments back into one budget line.

Director Tolman indicated that a while back not only did we lose \$7M worth of working capital but every department got split out, meaning every department has a vehicle line. He obtained this number from the insurance policy, that there is \$7M worth of assets but he has no way to utilize those assets to replace things. If we stay with our replacement plan we'll need about \$800K in vehicles. Sometimes it makes sense to repurpose a vehicle or if a vehicle is problematic it's better to get rid of it but he doesn't have a way to do that if he's always getting into someone else's budget or if the money isn't there. Last year he took over this portion of the PA's budget and plans to do it again this year. This way if something comes up during the year he can take a car from motor-pool and get things moving. With all the budgets being spread out he often gets pushback about being in another budget but he can't have everyone out there buying their own stuff or sometimes vehicle capital monies get applied elsewhere. Commissioner Van Beek summarized Director Tolman's request stating that at one point this was all under the Fleet umbrella but it's now been split out and because of that it has hindered Mr. Tolman's ability to capitalize on trade-ins and other savings or buying power that his department manages anyway. Commissioner Van Beek said when she met with Mr. Laugheed he indicated that PA's Office doesn't want anything to do with tracking what is done by Mr. Tolman's department. She believes it makes sense to give Mr. Tolman the authority to make those decisions as it's not in each department administrator or Elected Officials wheelhouse to make these purchases nor does she believe they would want to. It's estimated that \$750K would be needed and because of Director Tolman's ability to negotiate in the marketplace it's anticipated that a savings of \$1M could be realized over time. In response to a question posed by Commissioner Dale, Mr. Tolman believes resistance would come from the Auditor's office. Commissioner Dale also asked if there are vehicles being purchased without the Fleet department being involved. Mr. Tolman said there have been tractors purchased and kept that he is now responsible for maintaining. Commissioner Dale said that this same kind of thing happened with the IT department and it's been conveyed to everyone that anything that's purchased that's hooked to the IT network has to go thru Director Rast first. It still comes out of each DA or EO budget but Mr. Rast maintains that, follows it and is approved by him. Commissioner Dale feels the same process should happen with the Fleet department. No one should be buying anything that Fleet has to maintain unless it crosses Director Tolman's desk. Commissioner Van Beek's understanding is that there was an employee buying trailers and there were pickups out there that she's not sure we're on anyone's radar. What she hears Director Tolman saying is that he's not able to leverage and it makes it more difficult to do the trade-ins; we're having to sell at auction what could be leveraged for a trade-in and we're losing money by doing that. It would still be within their ability to track where those vehicles are expensed from the auditor's side. This would help Director Tolman use the county assets in the most efficient and effective way possible because it's what he does every day. Commissioner Dale doesn't know that we need to change the entire accounting system but believes it needs to be a policy decision. At some point there needs to be an agreement that everything that is going to be maintained by Fleet, needs to be authorized by the Fleet department / Director Tolman before it's purchased and when something new needs to be purchased Director Tolman will be in charge of how that's allocated. Director Tolman said that if it's kept that way it has to stop here; when a PO comes thru if it hasn't been signed off by him then it hasn't come thru him yet. Commissioner Van Beek thinks the best way to do this is to give Director Tolman the ability to just try it. That's a decision the Board can make, it's a policy decision and allows this department head to

operate most efficiently for the county and that's what we're interested in. Director Tolman said when this happened it took his ability to manage the fleet and made it 20 times harder. With those \$7M in assets unavailable he now has to come to the Board and ask for a \$1M a year to do a 7-year rotation program when he may really only need \$300K. In response to a question asked by Commissioner Dale, Director Tolman estimated that there is approximately 25% of the fleet that he doesn't have control over. Commissioner White asked which departments or offices that equates to. Director Tolman said that this year's need is \$886K with Solid Waste removed and the CID and CCNU cars are being run into the dirt instead of getting rid of them at the optimum disposal time. Losing trades has made it hard to do his job. Commissioner Dale reiterated his point that he doesn't think the whole system needs to be changed but some policy decisions could be made that would make it easier for Director Tolman to do his job. He doesn't understand why he doesn't have the ability to trade-in vs. auction, which should be within his decision making. Commissioner Van Beek understands that Mr. Tolman has some information that she would like to see brought back to the Board. She is in favor of at least trying what Mr. Tolman has suggested, she proposes giving him the ability and see how it works; in a year we could realize significant savings. Commissioner Van Beek hears Director Tolman saying that those dollars left in a department's account are being utilized for other things instead of allowing Director Tolman the ability to return those dollars to the capital improvement fund for the fleet side. Commissioner Van Beek would like to allow Director Tolman to bring back some information and continue the discussion. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR CALDWELL VETERANS COUNCIL

The Board met today at 2:01 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the Caldwell Veterans Council. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Terry and Trina Harrell, and Deputy Clerk Monica Reeves. Mr. Harrell reviewed the services the organization provides. This year the organization is requesting \$32,000. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:37 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR CANYON RECOVERY COMMUNITY CENTER

The Board met today at 2:38 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the Canyon Recovery Community Center. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Executive Director Aaron St. George, Clinical Coordinator Don Schultz, Jessica Cowan with the Department of Corrections, and Deputy Clerk Monica Reeves. Mr. St. George, who took over as the executive director on January 1, 2019, reported on the services the center provides. This year the organization is requesting \$125,000.

Although the center is geared toward mental health and substance abuse and behavioral health, they want to take it a step further and add in clinical services to assist those in gap populations receive treatment and other things necessary to better their circumstances. Jessica Cowan spoke about how the funding for those on probation and parole has been eliminated. Mr. St. George said they partnered with the crisis center that opened in April and they supply one-fifth of their staff as recovery coaches so they have someone with the expertise to do referrals and resources for other things people may need when they enter into a crisis center. Don Schultz spoke of the center's success stories, and there was also discussion about the impacts of Medicaid expansion. Yvonne Baker said a lot of people with mental health or substance abuse issues cannot work nor can they volunteer 20 hours per week and so those requirements will limit a lot of people from receiving Medicaid and those are ones the recovery center can help. They do much more than just counselling, they help with work skills and work with them to get to the point of working or volunteering to meet those requirements. Mr. St. George said they've looked at different ways to be self-sustaining, but it's difficult because they don't bill for services or accept insurance and that's where Canyon County, the City of Caldwell and the community can help. (Clerk Yamamoto left at 2:50 p.m.) Mr. Schultz said the County has funded the recovery center through the community clinic as part of their funding formula. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:06 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – 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, PURSUANT TO IDAHO CODE, SECTION 74-206(1)(E)

At 3:07 p.m. Commissioner Dale made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale, and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Chief Deputy Assessor Joe Cox, DSD Director Tricia Nilsson, Tina Wilson from Western Alliance for Economic Development, a representative from Project Indispensable, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:38 p.m. with no decision being called for in open session. When the Executive Session concluded the Board considered the following action item which was scheduled for 3:00 p.m.:

CONSIDER LETTER OF SUPPORT FOR THE ECONOMIC DEVELOPERS PROFESSIONAL GRANT

The Board met today at 3:38 p.m. to consider signing a letter of support for the Economic Developers Professional Grant application that will be submitted by the Western Alliance for Economic Development. Present were: Commissioners Pam White, Tom Dale and Leslie Van

Beek, Tina Wilson from WAED, Deputy P.A. Brad Goodsell and Deputy Clerk Monica Reeves. Ms. Wilson said last year she thought she needed to raise an additional \$5,000 to make her budget but since that time she has recruited the City of Emmett and they have joined for the remainder of this fiscal year at \$4,000. She will have to fundraise for \$1,100 and if the City of Emmett wants full services she should be able to cover the rest of that amount. She's not asking for a funding increase this year but she would like the sustainability at \$27,650. She is hopeful Owyhee County will come back as a funding partner. Commissioner Dale had to leave but he gave verbal approval of the letter. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the letter of funding support in the amount of \$27,650 which will be submitted along with WAED's grant application. The signed letter is on file with this day's minute entry. The meeting concluded at 3:44 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 21, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/20/19

The Board of Commissioners approved payment of County claims in the amount of \$26,817.52 for accounts payable.

APPROVED CLAIMS ORDER NO. 5/24/19

The Board of Commissioners approved payment of County claims in the amount of \$29,822.06 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$20,227.84 for the Facilities department
- AA Tronics in the amount of \$3850.00 for the Information Technology department
- Amazon in the amount of \$1329.97 for the Information Technology department
- HP, Inc. in the amount of \$1770.00 for the Information Technology department
- Global Assets Integrated in the amount of \$1525.00 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Mariscos La Perla to be used 6/8/19 – 6/9/19 for a concert.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/21/19 for a ribbon cutting.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Hop House, LLC dba The Hop House; Whisky River, LLC dba Whiskey River; Salinas Foods, LLC dba Yita's Family Restaurant King Legend Hall; BPOE of the USA 1448 Caldwell dba Caldwell Elks Lodge #1448; Mariscos La Perla, LLC dba Mariscos La Perla; Jalapeno's Bar & Grill, LLC dba Jalapeno's Bar & Grill. See resolution no. 19-090.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mesa Downtown, LLC dba Mesa Tacos & Tequila; Nampa Hospitality, LLC dba Best Western Plus; Treasure Valley Road Runners, LLC dba The Tower Grill; The Getaway Bar & Grill, Inc. dba The Getaway; JM Assets, LLC dba Garbanzo Pizza; TNT's Dynamite Bar & Grill dba TNT Dynamite Bar & Grill; New Empire, LLC dba The Blue Eye. See resolution no. 19-091.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Crescent Brewer, LLC dba Crescent Brewery; Hat Ranch Winery, LLC dba Vale Wine Company/Hat Ranch Winery; Williamson Orchards, Inc. dba Williamson Vineyards; East Cleveland Beverage & Tackle, LLC dba East Cleveland Beverage; Gallegos Meat Market, LLC dba Gallegos Meat Market; Destination Caldwell, Inc. dba Destination Caldwell. See resolution no. 19-092.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JAK*S Place, Inc. dba JAK*S Place; JP Thailand Express, LLC dba JP Thailand Express; Krung Thai Restaurant, LLC dba Krung Thai Restaurant; Dan's Ferry Service, LLC dba Dan's Ferry Service; City of Caldwell dba Fairview Golf Course; City of Caldwell dba Purple Sage Golf Course. See resolution no. 19-093.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEM

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Assistant Plans Examiner Stephanie Haley and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Amendment and Summary to Chapter 7, Articles 2, 10, 14, 17, and 19; Zoning Regulations, of the Canyon County Code of Ordinances: A public hearing was held last week regarding this amendment and it has been thru the planning and zoning commission. This amendment is due to FEMA adopting new floodplain maps and as a response they have asked the county to update the ordinance to adopt the maps and to be current with their federal regulations so that people within the flood zone within the county can qualify for flood insurance. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the amendment and summary to chapter 7, articles 2, 10, 14, 17, and 19; zoning regulations, of the Canyon County Code of Ordinances.

There were no other discussion items for the legal staff update. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross.

Director Jett updated the Board on the following:

- Three kids have earned their GED while in detention.
- The numbers are down, 21 juveniles in detention as of this morning.
- He has been meeting with outside counties to let them know the rates will be going up.
- Recently there was an attempted escape from court by a girl in leg-irons and handcuffs – there has been a push to not use restraints on juveniles in court but they are very concerned about this.
- A couple days ago they were notified by the National School Lunch Program that the contract with CBM has to be rebid every 4 years – Director Jett referred it to legal and Zach Wesley drafted an email reply. If they deem the county doesn't qualify it could be a \$70K impact to the budget.

- In regards to the new medical program he is very concerned about what it will do to his budget; his current budget is at \$20K and the new program could be \$130K to \$150K.

The meeting concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:49 p.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Ms. Catalano updated the Board on the following:

- The IDAPA report was passed out so the Board could review it and she will discuss it further at her next meeting.
- The Idaho Department of Juvenile Corrections has put out a grant that she would like to apply for. The population the grant would serve is status offenders which are offenders such as runaways, beyond control, curfew and truancy. There has been a series of meetings between her department, the Public Defender's department and Prosecutor's Office to apply for this grant. She has also been meeting with Judge Onanubosi to find ways to manage these offenders. The total grant amount is \$160K for the entire state.

Director Breach updated the Board on the following:

- He has turned in his budget request – he will be requesting a new PO but would have to change the breakroom into an office with that addition; they also need to replace the hand-held radios, the copier, and a car has been recommended.
- Review of numbers from last month: 1221 offenders on active supervision, 438 on bench warrant status and 311 in the community service program.
- They have partnered with the Domestic Violence Task Force so on July 31st they will attend a training on how to better serve victims.
- The Supreme Court has been soliciting county staff to go out to other counties to assist in training of the Odyssey system. At this time they have decided not to offer any staff with the thought that it's the Supreme Court's database and it's their obligation to make sure everyone knows how to use the system properly.

The meeting concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY TJ WELLARD ON BEHALF OF DRK, LLC, FOR A PRELIMINARY PLAT, PRELIMINARY IRRIGATION AND DRAINAGE PLAN, AND A FINAL PLAT FOR LINFIELD ESTATES SUBDIVISION

The Board met today at 2:03 p.m. to conduct a public hearing in the matter of a request by TJ Wellard, on behalf of DRK, LLC, for approval of a preliminary plat, preliminary irrigation and drainage plan, as well as the final plat for Linfield Estates Subdivision, Case No. SD2018-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Todd Lakey, TJ Wellard, Greg Timinsky, Alan Mills, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she had ex parte communication as commissioner-elect with Alan Mills regarding Linfield Estates and it had to do with a traffic study and clarification on when those are required, but that discussion will not impact her ability to listen to this case. Debbie Root gave the oral staff report. The preliminary plat, irrigation plan and drainage plan are in substantial conformance with the ordinance requirements and state statutes. Staff is recommending approval of the preliminary plat as presented. TJ Wellard testified that the 13-lot residential subdivision will take access off of Riley Court, a proposed new public road that has been built and approved to highway district standards. They have met the requirements of Idaho Code by supplying irrigation water to each lot; the lots will be served by individual wells and septs. The subdivision engineering report has been approved by Southwest District Health. There is no direct access to Stoffel Lane from the subdivision, it will be to the new road, Riley Court. Regarding the 50 foot right of way along the north boundary, it was required by the highway district and requested by the City of Middleton to reserve the right of way for a future roadway. Mr. Wellard responded to Commissioner Van Beek's questions regarding the irrigation supply and runoff. Greg Timinsky testified that he is in favor of the subdivision, but he wants to make sure there is a proper turnaround at the end of the development, and that there will be proper water supply. He met with Alan Mills about this development who explained how a shallow well system would work and that it would produce the amount of water flow needed to fight a fire. Mr. Timinsky asked for data that would prove the system will work. As an alternative option the commissioners of the Star Fire District have agreed to allow the reduction of the fire flow to not requiring 1500 gallons per minute, depending on the size of the house, if the homes have residential fire sprinklers. It's expensive for the developer to put in a well that will produce 1500 gallons per minute so that is why the suggestion for sprinklers was made. There could be a note on the plat so that homebuyers are aware that they have to install fire sprinklers in their homes. In response to questions from Commissioner Van Beek, Ms. Root said the developer will have to have a turnaround to meet fire district requirements. Star Fire's comments are attached to the FCO's as an indication that they must comply with the fire district requirements, but we may clarify that more completely by including a condition to require fire sprinklers in all homes if the 1500 gallon flow is not proven. Alan Mills addressed Condition No. 4 and he gave a history of how the irrigation water has worked and how, when properties were sold, there was no delivery of water so for the last number of years the water has flood irrigated from east to west. That's being converted to an approved system with sprinklers so it will not be an issue. The drainage issues will no longer be occurring. With regard to the irrigation plan they have worked with Attorney Al Barker and they are complying with numerous codes that apply to water delivery, and they have

satisfied Middleton Mill Ditch Board. They have received preliminary approval for the supplemental water rights. Mr. Mills said he wanted to go on record that Condition No. 4 was going to change the historic way it had been done, but in a positive manner. Commissioner Van Beek had follow-up questions. Todd Lakey addressed Condition No. 8 is to comply with the requirements of ITD where warranted specific to the proposed development and any required traffic studies. As has been pointed out ITD's initial letter caused concern when it said 13 lots would produce a significant amount of traffic, which he feels is incorrect and the study provided by Mr. Orton and confirmed by the county engineer demonstrated that that was the case. The other comments from ITD are not applicable and so he requested that Condition No. 8 be stricken. The property is not in their jurisdiction nor are we required to obtain an access or approach permit from ITD and we have addressed those issues. Regarding Condition No. 9, he doesn't have any concern with complying with the lawful requirements of the fire district as far as turnarounds, but the issue with fire flow needs to be discussed further. The legislature enacted Idaho Code 39-4116(3), the requirement of residential sprinklers being exempted from the fire code and the intent was clear that fire sprinklers shall not be imposed as a condition when talking about complying with fire code requirements. Ms. Root said there could be a condition that there be a plat note stating each lot shall be required to obtain a fire district permit prior to issuance of a building permit. Mr. Lakey is okay with that as long as we are applying lawful requirements not "desire-ments." Suggested language would be that the developer, or the homeowner, be required to obtain a fire permit in accordance with the lawful requirements of the fire district. Commissioner Van Beek asked for more information about the shallow irrigation wet well. Mr. Mills explained that its gravel packed and it has sand screen in it so it doesn't need a float and whatever water table is there will be available. The pump is put down to a depth towards the bottom so there's no need to deepen it later and it can be submersible or a jet-type. Mr. Timinsky said the fire permit that typically comes from the County is for access only but the access isn't going to be an issue, it's the water supply he is concerned about. He is good with an 1100 gallon per minute out of a well that he can hook up to and he can pump from year-round. He doesn't need 13 different wells to get the water, he just needs it from one location. He doesn't need the shallow well system to be pressurized, he just needs the water available for life safety. Discussion ensued about fire access wells and the availability of water. Mr. Timinsky said he cannot require fire sprinklers in a house, but he can ask for a water supply and access. The water supply from 01 square feet to 3600 square feet is 1000 gallons, and from 3600 to 5000 square feet is 2000 gallons per minute for an hour. If they don't want to put the well in that will produce that amount of water then they should have fire sprinklers. Director Nilsson suggested a condition that the applicant develop the fire safety plan as part of the utilities plan that's required as part of the preliminary plat. We still have the open question on fire flow, the source of water for the subdivision and whatever that decision is she wants to see how the applicant is going to address that. What is their fire safety plan knowing the unknowns today and let them work with the fire district to come up with that plan of how it will be provided to each lot. It would be a condition on the preliminary that would have to be submitted before the final plat would be approved. It would put some context to the permit in addressing the issues we have discussed of where does sprinkling fit in as a potential method and how was that authorized? Mr. Lakey said he doesn't know that he's opposed to a plan it's just every time you add something you are adding additional hoops and costs. He wants to be clear on his request

and understanding regarding whether it's the plan or the permit that we are talking about something that has an applicable reference in fire code or adopted rule or regulation that applies to our subdivision, and as Mr. Timinsky said a requirement for sprinklers cannot be a requirement from the fire district. If it's something that the person chooses to do over whatever the applicable requirement is okay. We are not talking about going outside what's lawfully required for this project. Commissioner White expressed her concern about the liability associated with this. Zach Wesley spoke of where the County's authority lies and how it has dealt with this issue on a preliminary plat. The ordinance, 07-17-09, in section E (2) requires that there be a statement as to the type of proposed water supply facilities for proposed utility methods submitted with the preliminary plat, so that's the question before the Board today. Does the application have the necessary proposed utility easements for water supply? One of the things the County does rather than adopt the specific fire code is to require agency review of the preliminary plats so that the responsible agencies with expertise can comment and give the Board information to make the decision about whether there's a water supply plan on the pre plat. Commissioner Van Beek wants to look at this from a non-emotional point what is within our jurisdiction, how do we represent the applicant and the fire district? There are a lot of pieces to this, it's not a simple decision. She said we either need a recess or we need to continue the hearing. Commissioner Dale likes Director Nilsson's suggestion that we wait for the fire mitigation plan to be developed and then come back to the Board. Mr. Lakey said the reason they need the approval of the preliminary plat with whatever appropriate conditions are imposed, it allows Mr. Conklin to move forward with construction. If you continue it for the applicant to put together a plan that delays construction of a project that has been ongoing for a while. If you make it a condition of the final plat that means they have to have whatever that condition is complied with prior to final plat but it lets them start putting in roads and other things now. Commissioner White said that puts the burden on the applicant and Mr. Lakey to assure the Board that they will be able to meet the lawful requirements. Mr. Lakey said if they are ultimately required by the County to meet whatever that condition is, if it isn't a well or something that works appropriately there, there is the fire sprinkler backup, but he's laid out the argument sufficiently for that. Commissioner Van Beek said the issue needs to be addressed by the person wanting to start on that plan. She has no problem with the request to strike Condition No. 8 from the record given the amount of documentation that's been provided by Brent Orton on the technical memorandum. Commissioner Dale said he is okay with that too and then he asked if the condition about fire flow would be appropriately placed under Condition No. 9 which says the developer shall comply with the applicable requirements of the Star Fire Protection District before final plat approval. Mr. Lakey said it is his request that it be a condition and to meet that requirement prior to final plat. Mr. Timinsky said he is okay with that. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said he will try to make a motion that will hopefully comply with what we've been discussing and the motion is to approve the preliminary plat with the removal of Condition No. 8 and the amendment of Condition No. 9 to state that prior to final plat approval, a plan will be submitted and approved by the fire district for meeting the fire and safety requirements of fire flow in this project. Commissioner White said it shall comply with the lawful requirements. Commissioner Dale said in addition to that and prior to final plat approval, it shall be presented with the approval of the Star Rural Fire District so that we

have the plan for the fire and safety. Commissioner White seconded the motion for discussion. Commissioner Van Beek asked Ms. Root for her comments and she said we have to give the developer the opportunity to provide a plan that addresses both the summer and winter availability of the water and the fire flow and if the fire district is satisfied with that plan. It requires them to work with the fire district to ensure that the district has comfort that they will have water available year around to suppress fire. Commissioner Dale said that is implied in the way the motion was worded. The motion carried unanimously. The findings of fact, conclusions of law and order will be signed at a later date. The hearing concluded at 3:57 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 22, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Plumb Master in the amount of \$2399.40 for the Facilities department

APPROVED CLAIMS ORDER NO. 5/22/19

The Board of Commissioners approved payment of County claims in the amount of \$6683.28 for accounts payable.

APPROVED CLAIMS ORDER NO. 5/24/19

The Board of Commissioners approved payment of County claims in the amount of \$16,984.31, \$154,567.11, \$15,720.63 and \$11,915.56 for accounts payable.

MEETING WITH BRIANNE MCCOY WITH THE IDAHO STATE PUBLIC DEFENSE COMMISSION

The Board met today at 8:45 with Brianne McCoy from the Public Defense Commission. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli arrived at 8:48 a.m., Controller Zach Wagoner, Brianne McCoy with

the PDC and Deputy Clerk Jenen Ross. Ms. McCoy let the Board know that the Public Defense Commission (PDC) has looked at the grant applications and their executive director wants more information on almost all of the applications. At this time most of the applications have not been approved, that doesn't mean they won't be approved it just means more information is being requested. Due to the workflow standard coming into play this year they have \$10M to give out vs. \$4M in previous years. Canyon County has just managed to meet the workflow standard which equates to 210 felony cases per attorney. Ms. McCoy explained that the money is kind of in two buckets – in one is all the standards except workload and in the other is the workload standard. With Canyon County being right at the threshold of meeting the workload standard and the possibility of hiring another attorney they can justify this by clarifying additional duties of other attorneys in the office, such as managerial duties or drug/mental health courts, showing that they have less time and thus providing funds from the pool of money supporting workload standards where there are more funds available. Ms. McCoy felt Canyon County's application was very good but they are simply trying to collect more information. She said she will work with Mr. Bazzoli to make sure she has all the necessary information. Additionally, she spoke about the two standards they are working on this year – one is that public defense should be free from judicial and political influence and the other is that there should be resource parity or equity between the prosecutor and public defender. Parity or equity between the prosecutor and public defense does not necessarily mean everyone needs to be paid the same. The issue, as she sees it, is that public defenders have the same resources the prosecutors have; the same ability to do the job correctly. The other standard of free from judicial or political influence for example was of a judge going thru invoices and nitpicking bills. She strongly encourages the Board to attend meetings to provide input on how things will impact the counties and what will work or not work. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

The Board met today at 9:09 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek (Commissioner Van Beek left at 9:41 a.m.), Deputy P.A. Brad Goodsell left at 9:10 a.m., PIO Joe Decker, Ysabel Bilbao, Chief Deputy P.A. Sam Laugheed arrived at 9:21 a.m. and Deputy Clerk Jenen Ross.

Brad Goodsell presented a letter to local taxing districts and the Department of Commerce notifying them of a hearing being held on June 3rd to consider a tax exemption for Darrell Gustaveson/AMFEC, Inc. The letter can be signed as a ministerial matter and a copy is on file with this day's minute entry.

Mr. Decker and Ms. Bilbao asked for direction from the Board about how they would like media requests regarding the failure of the jail bond handled – if they should be handled on a case-by-case basis or put out one statement from the Board. A discussion ensued about the appreciation of voter turnout, possible alternative plans, the still very real need for a jail and voter concerns about increased property taxes. There was discussion regarding whether or not a consensus statement could be made as there may not be consensus amongst the Board members and if the statement should or should not be an emotional one. Mr. Decker and Ms.

Bilbao said in light of the conversation it may just be best to collect media information which can be passed along to the Board and each Commissioner can respond in the way they feel best. Mr. Laugheed suggested it may be a good idea to have a debrief meeting with all the stakeholders and elected officials sometime in the next few weeks as the jail is still the biggest issue and there needs to be a discussion on the next steps in moving forward. The meeting concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY MIGUEL AND MARIA ARROYO FOR A CONDITIONAL REZONE, CASE NO. CR2018-0011

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Miguel and Maria Arroyo for a conditional rezone to rezone approximately 2.87 acres from an "A" (Agricultural) Zone to a "CR-RR" (Conditional Rezone – Rural Residential) Zone. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Miguel Arroyo, Maria Arroyo, Keith Borup, Nancy Baker, Larry Haviland, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is zoned agricultural and the applicants are requesting a conditional rezone to rural residential which has a minimum lot size of two acres. As restricted by the development agreement the applicants will be allowed to build a single-family residence on the parcel. They are not requesting to divide the parcel. The surrounding area contains a mix of agricultural and residential uses. The P&Z Commission recommended approval of the request on March 21, 2019. Staff has found the request, as restricted by the development agreement, meets the standards of review for conditional rezone and is harmonious with the comprehensive plan. Keith Borup testified in support of the request. When the applicants bought the property they received a document saying it would not be approved for a mobile home, it would have to be a stick-built home on a foundation and that was the assumption they went by. They did not verify that with the County. At this point they're just trying to get approval to build on this odd-shaped piece. Maria Arroyo testified they bought the property in 2005 thinking they were going to build a house in the future and in the meantime they were saving money to do it and then three years later they came to the County and learned it was not possible to build on it because it's agricultural ground. They were upset they had paid over \$60,000 for property they couldn't build on, nor is it large enough to be farmed. Nancy Baker, PhD, testified she purchased her property for the specific reason that there were not any neighbors below them. She is greatly concerned about the impact the request will have on her property and her quality of life. Dr. Baker said others did not attend today's hearing because they have no faith in the system and they believe this request will be approved regardless. At the previous hearing she testified she had offered to purchase the subject property for \$10,000 but her offer was refused. She believes the applicants should have taken care of the building permit issue when they purchased the property. Additional concerns include irrigation water, wells and the fact this property is in a nitrate priority area. Commissioner Van Beek said the right to farm bill disallows complaining on the part of people who choose to build around established agricultural. She took issue with the comment that the process is jaded or biased; she bases decisions on input from staff and on the findings of fact and conclusions of law. Larry Haviland reviewed some of the policies and the goals of the comprehensive plan. Residential development should be within areas

that demonstrate a development pattern of residential land use, and the Board should encourage the continuing use of agricultural lands, and residential development must be compatible with existing agricultural activity, it should also be encouraged in or near areas of city impact. This is an agricultural area and it's in a nitrate priority area. He is concerned an exception might be made to put in a single residential building permit in an area that is totally agriculturally zoned and he's asking that the proposed zoning changes not be in conflict with the policies of the adopted comprehensive plan. Rebuttal testimony was offered by Keith Borup. There are five other homes that are closer to the Baker property than the proposed home will be to that property. He asked the Board to look at the facts and findings and at what has been approved in this area. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek said it appears for 13 years the surrounding neighbors have had the benefit of this property remaining quiet, undeveloped. When people in good faith buy land the property rights policy says that no person shall be deprived of private property without due process of law. The area will have six houses on 40 acres for people who want a rural lifestyle and that would be an amazing sequestering of ground where you're still surrounded by agriculture. The request appears to be consistent within this 40-acre parcel of what's been done in that division of land. Commissioner Dale said with regard to the concern about the Board making exceptions, we are following the ordinance as it's been adopted and outlined. There will be a development agreement which is even more restrictive than just the zoning. Commissioner Van Beek said the development agreement will not allow any additional residential structures on this property but it still limits it to one house on the parcel. This valley is changing and she is not going to be punitive to someone who, in good faith, purchased a piece of ground believing they could build on it, when there's a pathway to get what they want that's a legal process. Commissioner Dale said Dr. Baker's concerns are legitimate but he doesn't think this is going to ruin her life. He hopes the applicants will be the same kind of neighbors with the same values and appreciation of the land Dr. Baker seems to have. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the rezone as proposed with the accompanying development agreement for Case No. CR2018-0011 and to adopt the findings of fact, conclusions of law and order. (See Agreement No. 19-065.) Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the ordinance directing the change to the official zoning map for Case No. CR2018-0011. (See Ordinance No. 19-022.) The hearing concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 23, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 5/24/19

The Board of Commissioners approved payment of County claims in the amount of \$22,048.20, \$12,437.09, \$5,872.60 and \$28,802.47 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Rick's Caldwell Meats, LLC dba Rick's Caldwell Meats; La Botana, LLC dba La Botana; Caldwell Housing Authority dba Farmway Store; La Ranchera Nampa, Inc. dba La Ranchera Nampa; Maria Sarmiento dba Alondras Store. See resolution no. 19-114.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for VSW, LLC dba The Ranch; Tacos Y Mariscos El Compa, LLC dba Tacos Y Mariscos El Compa; TV Hotels, LLC dba Holiday Inn; The Retirement Plan, LLC dba The Steel Horse Saloon; Chonies Sports Bar, LLC dba Chonies Sports Bar. See resolution no. 19-115.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for THD, LLC dba Mongolian Fire Grill; Wild Heart Springs, LLC dba Wild Heart Springs; Campos Market Nampa, LLC dba Campos Market Nampa; Orchard House, Inc. dba The Orchard House; Ridgewood Enterprises, Inc. dba Legacy Feed & Fuel; Try Pi Nampa, LLC dba Blaze Pizza. See resolution no. 19-116.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-719, 2019-710, 2019-754, 2019-722, 2019-726, 2019-741, 2019-735, 2019-728, 2019-654, 2019-752, 2019-848, 2019-711, 2019-737, 2019-768, 2019-547, 2019-731, 2019-822, 2019-724, 2019-751, 2019-729, 2019-834 and 2019-738. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Commissioner Dale made a motion to issue initial approvals with written decisions to be issued within 30 days for case nos. 2019-825, 2019-622 and 2019-765. The motion was seconded by Commissioner Van Beek and carried unanimously.

Director Baker requested a subordination agreement for case no. 2014-485. The applicant has applied for a home equity loan and the lender is requesting the agreement. The total amount owed on the case was \$55,828.75, \$3150 in payments have been made with a balance of \$52,678.75 remaining. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the subordination agreement.

The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 9:03 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwall and Deputy Clerk Jenen Ross. Ms. Odom-Mann presented a letter for Board signatures to be sent to the State of Idaho for unclaimed property. A letter is on file with the state but it contains signatures of the previous Board and needs to be updated. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the letter.

Commissioner Van Beek made a motion to issue a final denial on case no. 2019-319. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to pull case no. 2017-588 from suspension and issue a final approval with a written decision within 30 days.

Commissioner Dale made a motion to approve case no. 2019-195 with a written decision within 30 days as it now meets all eligibility criteria. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-396

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for case no. 2019-396. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Applicant and daughter of the applicant, Interpreter Mercedes Lupercio and Deputy Clerk

Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek, the Board voted unanimously to continue the case to August 1, 2019. The hearing concluded at 9:50 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-417

The Board met today at 9:53 a.m. to conduct a medical indigency hearing for case no. 2019-417. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to continue the case to June 20, 2019. The hearing concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-409

The Board met today at 10:05 a.m. to conduct a medical indigency hearing for case no. 2019-409. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, Applicant and acquaintance of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek, the Board voted unanimously to place the case into suspension. The hearing concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-47

The Board met today at 10:17 a.m. to conduct a medical indigency hearing for case no. 2019-47. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Ashley Hesteness for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to continue the case to June 20, 2019. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-519

The Board met today at 10:53 a.m. to conduct a medical indigency hearing for case no. 2019-519. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Deputy P.A. Jim Cornwell,

Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Ashley Hesteness for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to continue the case to June 20, 2019. The hearing concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 11:17 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-159, 2019-206, 2019-367, 2019-395, 2019-234, 2019-550, 2019-455 and 2019-460. Upon the motion of Commissioner Van Beek 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 11:20 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH JEFF MERRICK TO DISCUSS 2020 CENSUS OUTREACH STRATEGY FOR CANYON COUNTY

The Board met today at 2:00 p.m. with Jeff Merrick to discuss 2020 Census outreach strategy for Canyon County. Present were: Commissioners Pam White and Tom Dale, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Dan Blocksom, PIO Joe Decker, Jeff Merrick from the US Census Bureau, and Deputy Clerk Monica Reeves. (Commissioner Leslie Van Beek arrived at 2:05 p.m.) Mr. Merrick is creating partners within the community to help spread the Census message because the community will react better to local leaders giving the message rather than a federal worker giving the message. The main goal is to count everyone once and in the right place as of April 1, 2020. (The materials Mr. Merrick submitted to the Board are on file with this day's minute entry.) The Constitution says every 10 years they will count everybody within the nation and the main purpose of that is the portioning of the US House of Representatives. Based off the 2016 American Consumer Survey that the Census Bureau did Idaho is about 19,000 people away from getting an additional seat in the US House of Representatives. The more people that are counted the more funding we will get. \$675 billion is distributed annually among local, state and tribal governments. Their goal is to deliver a quality product to the President by December 31, 2020. This is the first time responses can be done over the internet. On the 12th, 13th, 23rd, and 26th of March every household will receive a postcard with a code to go to the Census website and enter the code and complete the questions. Responses can also be given over the telephone, or a paper form can be requested. If no responses are given in that method they will send someone to your door, or use IRS forms, the post office, and neighbors to get a better count of how many people are in the house. They estimate they undercounted Idaho by 31,500 people in 2010. (That's \$460M that Idaho lost out on.) \$1,473 per person. Clerk

Yamamoto asked if the questionnaire will include questions about citizenship status. Mr. Merrick said they believe it's going to stay on the form but it's still being debated by the Supreme Court. It's a self-reporting form and no one is going to come back and verify the responses. If a person says they are not a US citizen ICE isn't going to show up because the census bureau doesn't distribute that information. They have identified nine areas as hard to count areas and for whatever reason people don't want to respond so he's trying to identify organizations that deal with those hard to count populations so he can speak to them and get them to pass on that trusted message to the people they work with so that hopefully they will trust that the census bureau will not give away their information or come after them. He doesn't know this area so he's starting with county and city leadership and then he will go to faith-based and non-profit organizations. Joe Decker offered to help from the County aspect to spread the message via social media. The Commissioners suggested Mr. Merrick contact the local chambers of commerce, the Boys and Girls Club, the Hispanic Cultural Center, and the YMCA. No Board action was taken. The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 24, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$3060.00 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Buck's Saloon & Steakhouse to be used 6/20/19 for a wedding.

APPROVED CLAIMS ORDER NO. 1917

The Board of Commissioners approved payment of County claims in the amount of \$1,600,896.52 for a County payroll.

APPROVED CLAIMS ORDER NO. 5/24/19

The Board of Commissioners approved payment of County claims in the amount of \$80,491.37, \$30,378.58, \$32,946.95 and \$559,718.30 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley left at 9:10 a.m., Fair Director Diana Sinner left at 9:10 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2019 Canyon County Fair Entertainment agreements with Brad Ebert; Jason Buckalew; Monique Michel; Ronald Ramey; Tyler Messina: These are standard contracts that are signed each year for acts at the Fair. These acts are for the smaller stages. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the 2019 Canyon County Fair Entertainment agreements with Brad Ebert (agreement no. 19-068), Jason Buckalew (agreement no. 19-071), Monique Michel (agreement no. 19-069), Ronald Ramey (agreement no. 19-070) and Tyler Messina (agreement no. 19-067).

Consider signing order of annexation of parcels to Upper Deer Flat Fire Protection District: The Upper Deer Flat Fire Protection District wants to annex a couple pieces of property into their fire district which the property owners have applied to have done. The County's function is to make sure they meet the requirements for annexation and that that the parcels are contiguous. The document will then be sent to the State Tax Commission for final approval. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the order of annexation of parcels to the Upper Deer Flat Fire Protection District. A copy of the document is on file with this day's minute entry.

The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY MIKE AND SHERRY DUDLEY FOR A REZONE

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by Mike and Sherry Dudley for a rezone, Case No. RZ2019-0005. Present were: Commissioners

Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Mike Dudley, Robert Richner, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is to rezone six acres from an "RR" (Rural residential) Zone to an "R1" (Single Family Residential) Zone for the purpose of completing the proposed Noah's Landing Subdivision, which was at the final plat stage in 2008 but was not completed. The road is completed and the power and pressurized irrigation system have been installed. In the time between 2008 and today the zoning ordinance changed and the proposed one-acre lots are no longer consistent with the ordinance for "RR" zoning, therefore the Dudleys are requesting to rezone to "R1" to allow for one-acre lots. The project will have five residential buildable lots and a road lot. Mike Dudley testified that he and his wife purchased the property with the intention of giving each of their children an acre to build on. Robert Richner testified he is in favor of the rezone request because one-acre lots will be easier for people to maintain. He has concerns about irrigation because his property was flooded in the past, and he believes the posted speed limit needs to be reduced from 45 mph to 35 mph. Commissioner White said the Golden Gate Highway District has no objection to the rezone and she suggested Mr. Richner speak to the district about his concerns with the speed limit. During rebuttal, Mr. Dudley said he is not aware of any flooding issues but the irrigation system will be checked by an engineer during the platting phase. Ms. Root confirmed that it will be addressed on the preliminary and final plats. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public testimony portion of the hearing. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the request by Mike and Sherry Dudley for a rezone for Noah's Landing Subdivision, Case No. RZ2019-0005, and to sign the findings of fact, conclusions of law and order, as well as the ordinance directing amendments to the zoning map. (See Ordinance No. 19-023.) The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 28, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 6/10/19

The Board of Commissioners approved payment of County claims in the amount of \$65,084.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Rogers Machinery Company in the amount of \$10,587.00 for the Facilities/Fleet departments

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND CONSIDER ACTION ITEM

The Board met today at 9:01 a.m. with County attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 9:08 a.m., Deputy P.A. Zach Wesley, PIO Joe Decker left at 9:08 a.m., DSD Director Tricia Nilsson, Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Solicitation of Interest - Canyon County ATM Services: Clarity Credit Union has moved out of their location inside the courthouse and took their ATM when they left. Although no formal process is required for this type of procurement a solicitation of interest was created and several vendors who can provide the service have been identified. The solicitation of interest will be sent to the vendors identified along with being published. Commissioner Van Beek asked if there will be any benefit to the county as far as fee collection - Mr. Porter said it should be revenue neutral however there will likely be a fee associated with accessing funds. An ATM is provided as a convenience to citizens doing business at county offices. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the solicitation of interest for Canyon County ATM services. ATMs will be located at the courthouse and DMV to start and will expand as necessary.

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

Commissioner Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:56 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.

FILE IN MINUTES

The Board filed the Canyon County Sheriff's uncollectible delinquent personal property taxes for 2018 in today's minutes.

CANVASS ELECTION

The Board canvassed the May 21, 2019 Election results today which are on file with this day's minute entry.

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

The Board met today at 10:34 a.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper discussed the following with the Board:

- Waste amounts were up 9.10% for April. FY19 is up approximately 6.8%. Revenues are up due to increase in fees. They have seen some changes in patterns with the increased fee. More people are recycling wood vs. putting it into construction/demo waste and construction/demo waste has changed with more staying in the appropriate county.
- Director Loper is going to work with Brad Goodsell to explore the wood collection contract and putting it out for RFQ.
- Working on CUP/site certification and consolidating the multiple parcels the landfill sits on. Additionally, he would like to take the parcel the gun range sits on and transfer it to the county vs. it being part of the landfill.
- Free day had about 1400 vehicle come thru.
- Looking to hire a temporary operator for the summer months
- 5 year NMOC (non-methane organic compound) testing- this is testing to show where we're at for emissions. If you exceed you have to put in a landfill gas system. If you don't exceed you're good for another 5 years. Results should be back within a couple weeks to say where the landfill falls.

The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY KARCHER FARMS, LLC AND SS KARCHER, LLC. FOR A DEVELOPMENT AGREEMENT

The Board met today at 1:30 p.m. to consider a request by Karcher Farm, LLC, and SS Karcher, LLC, for a development agreement, Case No. CR2018-0002 & OR2018-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD

Planner Jennifer Almeida, Todd Lakey, John Sabala, David Palfreyman, Lamon Loucks, Cheyne Weston, John Kernkamp, Debbie Haumesser, Andy Haumesser, Sheila Ford, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that as commissioner-elect she attended the original hearing on January 10, 2019 and she has listened to the audio and reviewed the information and she believes she is qualified to hear this case. Commissioner Dale made a motion to reopen the record to enter Exhibits 65 through 73. The motion was seconded by Commissioner Van Beek and carried unanimously. Jennifer Almeida gave a recap of the purpose of today's hearing. On January 10, 2019 the Board voted to approve a comprehensive plan map amendment and conditional rezone. The written decision for those elements have not yet been signed due to the fact that a hearing needed to be held on the development agreement which is the purpose of today's hearing. On January 10, 2019 the Board recommended two conditions of approval to be added to the development agreement: 1) centralized treatment systems be utilized and 2) that the development have an average density of 1.25 acres. Since that time staff has met with the applicant and Southwest District Health (SWDH) staff regarding the recommended conditions. SWDH has submitted a letter in regards to a level II nutrient pathogen study that was completed for Moonstruck Subdivision and also submitted a letter in which SWDH recommends that individual treatment systems be utilized rather than a community system (Exhibit #65). DSD also received letters from area property owners since the last hearing which are identified as Exhibits 67 through 73. Staff is recommending consideration of the SWDH letter as well as the level II nutrient pathogen study for Moonstruck Subdivision which is adjacent to the east of the subject property. After consideration of the development agreement and conditions the written decisions for the comprehensive plan map amendment, conditional rezone request, resolution, and ordinance will need to be addressed and/or adopted by the Board. Todd Lakey said we are not here to go back over the comprehensive plan, the character of the area or the rezone decision as a decision was made and approved after extensive testimony on both sides. We are here to discuss the development agreement and the conditions. This is a rezone and a lot of the technical aspects are addressed in the platting process and the development agreement conditions address those technical requirements that would need to be addressed later. For example, they already did a traffic study but the study was more general because they didn't know the specific number of lots and those kind of things so there's a condition they have to comply with that says they have to perform a traffic study and comply with ITD and the highway district requirements so thus the conditions in the development agreement. Mr. Lakey said they are in agreement with the conditions with one exception. They agree with the conditions regarding the commencement and phasing of the project, the traffic study requirements, agency compliance requirements, they prefer a smaller minimum lot size but they can live with the 1.25 average density calculation for the project which is based on the gross density. The condition they want to discuss pertains to the centralized waste water treatment system, which arose when Commissioner Steve Rule had questions about waste water. The applicants met with SWDH many times and in those meetings as well as the fact that individual septs are appropriate out there they simply relied on that as being a condition, but Commissioner Rule needed additional information, he asked about soil analysis so after the last hearing the team met with SWDH and Director Crawford was present and he understands the history, hydrology, and the soils out there and he mentioned that a nutrient pathogen level II study had been performed by the Moonstruck Subdivision

developer. It was a very thorough and expensive study that analyzed the geology, soils and hydrology and their determination was that individual septic systems were appropriate that met SWDH requirements and that SWDH, in reviewing that study, felt it was appropriate for this site as well as being immediately adjacent and in close proximity. The applicants are asking that Condition #14 be modified to allow individual septic systems in accordance with SWDH requirements. In response to Commissioner Van Beek's questions about the report being 18 years old and about the amount of water that will be utilized, Mr. Lakey said SWDH understands the study and they are very aware of current technologies and septic systems and they were supportive of the analysis being appropriate and applicable for the site. The technologies have improved in septic systems and also the residential portion of the project is not in the nitrate priority area, which only covers a small triangle of the commercial to the north on the property. Mr. Lakey said there was testimony by David Tuthill, the former director of the Idaho Department of Water Resources, and he looked at the hydrology of the area and the aquifer and his comments were that the aquifer is fully stable. He looked at the use of residential development on this site and the amount we're looking at and he felt the groundwater tables were stable, they were below the lake level and that there would not be a negative impact on the aquifer as far as immediate surrounding uses.

TESTIMONY IN OPPOSITION:

Cheyne Weston said much to the neighborhood's dismay the Board reversed the decision of the P&Z Commission on parcels of prime land outside the area of impact. Consideration is now given to the County code provisions governing rezones and development agreements. Conditional rezones together with development agreements are meant to be project specific, not merely generalizations that a developer will perform to agency requirements such as highway districts, SWDH, DEQ, etc. In context to public infrastructure, curb, gutter and sidewalks would typically be constructed on large scale projects such as this so that a local improvement district would not have to be implemented at a later date. A right-hand turn lane at Highway 55 and Orchard Avenue is necessary to mitigate the trip generation that will be created on South Farmway Road. A landscaped entry to the subdivision should be required for the density of houses proposed; a covered school bus stop should be required to protect children during adverse weather conditions; and with approximately 2.3 kids per household, roughly 175 children potentially will be dwelling here, with that many potential kids it seems a one to five-acre park would be suitable because Lakeview Park is already crowded on weekends and holidays. Surrounding property owners are concerned about private wells and septic contamination and they want to ensure that all contaminations or well deepening contributed to this development will be covered by the developer. They want to see all conditions placed upon the development strictly observed and not loosely construed, and they want to know how many current agreements are being monitored and who is delegated to check on those. Neighbors want to see a plan for fugitive dust mitigation and to make sure scrap lumber is collected and disposed of in a timely manner. Mr. Weston wants to see written documentation confirming the statement from SWDH which said the report that was prepared for Moonstruck Subdivision is adequate for this project. He also wants to see a detailed report that substantiates what Dave Tuthill said about the aquifer. John Kernkamp spoke of his concerns with the potential problems of this development involving the wells, septic tanks, traffic, and the schools. Everyone hopes all will be well but in reality nobody really knows how this will play out so in effect this development is an

experiment and because of that there must be conditions applied to make that sure that unexpected problems are dealt with correctly by ensuring that the homeowners and the County do not suffer from any financial harm resulting from the development and the only way to do this is to include specific conditions in the development agreement along with consequences if the conditions are not met and then creating a method for monitoring to see that the agreement is being followed. Code states that the development agreement must contain provisions for dealing with unforeseen circumstances and if something goes wrong with the engineering or installation or if existing homes are impacted the developer should have the responsibility to make things right. For a recommended list of conditions he referred the Board to his document dated 4/29/19 in the hearing file.

Debbie Haumesser spoke about the short-term and long-term consequences of this development and the need for abatement for things like dust and debris control, daily worksite cleanup, the impact of construction equipment, noise and traffic flow and other considerations. Long-term considerations and consequences in addition to many other concerns include an average of 2.5 cars per household for 75 new homes will bring an additional 187 vehicles into the neighborhood totaling a traffic impact of 1,312+ vehicle trips per day. How will the County maintain Farmway Road and manage the increase in traffic volume on a road that already is heavily impacted by residential and commercial traffic? She lives at the corner of Farmway and Lunar Way and vehicular traffic is heavy, few drivers adhere to the posted limit and nothing is done to enforce the speed limit. Traffic, noise, pollution, and litter are an additional daily aggravation. In addition to passenger vehicles Farmway seems to be a major conduit for over-the-road truck traffic (including cement trucks, agricultural trucks, and tractor trailers) traveling between Orchard Avenue and Karcher Road. The large trucks are loud and often emit noxious exhaust. Ms. Haumesser is disappointed that her peace and quiet have been greatly reduced due to the traffic volume and noise along Farmway Road. The proposed development will have a significant impact on traffic volume, will increase construction equipment noise, environmental pollution and general aggravation. Developments of this magnitude need to be limited to within city limits where existing services and ordinances are available and enforced to mitigate their impact on every level.

Andy Haumesser said in reading Exhibit B of the development agreement it struck him that this is not an agreement but rather a statement of the minimum legal requirements for this development. 15 of the 19 conditions simply reiterate the requirements that the developments are already legally bound to adhere to during this process. What is the point of having conditions that refer to compliance with all laws, ordinances, rules, and regulations when the developers are already legally bound to comply? The County Code sets out eight standards of evaluation for conditional rezone approval, which the P&Z Commission already determined were not being met at their hearing. At the Board's hearing on January 10, Commissioner White was thrilled when the developers billed this project as estate homes, but these hardly qualify as estate lots when the development does not include any of the basic amenities like curbs, gutters, sidewalks and streetlights. Mr. Haumesser questioned how often the project will be monitored for compliance, and he asked if the neighboring community is adequately protected from dust, sediment, and potential impacts on their wells. Zoning is a complicated and controversial process; the laws provide for input and comment from local agencies and the public for protecting the safety and property rights of the neighbors. The purpose of the P&Z Commission is to evaluate the comments and

determine if the project meets the criteria outlined in the code. The conclusion of the P&Z Commission was that the project violated 16 policies and 8 goals of the comprehensive plan, but the Board has agreed to these conditions with minimal to no specific requirements. He questioned where due process fits into politics in Canyon County when the entire P&Z process is circumvented by the County Commissioners who are entrusted with enforcing the codes. He is a professional geologist who spent over 40 years in the aggregate mining business. He echoed his wife's comments about the presence of farm equipment and large commercial traffic on neighboring roads.

Sheila Ford said the project violates 16 points of the comprehensive plan, and it introduces 39 acres of commercial land which is out of proportion to the existing character. People come to rural areas because they want to live in a rural setting, and if others want an urban environment they should develop in an urban environment.

Mr. Lakey offered rebuttal comments and said today's hearing is about the development agreement and with a rezone you put the higher level conditions on the project in the development agreement but there is another opportunity at the platting stage to include more detailed conditions specifically when in this case they have to perform a traffic study, have an engineering report, and obtain SWDH's approval. Those are typical conditions of a rezone and when you know the number of lots and the location of the accesses then you put those specific conditions on the plat. The highway district has that expertise and approval and we have to meet their requirements as far as spacing of the accesses, and if there are improvements required and the study recognizes there are likely some improvements required we will have to meet those requirements for improvements on Farmway Road. There may also be some requirements on accesses to the highway from ITD but at this point they cannot say a turn lane is required, they have to finish the traffic study, thus the general condition. He said the neighbors do not want urban density, but some of the things they are asking for are urban such as curb, gutter and sidewalks. Due to the lot size there is not a need for additional park space within this project. They had experts evaluate the issues on the site in regards to water and the expertise from SWDH and the nutrient pathogen study that was provided and those issues will be addressed and the requirements will be complied with. There is a condition that they have to comply and construct or bond the required road improvements and that is part of the platting process. With the analysis that's been done as far as meeting the technical requirements they agree with the conditions with a requested change to one condition: community systems have their challenges and you don't want to put them in if the science doesn't require it and in this case the science doesn't require it. The science allows for individual septic systems so they are asking for the modification to Condition #14 as discussed. Commissioner Dale asked if there will be dust mitigation during the construction phase. Mr. Lakey said they can include a condition in the CC&R's that advises homeowners they need to keep dust down when their homes are being built or the developer needs to keep the dust down. Commissioner White asked him to address the potential for financial damage to nearby homeowners. Mr. Lakey said the homes will be consistent with or better quality than the homes that exist in the area and that will support or increase property values. Commissioner Van Beek asked about the average gross density of project, and if a trust was established for Moonstruck Subdivision that safeguarded or provided some economic assurance in the event there was a problem. Mr. Lakey said he does not know, however, he has never seen the County require a trust, instead there is a requirement that improvements completed or bonded as part of the platting process. The

average density provides flexibility, it may result in some larger lots on the borders and smaller lots on the interior but they have to do to a subdivision engineering report and meet SWDH requirements so they cannot go smaller than the requirements allow. Commissioner White asked how DSD monitors compliance with development agreements. Director Nilsson said anytime they issue a building permit, if it's in a subdivision or if it's a conditional rezone, the agreement is reviewed. They have an extensive document management system and any conditions are reviewed and applicable conditions are then put on building activities within the development. Most of their code enforcement doesn't deal with developments, it's more with a person's use of their property. During the development process from site prep to completion of construction they are in required coordination with agencies to make sure their conditions are complied with. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close the public hearing. (The Board took a recess at 2:21 p.m. and went back on the record at 2:24 p.m.) Commissioner Van Beek said she was here on January 10, 2019 as a commissioner-elect and she's read the staff report from January 28 and she's had the opportunity to look through the information. It is a well-produced staff report. The P&Z Commissioners take their jobs seriously and they were unable to support this development and it tied back directly to the comprehensive plan's goals and policies. The farm traffic, the preservation of ground, and balancing personal property rights, growth in schools, and she thinks some of those boiler plate items need to be more firmly established before this development would go forward. The number of trips per day, number of students per day, farm equipment, heavy equipment, truck traffic and it's always a best case to hope those are accounted for but she doesn't operate by putting the cart before the horse. This is prime ground and it's outside an area of impact, and anytime you start developing outside of what city services offer understanding that that brings higher density but there is a balance to weigh what those services bring in the way of amenities versus a rural way of life. Highway 55 is an area that's been problematic, it's still heavily agricultural and it's still experiencing a lot of traffic and she is having a hard time finding support for this project because it's premature to the area. Commissioner Dale said it was suggested this project is an experiment, but we do have history on how these things turn out and it's called land use history. We may not know how every development will turn out but that's why we do the scientific study to make sure we're following historical examples of what succeeds and what needs to change. It is sort of an experiment but not as much as it may seem because there's a lot of background history to make a project like this work and make it successful and compatible with the neighbors. Regarding the geological study for Moonstruck Subdivision, it's a study on which direction the water tends to drain and how the layers of soil and different types of soil are impacted in that area and yes, it was done 18 years ago but the geology doesn't change, it's the same now as it was then. The geology on this ground hasn't been touched. They concluded it's not going to Lake Lowell, there's plenty of water there to support the wells in this area. He said the Haumessers asked a good question about why large trucks are on the area roads, he agrees the truck traffic should be on the state highway. He is in favor of removing Condition #14. He has direct knowledge of a community waste water collection system that wasn't put in correctly and it cost people a lot of money to redo it, part of it is the lack of flow that creates a problem with those community collector systems so he's in favor of the individual septs. He is in favor of adding a condition specifying methodology of dust mitigation during construction. Commissioner White said she is not ready to make a decision. The development agreement

did not exactly reflect her concerns and desired outcomes, in fact, it didn't address the things the Board wanted to see specifically on the 1.25 average density. It was her understanding that 1.25 would be the smallest acreage that would be allowed. She wants more time to review the information in the case packet. Commissioner Van Beek said we are making decisions for other people and it's nice to indemnify ourselves but a thorough evaluation of how that's going to impact the lives of those we approve or disallow needs to be taken seriously. She wants to address the geology component of this and she wants to have an expert weigh in on wells being punched in. We have not had testimony that says yay or nay on the change to the strata in the geology and that would need to be revisited. Commercial jobs, as outlined on the land use matrix, do not generate a significant number of jobs. Access was also an issue. We need to make sure this project is done correctly for not only the new residents but the existing landowners and given that we are going outside an area of impact and we are going against the P&Z Commission's recommendation we need to evaluate this carefully and she is still not at a place where she could support the development agreement. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the development agreement deliberation to June 17, 2019 at 8:30 a.m. The hearing concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 29, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 9:04 a.m. for a legal staff update. A request was made to go into Executive Session.

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy Clerk Monica Reeves and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

MEETING WITH PUBLIC INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:32 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following:

- Jail bond debrief meeting is coming up on Friday. Ms. Bilbao will not be here so Mr. Decker will update her after the meeting.
- Household Hazardous Waste event is June 12th at the Idaho Center.
- He is meeting with Mike Davidson from Juvenile Probation about the kickball tournament/truancy event.
- Emily Lowe with the Idaho Press will be doing a photo shoot and follow-up story with the daughters of the Kester's.
- Commissioner Van Beek is scheduled for the KBOI interview on June 12th.
- Leadership training with Ron Price and Associates takes place on June 12th.
- Census outreach, Mr. Decker has passed his information along if there is anything the representative needs.
- He will work with the PA's office regarding the records request from Mr. Noble.

The meeting concluded at 9:37 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY SPENCER CROSLAND OF AMERICAN HOMES, LLC, FOR A CONDITIONAL REZONE, CASE NO. RZ2019-0001

The Board met today at 10:31 a.m. to conduct a public hearing in the matter of a request by Spencer Crosland of American Homes, LLC, for a conditional rezone, Case No. RZ2019-0001. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Spencer Crosland, Heather Sessions, other interested citizens, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is to rezone a portion of a 49-acre area from Agricultural to R-1 with a one-acre average minimum lot size. A development agreement is included to limit division to what is allowed with an administrative land division which in this case four total parcels, after that they wouldn't be able to divide it anymore. A 10-acre portion is already zoned R-1 and the rest is zoned agricultural. The applicants don't want to be subject to that 10-acre area, they want to be able to use the full acreage to create their four lots. The future land use plan shows the area to be residential, and the City of Melba has designated it as residential as well. There are 10 platted subdivisions within the area. The potential impacts were brought up that if you plat it they can create up to 49 one-acre parcel which means 49 individual wells and septs and the City of Melba is concerned about the impact on their resources. At the same time when you put a subdivision adjacent to the city limits and not annex you also risk

impacting their ability to expand so the development agreement is limiting the applicants to what they can already have which is four lots. After that they will need to either annex into the city or come back and modify the development agreement to allow it if things have changed. Commissioner Dale said the Board met with Mayor Dickard about the city's concerns with allowing subdivisions which prevents the expansion of the system. Director Nilsson said the city wasn't opposed to the rezone but they didn't want to see additional divisions. Spencer Crosland testified that one of the building lots will be across the canal in the top right corner space, so they will not be on the west side. He said he likes the condition because that limits it, they can annex where they plan on doing two three-acre parcels and then annexing 10 acres in to the city and that will help with the city's concern about wells and septs. Mr. Crosland testified they are not changing the amount of lots available, they are just moving them to the yellow space designated on the map contained in the record. Everything on the east side of the ditch is dry ground. Heather Sessions testified that the area is a strong agricultural community and she is worried about changing an established farming area into a residential development. She is also concerned about the impact the development could have on the wells in the area, and she noted that until the property is annexed the city will see very little benefit in terms of tax dollars from the project. During rebuttal Mr. Crosland said there are currently four lots available so it will not change the amount of wells that are available. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Mr. Lister said the request does not change the amount of buildable lots, in fact, when looking at different renditions of what it could look like it came out to 13 average acres per parcel, so if anything it would look more like a rural lot than a low density or medium density lot, and when the property is annexed into the city, Melba will get the fees. Commissioner Van Beek referenced the comprehensive plan policies noting that we are to promote orderly development that benefits the public good and protects the individual with a minimum of conflict. Land use laws and decisions should avoid imposing unnecessary conditions or procedures on development approvals and given that this property can take an administrative split without the permission of the Board, but just retain the agricultural zoning, she has some difficulty finding support for it especially where we are talking about the loss of agricultural ground. She supports Mayor Dickard's concerns and because this is in the area of impact in an unincorporated portion of the county she is becoming increasingly sensitive to rezoning those areas. It creates more work for staff and the city to try to work around development agreements when the reality is that it's contiguous and the applicant should first explore the opportunity to annex. Granted, the number of splits would be the same but what we're really talking about is preservation of agricultural ground. Commissioner Dale believes the rezone fits with the city's plan and their desires to expand the city, and he appreciates Mayor Dickard sending the letter saying they are not in opposition to the request as it conforms to their comprehensive plan for residential use for this area. The outcome of the conditional rezone does not further impact city services any more than what the applicant can currently obtain through a land division application. Commissioner Van Beek would like the mayor to weigh in with the information contained in the development agreement. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, they voted unanimously to continue the hearing to June 5, 2019 at 8:30 a.m. so that Commissioner White can vote on this matter. The hearing concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM
CALDWELL, IDAHO MAY 30, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek – 2019 Budget and Levy training
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 6/10/19

The Board of Commissioners approved payment of County claims in the amount of \$73,690.47, \$148,139.39 and \$194,519.30 for accounts payable.

APPROVED CLAIMS ORDER NO. 5/30/19

The Board of Commissioners approved payment of County claims in the amount of \$285.00 and \$609.00 for accounts payable.

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$35,758.00 for the Fleet department
- All Data in the amount of \$4128.00 for the Fleet department
- HP, Inc. in the amount of \$1121.00 for the Information Technology department
- Right! Systems, Inc. in the amount of \$1320.00 for the Information Technology department
- Hansen Janitorial in the amount of \$12,884.00 for the Sheriff's Office
- Dell in the amount of \$74,645.60 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Sud's Tavern to be used 6/8/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 6/1/19 – 6/2/19 for a team roping event.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Lets Wing It, LLC dba Wingstop. See resolution no. 19-094.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Eva Contreras De Cuevas dba Tacos el Centro; Country Line Wine Co. LLC dba Country Line Wine Co.; Precept Brands, LLC dba Ste. Chapelle Winery/Sawtooth Winery; El Cafetal Colombian Restaurant, LLC dba El Cafetal. See resolution no. 19-095.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jaura, LLC dba Lakeshore Food Mart; Little Saigon Vietnamese Restaurant, LLC dba Little Saigon Vietnamese Restaurant; Pantera market & Mexican Restaurant #2, LLC dba Pantera Market #2; Burnt Lemon Grill, LLC dba Burnt Lemon Grill. See resolution no. 19-096.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Clifford Randall Raymond dba Red Dog Saloon; La Michoacana Mexican Restaurant, LLC dba La Michoacana; Coronar, LLC dba Los Mariachis Mexican Restaurant #2; Hispanic Cultural Center of Idaho, Inc. dba Hispanic Cultural Center of Idaho, Inc.; Shewil, LLC dba Slicks Bar. See Resolution no. 19-097.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-763, 2019-788, 2019-727, 2019-770, 2019-769, 2019-780, 2019-851, 2019-786 and 2019-790. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue initial denials with written

decision within 30 days on the cases as read into the record. Commissioner Dale made a motion to approve case no. 2019-0903. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Tom Dale, Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., Deputy P.A. Dan Blocksom left at 9:14 a.m., Deputy P.A. Zach Wesley, Facilities Director Paul Navarro left at 9:23 a.m., Fair Director Diana Sinner left at 9:23 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing agreement with Motorola for purchase of Callworks 911 call-taking system software licenses, installation services, training, and maintenance services for the Canyon County Sheriff's Office: Chief Dashiell spoke about how the vendor was selected. A couple weeks ago a sole source notification was published as required. Legal has worked with Motorola to get the contract as they'd like it. The contract is established over a 5 year period where it's paid on the front end and the system maintenance warranty extends for the full 5 year period, it will not need to be renewed annually. The price is locked in at about \$302K which is slightly more than the current vendor quoted but without having to pay \$60K/year in maintenance fees it will actually be a savings. Dan Blocksom spoke to the procurement side stating that this is available thru the HGAC and under code section 67-2808 (a) (2) (VIII). Legal has no issues with the contract. This is a cooperative grant with Owyhee County Sheriff's Office; Canyon County will be the primary and they will sub-off so there will be some cost savings for Owyhee County however the majority of the equipment will be held at Canyon County. Chief Dashiell clarified that the additional \$14K difference will be coming out of 911 fees. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the agreement with Motorola for the purchase of Callworks 911 call-taking system software licenses, installation services, training and maintenance services for the Canyon County Sheriff's Office (see agreement no. 19-072).

Zach Wesley spoke about the recommendation for the Fair Expo Building Design Services RFQ. Two proposals were received and then reviewed by a committee that consisted of Director Navarro, Director Sinner and the chairman of the fair board, Josh Sanders. The recommendation is to go with Cole Architects in Boise. They have a relationship with a national fair planning firm that can assist with getting the maximum use and flow from the building. Once the Board accepts the recommendation Mr. Wesley will send letters to both firms that submitted proposals letting them know the decision that has been made and then will enter into contract negotiations. An action item was not agendized for this recommendation so the official action will be scheduled at a later date.

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

Commissioner White made a motion to go into Executive Session at 9:24 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) to discuss records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:51 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.

RESCHEDULE PUBLIC HEARING REGARDING THE REQUEST BY DOORNENBAL TRUST FOR A REZONE, CASE NOS. RZ2018-0021 & DA2019-0001

The Board went on the record today at 10:33 a.m. to reschedule the public hearing in the matter of a request by T-O Engineers, representing Doornenbal Trust, for a rezone, Case Nos. RZ2018-0021 and DA2019-0001. Present were: Commissioners Pam White and Tom Dale, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Today's hearing was continued from March 5, 2019 in order to address the development agreement which was requested by the Board, however, there was an error with the posting for this hearing so DSD started the re-posting process yesterday and they need at least seven days before it can be heard. Originally staff thought the hearing could be set for June 10 but due to scheduling conflicts it had to be changed to June 6, 2019. Upon the motion of Commissioner Dale and the second by Commissioner White the Board voted unanimously to continue the hearing to June 6, at 11:00 a.m. The proceeding concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY SHEILA CIGICH AND SUSAN JOHNSTON FOR A PRIVATE ROAD NAME CHANGE, CASE NO. RD2019-0005

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of a request by Sheila Cigich and Susan Johnston for a road name change of Hihath Lane to Convent Lane, Case No. RD2019-0005. Present were: Commissioners Pam White and Tom Dale, DSD Planner Dan Lister, Jackie Denig, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. Hihath Lane was previously Helena Lane when it was approved through the Pleasant Ridge Sub in 1969. In 1985 it was changed according to codes at that time. Our current code doesn't allow a last name or a first name to be used for a

private road which this is a last name. The applicant is requesting it to be changed because they don't like the name and because they've had issues with it becoming a lane or a drive so hopefully the name change fixes that. They are requesting the name be changed to Convent Lane. Our GIS and addressing staff have reviewed it and it meets code. Staff is recommending approval of the road name change. There is a letter in opposition expressing concern that if they spilt it they'd have to use the lane and they don't like the name. Additionally they are concerned it will introduce a church use on the property by changing the name. There is rebuttal to the letter saying it will not change the use and a road name change doesn't allow a church use or group home. That is not their intent and there is no evidence it's for a group home or church use. The name change only affects the applicants' property. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner White supports the road name change. Commissioner Dale said it's a private lane that's maintained by the applicants who are the only property owners affected by the name change, there is no reason not to grant this. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to grant the road name change from Hihath Lane to Convent Lane and make the appropriate designation on all County maps. The signed findings of fact, conclusions of law and order are on file with this day's minute entry. The hearing concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2019 TERM

CALDWELL, IDAHO MAY 31, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 6/10/19

The Board of Commissioners approved payment of County claims in the amount of \$112,978.31 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Bubbly Bar to be used 6/8/19 for a fundraiser.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Campos on Lonestar dba Campos on Lonestar; Flying Pie Pizzeria 2 LLC dba Flying Pie Pizzeria. See resolution no. 19-099.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Red Robin International, Inc. dba Red Robin America's Gourmet Burgers & Brews. See resolution no. 19-100.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Intermountain Management, LLC dba Fairfield Inn & Suites. See resolution no. 19-101.

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. 19-102.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for El Tenampa, Inc. dba El Tenampa. See resolution no. 19-103.

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER ACTION ITEM

The Board met today at 8:30 a.m. with Development Service staff to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a resolution approving a fee reduction for an administrative decision for Dan & Lyndee Ensley: Mr. Ensley's daughter is living in an RV on their property which is a code violation. As a solution they would need to get a temporary use to live in an RV for no longer than 90 days outside an RV park. They have requested fee reduction from \$300 to \$100 which Director Nilsson feels is reasonable and will cover DSD costs. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving a fee reduction for an administrative decision for Dan & Lyndee Ensley (see resolution no. 19-098). Director Nilsson spoke about indieDwell and manufactured homes and a discussion was had about revising the ordinance to allow for more tolerance allowing people to live in RVs, however, they cannot be certified in regards to building codes therefore it may not be a liability the county wants to take on. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ELECTED OFFICIALS FOR A DEBRIEF ON THE MAY 2019 JAIL BOND PROJECT

The Board met today at 9:02 a.m. with the elected officials for a debrief on the May 2019 jail bond project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Assessor Brian Stender, Treasurer Tracie Lloyd, PIO Joe Decker, interested citizens, and Deputy Clerk Monica Reeves. Ysabel Bilbao, who served as the jail bond consultant, was not present for the meeting but she did prepare a one-page summary of the concerns expressed at each gathering which included the following: the \$187 million cost to build the jail; the community's desire to make sure the jail has accommodations for a mental health component; and the concern about public safety given that inmates are being released. Commissioner Dale asked if any part of the discussion is eligible for executive session. Sam Laugheed said it should be considered an open session discussion but if the Board finds itself getting into something that has legal implications or is the subject of confidential communication in the past we can talk about whether an executive session is appropriate. He is looking for direction from the Board and the other elected officials about future meetings and avenues of research. The jail is our biggest concern and he would like a renewed commitment that it remains a primary focus. Commissioner Dale said if there was a weakness it was the fact that for 10 years there weren't any bonds put forth and it languished without any attention. There was no concerted effort being made to bring this to vote again as far as how do we solve this issue. He would like to bring this back before the voters every six months if possible but that's not realistic because we have to do an intensive analysis, perhaps a compromise and talk to the right people to formulate a reasonable plan that's enough of an alternative that people would reconsider. We need to keep this front and center and at a minimum we need to have another plan going for a bond by next May if not sooner. Commissioner Dale referenced a report he received from Piper Jaffray, and when he learned he was the only one who received the report he said he would forward it to the group. Prosecutor Taylor said we need to continue with the Sheriff's blue ribbon committee and continue the educational outreach even if we're not running bonds because it has to be an ongoing process and not something that's done two months before the vote. We need to continue the educational aspect as well as trying to create a long-term plan, but what stuck out in Ms. Bilbao's summary was her point that the County must come up with a different action for a jail because a bond is not going to pass.

Commissioner White asked about the possibility of obtaining a copy of the blueprints used by Skagit County, Washington since it is similar to one Canyon County had in the past. Sheriff Donahue said there are municipalities in the Seattle area that built a facility, which we own the plans for, that accommodates misdemeanor arrests but they found a lot problems with that design. Skagit County took those plans altered several things and built a far more efficient facility and when he and others toured the two facilities they found the Skagit County facility to be far more efficient from an operational standpoint. The Sheriff said they won't give us the blueprints because it's a secure facility but he will reach out to see how much they would be willing to share. Commissioner Dale asked how similar those plans are

to what was proposed in the DLR concept. Sheriff Donahue said the Skagit County facility was taken into account by DLR as was the SCORE facility. He toured both and the efficiency of one was far better than the other, and we have that information but it was part of DLR's exhaustive study to come up with the plan we would need. He said we might be able to purchase the plans but he doesn't think it's necessary because DLR clearly outlines what our needs are. Sam Laugheed said what he's hearing is the balance between putting money into something pre-bond and trying to have the revenue upfront. The County has done both ways and in previous attempts we went through design development to almost completion and put in millions of dollars and ran a bond that was successful and this time we relied on the estimates and the bond counsel recommendations and went with that. There is something in the middle where we can do design development to 20%-30%, which could cost millions, but we could have a more narrowed down and direct idea of what the cost would be based on the concept design which was based on the SCORE and Skagit County facilities. Because the parcel is such a unique shape we only have so many ways we can fit beds into that shape and so he doesn't know if there are a lot of different ideas out there other than drilling deeper down into the concept we have but we could come up with a more definite cost. We could go through an RFQ process to hire a construction manager/ general contractor who would work with an architect and come up with the value engineering process to get to a price proposal. Commissioner Dale asked if there's not a way to leverage those plans that have already been done so we don't have to start from square one with the design. Sheriff Donahue said Mr. Laugheed nailed it. We can gain knowledge from others but it still comes down to our own unique facility and property needs. Mr. Laugheed said it would be worthwhile to reach out to the administrators of the facilities in Washington and see how much it will cost to get the plans so we can see what kind of value we can derive, although he is hesitant to say we can rely on it and avoid additional expenditures. Chief Dashiell said proprietary information is a concern and it could go back to their architect. Commissioner Van Beek proposes that we start construction in fall of 2021 with interest payments and the first payment due in 2024. By utilizing the following four factors she proposes to get the payment just under \$7M on the first \$96M without raising new property tax:

- \$2.3 million in foregone which was allocated in 2019 for Pod 6
- \$3 million in urban renewal dollars that belong to the taxing districts of Canyon County that we would be able to utilize as they return
- \$400,000 in corporate tax incentives (slated in 2023)
- A capital improvement plan or a fund for the justice facility that would be 15% of new construction.

The amounts are slated for 2023. With a construction start date in the fall of 2021 and with two years of construction that puts it at 2023 with the first payment due on the construction loan in 2024. She said the subject property for the proposed jail is slated to be roped into an urban development area and the City of Caldwell needs to come forward and declare intent on that. She also said she met with a city representative who said they were offended that someone had spoken for them on the flyer that was used because it does not represent Caldwell's position. Commissioner White had questions regarding how the \$96M bond amount was derived and how would the subcontractors/suppliers be paid. Assessor Stender

summarized his understanding of the proposal as follows: from predicted taxes that will be coming to the County in the future with seeing a zero increase to the expectations at that point the revenue stream would cover a \$96M loan value and if we needed a difference then we would bond for the difference so it wouldn't be as big an increase, it would only be \$100M at that point. Commissioner Van Beek agreed. Joe Decker said if we did the \$96M we'd have to be a fully operational facility, you can't build 2/3 of it with the \$96M on the hope that people will pass the other \$87M bond because then you're stuck with a half-built jail. Assessor Stender said the plan is that there would only be a net increase on the difference between the \$96M and whatever that final billed cost is so instead of \$8 per \$1,000 a month, it might be \$3.50 on \$100,000.

Commissioner Dale said those are good considerations but if you're going to do it you still have to pass a bond for the whole amount otherwise you won't have the authority, the construction ability on the loan. He again mentioned the Piper Jaffray analysis and said with a lease to purchase arrangement one of things that stands out is the construction costs are upfront and paid for by the construction firm and the people who own it. Legally you cannot make payments on that lease to purchase until occupation so that would mean they would have to front all the construction costs, and they figured it on a 30-year lease to purchase and by the end of 30 years we would own it. That's an option we need to fully explore. We have an estimate of \$187M to build 1,055 beds but if we drop that down to 700 beds it's not going to drop the cost 30% because you have to have all the infrastructure for the full buildout. It leaves us in a real quandary of how to get there.

Sheriff Donahue said whether you're talking about \$187M or \$96M, we need 1,055 beds, that's indisputable. Back to Sam Laugheed's point, you have to have engineered plans to show what the \$96M will cover. People are sick of the property owner paying for these things but there is another category we need to talk about it and that is the local option sales tax as a funding mechanism. He cannot run another 700-bed facility because there's no way he can hire the 35-60 people to run it at a \$3M increase a year. Where would that money come from? Commissioner Van Beek agreed that two facilities would be inefficient. She then asked if the Sheriff's Office can move outside the city limits so Sheriff Donahue explained that when DLR was first asked to do the study there were tasked with looking at these categories: 1) build a facility that would incorporate the new jail; 2) build that and move the Sheriff's Office from the courthouse to allow for expanded growth into the future; and 3) and if the Sheriff's Office couldn't move they could inhabit the Dale Haile jail. Commissioner Van Beek asked if the Sheriff would find it beneficial if Caldwell had property that was closer to the courthouse campus. She would like to see the Dale Haile facility go away completely. She doesn't like the idea of refurbishing it because it wasn't proven cost efficient in the DLR study so when we start looking again at what are we going to do we have to get some buy in from the chief of staff at Caldwell. Sheriff Donahue believes the Dale Haile facility needs to be destroyed. We have to have a facility that accommodates what we have today. The Prosecutor's Office and the Sheriff's Office work closely every day and we know those numbers are extreme, we know our violent crime is higher than our misdemeanor crime so we know we are housing more violent criminals than we've housed before. We are housing more violent females than before and that's a trend that will continue to increase so we have to plan for that and make it as efficient as possible. He recently attended a meeting with the officials from Nampa, Caldwell, Parma, and Wilder and their biggest complaint was the amount of time their patrol officers have to spend waiting to get someone booked into the

jail. That's not his problem. His staff can book 1 to 1 ½ people at a time while Ada County can take in 5 of 6 at a time. He spoke of his frustration that the mayors and police chiefs have been absent when it comes to the jail bond efforts. Commissioner Van Beek spoke about how the citizens group was able to get media attention on this issue and so how do we harness that so that group has accurate information on the need so that we can get those groups behind what we're trying to do. She does not have a desire to pursue more studies and things that won't work. If we can continue to do this in an effective way and get the right buy-in we can capitalize on the amount of education and buy-in we get from the community. Fear is a poor motivator and for the long-term we need to have something concrete that says here's why we're making the decisions we're making, here's what we evaluated. Get numbers, facts, things we can present. Chief Dashiell said we better stop worrying about the long-term and start worrying about the short-term because we are not going to be able to survive the next four years. We'll be looking at alternatives because we are out of space. Clerk Yamamoto said that's why we're doing the trailers. Commissioner Dale said he doesn't look at this bond as a failure, it's the start of a conversation that's been dormant for nearly 10 years and he believes we have to continue to pound on the legislature for local option sales tax, not just for jails, but for other things that cities and counties need. The chairman of the senate revenue and taxation committee and the chairman of the house revenue and taxation committee are both Canyon County residents and neither one of them allowed the bill that was proposed by IAC to even be heard. Sheriff Donahue said it is ludicrous. He attended meetings with IAC and Senator Rice and Representative Collins who both promised him that they would give us a hearing on the issue and both negated to do so and that's a travesty to this County, and this group of elected officials and the concerned citizens group should be standing in the door screaming at them for standing in the way of progress. He said Senator Rice made a comment the other day that there's no way he's going to let that bill have a hearing in his committee, but it's not up to him, the people have a right to be heard on this. In response to the suggestion that we have an advisory vote Sheriff Donahue said we're out of time and the legislature needs to listen. Commissioner Van Beek said we have three options before us: local option sales tax to see what that looks like; the lease option that Commissioner Dale brought forward; and reallocation of funds that will return to the County. So, is there a way to have people work together to look at each of those and bring information back to the committee and report on it? Commissioner Dale said he spoke with Cory Cook with BSU Public Policy Office about doing a short survey and getting some data. The other suggestion would be to look at an advisory vote, we couldn't have another bond ready to go in November but we could have an advisory vote in November on local option sales tax and that could become a building point to start from to go back to the legislature. Even if the legislature were to pass this in the next session we wouldn't see any money from a local option sales tax for at least a year so we're still looking at a time crunch which is why we're getting the trailer pods. We need to keep this conversation in front of people by these means, maybe a survey and maybe an advisory vote in the fall.

Clerk Yamamoto said we picked the worst time in history to build a jail with high construction costs and high taxes. He has no desire to run another bond anytime soon unless it's significantly different than what we have. As far as an alternative plan, he disagrees with Commissioner Van Beek's numbers and he thinks a promise of a no-tax raise would be a lie. With regard to starting a capital fund, everybody is for that until they find out there's no magic money that goes in there, it's still property tax. He has no desire to start a fund and

siphon off taxpayer money to put it in a fund that's going to get 2.5% interest. He'd rather leave it in the community. Thank goodness we have the trailers coming because that will help, it's not the answer but it will take some heat off and it will buy us some time. He and Controller Wagoner will take a hard look at some creative financing and what can be done, but he's not into "hocus pocus stuff." He believes the local option sales tax is a huge hill to climb, however, it is worth the effort. He knew the bond would fail but he was happy to see the 2/3 vote because we can go to the legislators and say the people have spoken, they don't want to pay for it. With the growth this County is experiencing we are stretched to the limit, and he's not just talking about a jail, it's about infrastructure countywide on this campus and it will be expensive. It is imperative that we have another vehicle to pay for capital, we cannot lay it all on the taxpayers. If we run another bond for \$187 million we'll need to find new jobs. Commissioner Dale said he's a proponent for getting impact fees set in the county for public safety. He fails to understand why schools are not allowed to assess impact fees because that's a direct impact on growth and the need for new schools and that's 30% of our property tax and that's another avenue for the concerned citizens group to get involved with. We have to have something besides property tax to pay for these required services and so far it hasn't gone anywhere. Clerk Yamamoto said state income taxes stayed the same for many decades while the state passes down new expenses to the counties. Property tax is picking up what the state is unwilling to.

Commissioner Van Beek asked if there is tolerance for having some division of labor, of people garnering information. Prosecutor Taylor suggested an invitation be sent to Senator Rice and Representative Collins to meet with the nine elected officials and discuss local option sales tax before the legislative session. (Treasurer Lloyd left at 10:05 a.m.) Sheriff Donahue said his office has invested a tremendous amount of man hours into this, more than they can ever do again, and he agrees with the Clerk in that he does not want to see another bond on the property taxes for \$187M jail. We have to find an alternative financing source whatever that is, but it's not a bond. Commissioner Van Beek said she's just seeking information, the best decisions are going to come when we get buy-in and are allowed to speak freely. Sheriff Donahue said he'll gladly walk her and the other elected officials through the jail and explain how the pods work and how the classification system works in order to give her a better understanding of it. Commissioner Van Beek said it was very effective to have people go through the jail and she believes we need to do that for the juvenile detention center as well because there's been a suggestion based off the Carter Goble Lee report that it could be re-converted. Sheriff Donahue said they have thoroughly investigated that in 2013 and it will not work. Commissioner Dale said his understanding of the Carter Goble Lee campus study was that it looked at the option of utilizing the juvenile detention center for adults but that was an option that was rejected. Commissioner Van Beek said there's some misperception out there that it would be a viable option. She then asked Clerk Yamamoto to articulate his idea for a capital improvements plan. The Clerk said he calls it a strategic plan – you get all the stakeholders together and determine what the needs are, then prioritize those needs and then talk about how to fund it. The whole idea being is getting everybody on board with looking at everything we can't afford. The number one need is the jail, however, what we need to pay attention to is we can talk about all the nuances but it still boils down to money. So we could have an opportunity when something happens where if we have this strategic plan master list we can identify an opportunity where we can do something for auto license for example. It's a plan where everybody has an idea of how

to move to forward. A few years ago when the Caldwell School District approached the County about giving the Van Buren School to us but one of the commissioners at the time said that's not a good idea. The Clerk lobbied for that and said let's add it to our campus but then they later came back with a number of \$4.2 million. The school district later remodeled it and put other kids in it. Commissioner Van Beek said the counterweight to the strategic plan is if we do these little projects they will take funding away that could be put toward a big project so we have to consider that. Clerk Yamamoto said with the growth we are experiencing is scary because we have a lot of needs and it's only going to grow. Sheriff Donahue likes the strategic plan idea and thinks we should make steps to do that. What's interesting is when you talk about needs from all the different aspects, Nampa and Caldwell are our biggest customers specifically for the jail and they should be in the game somehow. It goes back those city councilmembers, chamber members and mayors talking to legislators about finding alternative funding sources instead of putting it on the backs of property owners. Sheriff Donahue said they are going to do business as they do every day, regardless of whether the bond failed or not and they'll continue to operate the jail to the best of their abilities, but before we end this meeting there is that other option outside of local option sales tax and it's the private public partnership for the lease option to buy and we need to explore that. There are a lot of companies who are looking to do that right now and as elected officials we need to be looking at that option in case the legislature fails us. Assessor Stender suggested all members of the house and senate revenue and tax committee be invited to the meeting on local option sales tax.

There was discussion about how the new jail was designed to have some programming space because the taxpayers wanted to see it addressed since it's such a systemic problem in our society. There was also discussion about how the average daily stay in the jail is between 15-17 days and not a lot can be accomplished in that time period.

Commissioner White said she will follow up with some bullet points for a matter of thought and we'll meet again. The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the State of Idaho Department of Water Resources change in ownership for water right no. 63-9346 in today's minutes.

THE MINUTES OF THE FISCAL TERM OF MAY 2019 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 29th day of August, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Pam White

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk