

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 3, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross
 *Commissioner Tom Dale, Vice Chairman *(On vacation, but participated via
 teleconference for the budget meeting)*

APPROVED CLAIMS ORDER NO. 8/10/20

The Board of Commissioners approved payment of County claims in the amount of \$125,985.45 and \$52,661.67 for accounts payable.

MEETING WITH CLERK AND CONTROLLER TO REVIEW THE FY2021 BUDGET

The Board met today at 1:33 p.m. to review the FY2021 budget. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Via Webex: Commissioner Tom Dale, Director of Misdemeanor Probation, Ambulance District Director Michael Stowell, Chief Probation Officer Elda Catalano, Alissa Kirkpatrick, and Rachel Spacek from the Idaho Press-Tribune. Controller Wagoner said they met roughly a week ago and presented the Clerk's suggested budget for Fiscal Year 2021 and a few of the key highlights of the suggested budget included a freeze on property tax. For 2020 we levied \$54 million in property tax, and they are proposing not to take the 3% allowable increase, not to take allowable new construction increase, and also to take advantage of the \$10 million in property tax savings provided through the CARES Act. Overall the total expenditure budget was down roughly \$2 million from 2021 compared to FY2020. They are here today to follow up on any questions and have further discussion relating to the FY2021 budget. Commissioner White asked what it will look like if we take new construction because her worry is that during last year's legislative session one of the proposals was that they would take the new construction away. Clerk Yamamoto said we are in a unique time when we can actually afford to do this for various reasons and he would like Canyon County to send a strong message that we are very cognizant of the property tax implications and what's going on. He added that his sister talked with three legislators this last week, Senator Rice, Representative Moyle and Speaker Bedke, and they are very happy with the proposed budget. As to Commissioner White's question, Controller Wagoner said it's an excellent point and they did have that same conversation and they feel like it's an opportunity to do something that is going to really provide property tax relief. Commissioner White said that gives her more comfort. Commissioner Van Beek emailed a list of questions she feels are the due diligence portion of the budget and what it's going to do going forward. Is this a temporary property tax reduction for FY2021? Controller Wagoner said yes, it is his understanding this is a onetime application for CARES Act monies to reduce the property tax levy for one year. Commissioner Van Beek said and so in that property tax reduction we are

substituting \$10 million of federal funding from the CARES Act, we are lowering the levy rates so we're taking \$54 million down to \$44 million and lowering 26.5%. What's the plan? Where's the reintroduction of that \$10 million for FY2022 and how much of what's been cut represents permanent tax relief? Controller Wagoner said at the moment, a onetime reduction, but we feel a reduction is a reduction and this does provide the people immediate property tax relief. It leaves more money in their pockets. Next year the \$10 million would likely need to be replaced. There are certainly things that will change and evolve between now and next year. This is a onetime reduction to benefit the people in this county and provide some property tax relief. Commissioner White asked if we took the property tax would it reduce what possibly will be needed next year. Controller Wagoner said he doesn't know that it will reduce what will be needed next year in and of itself because there is no financial benefit to the county by participating in that. It's a \$10 million decrease in property taxes and a \$10 million increase in a federal funding source so there's no financial windfall, financial benefit to the county. The benefit is to property taxpayers specifically. Commissioner White asked if it will reflect the lack of it. Controller Wagoner said next year it would reflect the lack of \$10 million in federal funding which would likely need to be replaced by something, possibly property tax. Commissioner Van Beek said we have essentially taken \$2 million of "B" budget items and replaced it with new and reclassified and salary increases. Controller Wagoner said there is a \$1.2 million investment in the compensation plan and that would likely carryover. There are also cost reductions in areas of our indigent services where we have reduced our indigent medical line item by roughly \$600,000. There's also been the elimination/unfunding of some positions in the indigent office that we hope are permanent. There's also been unfunding of positions in the juvenile detention center. Commissioner Van Beek asked if the total for the positions would be funded from fund balance or whether that was money that was a placeholder in the budget itself. She said it would be nice to have that information so the Board can evaluate what potentially would be coming back as an addition to the budget. And still the question remains it is going to be true that it has to be a property tax increase that funds that money. It's Newton's third law for every action there's an equal and opposite reaction so we are going to provide some relief but that spike is going to be devastating for taxpayers unless there is permanent property tax relief couched in this budget. This is a plan that will be devastating without a proposal that systematically reduces the amount of that \$10 million, and the increase in salaries is an increase to the overall budget that will go up again. Clerk Yamamoto said the work on the compensation step program was not completed until late Friday night and that was also complicated by the issue they had with 17 Sheriff's Office employees with a discrepancy in the checks going out that had to be taken care of. They have been extremely busy with a small window to take care of all of these things. The notices went out to the various people impacted by the comprehensive plan Friday night. Commissioner Van Beek asked what the statement "impacted by the compensation plan" means. Controller Wagoner said the results of the compensation plan, position-by-position, were emails sent out to elected officials and department administrators Friday night. Commissioner Van Beek said it's no secret she asks questions and wants salary information, and by statute Commissioners are entitled to receive and review that information so they can make competent decisions. Last year she received the salary information less than 24 hours before the budget and this year there was more time, but she still doesn't have the salary information broken down by department/office as she requested. She requested the same information from Ada County in order to compare theirs to ours and she has that information,

with a few exceptions. Commissioner White asked what she is going to do with the information. Commissioner Van Beek said it's been said that we are at 70% of what Ada County is so she anticipates, in a breakdown of that which we'll have to have time to do, that salaries in excess of 70% of Ada County's are going to be cut. Commissioner Dale said no, that has never been discussed. Commissioner Van Beek said that is what she understood after meeting with Deputy PA Mike Porter. The other problem is that we don't really have a clear understanding of how this works and Commissioners should understand it and be able to explain it to employees but we do not, and we cannot so what she was told is that Ada County is the standard, the highest standard we evaluate, and Canyon County falls at 70% of those salaries and if we go position by position and evaluate those jobs and do a comparison that's reasonable for the taxpayer and this Board needs to evaluate that information. She firmly believes Commissioners should be involved in the compensation committee and that an outside source should be re-evaluating that information. Commissioner Dale said there is no hard fast number to say that we're going to have all of our salaries within 70% of Ada County's, that's just sort of a benchmark that was set but that's not a hard and fast percentage number anywhere to say we have to come within 70% of that. Our compensation plan was based on a market range based on the entire state, private and public sector, to make sure we are paying our employees an adequate wage to encourage them to stay for a long period of time with the county and build up their longevity and that's what the goal of the compensation plan is. The goal has never been to just stay at 70% of Ada County's, that's just kind of a benchmark to talk about but that has never been the goal. Commissioner Van Beek asked if Commissioner Dale knows how much property tax has been allocated to increasing salaries in the last five years. Commissioner Dale said he doesn't have that number with him, but he knows that it's necessary to keep up with the salaries so that we don't spend a lot of money retraining people and hiring new people because that's what we were doing before the compensation plan was put in place; we were continually hiring and training new people. Commissioner Van Beek said she doesn't disagree, but in the leadership component of that says pay actually falls farther down in the line of reasons that people stay at a job. They don't leave a job, they leave the people they work for and so it's a balance between all of that. Fifty-seven percent (57%) of the county's levied property taxes in the last five years have gone to employee compensation and it's been without ongoing revenue sourcing for critical needs like public safety so if we were to ask the citizens *is that okay?* She's not sure that it would be okay and that's what we are supposed to be looking out for and if we don't know the numbers then that's a problem. Commissioner Dale said he received a voice mail last night from Mayor Nancolas and he expressed some real concerns about the one-time property tax relief, COVID CARES Act money and he seemed to be saying if we take that money it's going to severely impact what they collect on the urban renewal, but Commissioner Dale thought we heard from the Governor's office that they had a protection of urban renewal funds in there so that if we did take advantage of that CARES money there wouldn't be an impact on urban renewal. Clerk Yamamoto said yes, we have it on good authority that this Wednesday we will get instructions from the state tax commission to basically make the urban renewals whole and it would require the county to write a check to the urban renewals. We don't know exactly yet, but it would be somewhere approaching \$1 million. Commissioner Dale asked if it would come out of the federal dollars. Clerk Yamamoto said that is basically their plan, or at least that's what they are waiting to hear. This started out at \$200 million to the counties and cities, then for whatever reason it dropped to \$188 million, and the state was still claiming at that

point a 20% reduction in property taxes, but that was bad math to start with, and now it's \$10 million in CARES money and they want us to write checks to urban renewal but due to the fact that he did not have that information it's not reflected in the Clerk's suggested budget. Controller Wagoner said nothing is final but what they are hearing specific to Canyon County is if we started at \$54 million, applied the CARES money, so subtract \$10 million, that equals \$44 million and then we would have to add back in \$700,000 for what urban renewal would have lost. The state would direct us to add back \$700,000 and then we would cut a check at some point to the urban renewal agencies reflecting that \$700,000. Commissioner Van Beek asked if he is going to add \$700,000 to the \$9.8 million, or reduce \$700,000. Controller Wagoner said he doesn't want to add it, but the state is going to direct us to add it to what we levy as a county. Controller Wagoner said the 26 mills would actually increase because we would be adding more dollars to the \$44 million. Commissioner Van Beek said the same would happen if we took new construction, it would raise the levy rate to come closer to the 35 mills. Controller Wagoner said yes and it would also increase the potential levy rate. Commissioner Van Beek said we could close the gap a little more if we didn't take any increases in salaries, if we didn't do the compensation plan, and if we really limited it to not taking anything we didn't have to out of the best interest of the taxpayer. Commissioner White asked if she's understanding Commissioner Van Beek to say we should take the \$1 million for the compensation plan (for employees) and give it to urban renewal. Commissioner Van Beek said we are not taking anything from employees, we are taking it from the taxpayers. When is enough, enough? Commissioner White then asked how we should pay our employees, to which Commissioner Van Beek said we pay our employees by collecting taxes. Controller Wagoner said it's through cash, property taxes, and fees. Clerk Yamamoto said the compensation plan was worked on for two years and was thoroughly vetted and talked about in front of the Board, and the Board voted on it and the compensation plan was instituted, and now Commissioner Van Beek is saying we should do away with it. Commissioner Van Beek said she's saying perhaps given the year we've had we should ask taxpayer-funded employees to do the same thing they are asking citizens to do - and they are doing with less. She asked if either Commissioner White and Commissioner Dale are part of the compensation committee and can they explain the compensation plan because if they can't then we need to go back and evaluate it and that is exactly what Ada County is doing, they are evaluating what it is they can pay out. If we don't understand it we shouldn't be doing it. She's not saying there's not merit in paying employees a fair market wage, she supports that. Commissioner Dale said he understand the compensation plan quite well and he doesn't understand what Commissioner Van Beek means when she said the Board needs to be able to explain it. He can explain that it is a compensation plan based on a professional study and we had help from a professional organization, and then it was tweaked and worked over to understand the employees' needs and understand the retention needs. It was based on the market values, the market rates throughout the region and it was established that this is what we have to do to stay up with it. If we start waylaying the compensation plan and saying this year we're not going to do it then you've just dismantled your compensation plan and eventually the County will find itself in the same situation we found ourselves in. When we began the research on the compensation plan we found we were losing employees 25% annually, we found out we were way behind and we had to drastically increase some compensation plan numbers to get back to where we should be, whereas if we just follow the plan we will stay approximately where we need to be and we won't have to have those great big increases. As to the other thing about the

property tax relief we're talking about through the CARES Act, it's been very clear throughout the entire process that this is a onetime property tax reduction. Next year the reduction won't be there, it remains to be seen if it will need to be increased over what it was this year, but to say it's going to be a huge hit to the property taxpayers because it's going to be a gigantic increase given that we have that decrease is a little bit disingenuous because it really isn't that – it is a decrease this year and it will go back to where it is. It's a decrease for next year and it will go back to where it is now with probably some sort of an adjustment that needs to be made based on the conditions. His biggest concern about the CARES Act is how it affects long-term other factors, can we continue to do the three percent if that's necessary, and how does it affect the urban renewal agency and he thinks we're going to get those answers sometime this week. Commissioner Van Beek asked if he is suggesting we can live without the \$10 million that it replaces. It will have to be replaced and there is no way to have the levy rate go down like that without bringing the levy rate back up. Commissioner Dale said he is not saying that at all. Clerk Yamamoto asked if Commissioner Van Beek is proposing that we don't give the property taxpayers any break for one year. Commissioner Van Beek said that is not her proposal. She's statutorily trying to do what she is charged to do. The revenue sourcing and the projection of how this will look, do you have that and what that's going to look like for FY2022 and the reintroduction of that \$10 million? Clerk Yamamoto said Commissioner Dale described it as well as it could be described. We are getting a onetime \$10 million and it doesn't have to come out of property taxpayers' pockets, but the next year it will. It's as simple as that. Commissioner Van Beek said she is asking for expanded discussion that has some planning on how to get it back on track. Clerk Yamamoto asked what her suggestion is. Commissioner White asked if we can look at the budget for 2021 without the CARES money; could we look at it that way without the \$10 million and see what our 2021 budget looks like and then have a discussion. She understands people have been laid off, but she does not want to use the compensation plan to make it even with our county employees. The Canyon County budget is sound and we have statutorily required mandated services that we have to provide "making it even" so our employees feel the same pain that others do is not a reason [to cut the compensation plan]. She thinks if we can do this without the \$10 million and look and see what it looks like that will give us an idea of what we're going to do. She will not use Ada County as the goal for which she wants to do things as a Canyon County Commissioner. Clerk Yamamoto said that's a good question but the answer is actually quite simple and that is everything is relatively the same. The CARES Act, and let's use a round number \$10 million - you have a \$10 million decrease to the property taxpayers for next year. Or, we decline that and it's \$10 million that comes out of the taxpayers' pocket. With that scenario we don't have to write the check to urban renewal because they haven't been harmed other than if we forgo new construction and that would be a smaller impact on urban renewal. So there's your simple answer in that everything would basically be the same with the exception of urban renewal and how that's handled. There are two options: CARES money and property tax money. Commissioner White said it's a public relations nightmare for next year. The Clerk agreed and said it is particularly when the state has said this will be a 20% reduction in property taxes and it will be nowhere close to that. We are not paying it back, we'll just go back to normal after the onetime. In regards to working with the legislature, he thinks what we're doing puts us in a great position to have a very powerful voice when it comes to property tax in that we can say Canyon County did everything within our power to put this in position now state, it's your turn. They have to do some things and there are some things they

could do whether it be income tax or sales tax, there are some things they can do to improve the situation with the counties. There are two things here: we want to take care of the property taxpayers and we want to go to the legislature and have an honest discussion. He thinks this proposed budget puts us in a good place to have that discussion and that's the trust that's involved. That's a lot of the trouble we have with the legislators, they don't trust the counties. Commissioner Van Beek said the Ada County standard was not hers, that's what she was told by a member of the compensation committee. Commissioner White said they used them as a comparison, but it's not a standard. Commissioner Van Beek asked how many expenses in the suggested budget actually provide permanent property tax relief. Controller Wagoner said permanent property tax relief can be provided through the indigent fund with the decrease in the number of employees and the decrease for indigent medical payments, \$600,000 plus employees. That's real property tax relief. Commissioner Van Beek asked about the mental health/hold component that went up substantially. Controller Wagoner believes the mental hold is budgeted the exact same from 2020 to 2021. Clerk Yamamoto said it should go away (not that it will go away, but that it should go away.) Commissioner Van Beek said she's looking for numbers on permanent property tax relief. Clerk Yamamoto said the only real permanent property tax reduction will be when we head into the next recession and property values drop. Commissioner Van Beek said the Controller has detailed \$9.2 million under capital investments for vehicles, machinery and equipment and asked if there is a line item detail for that amount and how many of those capital projects are coming out of fund balance. Controller Wagoner said the County Fair has some fund balance that's being used to fund their construction project in 2021. Commissioner Van Beek asked if he has numbers that total back to the \$9.2 million. Controller Wagoner said yes, they are included in the suggested budget by department, by office, line by line. They can be broken down by specific amount. Commissioner Van Beek said one of the other things we had a back and forth discussion on is that \$2.25 million in forgone revenue that was levied in 2019, which she believes was to make the first payment on Pod 6. Controller Wagoner said it was for the second payment on Pod 6. Commissioner Van Beek said the problem with leaving it in the justice fund is that the amount of the payment this year is reduced by about \$750,000 but the revenue is remaining in that. When the department of corrections releases their hold that revenue will go away and the purpose of levying that \$2.25 million is for public safety and for construction of a public safety facility and that's why she believes it should be back in the current expense fund as a line item that helps fund that. The Sheriff has eight (8) positions: 2 for Pod 6, and 6 for patrol, but she didn't any breakdown on patrol. She has questions about the number of new vehicles. Controller Wagoner said for the Sheriff's budget there are 2 positions for driver's license; there are 4 positions for the four teams that provide service to the jail, and there are 2 positions for courts and transports. There are zero positions for patrol. Commissioner Van Beek is looking for the breakdown to specifically identify those, and she asked how the positions will be funded if we move that \$2.25 million back from the Sheriff's budget to current expense. Controller Wagoner said those positions are going to be funded through the justice fund which has received an influx of cash from housing other agencies' inmates. That's cash in, that's revenue to the justice fund that can be used to fund, pay for public safety, justice-related expenses including personnel. Commissioner Van Beek said she's talking specifically if we were to remove that line item, that payment and the revenue so we take the expense and the revenue and we put it back to current expense and you leave the out-of-county housing to fund that for however long it goes and then

what happens? Controller Wagoner said the expense is related to housing inmates and the revenue is also related to housing inmates so he thinks it's appropriate that those activities are accounted for within the same fund. We have the justice fund to provide the public - here's what we are spending in the Sheriff's Office on public safety in the justice fund. It's appropriate that those activities be recorded in the justice fund. Commissioner Van Beek asked why they were put initially in the current expense fund. Controller Wagoner said because we had a carryover, a fund balance that was in the current expense fund that was applied to the first lease payment. It was carryover money, it was fund balance that had been set aside or reserved for a significant project. Commissioner Van Beek asked if it was foregone amount that was put in there that we used for the first payment. Controller Wagoner said no, the first payment was fund balance. Commissioner Van Beek thinks it should be over there so we can use that and dedicate for the building that the Board is charged with providing and the Sheriff is charged with providing the service. Clerk Yamamoto said what his office always does is protect current expense because it's the one fund that we can do whatever with. There have been times when he wished he hadn't done that because money got spent that he didn't think should have been spent, but what they do is provide the Board with some freedom to do some things so it makes zero sense to shift that over out of justice into current expense. It needs to stay where it is in justice, it's appropriate for those expenses to be there and it protects current expense and that's what we always want to do. Commissioner Van Beek said there's a differential there if you move the revenue back over to that line item then you could continue to increase that amount for that capital funding. Clerk Yamamoto said in the scheme of things there's no such thing as excess. A percentage of our budget is unfunded, we plan on funds not being spent and so far the county has done a very good job of that. It's not like that's rolled over. Anytime we take that money and let's say we create a fund and anything you call excess money there's no such thing, but you put that in that fund all that's doing is taking that money out of taxpayers' pockets and make sure that's what happens and he's totally opposed to that program. He thinks we need to pay as we go. Commissioner Van Beek said that hasn't worked to provide anything in the long-term for a payment stream on public safety. Clerk Yamamoto said it hasn't worked, otherwise we just have to tax the people before. Commissioner Van Beek said it's a true statement on the tax incentives where you could use a portion of that income stream returning to the county. Clerk Yamamoto said it's still coming out of taxpayers' pockets and he asked if she wants to tax people more to put a fund in. For instance, if you put \$1.5 million of taxpayers' money in a jail fund, in 200 years from now you may have enough money to build it. Commissioner Van Beek said it's not saving for the total cost, it's saving for the amount of debt service you would have. It's not 200 years from now. Clerk Yamamoto said there's only one way and that's to run a bond because people need to be able to vote on how much they are taxed. Commissioner Van Beek said that's true, it would still require a general obligation bond but you have to have the ability to service the debt. Clerk Yamamoto said setting aside money is overtaxing the people, it's that simple. Commissioner White spoke about how when she first came to office our self-funded health insurance fund wasn't being funded and it was an emergency because we didn't have enough to pay claims because it had not been funded on a regular basis. Clerk Yamamoto said we were days away from bankruptcy on that program. We got behind on everything: we went almost 10 years with no pay increases to any county employees, and we weren't replacing patrol cars and other items a regular basis. Commissioner White said we have to take care of our needs and you have to pay the bills. Commissioner Van

Beek said she is not suggesting we stop taking care of our needs or paying our bills. Commissioner White said we are not giving raises or cost of living increases; we are doing the step program, we are doing the foundation of our compensation plan and that is for employee longevity. Commissioner Van Beek again asked for that information to be broken out by department for equity and compensation. Controller Wagoner said he will provide that information straight away. Commissioner White said she doesn't like there to be so much anger and tension over this process and the only request she has is to see the 2021 budget without taking that \$10 million and see how that would affect the tax line. Commissioner Van Beek said along with that then if we gave the one year property tax relief using the \$10 million she'd also like to see that continued scenario of what the plan would be because that's what we do, we project, we estimate based on what that will look like. We should be able to do that, to look at a plan for reintroducing unless there's permanent property tax relief being proposed in the Clerk's budget that \$10 million will have to come back in and it will be more because of the salary increases and so if you could also provide that projection that would be great. Commissioner White asked if a permanent property tax relief is permanent. Is that directly attributed to assessed values? Clerk Yamamoto said there are two things: values and the amount spent, and that is a direct result on how the levy is calculated. He hates to talk levy rates because it doesn't mean much of anything. The only way you see the property tax getting in a better place is if values go down and that's not obviously been happening here because of the influx of people coming with the values of the sales price of how it's going up, so what we are trying to do here at the county is to lessen the load somewhat or at least stay at a level, and with the CARES money there's a onetime thing there that's just held out, but yes, when you talk permanent cuts he doesn't know how you can stop that. Take for example Portland or Seattle where they want to defund the police 50%, perhaps that's a permanent tax cut. Commissioner White said if we don't keep it whole we will be defunding the compensation plan. Controller Wagoner said not taking the new construction increase is real property tax relief because there has been tremendous growth in the county so those new properties are added to the tax roll, but we are not increasing the dollars we ask for, so there are more participants in the game and that tax burden can then be lessened because it's spread out amongst a broader base. Commissioner Van Beek said if we ask the people to pay for their fair share it will help lessen that if we take CARES funds and if then if we control spending and costs that is also permanent property tax relief. Controller Wagoner said if you add new construction you increase it – he doesn't know how that's property tax relief. Commissioner Van Beek said it's not for the new people but it is for the people that are existing, isn't it? Controller Wagoner said no it is not because they are just paying once again what they've always been paying. We just added to it because of new growth there's no relief there for existing property taxpayers. The only way to provide relief for existing property taxpayers is to not take the new construction increase. Clerk Yamamoto said in some of the emails he has received there are people who think that forgoing new construction means that those new "*whatever it be*" is not taxed and that's not true. It is taxed and it spreads the tax out more, we're just not tacking on the gravy so to speak. It's real tax relief. Commissioner White said with all of the growth we need impact fees and for public safety that would make a show-worthy difference. Clerk Yamamoto addressed earlier point by Commissioner Van Beek about new construction and said that \$2.1 million that is actually permanent. We are not going to see that money again. Controller Wagoner said you cannot travel back in time and change a prior year's levy. If we don't take that \$2.1 million that is real permanent. Commissioner Dale said we have

two opportunities every year as cities and counties to increase the property tax budget, and one of them is the 3% that is allowable by state law to increase the property tax budget by 3%. That results in a property tax increase dependent on the assessed values. The second opportunity to increase the property tax budget is through the new construction growth that can be added to that budget which increases the budget line. He agrees with the Clerk that unlike the 3% which you can put into a forgone account and in another year you can add a 3% above what you normally could take that's called forgone. If you don't take it in the year it comes on the roll it's true property tax relief and it never can be picked up again so that is true permanent property tax relief. Chairman White is on the money in saying the impact fees are what help the new people coming in pay their fair share and that's why he has been so strong on impact fees because they do help relieve the property tax burden on those of who've been here for many, many years. That is true property tax relief. Commissioner Van Beek asked who sits on the compensation committee. Controller Wagoner said it is Mike Porter, Marv Dashiell, Sue Baumgart, and Zach Wagoner. (Greg Rast was on the committee initially when they first implemented the compensation plan.) Commissioner Van Beek asked if Wednesday is enough time to receive the information Commissioner White requested in looking at the budget both without the CARES funds and with CARES funds, with the proposal for reintroduction of the \$10 million, and the breakdown of the capital investments so that you have specific breakout that matches that \$9.2 million. Commissioner White said we have the suggested budget with the \$10 million so that doesn't have to be done again. Commissioner Van Beek said she was asking for the follow up portion that would break out the plan to reintroduce the \$10 million in subsequent year. What would it look like in terms of levy rates and property taxes levied for that year or how it would play out. Commissioner Dale said it's pretty difficult to try and project a levy rate two years in advance because we don't know what the new construction and new assessed values are going to look like. Controller Wagoner said there's always one guarantee with predictions, they are going to be wrong. Commissioner Van Beek asked for a scenario that would help reintroduce that. Controller Wagoner said there's no guaranteed property tax increase in 2022 because of the 2021 compensation program. The 2021 compensation program is specific to FY2021. There is no guaranteed increase in 2022. Clerk Yamamoto said that's why he brought up a point in the last meeting. We have several retirements coming up and that's when your attrition starts working, when you have your higher paid people that for whatever reason leave and are replaced by the lower paid people. The program hasn't been in place long enough for that to even itself out but it's starting to get there. Controller Wagoner said with regard to the CARES Act money, he has been back and forth a hundred times on it; it's extremely challenging and difficult on many fronts and when he finally ended up in support of it, it was because of people. This would provide immediate relief to the good people of Canyon County. Residential values are continuing to skyrocket, the tax burden the liability has shifted, it has swung to homeowners significantly over the past few years and taking that \$10 million would provide some immediate property tax relief and it would leave more money in their pockets and that is ultimately what led him to support that \$10 million onetime reduction because it is going to benefit real people, real families in Canyon County. Commissioner White said it's only going to be \$9 million because of urban renewal. Commissioner Van Beek appreciates what the Controller is saying and for that reason that's what makes it more attractive than not doing it because it does provide that one year but it's the after years that we have to plan for to help taxpayers so they are not crushed by the other side of that,

so a plan something that takes a look at how to do that is what she thinks we are looking for. Controller Wagoner said that's a great point but right now we are being left out of the conversation. The State of Idaho is having property tax committees, and Canyon County has a property tax expert (*referring to Treasurer Tracie Lloyd*), but we don't have a seat at that table. Where are the county representatives? Where are the city representatives? We don't have a seat at that table at the moment and it's imperative that Canyon County be a part of those conversations. Clerk Yamamoto said he specifically asked leadership in Boise that the counties be included and he was given some "lip service" at the time but obviously it didn't happen. He and the Controller changed their minds so many times on whether to take the CARES money or not, and it was a tough call and it's particularly difficult when the legal people in the entire state are saying this is not legal, but, he is banking on number 9 in the Treasury's FAQ's that says the entity that is responsible for the accounting of that money is the original entity that it was distributed to, and that's the state. Because that was part of our worry, let's say we give the \$10 million tax relief to Canyon County property taxpayers and then the federal government comes back and says it was improperly used and you need to pay it back. How do we go about doing that? But again, the final analysis between the Clerk and Controller determined that at the end of the day we have to do what we can for the property taxpayers now. Commissioner White said the word *now* is key, and we don't know what's going to happen going forward. Commissioner Dale said one of the questions he received from the Mayor was regarding the ethical and legal status of the CARES Act. His understanding from Clerk Yamamoto is that ultimately it's the state that is responsible for verification that the money was used properly but it'd be really difficult for the county to prove that we spent \$9 million on COVID related activities this year to justify that but Commissioner Dale is comfortable letting the legal people on the state level take care of that issue. The Clerk and Controller have evaluated it and looked at it from every angle and concluded that it's ultimately of a benefit to the taxpayers and he really appreciates their work and your diligence on this. Commissioner White said she too appreciate the work, and she spoke of an "overwhelming memory" of public defense and how the state was going to take care of it but instead it has cost the county \$6 million. She trusts Controller Wagoner and Clerk Yamamoto to bring all sides of this picture. The Board will meet again at 9:30 on Wednesday morning. The meeting concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 4, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc. in the amount of \$1,000.00 for the Information Technology department
- Carousel Industries in the amount of \$1,802.12 for the Information Technology department

APPROVED CLAIMS ORDER NO. 8/10/20

The Board of Commissioners approved payment of County claims in the amount of \$133,984.48 and \$399,750.81 for accounts payable.

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

The Board met today at 8:34 a.m. with the director of facilities to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White arrived at 8:45 a.m., Director of Facilities Paul Navarro and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following:

- Discussion regarding the security division. The job description has been outlined with HR Director Baumgart. The person being considered for this position is already a long-term county employee and no change to pay is being requested. Director Navarro reviewed the milestones to achieve in year one which include the following:
 - Understanding of the Master Plan and working closely with Triad Security for an in-depth review of the Security Master Plan.
 - Work closely with the 15 Board department heads and the couple of elected officials who have expressed interest to inventory, assess and plan regarding existing systems for ID badge access, cameras, key management and overall security needs.
 - Work with teammates in Facilities to help tackle “low-hanging fruit” identified in the Security Master Plan.
 - Work with Facilities and IT to close holes in camera systems in Courthouse campus buildings.
 - Attend trainings for CPP (Certified Protection Professional) certification through ASIS International.
 - Attend ISC West or other security specific trade show for security professionals in 2021.
 - Develop a plan for migrating badge creation and programming to the security office by January 1, 2021.
 - Develop a plan for a county-wide key and access badge audit by January 1, 2021.
 - Review and recommend a software solution for key management by the end of the fiscal year 2021.

The meeting concluded at 8:51 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 legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 9:15 a.m., IT Director Greg Rast left at 9:15 a.m., Elections Supervisor Haley Hicks left at 9:15 a.m., Election Technician Kylie Marks left at 9:15 a.m., Deputy P.A. Mike Porter 9:18 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart left at 9:22 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing an agreement with Tenex Software Solutions, Inc.: Mr. Porter and Ms. Hicks explained that the poll pads are supported by No-Ink thru Hart but the Secretary of State has indicated that their preference is to use Tenex Software. This agreement would allow for the Elections office to switch from No-Ink to Tenex for the software and software support for the poll pads that are already used. If the Board agrees to go forward with this agreement a letter will be sent to No-Ink discontinuing the contract. This contract has been reviewed and meets with legal's approval, additionally, Director Rast has provided an email stating this software meets with IT's approval. Last week the Board was provided with a quote from Tenex along with the agreement they would like the county to sign. Mr. Porter explained that worst case scenario in the change from No-Ink to Tenex is that No-Ink would reject the termination letter and the county will be responsible for the \$32,000 of the contract for this fiscal year but Tenex has agreed to forgo payment for the first year so it would be revenue neutral; best case scenario is that No-Ink accepts the termination and the county would be charged a prorated amount. Ms. Hicks addressed questions from Commissioner Van Beek regarding budget numbers. Commissioner Dale made a motion to sign the agreement with Tenex Software Solutions, Inc. The motion was seconded by Commissioner White for discussion regarding the "out" clause. A vote was taken on the motion with Commissioners White and Dale voting in favor of the motion and Commissioner Van Beek voting in opposition as she feels it is incomplete information.

Consider signing confirmation of appointment of Dr. Sam Summers as the Board of Health Physician Representative: Commissioner Dale gave a brief explanation of this appointment stating that Dr. Summers has offered to sit on the Board. Commissioner Dale made a motion to sign the confirmation of appointment of Dr. Sam Summers as the Board of Health Physician Representative. Commissioner Van Beek seconded the motion for discussion. A vote was taken on the motion with the Board voting unanimously to sign the confirmation of appointment of Dr. Sam Summers.

Consider signing acceptance of 2021 dental contract with Willamette Dental: Mr. Wesley said that the terms remain the same and there is no rate increase this year. Ms. Baumgart reviewed what is included in the contract and how many employees are covered under Willamette Dental. Upon

the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the acceptance of the 2021 dental contract with Willamette Dental (see agreement no. 20-107).

Consider signing a resolution granting a refund to TVR Heating and Cooling for a commercial mechanical permit: Director Nilsson said the property has been annexed into the City of Middleton so it's no longer in the county's jurisdiction. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to TVR Heating and Cooling for a commercial mechanical permit (see resolution no. 20-131).

Consider signing a resolution granting a fee waiver for Kevin Beck: Ms. Nilsson said there is a senior citizen on a fixed income living in RV without approval and this fee waiver will give them an additional 90 days to make other arrangements. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a fee waiver for Kevin Beck (see resolution no. 20-130).

Discussion ensued regarding an email received from Mr. Stevens. Director Nilsson gave a review of the situation surrounding the property. A letter has been composed by legal which Ms. Nilsson is reviewing and will then send to Mr. Stevens. In this particular case the issue is stemming from a plat requirement.

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

PUBLIC HEARING – A REQUEST BY WESTPARK COMPANY INC./OSPREY ESTATES SUBDIVISION FOR A COMPREHENSIVE PLAN AMENDMENT, CONDITIONAL REZONE AND PRELIMINARY PLAT

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by Westpark Company, Inc., for a comprehensive plan map amendment (OR2019-0009), a conditional rezone (CR2019-0009) and a preliminary plat (SD2019-0036) on Parcels R29554010B, R29552, R29554013A and R29554013. The properties totaling 147.65 acres are located adjacent to 9601 Southside Boulevard and 2525 E. Lewis Lane in Nampa. Present were: Commissioners Pam White, Leslie Van Beek, and Tom Dale, DSD Director Tricia Nilsson, Attorney Hethe Clark, Joshua Fry, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Sandra Hopkins, Caleb LaClair, Lauren Pick, and Michael Williams-Black. Dan Lister gave the oral staff report. The requested comprehensive plan amendment will amend the future land use designation of Parcels R29554013 and R29554013A from "Agricultural" to "Residential". The request includes a conditional rezone to rezone the subject parcels from an "A" (Agricultural) zone to an "R-1" (Single-Family Residential) zone. The request includes a development agreement to limit development to 184 residential lots (Osprey Estates Subdivision) to be served by city water and central community sewer treatment facility. The request also includes a preliminary plat for Osprey Estates Subdivision for a proposal of 202 lots (184 residential lots, 17 common lots and 1 community sewer facility lot) to be served by city water and community sewer treatment facility and to be completed in four phases. Both the P&Z Commission and staff recommend approval.

Following Mr. Lister's report, he responded to questions from the Board. Hethe Clark testified on behalf of the applicant. There has been significant residential development in this area and the comprehensive plan supports the request. It is consistent with the area. The City of Nampa is talking about renegotiating the area of impact boundary to add this area. The city supports a low-density designation. The project will connect to city water. There is not capacity in the sewer line right now so they are proposing a private waste water facility. The project is designed such that once sewer is available, they will flip the switch and connect to it and it will act as a regular city subdivision. There will be landscape buffers including curb, gutter, and sidewalks. They will meet the city's requirements for the project. The applicant has offered a development agreement, and they agree with the terms of the staff report. Following his testimony Mr. Clark responded to questions from the Board. Joshua Fry with T-O Engineers gave technical testimony. He noted one correction: the Southside and Lewis Lane road improvements will not contain curb and gutter; they will set up the sidewalk at a width for the city come in later and put in curb and gutter. Director Nilsson noted that due to a conflict of interest DSD will contract with another engineering firm to review the final plat. Caleb LaClair from the City of Nampa responded to questions from Commissioner White regarding questions about the Stoddard Line. The railroad has relinquished their right-of-way and there are agreements with individual landowners who will dedicate the pathway right-of-way back to the city at such time the property annexes. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek believes this looks like a good project and she is in favor of approving it; Commissioner Dale is comfortable with it because they have an agreement to annex and it is compatible with the area. Commissioner White addressed the concerns noted in a letter from Beverly Warn regarding the Deer Flat and Southside intersection. It is an intersection that needs to be tended to. Commissioner Van Beek recognized the applicant in this case and said she wishes all projects were this well thought out and planned for. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the comprehensive plan map amendment for Case No. OR2019-0009. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the conditional rezone subject to the conditions in the development agreement. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat subject to conditions of approval. Also approved were three sets of findings of fact, conclusions of law and order, a resolution, and an ordinance. (See Resolution No. 20-132 and Ordinance No. 20-023.) The development agreement will come back before the Board once the applicant has signed it. The hearing concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY TROOST FAMILY TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NOS. OR2019-0002 & RZ2019-0004

The Board met today at 2:03 p.m. to conduct a public hearing in the matter of a request by Troost Family Trust for a comprehensive plan map amendment and rezone, Case Nos. OR2019-0002 and RZ2019-0004. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Greg Bullock, TJ Wellard, Sheena Wellard, Jeannette

Bullock, Hethe Clark, Daniel Bair, Barbara Parshley, Steven Bair, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Loyal Hulme, Alex Soto, Brian Whitlock, Chris Redd, Jansen Gunther, Jeff Penzkover, and Jace McQuivey. The initial request was as follows: Case No. OR2019-0002 & RZ2019-0004 – Troost Family Trust is requesting a comprehensive plan map amendment to change the designation of parcel no. R33402010 from “Agriculture” to “Commercial” and “Residential.” Also requested is a rezone of approximately 30 acres from an “A” (Agricultural) zone to an “R-1” (Single Family Residential) zone, and approximately 6 acres from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. The average minimum lot size in an “R-1” (Single Family Residential) zone is one (1) acre. The subject property, R33402010 is located at the northwest corner of the intersection of Apricot Ln. and Sunnyslope Rd. (Hwy 55), in Caldwell. Jennifer Almeida gave a summary of how we got to today’s hearing. The Board approved the request on February 24, 2020, subject to a development agreement that contains conditions of approval. On June 10, 2020 the Board conducted a hearing on the development agreement and testimony was received and the record was left open to allow additional and ongoing dialogue between the parties, the applicant, and adjacent property owners. At the end of that hearing the Board voted to continue the hearing to August 4, 2020. Since that time additional exhibits were received by staff. Nothing about the staff report that was given at the last hearing has changed since June 10, 2020.

Commissioner Van Beek said Hethe Clark submitted a letter referencing a 30-day deadline for a written decision. Deputy P.A. Zach Wesley said there is potentially a misunderstanding about the direction the Board had given at the close of the June 10 hearing. He had understood that the Board had left the record open with the direction that future conversations occur between the parties, and that potential mitigation, such as the specific terms of the development agreement, be discussed between the parties and then come back today with the record still open to hear additional evidence and continue this proceeding. He believes Mr. Clark had understood that the Board had closed public testimony and deliberated and issued a decision at the last hearing and then because of that he believes written findings of fact, conclusions of law and order (FCO’s) were due within 30 days, but that does not reconcile with what Mr. Wesley or what staff put forward. Commissioner White referred to the June 10, 2020 minutes which stated the hearing was continued to August 4 and the record would be left open.

The following people testified in support of the request:

Greg Bullock testified on behalf of the applicant and gave a history of the project noting that 18 months ago he had a conversation with the landowner, Mr. Troost, and it dealt with the difficulties he and other agricultural owners were having in finding housing for ag employees. They began to look at the properties Mr. Troost owned and where might be a place for affordable housing with the intent of ag employees having a place to buy for themselves and be able to operate some of their farming needs. They brought the project forward and the P&Z Commission recommended denial. The matter came before the Board and several hearings were held on the basis of affordable housing, and what emerged out of those hearings was the fact that the Board began to see there is a need to participate in affordable housing. Commissioners White and Dale were in support of the request and Commissioner Van Beek was opposed to it. He spoke about the compatibility and reviewed the lot sizes in the area noting that 23 more residences will not really

impact the area when factoring in the 111 that are already there. Mr. Bullock said there is a lack of affordable housing in Canyon County, and this project is not about trying to make a lot of money off a subdivision in an agricultural area. He said the last hearing was continued because of opposition from the LDS Church, who did not attend the neighborhood meetings or any of the hearings except for the last one. He was surprised to receive a letter from an attorney in Salt Lake City opposing this project, and he noted that legal representation from Boise was also at the previous hearing to object to the proposal. He spoke of his efforts to try to coordinate a meeting with Hethe Clark and the counsel from Salt Lake City, but ultimately only Mr. Clark was participated in the telephone conversation. Mr. Bullock said it was obvious the church is not interested in being neighbors, they want to stop the whole thing; he believes their suggestions are over-reaching. The applicant has agreed to install a privacy fence, but that is as far as the conversation went. Following his testimony, Mr. Bullock responded to questions from the Board.

TJ Wellard testified this project has been thoroughly discussed and the facts have been put on the record. In the last three hearings there has not been a lot of new factual information, it's just been a gathering of opposition rather than fact-finding. Mr. Wellard said it does not matter when the lots were platted and whether they are zoned for residential is not a matter in this case because they are allowed residential whether they are zoned that way or not. There are 111 lots in two subdivisions that are eligible for building permits. He spoke of the importance of private property rights and said there is a place for zoning and the applicant is following that process. When the LDS Church's attorneys wrote their letters in opposition it struck him how willing they are to trample on other people's private property rights. The facts of the case are lined out and the applicant has attempted to mitigate concerns, but to no avail. Following his testimony, Mr. Wellard responded to questions from the Board.

The following people testified in opposition to the request:

Daniel Bair manages the orchard next to the proposed development and he is concerned it will make things more difficult for him on the farm. He spoke about the spraying practices in the orchard and the noise from the large orchard fans that run for hours through the night. Following his testimony, Mr. Bair responded to questions from the Board.

Barbara Parshley is an entomologist and a geologist and she works at the orchard adjacent to the site. The older section of the development has been there for generations, but in 2019, somebody received permission to build six new houses on John Lane which goes right up to the section they're talking about developing. Since that time multiple people in the older development have lost water or had their water levels decrease. The clay sediments hold water but they don't give off water or replenish well so people are losing water for showers, laundry, and flushing a toilet. The water is in the ground but it is inaccessible because of the clay. Those in the abutting neighborhood don't have the money to add new wells or repair burned-out pumps when the water runs dry. She believes the development will do irreparable harm to the residents. The developer should be responsible to supply adequate water to the homes in the area. Ms. Parshley responded to questions from the Board following her testimony.

Steven Bair testified that he lived on the slope and managed the orchard for 40 years. He presented two more petitions with 50 additional signatures opposing the development. He knows orchards that have gone out of business due to neighbors' pressure in Orem, Utah. He spoke of concerns with residents planting trees next to the orchard, and he spoke about irrigation well depth. He tries not to use wells to irrigate because it takes it from all the levels. Foot traffic and dogs are a big problem for the orchard and they are worried about what the development will bring. Mr. Bair said this is one of the best fruit growing areas left in Idaho given the proximity to the river. Following his testimony he responded to questions from the Board

(The Board took a brief recess at 3:25 p.m. and resumed at 3:29 p.m.)

Hethe Clark gave testimony on behalf of the LDS Church and he said when it comes to the June proceedings his position is not that the public record was closed, the argument is not based on anything that happened in June. The record was clearly left open for purposes of this hearing. The question is what happened in January and was there a final decision at that point to approve this subject to whatever steps had to occur after that and his reading of county code is there needs to be a written decision within 30 days. If there hasn't been a final decision that binds the Board then it has acted appropriately in considering additional information and that information should be incorporated into whatever decision ultimately comes out of this. His position is the Board's hands are not tied by what happened in January. He is disappointed in the characterization of his conversation with Mr. Bullock. It is a large organization and he needed to know who had the ability to speak and they set a time to speak on the telephone and counsel from Salt Lake City had a last minute issue come up and was not able to join, but they had a good conversation about the conditions of approval that were suggested in prior conversations. Mr. Clark asked if there would be additional conditions of approval the applicant might be putting forward, and they discussed concerns they had with the privacy fence, but the fact they didn't come to an agreement doesn't mean it was not a meaningful conversation. A privacy fence will not address issues with pesticide drift or noise or having more people nearby. The church is concerned about the impact this will have. Mr. Clark is an advocate for private property rights, but what allows us to protect private property rights is a set of rules that are predictable – good planning that is consistently upheld and it's what tells property owners what they can expect to do with their property and what their neighbors can expect to do with theirs. This is not up against an area of impact boundary, we don't have residential anywhere nearby. This area is agricultural and it is well outside any area of city impact. It does not meet the comprehensive plan standards, nor is it in general conformance with the comprehensive plan, it's not more appropriate than an agricultural use given the existing uses. It's not compatible with the orchard use nor is it an area where growth is expected. It also doesn't meet the rezone standards. Mr. Clark said no one is against the idea of affordable housing. These are large lots with construction costs and wells and it's hard to imagine the cost will be \$250,000 per house. Ultimately the issue is not affordable housing, the question is whether the County is going to uphold its planning and the planning shows this area is intended to remain agricultural. The 111 nearby lots were not approved under zoning as it exists in the County; they all predate the zoning code and the local land use planning act. They were grandfathered in, but the orchard is 90 years old. The church has only been operating it for 10-15 years and there have

been issues in trying to coexist. Following his testimony, Mr. Clark responded to questions from the Board.

Loyal Hulme, who is from Salt Lake City and is legal counsel for the LDS Church, said this is about inconsistent uses, there has been significant effort on their part to find conditions that could work, but as we get into it you can see now with the water problems, the noise and dust problems, and the potential pesticide issues, there is no way to have these two uses be compatible. Canyon County has one of the strongest plans in the country in terms of protection for agriculture and when you go to undermine it by putting residential uses in an agricultural zone you serve to undo and unhinge almost 100 years of planning. He urged the Board to use the plans in place and focus on the fact that there are inconsistent uses here. Residential up against an orchard that's been there over 90 years is incompatible in any way. There is overwhelming opposition to this request. Greg Bullock offered rebuttal testimony and said the Board shouldn't be influenced by what someone in Salt Lake City determines to be affordable housing in Canyon County. We have a housing crunch and the bottom line is affordable housing. There are 111 lots contiguous to this project and they have proven that another 23 lots will not impact the orchard any more than the 111 have. If you approve this there will be more of a controlled environment because they will have the perimeter fencing and the development agreement. There is a tremendous demand to live outside the city limits, it's a privilege and with the pricing the way it is now it's privileged only for the wealthy. This is an opportunity for those who can get a rural residential loan for areas like this in agricultural areas for reduced interest rates and 100% financing that enables them to buy a \$250,000 property and have payments for under \$1,000 a month. This gives people an opportunity for ownership. Mr. Bullock responded to questions from Commissioner Dale following his rebuttal.

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 the Board is charged with discovering whether the information provided in the staff report is able to overcome a decision by P&Z Commission. This is not in conformance nor is it compatible. We are not talking about affordable housing and if we feel generous and charitable then perhaps the question of donating the land to provide a buffer is one that should be considered by the developer. This land is not about affordable housing. This is about protecting an agricultural area and there are areas more appropriately zoned and designated. This area should continue to be protected. We don't have anything that will overcome P&Z Commission's recommendation to deny this application. Commissioner Dale said he hears both sides of this issue. He does not believe that if the subdivision goes in it will totally destroy the orchard. It is the desire of the landowner to provide some areas where agricultural workers could own property in the country and continue to work on farms and not have to commute and he likes that idea. The rural residential financing programs makes this work as affordable, and it is not available within a city. He appreciates the issues the orchard manager has been faced, but this project will not add to that because it's contained and surrounded by a privacy fence. If approved, he would require the development agreement to state they cannot plant fruit trees due to crosspollination issues. The letter from Loyal Hulme said the church would be okay if certain conditions were imposed. He believes in the affordable housing aspect and preserving farming, and private property rights. Commissioner White said the

opposition to this project is overwhelming and she has tried to condition the project to address concerns. The County is not in a position to take care of wells and water issues. She has tremendous respect for the person who wants to get a piece of land and use it in a way that will benefit and let people have home ownership. She wants to see affordable housing, but this is not the right place due to the compatibility issue. This is a tremendous idea and we have to find a location that will work. Commissioner Van Beek made a motion to deny the application as presented for the Troost Family Trust, Case No. OR 2019-0002 and RZ2019-0004. The motion was seconded by Commissioner White. Commissioner Dale said appreciates the Troost Family wanting to do something good in this area but he cannot vote for this request based on the testimony he's heard and the compatibility issues. The motion carried unanimously. The FCO's will be signed on August 18, 2020 at 11:00 a.m. The hearing concluded at 4:30 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 5, 2020

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for the Beer Guys Saloon to be used 8/8/20 for a Rocky Mountain Elk Foundation event.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Commercial Tires Nampa in the amount of \$12,347.98 for the Solid Waste department

APPROVED CLAIMS ORDER NO. 8/10/20

The Board of Commissioners approved payment of County claims in the amount of \$14,978.65 and \$23,105.00 for accounts payable.

MEETING WITH CLERK AND CONTROLLER TO REVIEW FY2021 BUDGET

The Board met today at 9:35 a.m. with the Controller to review the FY2021 budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Fair Director Diana Sinner, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Participated via Webex: Director of Misdemeanor Probation Jeff Breach, Rachel Spacek with the Idaho Press, Steve Blados with the Ambulance District joined at 9:45 a.m., Michael Stowell with the Ambulance District joined at 9:50 a.m.

Controller Wagoner spoke about the crisis center, for the first two years there were state monies provided for that funding. The state operates on a different fiscal year than the county so included in the FY2021 suggested budget is \$30,000 for funding for the crisis center as presented by Southwest District Health. That number is based on projected utilization that would be for 3 months of the county's fiscal year 2021 (July, August and September of 2021). This would be a new line item and an increase to the county's budget, it is in addition to the required contribution to SWDH. Mr. Wagoner also addressed a compensation issue within Misdemeanor Probation. This department has 8 parole officer positions but there is one employee who takes on additional duties. Mr. Wagoner would like to see \$1000 added as specialty/lead pay to compensate for the additional responsibilities.

Once the tentative budget is published the approved budget cannot exceed the budget that was published but a lower budget than what was published can be approved. In regard to the CARES Act credit with its continual evolution it would be a possibility to publish a budget that did not include the CARES Act credit. On August 26th at the formal budget hearing the Board would have the option to adopt a lower property tax amount to reflect inclusion of the CARES Act credit. It is anticipated that additional information about the CARES monies will be coming out today but from what Mr. Wagoner understands he would like to see the CARES money applied. He would like to see immediate property tax relief provided to county residents. Discussion ensued as to how taking the CARES money could affect Urban Renewal and the obligation the county may have in making up that difference.

Commissioner Van Beek asked about the equity pay and salary ranges in regard to the step program. Mr. Wagoner said that the salary documents have been provided to department administrators and elected officials to be reviewed for accuracy; they are following up and making corrections as needed. Further discussion ensued regarding salaries for elected officials comparing FY2020 and FY2021 requested, suggested, amended and approved budgets. Commissioner Van Beek feels there are some inaccuracies in the documents she has been provided and reviewed. She does not feel there is not transparency in the compensation plan. Commissioners White and Dale disagree and feel that the Clerk and Controller have been very transparent and willing to provide any requested information.

In response to comments from Commissioner White, Controller Wagoner spoke about levy rates and allocation to the Urban Renewal Agency. If CARES monies are taken the levy rate would change from .00261 to .00264, however, if it is not taken the levy rate would be around .0031.

Commissioner Van Beek asked on which line in the suggested budget she would find the half million for capital investments. Controller Wagoner said it is included in the current expense fund. Commissioner Van Beek also asked if Controller Wagoner had a breakout schedule of the \$9.2M for vehicles, machinery and equipment investments that were discussed at a previous meeting; he indicated it was sent Tuesday evening with the 'expense changes' spreadsheet.

Further discussion ensued regarding the step changes in the compensation plan. Commissioner Van Beek does not feel it is clearly shown within PowerPlan. Commissioner White and Dale and Controller Wagoner indicated salary changes by dollar amount are laid out in the spreadsheet provided to the Board. Controller Wagoner clarified for the record that the elected officials' salaries were approved by the Board in late September of 2020 and the salaries reflected in the FY2021 suggested budget are exactly the same, there is no change in the elected officials' salaries from 2020 to 2021.

The meeting concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – BOARD DELIBERATION RE: KARCHER FARMS, LLC AND SS KARCHER, LLC
REQUEST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE
NOS. OR2018-0004 AND CR2018-0002

The Board met today at 10:34 a.m. for the Board deliberation in the matter of a request by Karcher Farms, LLC, and SS Karcher, LLC for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2018-0004 and CR2018-0002. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy PA Zach Wesley, Todd Lakey, David Palfreyman, John Sabala, other interested persons and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Andy Haumesser, Rachel Spacek from the Idaho Press-Tribune, and TJ Wellard. On July 17, 2020 the Board took public testimony and continued the hearing to July 23, 2020 to allow time for the review of the voluminous materials that were received. Public testimony was closed on July 17, 2020. On July 23, 2020 the Board met briefly to continue to the hearing to August 5, 2020 because it needed additional time to review the materials. As part of today's deliberation, the Commissioners reviewed case information and asked questions of staff and Director Nilsson. Commissioner Dale is still supportive of the request today just as he was the last time the Board went through this and voted on it. They have narrowed down some of the issues and answered a large part of the objections people had. There will still be a certain amount of people that don't want this to happen and we're not going to be able to satisfy their questions or overcome their objections, but in his mind this is very appropriate for the area. It has some great commercial potential for private enterprise for business to come in and make a profit and provide jobs and services to those who live out there so they don't have to drive as far which has less impact on the roadway system and reduces traffic in a certain way. He is satisfied this is a good project and that the sideboards are sufficient to make sure it will occur as has been presented by the developers. Commissioner Van Beek referenced letters received from the neighbors and said they are good people, well-educated people who have come here to have a quality of life and a way of life and said they have presented good arguments. In looking at what they submitted as development conditions (Exhibit #69) she doesn't know that the Board can

anticipate everything in that exhibit to ensure the quality of the development is, and remains, in keeping with the standards of other nearby developments. In terms of density it is lower than what they are living in so it would maintain that rural feel, and the size of the lot helps dictate the size of the building and perhaps the quality of construction. If city services get there it will be a much higher density. She said Commissioner Dale's comment that the commercial portion of this is appropriate to buffer sound and traffic along Highway 55 if it's done in an organized way doesn't contraindicate the quality of life that people want out there. If we look at their suggested conditions: approve storm water runoff; have a capture basin; they want a park (but she doesn't know if that's in this development); they are close to an amenity which is the lake and it's within walking distance. Turn lanes will be determined. She has to trust what's been provided. In other cases she's been opposed to, she's asked if there could be a contingency fund to account for the acts of God that happen, but that's never been approved. She referenced this statement: *Approval of the development homeowners shall be required for any commercial installation in the new development*, although she's not sure what that means. If it's similar to Legacy Feed and Fuel it's a fun place to go and if you're driving around the lake and you want to stop for snacks that's going to service more than the homeowners in that area so to put the burden of the commercial development on the residents would not be reasonable in her mind. She agrees that weed mitigation on unsold lots has to be maintained. HOA's are not enforced by the County. They want accessibility via telephone but she's not sure that falls under the Board's jurisdiction. Sidewalks, streetlights, and ingress/egress have been covered in good detail by staff. Before development reaches its final stage, failure to meet any of the above requirements shall constitute grounds for immediate retraction of the approval of the rezoning decisions. Commissioner White said in the last hearing there was a sentiment of the people in opposition that they liked the idea of 1.25 acres versus the higher density that would come if the city annexes, so she has no problems with the residential outline. She thinks they will be beautiful homes, some with magnificent views. Their concern was the commercial and we have talked it through to where it is restricted. They are not going to run amuck out there with bars and taverns. It will have to be approved before they get their permits; they are restricted by the matrix. She had asked about the possibility of not approving the commercial right now. Commissioner Dale said 90 acres are already designated as commercial and we would have a hard time saying they cannot do that. If the Board approves this action we are actually reducing the potential impact of commercial to one-third of what it was, and we know that a portion has already been purchased by a commercial entity that wants to put a very nice facility out there so he thinks the action today should include the reduction of the 90 commercial acres down to 30 acres and include that as part of the whole deal. The commercial makes the residential more doable, more realistic, and makes it more attractive for people who live there. He would feel uncomfortable with approving this piecemeal. The concept, the total package is workable and it's good. Director Nilsson said conditions that might mitigate visual impacts would be: shielding lights and screening loading areas or solid waste enclosures. A lot of it is standard practice, but staff could add those things. Commissioner Dale said that would involve a negotiation with the developer to say do you agree to these conditions and how can you mitigate for the aesthetics the residents will be looking for, and that can be included in the development agreement. Commissioner Van Beek likes that too. She voted against this proposal the first go around, but said if we had left that area as prime agricultural farm ground they wouldn't be living there. It is a beautiful area and we want to protect it, and on the basis of the assurance

that it will not harm our natural resource, that the traffic will be mitigated for, that the neighboring properties who enjoy it will have something that's commensurate with that on the same side of the street and basically cut that enclaved portion of farming. She supports agricultural ground, but it is getting increasingly difficult to move equipment even with that stop light and she believes the Board should take a look at our comprehensive plan and preserving that on the north side of Highway 55 for those farmers that run equipment because it is still very heavily agriculture. The enclaved piece basically is what it is. She feels good from her position as a District 1 Commissioner in looking at the P&Z Commission recommendation that we could sit with the Commissioners and go point-to-point and say here's how we mitigated, here's how we overcame, here's how we are going to compensate, it's in the best interest of the existing homeowners and in the best interest of the landowner and the proposed development. Commissioner Dale made a motion to authorize the Board to approve the comprehensive plan map amendment as requested to change the designation of approximately 44.9 acres from commercial to residential, and approximately 45.9 acres from agricultural to residential (portions of R32915, R32917011 and all of R32917010). The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale made a motion to authorize the Board to approve the conditional rezone, for Case No. OR2018-0004 and 2018-0002 including a development agreement that is already identified with these points, as well the addition of language to require shielding of outdoor lighting and screening for solid waste enclosures. The motion was seconded by Commissioner Van Beek and carried unanimously. The Board will sign the documents associated with this case on August 26, 2020 at 9:00 a.m. The hearing concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 6, 2020

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

APPROVED CLAIMS ORDER NO. 8/6/20

The Board of Commissioners approved payment of County claims in the amount of \$221.00 for accounts payable.

MEETING TO CONSIDER APPROVAL/DENIAL OF INDIGENT DECISIONS AND SIGNING OF LIENS

The Board met today at 8:48 a.m. to consider approval/denial of indigent decisions and signing of liens. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

Case no. 2020-996 meets the eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with written decision within 30 days.

The following cases do not meet the eligibility criteria for county assistance: 2020-905, 2020-912, 2020-907 and 2020-891. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days.

The meeting concluded at 8:50 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 9:02 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, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider resolution approving new alcoholic beverage license for Koda Bear Winery: Director Nilsson explained this application had previously been approved by the Board but did not have appropriate zoning and did not go thru. She said that the state has changed their form to close the loophole of licenses making to the Board prior to confirming they are properly zoned. Commissioner Dale made a motion to sign the resolution approving a new alcoholic beverage license for Koda Bear Winery. The motion was seconded by Commissioner Van Beek for discussion. Director Nilsson confirmed that there is no tasting room or customers on-site. If they choose to have a tasting room or customers on-site they would have to apply to DSD in order to make sure they are zoned correctly. A vote was taken on the motion which carried unanimously (see resolution no. 20-133).

A brief discussion with Director Nilsson ensued regarding impact fee districts.

The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – COUNTRY CLUB WATER ASSOCIATION, INC., REZONE REQUEST, CASE NO. RZ2019-0037

The Board met today at 10:01 a.m. to consider a request by the Country Club Water Association, Inc., for a rezone of Lot 5, Block 2, of the Country Club Subdivision No. 1 from "R-R" (Rural Residential) zone to an "R-2" (Combined Medium-Density Residential) zone. The applicant wishes to rezone the property (originally platted as a well lot) to allow the lot to be utilized for a residence.

Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, TJ Wellard, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida and Richard Hammond. Jennifer Almeida gave the staff report. The request is to rezone Parcel No. R21050, approximately .28 acres, from an "R-R" (Rural Residential) zone to an "R-2" (Combined Medium-Density Residential) zone. The area contains primarily residential uses and platted subdivisions. The Purple Sage Golf Course is approximately 600 feet west of the subject property. The subject property is located within a platted subdivision which is Country Club Subdivision No. 1, which was recorded in 1976 prior to zoning regulations in the county. This lot was originally platted as a well lot. The subject property would be served by a community well and individual septic system as are the other lots within the subdivision. A septic permit was issued in August of 2019 and it confirms the lot can support a septic system and drain field for a 4-bedroom home. Because it was originally platted as a well lot in order to utilize it for residential purposes current codes must be met. The lots were platted in 1976 and do not currently meet the minimum lot size in an R-R zone and as such the applicant is requesting a rezone to R-2. The applicant received a variance from the P&Z Commission in June of 2020 allowing for a variance of the minimum lot size in an R-2 zone from a half-acre to .28 acres. Staff has found the request meets the standards of review for a rezone and is harmonious with the future land use plan. The P&Z Commission recommended approval in June of 2020. Commissioner Van Beek asked about the notice that was provided to neighbors as well as the potential impact to neighboring wells. Ms. Almeida said no objections were received, and, she noted that each lot is served by a community well and individual septic system so there will be an individual domestic well on this lot. Many of the lots within the development are very small in size, most are .33 acres. TJ Wellard testified that the water users association was set up and had a well at this site and it was actually Country Club Subdivision No. 2 that created this well site. The first phase created the building site and when they built the second phase they built a road through a portion of it and made a well lot, but they also set aside another lot for a well. The water users association had issues with this well so they drilled a new well on the other lot and abandoned this lot and it's been cumbersome to mow the weeds on the lot so they voted to try to be able to build on the lot. They had to seek a variance because the lots are smaller than the half-acre minimum. Commissioner Dale asked if the sale of the lot will help support the water users association. Mr. Wellard said they have to do extensive testing and it was expensive to drill the new well, so they are hoping to take profits from the lot to help offset the costs. Commissioner White had questions about the process for abandoning/closing a well. Mr. Wellard said there are no objections with everything situated on the lot. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law and Order approving the rezone request for Case No. RZ2019-0037. (See Ordinance No. 20-024.) The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ELECTED OFFICIALS TO DISCUSS COVID-19 UPDATES

The Board met today at 1:33 p.m. with elected officials to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, Commissioner Leslie Van Beek via teleconference, Sheriff Kieran Donahue, PIO Joe Decker, EOM Christine Wendelsdorf, SWDH Director Nikki Zogg, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd and Assessor Brian

Stender. By phone: City of Melba Mayor Cory Dickard, City of Parma Mayor Angie Lee, City of Nampa Mayor Debbie Kling, Greenleaf City Clerk Lee Belt, Wilder Mayor Steve Rhodes, Amy Bowman with the City of Nampa and Deputy Clerk Jenen Ross. The following updates were provided:

- Sheriff Kieran Donahue:
 - There was a story recently about an inmate with COVID being transferred from the Canyon County jail to the Ada County jail – that is an untrue story. There are protocols in place for holds/transfers. At this time no inmates have tested positive.
 - Last week a memo was sent to jail staff that they are required to wear a mask unless they are in an individual office; this is in addition to other protocols already in place.
 - Issues surrounding the hinges and doors in Pod 6 are continuing to be worked thru.
 - Last week there was a phone call between Dr. Birx, Commissioner White and Ms. Wendelsdorf. The White House believes the hospitals are going to see a massive wave of cases.
- Director Nikki Zogg:
 - Earlier this week the Board Chair and Ms. Zogg had a call with the Governor's Office – Canyon County has consistently been in the red zone. The Governor's Office has expressed how they would like to see Canyon County and SWDH to take more mitigation measures and institute other mitigation strategies. Discussion ensued regarding the encouragement of wearing face coverings.
 - Commissioner Dale asked about contract tracing and if point of transmission can be identified. Ms. Zogg said transmission is being associated with work sites, agriculture and get-togethers. She said there was a call with Region 10 Health and Welfare to understand why the number of cases are so high and what can be done to mitigate. She spoke about connecting with Yakima County in Washington regarding their educational campaign.
- EOM Christine Wendelsdorf:
 - PPE is starting to arrive with another 15-20 pallets she is still awaiting in preparation of the fall and the start of jury trials.
 - She is working with both the cities of Nampa and Caldwell on a weekly PSA for fire and police chiefs, elected officials and the public. She is also working with Nampa on long term care facilities; they have done a fantastic job as to what they can handle and what kind of contingency plan they have in place. She is waiting to hear from the governor's office on a bonus program to recruit more healthcare workers. She has been working on a plan to care for the homeless population with COVID. A PSA is being created for the Spanish speaking population and she is working with Eugene Smith to get prepped for fall with flu season starting up. The EOC team meets every week and she is still managing the PPE stockpile.

- PIO Joe Decker:
 - He is working on a script for a PSA to be done by elected officials/employees regarding the wearing of face coverings.
- Clerk Chris Yamamoto:
 - The House of State Affairs is working on two bills regarding absentee voting. They would like to be able to open and scan ballots up to 7 days prior to the election so that there can be results on election night.
 - The elections office is looking to consolidate polling sites into one polling center as there are concerns about finding enough poll workers to staff all the polling locations. In response to a question from Sheriff Donahue, Clerk Yamamoto said the state system has been changed over and should run smoother than the May election.

Assessor Stender asked about the backlog of tests, Dr. Zogg said they are trying to add capacity at the health district by purchasing their own machine to do some testing, particularly in rural areas where there is not a lot of good access. There are approximately 4,000 to 6,000 tests pending in the Treasure Valley. Additionally, a lot of the labs are holding onto the supplies they have on hand as they are concerned about them lasting thru the fall.

Commissioner White asked about the schools. Ms. Zogg said that in general there is widespread community spread and we are in the red category. SWDH is working with the schools but they are not requiring plans in order for schools to reopen. Some schools are running into concerns from parents feeling that they don't have a plan in place for a safe return and have asked the health district to review their plan and provide endorsements. They are offering guidance and share information if one school has a particularly good idea. With the use of Census Tract they are hoping to be able to track hot-spots within the district and have a better idea of what is happening in each area.

- Commissioner Tom Dale:
 - Noted that flu season may overwhelm testing.
 - He is in favor of the public service spots to show that the EOs are engaged and doing the best they can. He wants to get the word out that masks are not the total solution to stopping the spread of the virus. Masks are one piece of the solution along with social distancing and proper hygiene.
- Prosecutor Bryan Taylor:
 - The Supreme Court has issued an order that trials can start on September 14th although some judges have postponed all of their jury trials to January. Sheriff Donahue spoke about the difficulties it causes the jails without courts operating and that IDOC isn't moving prisoners out.

- Treasurer Tracie Lloyd:
 - They are still trying to navigate thru all of the unknowns on the CARES Act funding. She has heard there should be an executive order coming either today or tomorrow which should provide direction to the State Tax Commission as to how it should be administered. Her understanding is that the county's reimbursement portion will be 42% of what was asked for and provided a synopsis of how it will work with the Urban Renewal District.

The meeting concluded at 2:58 p.m. An audio recording is on file in the Commissioners' Office.

MEET WITH CLERK AND CONTROLLER REGARDING THE FY2021 BUDGET

The Board met today at 3:06 p.m. with the Clerk and Controller regarding the FY2021 budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Via Webex: Elda Catalano, Jeff Breach, Assessor Brian Stender, Rachel Spacek from the Idaho Press-Tribune, and Ambulance District Director Michael Stowell. Topics of discussion included the following:

CARES Act monies: Controller Wagoner said far as the CARES Act monies and the urban renewal agencies, the latest information he received read that the County would issue a payment to the urban renewal agency. If the County accepts CARES Act monies that will decrease the property tax request and decrease the levy rate, in turn resulting in less cash flow to urban renewal. The decreased amount of cash to the urban renewal would be the amount the County would need to cut a check for to the urban renewal agencies. The estimated amount for Nampa, Caldwell and Middleton urban renewals would be around \$700,000. Clerk Yamamoto said they left it out of the Clerk's suggested budget on purpose, but now that they think they know how it will be handled we need to add the \$700,000 in as an expense which will increase the levy rate slightly.

Sheriff's request for new positions: The County is in the first year of the contract with Vital Core for inmate medical services where the contractor has proposed some adjustments to pricing. There is a savings for the juvenile detention center because the new amount from Vital Core is \$50,000 lower than what juvenile detention originally requested in their budget. On the jail side of the contract they have requested an increase: a half-time position for an RN, and a half-time position which is similar to a PA, a mid-level type medical physician, and additional changes in some operating expenditures. The increase in the Sheriff's budget over what was originally requested is roughly \$110,000. Commissioner Van Beek asked what created the need for additional personnel and asked if they have looked at the possibility of telehealth for inmates. Controller Wagoner said there has been some good discussion on both sides with the Sheriff's Office and juvenile detention and Vital Core is looking at all options. There is the possibility of getting CARES Act reimbursements. Commissioner Van Beek asked how many of the new positions

are related to Pod 6. Controller Wagoner said the jail operates with 4 teams to provide 24/7 coverage and they are asking for an additional position for each one of those four teams. Commissioner Van Beek asked if they really need 4 more positions. Clerk Yamamoto said they thoroughly explored the issue and they looked at the massive amount of overtime the jailers are putting in and when looking at the whole picture it made perfect sense. Commissioner White recalled they needed an additional person to in order to meet jail standards as it pertains to rotations. Commissioner Van Beek what the reasoning is behind replacing part-time people with fulltime employees given the benefits paid to FTE's. The Clerk said it had a lot to do with the OT situation. Commissioner Van Beek had additional questions about the new position requests. Clerk Yamamoto said the increase in positions at driver's license will increase the amount of windows that will be open during the lunch hour and it will allow them to stay open until 5:00 p.m. (they currently close at 4:00).

Historic preservation funding: Commissioner Dale said Parks Director Nicki Schwend submitted a list of prioritizations for the projects that are considered necessary and urgent totaling \$48,846. Commissioner White said she's not in favor of the Deer Flat Wildlife Refuge request for \$10,000, or the City of Middleton's request for \$3,000, both are important, however, this is not the year to do those projects. Commissioner Van Beek referred to Director Schwend's request for funding for the diversion dam embankments. The Clerk said Lake Lowell is an irrigation reservoir and its designation has caused the County trouble and cost it money. The Board wants to leave funding totaling \$35,846 for the Melba Valley Museum exterior wall project; the Friends of the Caldwell Public Library preservation project; and the partial project for the American Legion chateau (they will be back next year for the other \$25,000).

Gun range and the mezzanine level project for the Parks Department: Neither of these projects were included in the Clerk's suggested budget. Commissioner Van Beek said the funding for the gun range was eliminated, but according to Director Schwend the funding that's been allocated will finish the fencing. The proposal to clean the alleyways for the shooting range is at no cost because the landfill staff will provide the heavy equipment and manpower, but if they eliminate the benches and don't provide jersey barriers it will be problematic and safety will be a concern. She said we either need to include the rest of the \$26,200 or wait until next year so we don't start the project with the landfill and it will continue to accumulate garbage and be a safety hazard. Commissioner Dale said it's been neglected for many years and we should follow Director Schwend's plan to get it moving in the right direction. The Board is in favor of the original request for \$26,200 to be added to the gun range budget. Controller Wagoner will add it in. Clerk Yamamoto is not in favor of the request for \$46,000 for the mezzanine level for the museum at Celebration Park. Commissioner Van Beek supports it because when the project is finished it will generate income. Clerk Yamamoto said it's been a 12-year project that was supposed to be revenue-producing four or five years ago. Commissioner Dale said it could be a valuable thing to complete, but the buildings out there will be operational without it so he wants to explore other funding mechanisms in the form of donations and/or grants. Commissioner Van Beek doesn't believe Director Schwend will have a problem if that portion of the budget stays at the Clerk's original suggestion. The Board chose not to include funding for the mezzanine project.

County Agent's request for a 4-H Coordinator: The position was not included in the Clerk's suggested budget. Commissioners White and Van Beek spoke of their conversations with the Fair Director regarding this additional position request, and Commissioner Dale spoke of his positive experiences with the current coordinator. The Clerk expressed some management concerns. There was discussion regarding the amount of funding the County contributes to the University of Idaho for the educator positions. The Board decided to leave the 4-H coordinator position in the budget and review the MOU proposed by Fair Director Sinner and then see what the willingness is before the final budget is approved. The County Agent's requested increase will not be included in the budget.

COMPASS funding: The organization requested a 5% increase for FY2021, but the Board is not going to grant the increase.

Boise Valley Economic Partnership funding: The Board decided it will not grant funding to BVEP this year.

IT budget: The data disaster recovery project is not included in the budget. Commissioner Van Beek said Director Rast portrayed that as one of his lower priority projects and one that could be addressed in a future fiscal year. Clerk Yamamoto said IT also requested another person, but he cut all position requests except for one position at the landfill and the positions the Sheriff's Office requested. Commissioner Dale is comfortable removing the IT project and the new position request. Commissioner Van Beek said the Sheriff is adding a lot of people and she asked if there is any way to reduce that number. Commissioner Dale doesn't want to reduce any of those positions.

Security Department/Division: The funding for the division has been completely removed from the budget. Commissioner Dale said the Board is moving to a division under the facilities department where they will oversee the hardware and physical things that can be done to enhance the security of the facility. The budget will include \$4,000 for a possible reclassification/upgrade for the position who will oversee the division.

Overtime funding for the juvenile probation budget: The Clerk removed the \$50,000 that was requested to help with OT hours. Controller Wagoner said historically juvenile probation has not paid out anything for OT; they have adjusted their hours based on clients' needs. The best course of action is to continue that program by managing schedules, time and hours.

Youth court funding: There was discussion about the effectiveness of the program and whether there is enough value in the program to continue funding it. Commissioners White and Dale want to continue funding the program, but Commissioner Van Beek said based on what she's heard with the struggling of the program she agrees with the Clerk and Controller and does not want to continue funding. Funding (which comes from lottery tax) should be evaluated on efficiency and perhaps they should explore alternative funding. Commissioner White said they need to submit a work plan about how the funding will be taken care of. Commissioner Van Beek wants to get input from the Chief Probation Officer on her take on the effectiveness of the program and the impact

to her budget. Commissioner Dale said Juvenile Detention Director Sean Brown and Chief Criminal Deputy PA Chris Topmiller should be included as well. It was decided that \$10,000 will be put in the current expense fund. Commissioner White wants a meeting to get more information.

CARES property tax relief: Commissioner Van Beek believes the County should take the money, but Commissioner White does not want to. Commissioner Dale said if it is a benefit to the taxpayer and we understand what's going on with it we ought to take it. He is comfortable with the explanations that it's not going to hurt the urban renewal funding and he wants to leave it in the budget. Commissioner Van Beek want to include the CARES funding because it provides immediate relief, but it has to be accompanied by some plan for recovery in subsequent years so they don't get smacked the next year. Commissioner White asked if they are willing to pay \$9 million for public perception. Commissioner Dale said it's not perception, it's a onetime property reduction and next year it will go back to what it was before. Clerk Yamamoto said the average homeowner will see a small decrease, but large businesses such as Walmart, for example, will see a bigger decrease simply because of what the values are. Commissioner White wants it to be tangible, she wanted the government to send taxpayers a check. Commissioner Dale said that is not going to happen so you have to go with reality and the \$9 million is real, it's less tax dollars we have to collect. We need to move forward as a team. Controller Wagoner said we need to re-evaluate our property tax ask. The funding for the historical societies, the gun range, the 4-H position, and youth court need property tax dollars. He does not believe we need our full allotment of new construction, we may need just a small portion. Commissioner Van Beek said if you take new construction there is a perception thing and it would help with the ask and it would raise the levy rate closer to where we will have to reintroduce next year so she is in favor of taking new construction. Commissioner White is also in favor of that. Commissioner Dale is in favor of taking new construction, it is always justifiable, but there is the other side of that coin where perception is that if you don't take it then they are getting by for free. They are still added to the tax roll, we just don't increase the budget so he will temper his support of taking the new construction to what we need, and that won't be a lot based on what he sees here, but if there is some measure to add to property tax relief by not taking the whole amount he would be in favor of considering that. Commissioner Van Beek is in favor of taking the whole item and said we need a total on what those costs are that are above the suggested budget and then for whatever else that isn't and in theory could be added to the capital investments line that helps us get to a debt service amount. We have almost \$2.1 million in new construction that will be available so whatever the increases we added today total against the new construction, we should take that remaining. We'll have a win taking that and then have a win with adding that to our capital investments line. Clerk Yamamoto said they worked hard to get the budget in place where we did not need new construction, and that sounds a powerful message, but now the Board is going to add it back and increase the suggested budget. He wants it made clear that his suggested budget did not include new construction. Commissioner Dale said he has historically said we need to take it all the time and he was in agreement with the Clerk this year to not take it. If we don't add the new construction tax collection to the budget it will provide real and permanent property tax relief and he favors that. Commissioner White asked the Controller if we take new construction will we not give any property tax relief with the \$9 million. Controller Wagoner said the CARES Act \$9 million will be property tax relief. Commissioner Dale the big difference is that is one time. If

you don't add the new construction budget in there that is permanent property tax relief, and it's the same thing with the 3%. If you don't take the 3% and we want to make the statement in our resolution that we are reserving that into forgone, but it is still permanent property tax relief. Controller Wagoner said if we don't take the 3% does the Board want to reserve that in our forgone balance. Commissioner Dale wants to do that. The Controller recommends freezing property tax and take the new construction and reserve it for forgone for possible future use and it needs to be spelled out in a resolution at the budget hearing. Discussion ensued. Commissioner Dale said if we don't tax new construction it's real property relief and he is in favor of that. Following further comments, Clerk Yamamoto said Governor Little will get credit for giving tax relief and this Board is not going to give any at all because it just raised the taxes by \$2.1 million. Commissioner Dale does not want to raise the budget by \$2 million. He is appreciative of the work the Clerk did to keep the budget even so we wouldn't have to take it and he is in favor of that position. Commissioner Van Beek said we can do more by putting a one-year freeze on wages. Clerk Yamamoto said that will not happen. Commissioner Van Beek wants to stand with the taxpayer, regardless of the economy they are going to take their raises even though people have lost their jobs. Commissioner Dale said the more property tax relief is to not take the new construction and leave the budget flat. Not take the 3% or the new construction. Commissioner Dale does not want to take new construction. Commissioner White said her vote is no because she is not going to bargain the compensation plan. Commissioner Van Beek said she votes yes. Controller Wagoner will prepare the paperwork for the Board's review. Clerk Yamamoto said the intention is that with forgoing new construction we will include that in forgone going forward. Commissioner Dale agrees, and he said if there's a choice it's more important to reserve the 3% then it is the new construction. Clerk Yamamoto said his suggestion is to claim the new construction, but not the 3%. Commissioner Dale said his feeling is the other way around: to reserve the 3% and leave the other. If we don't take either one and then we say we are not taking new construction and we are not putting it in forgone then that's a permanent relief forever and that sends the right message. Commissioner White said you're not reserving the new construction for the future. Commissioner Dale said we collect the new construction taxes, but we don't increase the budget by that same amount so it reduces the levy. Controller Wagoner said no it will not. Clerk Yamamoto asked the Board what it believes is the difference between the new construction bonus and regular taxes. Controller Wagoner said \$54 million is what we levied last year; \$54 million stays the same, with more payers/participants. We are still getting the \$54 million. Commissioner Dale said they saying the same thing because the new businesses and homes pay taxes and they get whatever the levy rate is and we just say we are not going to take that. (Clerk Yamamoto left at 5:03 p.m.) Commissioner Dale asked if the Controller can send an email explaining the difference between reserving the 3% as opposed to the new construction. His preference would be to include the 3% in the forgone but not the new construction. Commissioner White said if we let new construction go it should make next year's debt a little shallower. Controller Wagoner said they put together a tight budget and there are other revenue sources, it is not a 100% property tax budget and we are utilizing money from other sources very well. Commissioner White said that's \$2 million we could put in a fund. Commissioner Van Beek is in favor of that because the perception is why can't we fund a jail? Commissioner White said we took new construction and we put it in a fund we are doing our part and doing what the people have been asking for. Commissioner Dale we are never going to fund a new jail based on saving

\$1 million or \$2 million a year. Commissioner Van Beek said you have to save for the debt service and the debt service on \$100 million is \$7 million a year. Commissioner Dale said he has changed his mind – he is not in favor of taking new construction. Commissioner Van Beek questioned why the Board is willing to make salaries the number one priority regardless of taxpayer need or the economy in an unusual year. Commissioner White said she has no problem saying she is prioritizing employees over everything else. The employees provide the services for the taxpayers. Commissioner Van Beek believes the Board should show solidarity with the taxpayer in a year where they are struggling and freeze salaries. Commissioner Dale said if the point is to show solidarity why is Commissioner Van Beek supportive of taking new construction. You're going to add \$2 million to the property tax burden and then say we are in solidarity? Commissioner Van Beek said part of it is to help mitigate for the effect, it's the planning portion to replace the CARES monies. Will it provide tax relief? Yes, and if you look at the difference in the levy rates between taking new construction and not taking new construction it's minimal. Commissioner Dale said he's not arguing that, it's still the perception that you are taking \$2 million more of property tax money out of pockets of taxpayers. Commissioner Van Beek said taking \$2 million of taxpayer money to pay ourselves more in a year where they have been paid less is a greater evil. Commissioner White said the compensation plan is not a bargaining chip, we have invested too much and it would be poor stewardship to just turn our backs because next year would be another one of those "let's dig deep Commissioners", and if it's another tough year this keeps our employees whole. Commissioner Van Beek asked what about the taxpayer? Controller Wagoner said if it's about the taxpayer why is the Board taking new construction? Commissioner White said we are not giving raises, we are following the compensation plan. Commissioner Van Beek said the employees will make more because we are taking it from the taxpayers. Commissioner White noted that none of elected officials are getting more money. Commissioner Van Beek said she is still seeking the breakout on the compensation plan and she asked that it be provided in the same format as the Controller provided for 2020. The meeting concluded at 5:14 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 7, 2020

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

CONSIDER APPROVAL/DENIAL OF APPLICATION FOR CANCELLATION OF PROPERTY TAXES UNDER IDAHO CODE 63-711 FOR THE CHURCH OF GOD

The Board met today at 9:34 a.m. to consider approval/denial of the application for cancellation of property taxes under Idaho Code 63-711 for the Church of God. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. Howard Slack and Deputy P.A. Brad Goodsell participated via Webex. Treasurer Lloyd explained this property was purchased at the end of 2018 and \$4142.60 in taxes are due. Discussion ensued regarding whether or not the church was notified and/or aware they needed to apply for the exemption. Mr. Slack said he thought he had taken all the appropriate steps when they purchased the building but said they did indeed miss this. The congregation is only about 13 members with about 20 people attending service on Sundays. They are still making payments on the building and depend on pledges from church members to fund expenses. Commissioner Dale said this is a church, it's being used as a church and the exemption should be granted. Commissioners Van Beek and White agree with Commissioner Dale's statement. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to approve the application for the cancellation of property taxes for the Church of God. The amount to be exempted is \$4142.60. A copy of the exemption is on file with this day's minutes. The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER AUGUST 7, 2020 AGENDA ITEMS

The Board met today at 10:06 a.m. to consider the August 7, 2020 agenda items. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Fair Director Diana Sinner, HR Director Sue Baumgart, Director of Court Operations Denise Kennel, Court Operations Manager Jess Urresti, Solid Waste Director David Loper, PIO Joe Decker, and Deputy Clerk Monica Reeves. Present via Webex: Treasurer Tracie Lloyd. The items were considered as follows:

Consider signing a resolution increasing the limit of the credit card fee account for the Solid Waste Department: Dr. Loper said due to COVID the landfill is seeing more credit card transactions which means more fees so they need to increase the limit of the credit card fee account so they can have money available to pay the vendor. Controller Wagoner said they created a unique separate account for landfill credit card fees so the credit card processor can pull their fees from that one account. Right now there is \$6,000 in that account but sometimes for a month the fees owed are greater than \$6,000 and there's not enough money in the account to cover the fees so we need to raise that amount to \$10,000 because of the increased activity. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution increasing the limit of the credit card fee account for the Solid Waste Department to \$10,000. (See Resolution No. 20-134.)

Consider approving an increase in the petty cash amount for the Recorder's Office: Controller Wagoner said the Recorder's Office is extremely busy and they have reassigned a fulltime position to recording and passports and are requesting an increase in the petty cash from \$850 to \$1,050 that will allow eight (8) individuals to have cash drawers with \$100 each, and they will have one

additional cash drawer managed by the supervisor that will have \$250. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to authorize the increase in the petty cash amount for the Recorder's Office as requested. (See Resolution No. 20-135.)

Consider signing the FY2021 budget for publication: Clerk Yamamoto said in light of the letter received from the PA's Office regarding the CARES Act funding, it reinforces the position that has been taken by much of the state, and city and county governments. It is the Clerk's position is that the CARES Act money utilized for the purpose that Governor Little has in mind for the counties does not fit within the established guidelines, however, the FAQ's seem to counteract that. In addition, there is a pending lawsuit on the issue. He and the Controller met moments ago and given the letter that was received this morning from legal counsel, Clerk Yamamoto said it might be prudent, as far as the publishing of the budget, that we take the CARES Act money out of the budget and go with the normal property tax with the idea that we can have reverse that with the last opportunity for that being at the August 26, 2020 budget hearing. Commissioner Van Beek said we could still reevaluate the program and then opt in even though we don't take it. Clerk Yamamoto wants to heed the legal advice and he and the Controller believe we should add the property tax back in with the idea that we may reinsert the CARES money at the last minute and therefore save property tax. Commissioner White supports the idea of leaving the CARES Act funds out of the budget. Commissioner Dale asked if that will leave everything with urban renewal status quo because it will be the standard property tax. Clerk Yamamoto said that would be correct if we went with the normal property tax then the normal taxation and that split would apply with urban renewal. Commissioner Dale said it reinforces our attempt to give meaningful and lasting property tax relief through not taking the new construction or the 3%. There was discussion about the deadline to publish the tentative budget, which needs to occur by the third week in August. Commissioner White asked what will change if we do not add the CARES Act money in to the budget. Controller Wagoner said the change would be if we don't participate in CARES then we don't make a payment to the urban renewal agencies, which is approximately \$1 million. It was strictly a wash on the revenue side, instead of coming from the federal government it comes from property tax. Clerk Yamamoto said utilizing the CARES Act in the manner we are proposing is not what was in the guidelines. The Treasury FAQs take an opposite stance and he was hanging his hat on that. He referenced FAQ No. 9 that said the entity that first received the money was the one accountable, but what they are hearing from the Governor's Office is they are not going to be accountable, the state is not providing the county's cover. It's a buyer beware situation. In addressing the Controller, Commissioner Van Beek said he provided at an elected officials' meeting a proposed scenario of what the actual dollar amount for the property tax relief would be per citizen, and she asked if that is still a number that's good given everything we've talked about at this point. Controller Wagoner said that number was a 5% reduction anticipated in a person's property tax based on \$11 million of replacement money. Now the benefit would not be there. Commissioner Van Beek asked the Clerk if he is proposing not to take 3% and no forgone on that, but to take the forgone on the new construction at \$2.1 million. Clerk Yamamoto said that is correct. Commissioner Van Beek said in looking at the recap of the compensation plan it looks like there are 36 vacant positions. Controller Wagoner said those 36 positions are funded positions, just not occupied/filled at present. Commissioner Van Beek asked if those positions have been

evaluated because if we are holding money for those it would also be a way to create property tax relief if we eliminated those funded positions from the budget. Controller Wagoner said the value is roughly \$1.5 million to \$2 million; they have been evaluated, approved, and funded in years past and they are needed. He noted that with 850 positions and turnover there will be open positions. Commissioner Van Beek said in this year there are a number of Sheriff's positions and asked if they are the same positions or in addition to what the Sheriff is requesting this fiscal year. There was \$64,000 for 8 positions (\$48,000 for 2 positions, and those numbers don't match the vacant amount in the compensation plan so she wonders if what the Controller has allocated in the sheriff's budget is in addition to what we are going to fund this year that we have already identified. Two for court transports, two for driver's license, and 5 for rotation/supply. Controller Wagoner said all of the approved positions in the Sheriff's Office are funded, whether they are filled at the moment or not. Also, there is funding including for 8 new positions. The compensation plan is for the current positions for the step advancement. New positions are budgeted in a separate line identified as new or reclassified positions. He is requesting the Board sign the budget notice today, however, what he prepared included the \$9 million deduction with CARES Act so he needs to go back to his office and remove that and make a few changes and bring back a tentative budget for publication. Clerk Yamamoto said on the expenditure side of that would be the \$760,000 we would have had to send to the urban renewals. Controller Wagoner wonders if we need to leave in the \$760,000 for a budgetary reason because you can't increase because of the payout if we do take the CARES Act funding because then we'll need that expenditure money. If it's concluded that we don't take it then it won't get spent. The Board took a recess at 10:35 a.m. to give the Controller some time to prepare a new budget notice. The meeting resumed at 10:51 a.m. and Controller Wagoner presented the Board with the tentative budget and property taxes for 2021 and the worksheet. There was nearly \$600 million of new construction but he zeroed out the budgetary increase. We are not taking any of the 3% or any of the new construction. There are some other factors related to replacement monies, the bottom line is property tax is \$53,970,567 and no adjustment for CARES Act monies. Commissioner Van Beek asked about last year's levied property taxes and new expenses and asked if other revenues cover the amount of expenses in the budget if we don't take new construction. Controller Wagoner said yes, the County has a broad source of revenues coming in from multiple sources which benefits property taxpayers. Commissioner Van Beek said we have \$1.2 million in increases in the compensation plan and \$575,000 in reclassified new positions so that's \$2.1 million that is ongoing, that is not any part of property tax relief. Other things we cut out of the budget will at some point have to be introduced, or, we identified 36 positions that are funded so there's not property tax relief there so her question goes back to where the permanent property tax relief would be found in the budget. Controller Wagoner said relief can be found the changes related to the indigent medical program where reductions were made to the medical payout line item and staff has been reduced significantly. In addition, the juvenile detention center has returned 5 or 6 positions in the 2021 budget. There have been permanent reductions in spending. Commissioner Van Beek asked for the total amount of the 12 positions that were unfunded. Controller Wagoner said it's \$750,000 including the security direction position that is not funded. Commissioner Dale said therein is the answer to why we can hold the property tax budget at an equal rate rather than increase it because we've had those decreases in other areas. Clerk Yamamoto said what you're looking at is a tax freeze. In 2010 the population of Canyon County was 188,000, and it's projected that the 2021

Census will show a population of 240,000. We have been fiscally responsible. How many schools do grandparents have to build? How about the restaurant owners aren't able to be open, and when they could reopen it was on a limited basis; waitresses had no income, maids at hotels were without a job. This County has a fiscal obligation to do the right thing property tax-wise, and we have a moral obligation to do the right thing and that's what we're doing with this budget. The cuts we have made are cuts that he believed in but were not doing substantial harm. They looked at what is essential and what is nonessential. County government is mandated and we have a lot of things the state or federal levels require us to do that unfortunately is not funded at a proper level and the property taxpayers have to make that up and we are hopeful to make some changes in those areas and that's one of the reasons that beyond the property tax relief we are forgoing new construction, which he guarantees will not be a common thing in the state. He wants Canyon County to have a seat at the legislative committee table; we did our job to protect our citizens. State of Idaho, what are you going to do? They need to make the changes necessary so that we have a sustainable system here. We can all agree that what's going on with the population increase and building schools that is not a sustainable program. He does not know where we will end up with the CARES Act money but he feels comfortable with this option. If we put the property tax back in and we have the option, and we have a comfort level to put that back in it's that much more property tax relief we can provide. There was discussion regarding the right to recover the new construction forgone property increase available. Commissioner Dale said the difference between doing the forgone with the new construction or the forgone with the 3% is the 3% remains a percent that you can increase the budget, and the forgone remains a fixed dollar amount. It is a nuanced difference we need to be aware of. Controller Wagoner said the County has a current forgone balance of \$5.6 million. This is spelling out a specific dollar amount that would increase the \$5.6 million and whatever we decide to reserve needs to be a specific dollar amount. Commissioner Dale said it makes sense to say we are not going to include the forgone of 3% that's allowable, we are going to include as forgone the fixed dollar amount which relates to new construction. Clerk Yamamoto said it has some political ramifications in that everybody plans on all government entities taking new construction so it won't raise eyebrows that we're going to retain that rather than the 3%. Commissioner Van Beek had questions regarding the levy rate. Controller Wagoner said we won't have the final values to determine the levy until September/October. The estimated levy rate is .0031. Commissioner Van Beek said there is a lot of information and she's not ready to vote so she will be voting no on the tentative budget because she doesn't feel it's been properly vetted. We don't have a new levy rate. She would like to see some inclusion of new construction to pay for increased expenses and then on the compensation plan, in looking at the information that was provided last year the County provided incentives on the elected officials' scale of 2.3% up to 7.7%. People should be compensated fairly, but there should be a cap and there needs to be continued discussion about what that looks like, particularly given the situation we are in this year. Canyon County is an employer of choice and how we treat our employees is just as valuable as what we pay them and we should be standing with the taxpayers. She is not able to vote yes on this budget. Commissioner White asked if two more weeks would change her mind. Commissioner Van Beek said she wants to have continued discussion and she will look at alternatives. She is not going to vote on something he doesn't have a better understanding of. Commissioner Dale said great work has been done on this budget and he commends the Clerk and Controller for the hours and hours spent on this. Past administrations

were hesitant to increase numbers and we worked ourselves into a hole and we had to make some radical/painful adjustments to get ourselves in a position where we are solvent and sustainable which we are today. The compensation plan was implemented four years ago to address the high turnover rate and we are starting to see the fruits of that plan with our retention rates improving and that plan needs to be sustained. Our greatest asset are the people and we need to take care of them and if you throw out the plan year to year you will find yourself in another hole. This is a good budget and he likes that it has been designed without taking the 3% or without taking new construction. He feels comfortable about not including the CARES Act money in the budget because there are too many questions and what if there is a lawsuit and it turns to a direction to where we have to come up with an extra \$9 million to make that up. Following the wisdom of the Clerk and Controller is the right thing to do. In speaking of the compensation plan, Clerk Yamamoto said when you have good people who know their job it requires fewer new positions and that is part of the plan, and that's why we went one year with zero new positions and we're close to that again this year except for the Sheriff's Office. We are able to do that because we don't have the 25% turnover. Compensating properly and not having the turnover is how we can do that. Commissioner White said when we started this process there was a commonality to hold the line, and what the Clerk and Controller have presented is an example of that. Yes, there are places we disagree but when you look at the bottom line we have accomplished what we set out to do, which is hold the line. We have not defunded any essential aspects of our budget and we are keeping the compensation plan whole and she thinks that is "absolutely huge." She supports the budget without the CARES Act money. Commissioner Van Beek said she is not suggesting we not fund necessary things and she recognizes that compensating employees is part of that. Her statement is that our expenses meet our revenues, we don't ask our revenues to meet the expenses. One of the lowest increases that was taken by an elected official has one of the highest frontline positions in the County so there doesn't appear to be a rubric she understands with the compensation plan. She is in favor of outsourcing that to get some of those salary increases for, and looking at some of the concentrations of the highest are within that group that sets that. We need an objective, fresh, and different look, and a Commissioner that looks at those and what that looks like is important to maintain accountability and transparency. Where we don't have a cap and we don't have Commissioners providing input or a roundtable discussion of elected officials on what constitutes fairness across the Board. Commissioner White asked about the cap reference. Commissioner Van Beek said Ada County indicated the raises they give have a floor of 1%, a cap of 5% and elected officials never set their own salaries. It is to be commended that the Clerk has employees who are tracking performance and production and there are areas we need to go back and look at again on what we are doing in office time, production time, and performance time, that's how the real world operates and we want to get to that. Commissioner White said the compensation plan gives us the cap because we have the regular step increases, and what Commissioner Van Beek is alluding to comes from years ago when there was no rubric, no plan, and no guidelines; and this is why the compensation plan is so vital and successful. Commissioner Dale said the Board is responsible for setting salaries so they will always set those salaries and said when we looked at elected officials' salaries it was done by an independent group that evaluated elected officials' salaries around the region and the state and it came up with the suggested salaries. Elected officials did not suggest their own salaries. There are no salary increases in the budget this year for elected officials. We have taken an in-depth look at this

budget and we understand it and then he made motion to authorize the Board to sign the FY2021 budget for publication, as amended with the correction of replacing the 3% with the corrected number. (The revised language in the budget notice states that Canyon County intends to reserve the right to recover the new construction forgone property increase available in FY2021 of \$2,104,781.) The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion, which carried by a two-to-one split vote. The meeting concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 10, 2020

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

CONSIDER SIGNING AUGUST 10, 2020 AGENDA ITEMS

The Board met today at 9:30 a.m. to consider the development agreement for Westpark Company, Inc., (comprehensive plan map amendment and conditional rezone request), as well as the Findings of Fact, Conclusions of Law and Order (FCO's), an ordinance and a development agreement for the Clair and Joanne Leavitt Trust conditional rezone request. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida who participated via a conference call, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider action items related to the request by Westpark Company, Inc., for a comprehensive plan map amendment and conditional rezone Case Nos. OR2019-0009 and CR2019-0009: On August 4, 2020 the Board conducted a hearing in the matter of a request by Westpark Company for a comprehensive plan map amendment and a conditional rezone, as well as a preliminary plat for Osprey Estates Subdivision. Following the hearing the Board signed the FCO's, the resolution and the ordinance. The development agreement was postponed to allow time to obtain the applicant's signature. Today staff presented the Board with the agreement which was signed by Greg Johnson. Commissioner Dale made a motion to sign the development agreement with Westpark Company. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Agreement No. 20-108.)

Consider action items related to the rezone request by Claire and Joanne Leavitt Trust, Case No. CR2019-0019: On July 24, 2020 the Board held a hearing and the request was approved by

Commissioners White and Van Beek. Today staff presented the Board with the FCO's as well as an ordinance and a development agreement. Ms. Almeida said the documents presented today mirror the decision made by the Board at the underlying hearing. (The delay in signing was because the applicant was out of town on the original hearing date.) Commissioner Van Beek made a motion to approve the findings of fact, conclusions of law and order, as well as the ordinance and development agreement for Case No. CR2019-0019. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 20-025 and Agreement No. 20-109.)

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

PUBLIC HEARING – REQUEST BY EDUARDO RIVAS FOR A CONDITIONAL REZONE, CASE NO CR2020-0001

The Board met today at 10:03 a.m. consider a request by Eduardo Rivas for a conditional rezone, Case No. CR2020-0001. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, Eduardo Rivas, and Deputy Clerk Monica Reeves. DSD Planner Jennifer Almeida participated via Webex. Jennifer Almeida gave the oral staff report. The subject property consists of 31.36 acres and is located in the Melba impact area. If the request is approved the applicant will be entitled to build a home on approx. 2 acres, and the remainder will be retained for agricultural use. The subject property is designated as agriculture on the future land use map. The surrounding area is a mix of agricultural and residential uses. The Nampa Highway District has no objection to the request as long as their standards are met. An approach permit is required at submittal of the application for a building permit. No agency or property owner objections or concerns were received. The P&Z Commission recommended approval on June 10, 2020, and staff has found the request meets the standards of evaluation for a conditional rezone and is harmonious with the comprehensive plan and is recommending approval. Commissioner Van Beek had questions about how the property was previously split. Commissioner White had questions regarding the access point. Eduardo Rivas stated that Ms. Almeida accurately reflected the intent of his request. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the findings of fact, conclusions of law and order, as well as the ordinance and development agreement for Case No. CR2020-0001. (See Ordinance No. 20-026.) The development agreement will be considered by the Board once the applicant and his wife have signed it. The hearing concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TCA TO DISCUSS GENERAL ISSUES

The Board met today at 1:34 p.m. for a meeting with the Administrative District Judge and the Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale and Leslie Van Beek, Administrative District Judge George Southworth, Trial Court Administrator Doug Tyler, and Deputy Clerk Monica Reeves. Judge Southworth reported the Courts are getting ready for jury trials, and hopefully the Sheriff's Office can start transporting people to go on retained jurisdiction. Commissioner Van Beek said it was previously indicated that the county was holding 80 inmates who were scheduled for the Department of Corrections, and with that 80 we saw a corresponding increase in the budget's revenue side for payment for holding them. She asked if the Judge has any feeling for how many inmates they will be able to take because depending on the rate of transfer it will be an impact to the budget of almost a million dollars a year. Judge Southworth said he has no information on that as it will have to be decided between the Sheriff's Office and the Department of Corrections, although he doubts they will take all 80 inmates. TCA Tyler reported that Judge VanderVelde attend the last elected officials' meeting and was appreciative the information that was shared. Judge Schiller will retire at the end of the month and they plan to interview for a new magistrate judge and are looking to fill the position by October 24. Commissioner Van Beek asked about the judges' caseloads. Judge Southworth said magistrate judges have the highest caseload in the state and are a number one priority with the judicial conference in applying for two new magistrate positions next year. The Courts will be seeking a letter of support from the Board stating the County will provide the support staff and the court space. Wes Musser, the lead marshal, is retiring the end of this month. Commissioner Van Beek asked how the court transports program is working. TCA Tyler said it's been working well and he was complimentary of the service provided by the Sheriff's Office/jail staff. Commissioner Dale said the biggest thing to realize with the new magistrate positions and resulting staff and court space is there will have to be some pencil sharpening because it will be a big financial hit to the County taxpayers. Judge Southworth said they won't need a lot of remodeling because they have a courtroom upstairs and one on the first floor. TCA Tyler anticipates they can accommodate the positions with what they have now. He also spoke about how Ada County is need of additional court space. Judge Southworth said a new district judge position will also be requested and it will add a staff attorney position. Again, Commissioner Dale noted the cost will be on the taxpayers. Judge Southworth said the Courts e have been fighting to get that changed for a few years but the legislature is not interested. TCA Tyler said they were close this year, but COVID changed that. Commissioner Dale asked the Judge to let the Board know if there is anything IAC could take a part in as far as lobbying for that. Commissioner Van Beek asked if the request for additional judges was included in their budget. TCA Tyler said it was not and that's because it will not happen until FY2022. They have told Clerk Yamamoto and the Controller that is on the table. Commissioner Van Beek asked that the staffing costs be provided as soon as possible. Judge Southworth said they will provide that information so they can get the Board's letter of support by the end of the year. TCA Tyler said they can do the hard number crunching once they know what the court is bringing to the legislature, which should be in October. No Board action was required or taken. The meeting concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 11, 2020

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

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Tricycle, LLC aka Eastside Tavern for use on September 12, September 19, September 20, and September 26, 2020 for four (4) wedding receptions.

CONSIDER AUGUST 11, 2020 AGENDA ITEMS SCHEDULED FOR 9:00 A.M.

The Board met today at 9:03 a.m. to consider the August 11, 2020 agenda that were scheduled for 9:00 a.m. Present were: Commissioners Pam White and Leslie Van Beek, PIO Joe Decker, Deputy P.A. Mike Porter, Facilities Director Paul Navarro, Fair Director Diana Sinner, and Deputy Clerk Monica Reeves. The items were considered as follows:

Addendum No. 1 to the RFQ for the 2020 Canyon County Fair Expo Building: Director Navarro said an onsite meeting was held with potential candidates and from that they generated a list of questions to be formally answered in the addendum. He said one of the things that has been a big topic of contention is the naming subcontractors; there are a handful of subcontractors the County wants to avoid because of past problems and so he is trying to ask up front who they are going to use for mechanical, electrical, plumbing, concrete, fire and roofing. The project is going well; he and Director Sinner met with the architect and construction manager and they will have documents submitted to the city for a building permit in a few weeks with a hopeful intent of moving into the RFP stage by October 1st. Commissioner Van Beek has not had the opportunity to look through document so she requested the matter be continued to this afternoon. The meeting will be continued to 1:30 p.m. Commissioner White will be out this afternoon but she authorized the use of her stamp on the addendum when it's considered.

Consider extending the COVID-19 emergency declaration: Joe Decker spoke about how the declaration, which will expire on August 15th, is an administrative process for cost-sharing and the ability to move money and share resources easier. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to extend the COVID-19 emergency declaration until August 16 through September 15, 2020.

The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING AUGUST 11, 2020 10:00 A.M. AGENDA ITEMS

The Board met today at 10:06 a.m. for a legal staff update and to consider signing the August 11, 2020 10:00 a.m. agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Sheriff Kieran Donahue, EOM Christine Wendelsdorf, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto arrived at 10:12 a.m. The items were considered as follows:

Consider signing a resolution appointing Susan Puga to the Canyon County Board of Community Guardians: Brad Goodsell explained how the board of community guardians is a volunteer board that operates without any county funds, however, the board members are approved by the Board of Commissioners. They wish to add another member and that is Ms. Puga. Commissioners White and Van Beek support the appointment request. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the resolution appointing Susan Puga to the Canyon County Board of Community Guardians. (See Resolution No. 20-136.)

Consider signing a legal notice inviting public comment on revisions to Pickles Butte Sanitary Landfill design revision and storm water controls: Mr. Goodsell said when certain changes are made to the landfill operations we have to publish notice of the changes and give the public an opportunity to comment. Director Loper submitted the landfill design revision and storm water control revisions to the health department and DEQ and they have essentially approved them subject to going through the comment period and not having any adverse comments that would change their opinions. The notice will be published notifying the public they have 28 days to comment on it. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the legal notice inviting public comment on the revisions to Pickles Butte Sanitary Landfill design revision and storm water control. The notice will publish in the Idaho Press-Tribune on August 16, 2020.

Consider signing well abandonment agreement with Cascade Drilling L.P. regarding FY20 Pickles Butte Well Abandonment Solicitation of Bids: Mr. Goodsell said three bids were received for the well capping project and the Board gave notice it would award the bid to the lowest bidder which is Cascade Drilling. The contract was part of the bidding process so there are no terms and conditions to negotiate as they were already part of the bid process. They intend to work on the project from September 21 to September 28, and the amount of the contract is \$46,500. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the well abandonment agreement with Cascade Drilling, LP regarding the FY20 Pickles Butte Well Abandonment Solicitation of Bids project. (Agreement No. 20-110.)

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

As part of today's legal staff update, a request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. Commissioner Van Beek made a motion to go into Executive Session at 10:15 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek and Pam White, Deputy P.A. Brad Goodsell, EOM Christine Wendelsdorf, Coroner Jennifer Crawford, Sheriff Kieran Donahue, and Deputy Clerk Monica Reeves. Sheriff Donahue left at 10:29 a.m. Ms. Wendelsdorf and Coroner Crawford left at 10:40 a.m. Treasurer Tracie Lloyd arrived at 10:40 a.m. The Executive Session concluded at 11:07 a.m. with no decision being called for in open session.

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

CONSIDER ADDENDUM NO. 1 TO THE RFQ FOR THE 2020 CANYON COUNTY FAIR EXPO BUILDING

The Board met today at 1:30 p.m. to consider Addendum No. 1 to the RFQ for the 2020 Canyon County Fair Expo Building. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, Fair Director Diana Sinner, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. This issue was postponed from this morning to allow Commissioner Van Beek an opportunity to review the RFQ that was approved last month. Paul Navarro reported on the onsite meeting that was held in which seven firms were in attendance and from that meeting a list of questions were generated. The addendum answers those questions. Commissioner Van Beek asked questions of Mr. Navarro and Mr. Wesley. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign Addendum No. 1 to the RFQ for the 2020 canyon County Fair Expo Building. The meeting concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 12, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Pam White, Chair (called in for 9:00 a.m. mtg)

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$17,100.00 for the Information Technology Department
- Chem Aqua in the amount of \$4,778.52 for the Facilities Department

APPROVED CLAIMS ORDER NO. 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$64,405.90, \$366,334.52, and \$39,535.10 for accounts payable.

APPROVED CLAIMS ORDER NO. 2023

The Board of Commissioners approved payment of County claims in the amount of \$1,616,575.11 for a County payroll.

CONSIDER INDIGENT DECISIONS

The Board met today at 9:13 a.m. to consider indigent decisions. Present were: Commissioner Tom Dale, Commissioner Pam White (via conference call), Indigent Services Director Yvonne Baker, and Deputy Clerk Monica Reeves. Director Baker said per the Clerk's statement of findings the following cases do not meet eligibility criteria for County assistance: Case Nos. 2020-915 and 2020-906. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to issue denials with a written decision to be issued within 30 days for Case No. 2020-915 and Case No. 2020-906. Per the Clerk's statement of findings Case No. 2019-1400 does meet eligibility criteria for assistance. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve Case No. 2019-1400 with a written decision to be issued within 30 days. Director Baker requested continuances for four cases that were scheduled for hearing tomorrow. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to continue the following cases to August 27, 2020: Case Nos. 2020-259, 2020-365, and 2020-391; and to continue Case No. 2020-9 to September 10, 2020. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the withdrawals and issue the final denial within 30 days for the following cases: Case Nos. 2020-705 and 2020-721. Commissioner White authorized use of her stamp on the documents presented by Director Baker. The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY DENNIS AND CHRIS HECK FOR A PRELIMINARY PLAT FOR TRISON ESTATES SUBDIVISION, CASE NO. SD2019-0008

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Dennis and Chris Heck for a preliminary plat, irrigation and drainage plan for Trison Estates Subdivision, Case No. SD2019-0008. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Via Webex: DSD Planner Jennifer

Almeida, Tyler Hess, Mona Romas, Cathy Stephens, and Ben Goff. Jennifer Almeida gave the oral staff report. Trison Estates Subdivision contains 28 residential lots and is located within Middleton's area of city impact. It is adjacent to residential and agricultural uses. Keller and Associates has reviewed the preliminary plat for conformance with county code and they recommended approval of the plat with conditions. Internal public roads are proposed. Canyon Highway District has reviewed the plat and found the public road approach meets requirements; they also noted conditions of approval that will be required. The project will utilize individual septic systems and wells. The property is within a nitrate priority area, and the applicant has completed a level 1 nutrient pathogen study which is pending approval from Southwest District Health. Irrigation will be provided via a pressurized irrigation system. The P&Z Commission recommended approval on June 4, 2020, and staff is recommending approval finding the request meets all requirements. Commissioners Van Beek and Dale had questions of staff regarding the plat. Tyler Hess testified in support of the request stating that he is partnering with the landowners on this project. The property has been a family farm for many years but they stopped farming 2-3 years ago due to the topography and because the ability to farm has become difficult. Mr. Hess developed Purple Sage Estates which is within a half mile from this site and the Hecks approached him to help develop their land. He has met with Canyon Highway District and Southwest District Health; engineers are working on topography and road designs. The parcel to the south is not part of this project. The highway district has requested a future entry into another parcel. They have a temporary turnaround for fire access. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek made a motion to approve the preliminary plat and irrigation and drainage plan, and to approve the findings of fact, conclusions of law, and order for Trison Estates Subdivision. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 13, 2020

PRESENT: Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

ABSENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman *(Attending health district meeting at the Governor's Office).*

APPROVED CLAIMS ORDER NOS. 8/13/20 AND 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$27,244.00, \$40,470.87 and \$34,331.52 for accounts payable.

APPROVE EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Amanda Murray, a part-time housekeeper, in the Facilities Department.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 14, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 8/17/20 AND 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$18,163.44 and \$55,476.34 for accounts payable.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Macabi, Inc., dba Acapulco Mexican Restaurant for use on August 29, 2020 at High Desert Station.

PUBLIC HEARING TO CONSIDER A REQUEST BY ELIZABETH JETT FOR A PRELIMINARY PLAT AND FINAL PLAT FOR VALLEY VIEW RANCH NO. 2 SUBDIVISION, CASE NO. SD2020-0008

The Board met today at 9:33 a.m. to conduct a public hearing in the matter of a request by Elizabeth Jett for a preliminary plat and final plat for Valley View Ranch No. 2 Subdivision, Case No. SD2020-0008. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Present via Webex: Elizabeth Jett. Jennifer Almeida gave the oral staff report. The request is for a residential subdivision containing two lots. It was rezoned to rural residential in January of 2020, and both lots are two acres in size. One lot contains the existing residence and the other lot will be utilized for a new residence. The future land use map designates this property as residential. The property is adjacent to platted residential uses and is located within a platted subdivision, Valley View Ranch No. 1. Keller & Associates has reviewed the preliminary plat and recommended approval of the plat with conditions, and staff has added the conditions to the proposed findings. The Nampa Highway District has no concerns with the proposal, and the health department has stated the

sanitary restrictions have been lifted and they have signed the final plat. Irrigation will be provided via pressurized irrigation owned and maintained by the Valley View Ranch homeowners association. Fire sprinkler systems will be required in the home. No public comments were received. P&Z recommended approval on June 25, 2020 and staff is also recommending approval. Commissioners Van Beek and Dale had questions of Ms. Almeida following her report. Elizabeth Jett was available to respond to questions. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the findings of fact, conclusions of law and order for the preliminary plat and final plat for Valley View Ranch No. 2 Subdivision, Case No. SD2020-0008. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING THE DEVELOPMENT AGREEMENT FOR THE EDUARDO RIVAS CONDITIONAL REZONE REQUEST, CASE NO. CR2020-0001

The Board met today at 9:42 a.m. to consider the development agreement for the Eduardo Rivas conditional rezone request, Case No. CR2020-0001. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Jennifer Almeida said this case was head by the Board on August 10 and was tabled in order to obtain the applicant's notarized signature, and it is now ready for the Board's signature. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the development agreement for Eduardo Rivas, Case No. CR2020-0001. (Agreement No. 20-111.) The meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 17, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$112,906.27 and \$22,237.87 for accounts payable.

APPROVED MAY 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of May 2020 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:04 a.m. with county attorneys for a legal staff update. Present were: Commissioner Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. DSD Director Tricia Nilsson joined via teleconference at 9:08 a.m. Discussion ensued regarding an email from Mark Stevens about a setback issue. Mr. Wesley said there is some confusion on Mr. Stevens part and gave details of the property noting that the 100' setback was deliberated for that subdivision on the plat. He provided clarification on the county's ordinance and options for the Director's decision but how it doesn't apply to this particular case. This setback is not by county ordinance, it is part of the plat. In order to get it changed he would have to go thru the plat process which is more intensive both monetarily and in noticing requirements. Notice would have to be given to all the neighbors and it may be more beneficial if the neighborhood came together to change the setback requirement on the subdivision plat. Mr. Wesley and Director Nilsson spoke about the replat process, a potential fee waiver and detailed the steps that would need to be taken. Mr. Wesley feels that the letter prepared by Director Nilsson clearly lines out the options and necessary steps but Commissioner Van Beek said she would get in contact with Mr. Stevens today as he is expecting a response. The meeting concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER TREASURER'S TAX CHARGE ADJUSTMENTS AND MEETING WITH KIMBERLY BOWMAN REGARDING VETERAN TAX REDUCTION ISSUE

The Board met today at 10:01 a.m. to consider the Treasurer's tax charge adjustments by PIN, and to meet with Kimberly Bowman regarding a Veteran tax reduction issue. Present were: Commissioners Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd, Assessor Brian Stender, Assessor's Analyst Jennifer Loutzenhiser, Kimberly Bowman who participated via Webex, and Deputy Clerk Monica Reeves. The Board reviewed the monthly tax charge adjustments with the Treasurer. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted to approve the tax charge adjustments by PIN. The next item of discussion was the Kimberly Bowman Veteran tax reduction issue. Ms. Bowman said her mortgage company miscalculated her taxes and charged her too little so she received a bill for an escrow shortage. She then inquired about a tax reductions for Veterans but having just had a new baby she missed the deadline for filing. Jennifer Loutzenhiser said the program Ms. Bowman referred to is the VA credit program, a fairly new program that runs alongside the property tax reduction program, and

initially in 2019 when it began it was only extended to two people who are rated 100% service connected disability. This past year legislation expanded the program to people who are also paid at 100% and that's the group Ms. Bowman falls in to. Due to COVID, the filing deadline for this program was extended from April 15 to June 15, and had Ms. Bowman's application been received on time the Assessor would have estimated she would have received a state benefit of \$1,320 toward her taxes. They sent the application to the state but they weren't interested in considering a late application and that's what brought her here today. Treasurer Lloyd reported there are no taxes due at this time. Commissioner Van Beek said because there are no taxes due, and because we have a Veteran who served our country she is inclined to grant the amount that would have been granted by the state. Commissioner Dale is willing to apply grace to this situation and grant the exemption. It will be a hardship exemption. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to exempt \$1,320 of the 2020 taxes. The meeting concluded at 10:12 a.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 3:00 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 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, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Caldwell Economic Development Director Steve Fultz, Deputy P.A. Brad Goodsell who participated via conference call, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:18 p.m. with no decision being called for in open session.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 18, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$147,636.34, \$106,116.22, and \$15,098.95, and \$29,794.40 for accounts payable.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, Lt. Ray Talbot, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Controller Zach Wagoner, Director of DSD Tricia Nilsson, Deputy P.A. Dan Blocksom left at 9:03 a.m., Benefits and Training Coordinator Nicole Ahlstrom left at 9:10 a.m., HR Director Sue Baumgart arrived at 9:04 a.m. and left 9:10 a.m., Representative for Stout Building Contractors and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing School Resource Officer agreement with the Notus School District: Lt. Talbot said this is the same contract as was used with the Vallivue School District. It will provide 8 hours a week for \$5000. The SRO will be shared between Melba and Notus school districts. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the School Resource Officer agreement with the Notus School District (see agreement no. 20-113).

Consider signing MOU between City of Nampa and Canyon County for the 2020 Byrne Justice Assistance Grant Program: Lt. Talbot explained that the City of Nampa is the applicant for this grant and Canyon County is a sub-grantee. Nampa will be providing \$15,730 to Canyon County. Commissioner Van Beek made a motion to authorize the chair to sign the MOU between the City of Nampa and Canyon County for the 2020 Byrne Justice Assistance Grant Program. The motion was seconded by Commissioner Dale and carried unanimously. See agreement no. 20-112.

Consider signing amendment to current FY2020 FSA and DCA plan benefits: Zach Wesley explained that the county has an agreement with Flores and Associates to administer the cafeteria plan that include both the health and childcare reimbursement plans. In relation to COVID-19, Flores has made some changes and requested to make changes to the county plan. They didn't send a written amendment to sign as they prefer acknowledgment by email to accept the changes. Ms. Ahlstrom reviewed the changes which include the rollover amount being increased from \$500 to \$550 for the FSA plan and employees being allowed to make up to 2 mid-year changes to their childcare plan without a qualifying event. Commissioner Van Beek made a motion to continue this action item pending additional information. The motion was seconded by Commissioner Dale and carried unanimously.

Qualification opening, selection process begins for RFQ 2020 Canyon County Fair Expo Building Project: Director Navarro reviewed the project up to this point. He and Director Sinner will review the submissions and make a recommendation to the Board at a later date. The following submissions were received:

- McAlvain Construction
Received August 17, 2020
- HC Company
Received August 18, 2020 at 8:19 a.m.
- ESI
Received August 18, 2020 at 8:19 a.m.
- Stout Building Contractors
Received August 18, 2020 at 8:41 a.m.
- Scott Hedrick Construction
Received August 17, 2020
- Petra, Inc.
Received August 18, 2020 at 8:02 a.m.
- Forge Building Company
Received August 18, 2020 at 8:10 a.m.
- CM Company (Construction Managers)
Received August 17, 2020

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

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication 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 Van Beek and Dale 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. Zach Wesley, DSD Director Tricia Nilsson, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 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.

MEETING WITH HR DEPARTMENT REGARDING SECURITY SUPERVISOR JOB DESCRIPTION AND CONSIDER ACTION ITEM

The Board met today at 10:01 a.m. with Human Resources regarding the Security Supervisor job description and to consider and action item. Present were: Commissioners Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton, Maintenance Specialist Les Johnson, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Navarro explained he has worked with Director Baumgart on the job description for this position and bringing it under the supervision of the Facilities department. At this time the position will focus mainly on the security needs of the 15 Board departments and a couple EOs who may have some items to be addressed. In addition to security responsibilities they will also be maintaining existing systems such as badging systems, key systems and camera systems. Director Navarro introduced Les Johnson to the Board. Mr. Johnson is the employee being considered for the position who took a moment to explain his interest in the position, some of his background and his knowledge of county systems and processes. Discussion ensued regarding the master plan and the people Mr. Navarro would like to see Mr. Johnson work with to address some of the master plan items that could be addressed and how those projects can be staged. Mr. Navarro further discussed the job description and how it has been tailored to the specific needs of the county.

In order to get the word out about this new position Commissioner Dale said he would get in contact with the Sheriff about Director Navarro attending the next EO meeting.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the job description for the Security Supervisor. See resolution no. 20-137.

The meeting concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS RELATED TO THE TROOST FAMILY TRUST COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE REQUEST, CASE NOS. OR2019-0002 AND RZ2019-0004 - CONSIDER SIGNING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW & ORDER

The Board met today at 11:05 a.m. to consider the Findings of Fact, Conclusions of Law (FCO's) and Order related to the Troost Family Trust comprehensive plan map amendment and rezone request for Case Nos. OR2019-0002 and RZ2019-0004. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Brian Whitlock, Hethe Clark, and Director Tricia Nilsson. Zach Wesley said this matter came before the Board on August 4 and at that point the Board voted unanimously to deny the comprehensive plan map change request and the rezone request. The FCO's have been prepared to reflect the Board's discussion and deliberation on August 4. There

are two different documents because although the County's ordinance allows for the comprehensive plan map request and the rezone request to be held in tandem the decisions are separate. Commissioner Dale said the FCOs have been reviewed and a couple of changes were noted, but it falls within the intent of this action. Commissioner Van Beek said the changes included some typographical corrections that were not significant to the record, and some phrasing that made the position more clearly articulated by legal. Regarding the comprehensive plan map amendment, staff has done a good job, there has been a lot of testimony and weigh in from the attorney for the LDS Church and those factors played into the Board's decision that ultimately denied the application. The residential and commercial growth is not found to be in conformance. The attorney for the church said there was no way, even with the proposed mitigation, to overcome the impacts of putting a C-2 commercial designation zone and the residential component right in the middle of agricultural ground. That would have impacted a number of things and opened the door in a way that would have de-valued the agricultural component of Canyon County in a significant way and had an impact on a neighboring orchard. This was not a fit and she is happy to be a part of the process that protected agriculture in Canyon County. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to deny Case No. OR2019-0002 for the comprehensive plan map amendment to change the designation of Parcel R33402010 from agricultural to residential which was approximately 30 acres, and six acres from Agricultural to Commercial. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to deny Case No. RZ2019-0004 which is a rezone request of approximately 30 acres from an "A" Agricultural Zone to an R-1 Single-Family Residential and approximately 6 acres from an "A" Agricultural Zone to a C-2 Service Commercial Zone. The meeting concluded at 11:13 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT HEARING FOR PELICAN SUBDIVISION, CASE NO. SD2019-0014

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Greg Schatzel, Pelican Lane, LLC, for approval of a preliminary plat with an irrigation plan and drainage plan for Pelican Subdivision on Parcel R30062010B, R30064011 and R27277506. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Greg Schatzel, Dan Lardie, and Deputy Clerk Monica Reeves. DSD Planner Dan Lister participated via Webex. Dan Lister gave the oral staff report. The development consists of 11 residential lots with one road lot and is located in the "R-R" Rural Residential Zone. The subject property is located at the southwest corner of the intersection of Locust Lane and Pelican Lane, Nampa. The property will be served by individual wells and septic. Mr. Lister reported on the agency comments and conditions. On June 25, 2020, the Planning and Zoning Commission recommended approval of the request subject to conditions. Staff and the County engineer reviewed the plat and found it meets the requirements; staff is also recommending approval subject to eight conditions. Following his report, Mr. Lister responded to questions from Commissioner Dale and Van Beek. Dan Lardie testified in support of the request and said there is a lot of history associated with the property. Greg Schatzel started the project in 2006 and in 2007 he had the underground work done, and

then the downturn hit. The conditional use permit expired in 2011 and when it came time to produce the product again he came back in 2018 and filed for a rezone. Mr. Lardie said they have agreed to all conditions suggested by the P&Z Commission. He said the letter that was submitted by Mr. Boyd in which he expressed concerns and frustrations, contains comments that are last-minute. Commissioner Van Beek had questions of Mr. Lardie regarding the lots in the project. Greg Schatzel offered comments in support of the request. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public hearing. Commissioner Van Beek said the applicant has not done anything except try to put in the infrastructure at the time it was originally approved so it may look out of order but it's because of the delays and economic conditions. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat with irrigation and drainage plans for Pelican Subdivision, Case No. SD2019-0014. The hearing concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 19, 2020

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

APPROVED CLAIMS ORDER NO. 8/19/20 AND 8/25/20

The Board of Commissioners approved payment of County claims in the amount of \$432.00, \$1,673.00, \$3,871.00, and \$27,448.76 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Jumper Cables Embroidery in the amount of \$1,197.65 for the Development Services department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for the Curb Bar & Grill to be used 8/29/20 for a wedding reception.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for the Tubs, Inc., dba The End Zone to be used 8/29/20 for a wedding reception.

MEETING TO CONSIDER APPEAL FROM DEVELOPMENT SERVICES DEPARTMENT CODE ENFORCEMENT CASE NO. CDEF-2020-0018

The Board met today at 9:32 a.m. to consider an appeal from the Development Services Department for code enforcement on case no. CDEF-2020-0018. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, DSD Code Enforcement Officer Eric Arthur and Deputy Clerk Jenen Ross. The property owner, Ms. Scott, was invited to the meeting today but is not in attendance. Mr. Wesley presented the process for a code enforcement issue such as this and reviewed the options available to the Board for acting on this case. Mr. Arthur provided a review of the case and it's history. He has exhausted all routes available to him and offered the assistance he can to Ms. Smith. The Board is in favor of hiring a service to clean up the property but want it done with assistance from the Sheriff's Office. The Sheriff's Office is aware of this property and it's residents. No timeframe for abatement has been set as DSD was waiting for direction from the Board but Mr. Arthur will coordinate with the Sheriff's Office and the clean up company. Commissioner Dale made a motion to deny the appeal and ordered abatement. The motion was seconded by Commissioner Van Beek and carried unanimously.

The Board went off the record briefly from 9:50 a.m. to 9:51 a.m.

Once back on the record Commissioner Van Beek asked about drone regulations based on a phone call she received this morning from a Canyon County resident who is having an issue and wondered about protection of private property. Commissioner Van Beek asked Mr. Wesley to review Ada County's ordinance and provide the Board with additional information.

The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CHIEF PUBLIC DEFENDER TO CONSIDER SIGNING FY2021 INDIGENT DEFENSE FINANCIAL ASSISTANCE AGREEMENT

The Board met today at 10:33 a.m. with the Chief Public Defender to consider signing the FY2021 Indigent Defense Financial Assistance agreement. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. This year the county was awarded a total of \$994,720 which break down to \$591,237 for the FY2021 Formula Award, \$177,371 for the One-time Award and \$226,112 for the FY2021 Workload Award. Mr. Bazzoli explained how the Indigent Defense Financial Assistance formula works and how his office calculated numbers for an additional attorney position. Mr. Wagoner spoke about the accounting practice to track these funds. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign

the FY2021 Indigent Defense Financial Assistance agreement (see agreement no. 20-114). The meeting concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 20, 2020

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

APPROVED CLAIMS ORDER NO. 8/21/20

The Board of Commissioners approved payment of County claims in the amount of \$6,318.39 for accounts payable.

MEETING TO 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, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

Case no. 2020-881 does not meet the criteria for county assistance and Commissioner Dale made a motion to issue an initial denial with written decision within 30 days. The motion was seconded by Commissioner Van Beek and carried unanimously.

One lien was presented for Board signature.

The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:00 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, Controller Zach Wagoner, DSD Director Tricia Nilsson left at 9:16 a.m., Elections Supervisor Haley Hicks left at 9:08 a.m., Assistant Fleet Director Dawn Pence left at 9:13 a.m., Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom left at 9:13 a.m., HR Director Sue Baumgart left at 9:29 a.m., and Deputy Clerk Jenen Ross. Benefits & Training Coordinator Nicole Ahlstrom participated via Webex left at 9:29 a.m. The action items were considered as follows:

Project Funding Implementation Agreement with Urban Renewal Agency of the City of Caldwell:

Funding in the amount of \$2.1M was approved by the agency based on a proposal by Directors Sinner and Navarro. Funding is done by reimbursement when the county submits receipts. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Project Funding Implementation Agreement with the Urban Renewal Agency of the City of Caldwell (see agreement no. 20-116).

Agreement to return equipment to ES&S: Ms. Hicks explained this is just to return the tabulators that were used before the Hart equipment was purchased. There are two tabulators being returned for \$30K each. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the agreement to return equipment to ES&S (see agreement no. 20-115).

Notice of intent and resolution to grant surplus property to Adams County Sheriff's Office: Ms. Pence spoke about the letter written to the Board explaining the importance of donating this equipment to Adams County due to the favorable working relationship. Chief Dashiell spoke about the incident leading to the need for this donation and the working relationship the Canyon County Sheriff's Office has with the Adams County. A copy of the letter provided by Director Tolman is on file with this day's minutes. Once the notice has been published for 10 days allowing the public to offer comment the resolution will be effective allowing the donation to take place. Commissioner Van Beek made a motion to sign the notice of intent and resolution to grant surplus property to Adams County Sheriff's Office. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-139).

Resolution granting a refund to Cari Gardner for a property boundary adjustment fee: Director Nilsson said that an application was taken in for boundary adjustment but the applicant determined the process was too costly and withdrew their application. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Cari Gardner for a property boundary adjustment fee (see resolution no. 20-138).

Consider signing two (2) amendments to current FY2020 FSA and DCA plan benefits - Continued from August 18, 2020: Ms. Ahlstrom provided additional information to the Board via email which was requested at the meeting on August 18, 2020. The two are amendments include changing the medical rollover from \$500 to \$550 and allowing employees to make two changes a year to their dependent care without a qualifying event. Ms. Ahlstrom addressed questions posed by Commissioner Van Beek. There is nothing for the Board to sign, Flores has only requested an email from HR directing them to make the changes. Commissioner Dale made a motion authorizing HR to contact Flores to make the amendments. Commissioner Van Beek seconded the motion for discussion. A vote was taken with the Board voting unanimously on the motion.

A discussion ensued regarding mass casualty storage and purchase of a refrigerated trailer. Ms. Wendelsdorf has been working with Mr. Wesley on the procurement process. The approximate

cost is \$70K and delivery is expected in 8-10 weeks. The Board has requested that Controller Wagoner start the process of approval with the State Controller's Office for use of CARES monies.

The Board went off the record briefly at 9:38 a.m. and back on the record at 9:39 a.m. for a discussion regarding the drone ordinance. Mr. Wesley informed the Board that Mr. Powers would be the attorney looking into the drone ordinance as requested at a previous meeting.

The meeting concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

EMERGENCY ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:34 p.m. for an emergency elected officials' meeting to discuss COVID-19 updates. Present were: Sheriff Kieran Donahue, Commissioner Tom Dale, Chief Deputy Coroner Steve Rhodes (also serves as Mayor of Wilder), Chief Deputy PA Sam Laugheed, PIO Joe Decker, EOM Christine Wendelsdorf, SWDH Director Nikki Zogg, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Via Skype: Treasurer Tracie Lloyd, Caldwell Mayor Garrett Nancolas, Commissioner Van Beek, Kirk Carpenter from the City of Nampa, and Mayor Debbie Kling. Commissioner Pam White arrived at 2:06 p.m., and Captain Harold Patchett arrived at 2:32 p.m. Today's meeting, which was chaired by Sheriff Donahue, took place in the Commissioners' meeting room because the administration building public meeting room was unavailable.

Sheriff Donahue reported there has been one positive case in the jail over the last several weeks and that person has recovered. Protocols are in place to monitor, and they also have some precautionary isolations in their limited special management units where if someone is showing symptoms that are concerning to medical staff they will be housed in a different unit until they are no longer showing symptoms. They are doing as much as they can to try to prevent the spread in the jail. Intakes into the jail are very high and rising all the time as a result of the criminality that's occurring. Discussion ensued about the jail population and the housing of state inmates and the timeline for moving them out. Sheriff Donahue reported that ADS completed their work on replacing the failing door hinges in Pod 6. The female population is over 70 in Pod 6.

Christine Wendelsdorf reported on the following topics: PPE is being delivered most every day, and she is checking a third location for storage as they are outgrowing the other locations; prepping for the reopening of the courts and the upcoming election; she has the supplies for poll workers and the public; assisted with editing video for PSA's; received a call from a citizen about lack of daycare in the community, and she and Mayor Nancolas will participate in a call next week on this issue. The Nampa School District is trying to partner with the Boys and Girls Club she was asked about using CARES money for that, however, there is a lot of red tape associated with that. Mayor Debbie Kling said the Nampa City Council approved a request for CARES funds for \$200,000 for the partnership between the Nampa School District and the Boys and Girls Club to help fund an additional 237 students (at-risk, homeless oriented students) to be housed across the district. The city has requested use of the Hispanic Cultural Center for the program.

Nikki Zogg said Canyon County is still in health alert level red, meaning there is substantial community spread where they are seeing a lot of cluster outbreaks associated with social gatherings and worksite exposures. There is a decrease in new cases which is good; they want to be around 5% or lower, and at our height we were around 22%-24%, right now we are at 12%. We are moving in the right direction but still well above where we would like to be. The hospitals are staying busy, the trends for hospitalizations are going up a little bit (not alarmingly) but they are watching that closely because that's the capacity we don't want to burn out. There are quite a few outbreaks in long-term care facilities and SWDH has been working closely with them to offer support and resources. There is a federal initiative to get every long term care facility their own testing machine onsite – a point of care testing machine. The SWDH website has had quite a few updates where you can now look at data by city and there are mapping functions they are continuing to improve. Hospitalization data includes the rate of hospitalization and the death rate (which is based on confirmed cases). St Luke's and Saint. Al's have dashboards on their websites with useful information and Saint Al's just updated their website to include county-specific data for Canyon, Ada and Malheur Counties. They had conversations with the FDA Commissioner last week and there have been calls with the White House. With the cluster outbreaks associated with large gatherings they are working closely to identify event planners that maybe aren't helping and trying to ask for their support. They have been working with closely with schools and will have some private facing and perhaps some public facing dashboards for information the schools might need to make decisions. SWDH is preparing for a vaccine. There are some vaccination trials that are going to be occurring in the Treasure Valley so they are encouraging people who might be interested in trying to participate. They expect a vaccine to be available in mid-October and they are planning to do some mass vaccination clinics with that. CDC will determine the prioritization of the vaccine because it won't be fully available to the entire population immediately. They are working with the department of health and welfare to get testing capacity increased.

Joe Decker reported he is working with Amy Bowman from Nampa on a Latino task force to get messaging to the community by doing interviews or PSA ad buys on Hispanic radio stations, and they are looking to get an information pamphlet to employers who have offered to share the information with their employees. Trying to see if the Families First Corona Virus Relief Act also applies to the workers who are here on temporary visas. He participated in a call with Commissioner Dale and Commissioner Lachiondo from Ada County to get some personal PSAs for people to tell their stories (20-40 yr. old demographic). Ada County will help pay for editing etc. Commissioner Dale said they want to change the focus of the messaging away from whether to mandate masks to the importance of doing what you can to prevent getting the virus.

Steve Rhodes reported that the Coroner's Office has started getting supplies that were backordered. Body bags, masks and sanitizer is pretty scarce.

There was discussion regarding the CARES Act money. Mayor Kling is interested in knowing if Canyon County and the City of Caldwell are going to do. Sheriff Donahue said it's on hold, we'll see what happens with the special legislative session. Treasurer Lloyd said one of the biggest frustrations is that the direction and guidance we're getting on implementation is still up in the air. Changing numbers and mixed signals add to the frustration and it concerns her greatly to try

to rush it through creating a huge potential for errors. Mayor Kling said the City of Nampa had its final budget approval and resolution on Monday and it did not take what the Governor is doing into consideration at all, that will be done through a budget amendment because the city doesn't have enough information. Commissioner Van Beek said she spoke to Alex Adams yesterday and she asked Sam Laugheed if Executive Order 2020-15 alleviated any heartburn on how they interpreted the Bonner County lawsuit and about the worries that there would be people coming back on the counties for the CARES reimbursement, the liability would fall on the state. Mr. Laugheed said his reading of the executive order is that on this particular part it recites that the Governor had a conversation with high-ranking officials at the Treasury and they assured him that the plan was okay; however, that is not sufficient from a legal perspective. Mayor Nancolas said Caldwell has a lot of reservations about the property tax initiative and it's highly unlikely they will participate in it. The city's attorney and auditors have expressed concerns because the language says specifically that our necessary expenditures were incurred due to public health emergency with respect to the Corona Virus 2019, and were not accounted for in the budget most recently approved as of March 27, 2020. Neither of those statements can be honestly said. There is no way the city can certify that funds were used specifically for COVID-19 and that they were already budgeted. The Auditors have said the way this has been laid out is that it is supplanting the budget, and also from a federal standpoint because of urban renewal, now they are saying we would take the money from the city's share and pay back urban renewal agencies, but that doesn't compute because urban renewal agencies are not a taxing entity and there is no budgeted expense associated with that in the city's plan. Caldwell passed its budget without the money in there, but if the council decides to do it, they will do a budget amendment. If the money comes in then it comes in as a grant which then requires a single audit which throws us into a different realm where we have to certify that those monies met the intent of the CARES Act. Sheriff Donahue doesn't think the County should take the CARES money. He trusts Sam Laugheed and his team and he relies on their guidance. Commissioner Dale said the budget that the County advertised for discussion next week does not include the CARES money.

Mayor Nancolas said the city is going to limit the number/size of events, and they have cancelled the Indian Creek Festival because of the increase in COVID numbers. On Tuesday they will hold an event in front of Simplot Stadium with 2-3 semi-loads of food being distributed to the community. Mayor Kling reported that the City of Nampa is hosting a food drive today and they will also distribute masks. Steve Rhodes said the City of Wilder is not participating in the CARES funding, nor the fire district. Upon the motion of Christine Wendelsdorf and the second by Commissioner Dale, the meeting adjourned at 2:37 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM
CALDWELL, IDAHO AUGUST 21, 2020

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

APPROVE EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Denise Gilpatrick, a paralegal in the Public Defender Department.

APPROVED CLAIMS ORDER NO. 8/21/20 AND 8/24/20

The Board of Commissioners approved payment of County claims in the amount of \$510.90 and \$210.00 for accounts payable.

MEET WITH HEIDI CALDWELL FROM WICAP

The Board met today at 10:08 a.m. with Heidi Caldwell and WICAP. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Heidi Caldwell and Kari Palmer from WICAP participated via Webex and shared the things the program is doing. They are looking for space to have a community action and resource center where multiple agencies can participate. Commissioner White said perhaps a property owned by Bethel Church in Caldwell could be an option since they have a basement with a large space for storage. Ms. Caldwell said with the price increases in Ada County they are seeing a lot of people come to Canyon County which increases the needs of those they serve. In relation to the COVID response, WICAP has received federal funds to assist people with keeping utilities on, paying rent and working to make sure the emergent/basic needs are being met. They are out of those funds but they hope to get more. They are trying to focus on what they can do for families throughout the pandemic; they did not shut their doors but they have had to change how they provide services. Ms. Palmer spoke about the program partnerships which include seeking sponsors for scholarship donations for teachers; providing free child care for teachers; partnering with the Nampa Housing Authority; conducting food distribution events; and applying for a grant through the Idaho Food Bank to purchase supplies for ready-to-go kits for homeless families. New programs this year include tutoring services for WICAP staff and some school district staff, and working to house COVID patients who are recovering. The Head Start program is in four community schools. They are looking at the community school model and how to serve and meet the needs all in one place. Ms. Caldwell asked if the Board knows of any community projects WICAP could assist with to meet any unmet needs. The organization has applied for a fatherhood initiative grant which provides an opportunity to focus on men and parenting skills for those who are getting ready to be released from jail/prison and reconnecting with their kids and teaching parenting skills they may not have. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 24, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – *Working from home*
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 9/10/20

The Board of Commissioners approved payment of County claims in the amount of \$12,318.05 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- National Business Institute in the amount of \$2,044.00 for the Development Services Department
- C3 Fiber in the amount of \$27,020.59 for the Facilities Department

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 25, 2020

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

APPROVED CLAIMS ORDER NO. 9/10/20

The Board of Commissioners approved payment of County claims in the amount of \$51,556.76 and \$44,010.35 for accounts payable.

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for the Raising Our Bar to be used 9/4/20, 9/5/20, 9/7/20, 9/10/20, 9/11/20, 9/25/20, 9/26/20, and 9/27/20 at Still Water Hollow.

MEETING REGARDING FY2021 BUDGET DISCUSSION

The Board met today at 1:31 p.m. for a discussion regarding the FY2021 budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 2:44 p.m. and returned at 3:03 p.m., Controller Zach Wagoner, ElJay Waite, Sheriff Kieran Donahue arrived at 1:40 p.m. and left at 2:52 p.m. and Deputy Clerk Jenen Ross. PIO Joe Decker, Fair Director Diana Sinner, Parks Director Nicki Schwend, Sr. System Analyst Steve Onofrei joined at 3:20 p.m. and other call-in user attended via Webex.

Commissioner White said her understanding of this meeting is that Commissioner Van Beek, in conjunction with ElJay Waite, have indicated they'd like to present an alternative budget and she would wanted to give that opportunity prior to the public hearing scheduled for August 26, 2020. Commissioner Van Beek is interested in having a unified vote in approving the budget and at this point she doesn't feel that she's had a transparent view of the budget and that is why she couldn't vote in favor of the budget last week. Commissioner Dale's understanding of this meeting is to hear the alternative budget. Mr. Waite said he feels there need to be further explanation of foundation items and that the idea behind an alternative budget is centered on how to offer property tax relief. Discussion ensued regarding the CARES Act monies and the potential ramifications of accepting the funds.

Commissioner Van Beek reviewed her tax relief proposals as follows:

1. Reduce the 2021 Tentative current expense machinery expenditure and property tax revenue by \$1,000,000
2. Transfer the POD 6 lease payment and accompanying property tax revenue from Security Services to similar accounts in current expense
3. Establish wage and hiring pause for FY2021
4. Include a portion of the Governor's CARES Act Funding

Discussion items included: Employee compensation and the compensation plan, shift in funds from the Capital Improvement Plan, Pod 6 lease funding line, Impact of assessed value change and CARES monies for property tax relief and contingency funds.

The meeting concluded at 3:31 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM
CALDWELL, IDAHO AUGUST 26, 2020

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

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/4/20, 9/19/20, and 9/26/20 at Creekside Affair.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- D&B Supply in the amount of \$285,000.00 for the Emergency Management Department
- Miller Creek Associates in the amount of \$11,390.00 for the Solid Waste Department

APPROVED CLAIMS ORDER NO. 9/10/20

The Board of Commissioners approved payment of County claims in the amount of \$10,908.83 and \$50,713.94 for accounts payable.

APPROVED CLAIMS ORDER NO. 2024

The Board of Commissioners approved payment of County claims in the amount of \$1,680,168.54 for a County payroll.

MEETING TO DISCUSS THE JOB DESCRIPTION OF THE FLEET ADMINISTRATOR/FLEET FUEL ANALYST POSITION

The Board met today at 9:34 a.m. to discuss the job description of the Fleet Administrator/Fleet Fuel Analyst position. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Administrator Dawn Pence and Deputy Clerk Jenen Ross. Fleet Director Mark Tolman participated via Webex. The Board asked Ms. Pence to compare and contrast her current job description vs. her current job responsibilities and the revised job description she's created. She said this is more about the structure of the department so that it is more closely aligned with other county departments – most departments have a Director, Assistant Director and then a Business Manager. Ms. Pence explained that in the absence of the Fleet Director she fills the role but with the title of Business Manager it put her in precarious position trying to determine her authority in the shop. Director Tolman feels Ms. Pence knows fleet and could be part of the succession plan and structure of the Fleet department. Currently Ms. Pence is acting as the Fleet Director when he is not available. Discussion ensued regarding making sure the job description fits the job that is being done and compensation for the job. At this time it will not be creating a PCN although Commissioner White noted that this is not a lateral move from the Fleet/Fuel Analyst position.

Commissioner Dale said the compensation will need to be evaluated by the compensation committee and vetted thru HR. Director Tolman is asking the Board for help in getting this thru HR as he feels past efforts have not been successful. The Board is supportive of this change. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 BUDGET HEARING

The Board met today at 5:19 p.m. to conduct the Fiscal Year 2021 Budget Hearing. The hearing was held in the public meeting room of the Administration Building located at 111 11th Avenue North in Caldwell. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Chief Deputy Sheriff Marv Dashiell, Prosecutor Bryan Taylor, Assessor Brian Stender, Treasurer Tracie Lloyd, Director of Court Operations Denise Kennel, Public Defender Aaron Bazzoli, Sr. Systems Analyst Steve Onofrei, Sheriff's Financial Manager David Ivers, Juvenile Detention Center Dir. Sean Brown, DSD Director Tricia Nilsson, Weed Control Superintendent AJ Mondor, Ben Larson and Sean Johnson from the IT Department, Ambulance District Director Michael Stowell, Matt Tobeck from the Idaho Freedom Foundation, Hubert Osborne, Darryl and Sheila Ford, Steve White, and Deputy Clerk Monica Reeves. Via Webex: IT Director Greg Rast, Parks Director Nicki Schwend, HR Director Sue Baumgart, Fair Director Diana Sinner, Darl Bruner, and Rachel Spacek from the Idaho Press-Tribune.

Commissioner Dale made a motion to amend the agenda to include the following item: *Consider resolution reserving the right to recover the FY2021 forgone new construction property tax.* The motion was seconded by Commissioner Van Beek and carried unanimously. *(Staff added this to the agenda on August 25, 2020 at 4:04 p.m. at the request of the Controller.)*

Clerk Yamamoto addressed his concerns with the CARES Act funds that were available to the County. The State of Idaho received \$1.25 billion from the Treasury as part of the CARES Act to be used for COVID-19 expenses and along with that, 25% of what the state received was slated to go to local governments with no strings attached by the state, just the federal guidelines. The Governor announced that the \$200 million of the \$1.25 billion would go to local governments and the result would be a 20% reduction in property tax. The numbers didn't work. Beyond that \$12 million was pulled out of that resulting in \$188 million and then later on they discovered that if that money was utilized urban renewals would be hurt and so an additional \$11 million was pulled out of the original \$200 million to cover urban renewals which brought the amount down to \$177 million. The federal guidelines do not list property tax reduction as a valid use of the funds. Governor Little has suggested using the money to reimburse law enforcement for COVID activities and for "administrative convenience" (100% law enforcement salaries). The County's share of what the state is going to handout is approx. \$9.8 million and the Clerk's concern is this does not follow the federal guidelines. He looked into the reporting and the County would report the use of those funds to the state and in turn the state would send that to the U.S. Treasury and then the U.S. Treasury would send it to the Office of the Investigator General. He has serious concerns with reporting that 100% law enforcement salaries were geared toward COVID activities when we

probably couldn't prove that even 1% of law enforcement activities were geared toward it. The Clerk said in his zeal to provide property tax relief he thinks he turned too much of a blind eye to the legalities and the mechanics of the program and after a deeper dive and speaking to multiple people, including the Bonner County Attorney who has filed a lawsuit against the state, he has grave concerns with accepting the funds. What if we have to pay it back? The original Clerk's suggested budget included the CARES money but he removed it at the last moment and explained to the Board that after the budget publishes we can always go down on the property tax request but we cannot go up. We have opted in and although it's not part of our budget now, if something were to happen and we think it could work for us and not be a liability, we can still do that. He said the federal government may do an additional program and/or make some changes to what we have now, and beyond that the state could decide particularly after a good share of local governments are going to opt out of this program for the same reasons he cited today, there's a chance when that happens that the Governor and the State of Idaho could re-evaluate the program and have something that looks better. The current budget we are looking at tonight, is property tax without the CARES money.

Controller Wagoner reviewed the 15-page budget in brief, a copy of which is on file with this day's minute entry. Highlights were as follows:

- Canyon County's estimated FY2021 net taxable value of property is \$17,022,133,918.
- This amount equals a 12% or \$1,798,079,654 increase from the prior fiscal year.
- The percentage of property taxes paid by residential properties from 2017 to 2020 has increased from 62% to 70%
- Canyon County levied \$54,119,386 in property tax to support the FY2020 budget. Property tax law allows the following additions or increases to the levied amount:
 - 3% increase of \$1,644,629
 - New construction increase of \$2.1 million
 - Previously forgone increases of \$5,988,720
- For FY2021 we have chosen to add \$0 additional dollars for new construction; \$0 additional dollars for the 3% increase; and \$0 additional dollars for any previously forgone increases.
- Canyon County's FY2021 tentative property tax request is \$53,970,567, slightly less than what was requested in FY2020.
- Recap of Canyon County's commitment to property taxpayers in the FY2021 budget:
 - Property tax freeze for FY2020
 - No additional property tax dollars levied from new construction or the 3% increase
 - We are utilizing new growth to lower the property tax levy rate
 - The projected FY2021 levy rate is .003170611, an 11% decrease from the prior year's levy rate.

- The total expenditure budget is down \$995,921,000. Included in the FY2021 tentative budget is \$6.7 million for culture and recreation functions (tied to significant capital investment projects); county fair site improvement investment of \$2.3 million funded by the Caldwell URA; Parks team was awarded a grant in the amount of \$440,000.
- \$6.6 million for public works tied to solid waste operations
- Public safety represents the largest portion of the expenditure budget of \$47.3 million
- Health, Welfare and Indigency budget is \$10.3 million, representing a decrease of over \$700,000 from last year.
- \$32.6 million is budgeted for general government services representing a decrease of \$2.6 million from last year tied to a decrease in our capital investment line; included \$1 million in the FY2021 for general capital investments
- Total expenditure budget for FY2021 is \$103,755,438, a decrease of nearly \$1 million from last year's expenditure budget.

Controller Wagoner spoke of the importance of having well-trained, knowledgeable, qualified and skilled personnel to ensure services are provided in a professional and timely manner. The tentative salaries and benefits expenditure budget is \$68,240,821, and it's an overall decrease of \$170,000 from last year's salaries and benefits budget. The budget does not include an across-the-board or a COLA increase. It does include continued implementation of the compensation plan with step advancements for eligible personnel. Also included are additional positions in critical areas of need: Driver's license, jail security services, and solid waste operations.

Canyon County's FY2021 tentative other operating expenditures and capital budget is \$35,514,617, including over \$9 million for an investment in capital items including:

- 989,500 for a compactor at the landfill
- \$1.6 million including previously accrued fund balance for a county fair expo building
- \$2.3 million in funding from the Caldwell URA for site improvement investments at the county fair
- \$1 million in emergency communications funding for a radio tower project
- \$444,125 in grant funding for the Celebration Park RV improvement project
- \$769,000 budgeted for public safety and vehicles
- \$1 million budgeted for investment in general county capital needs

There was a review of funding by sources (see Page 14 of the handout) totaling \$103,755,438.

Public comments were offered as follows:

Matt Tobeck is a local government policy analyst with the Idaho Freedom Foundation and he urged

the Board to participate in the Governor's property tax plan which will allow taxpayers to keep more of their hard-earned money while ensuring Canyon County does not have to make cuts to public safety. The County has submitted a letter of intent to participate in the plan but has yet to certify on the property tax levy that it will not be raising its property taxes by the 3% increase that does not include growth. If the County were to do so it would be eligible for the CARES Act funds and simply deduct the amount saved. It's his understanding there are no federal guidelines that would prohibit the use of CARES Act funds. Clerk Yamamoto asked Mr. Tobeck to ask Wayne Hoffman from the Idaho Freedom Foundation to send him a letter about the liability as it pertains to the CARES funds. Mr. Tobeck said he would pass that message along.

Hubert Osborne said when they have to school districts, cities and counties can rein in their budgets and he is hoping to be pleasantly surprised when he gets his property tax bill one week after the Election. He applauds the fact that there will be no property tax increase. The shift in taxation continues and he hopes the legislature will address that. Regarding the forgone amount, he said the County has qualified the budget so that it can take the CARES Act funds and he hopes we do that in order to further reduce property taxes. He hopes the Board will not take the 3% forgone.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment.

Commissioner Van Beek said she appreciates the diligence that has gone into the budget to reduce the amount of property tax burden on citizens. The Board met yesterday to discuss proposals that were put forth that would have augmented the property tax relief and that was a suggestion to reduce the fund balance for the current expense fund by \$375,000 and eliminate the portion of fund balance going in so that would be \$1 million. She said Ada County, the City of Nampa and the City of Caldwell have decided to pause wage increases until we get past the General Election and until we look at what is going to be collected for property tax and sales tax revenue. The State of Idaho is truly on a freeze – no hiring and no wage increases. She said with the proposals with the \$1 million and the wage pause, and a \$2 million allocation which could be recovered in the next year, so what we are talking about is risk mitigation in making an educated guess in what would happen and worst case scenario if Canyon County had to repay the CARES Act funds we could do that in new construction that was taken next year. She said the legislature wants to see the County use the opportunity to provide CARES Act funding, but it was problematic for her in that it would have provided a temporary one-year reduction in property taxes with no real plan for recovering that the following year. She does not support wage increases on a year where it's been difficult for residents. The current budget does present an 11% drop in the levy rate but 32,372 parcels will experience increases so that becomes significant in terms of property tax relief. Regarding wages, the biggest problem is with the step program/equity/merit/bonus aspect, there are a lot of moving pieces and although she has poured over that she has not been to get those numbers to balance or make sense. In five years some increases were at 30% and she does not think that is commensurate with market compensation. The Board must analyze and evaluate it on an annual basis to the point where they understand it and she disagrees that the Board allocates its authority to a committee. This is the year for her to stand with the taxpayer.

Government employees have kept their jobs, salaries, and benefits and she believes in the employees but we also have to take care of the taxpayer. Commissioner Dale said the budget has a focus on controlling property tax spending and providing real, sustainable and ongoing property tax relief. He is in favor of having a capital improvement plan that lays out all the needs. The budget takes care of our most valuable assets and it moves the County forward. The needs are being met while not increasing the property tax budget by the allowable 3%, and it also does not add the property taxes that we will collect from the new construction to the base. Regarding the CARES money, he wanted to take it but it had to be a guaranteed thing that won't come back and bite us later. Only half of the counties in the state opted in to participate in the program, and of those counties he has not heard of anyone who has included that money in their budget so far because they are waiting for a guarantee, in writing, that says this is allowable and legal and is able to happen without negative consequences. If he can be satisfied of that he will vote for it. With or without that CARES Act dollar tax relief this budget is a property tax relief budget and he supports it. Commissioner White said from the very beginning she had concerns with accepting CARES Act funds and she is still hesitant today. She appreciates the Clerk's and Controller's due diligence in their work on the budget. She supports the FY2021 budget. Commissioner Dale made a motion to approve the Canyon County FY2021 budget and the dollar certifications of the budget request forms. The motion was seconded by Commissioner White. Commissioner Van Beek said she is in favor of the dollar certifications for weed pest, but she is opposed to the budget as presented. The motion carried by a two-to-one split vote. (Resolution No. 20-140.) Commissioner Dale made a motion to approve the resolution reserving the right to recover the FY2021 forgone new construction property tax increase. This does not include reserving the 3%. The motion was seconded by Commissioner White. The motion carried unanimously. (Resolution No. 20-141.) The hearing concluded at 6:30 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 27, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mirage Trailers in the amount of \$69,500.00 for the Emergency Management Department

APPROVED CLAIMS ORDER NO. 9/10/20

The Board of Commissioners approved payment of County claims in the amount of \$44,938.01 for accounts payable.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0971, 2020-1048 and 2020-1032. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Liens were presented for Board signatures. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-655

The Board met today at 9:04 a.m. to conduct a medical indigency hearing for case no. 2020-655. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Donna Sharp for St. Al's, Applicant, Interpreter Mercedes Lupercio and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place the case in suspension pending a resource. The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-515

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for case no. 2020-515. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Attorney Mark Peterson on behalf of St. Luke's and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to deny the case. The motion was seconded by Commissioner White. A vote was taken on the motion with Commissioners Van Beek and White in favor of the motion and Commissioner Dale opposed. The motion carried in a 2-to-1 split vote. The hearing concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-259

The Board met today at 9:44 a.m. to conduct a medical indigency hearing for case no. 2020-259. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, 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 October 8, 2020. The hearing concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-365

The Board met today at 9:57 a.m. to conduct a medical indigency hearing for case no. 2020-365. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Donna Sharp with St. Al's, 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 September 10, 2020. The hearing concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:08 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for the following cases: 2020-661, 2020-363 and 2020-720. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record.

Commissioner Dale made a motion to issue a final approval on case no. 2020-391 with written decision in 30 days. 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 continue case no. 2020-154 to November 19, 2020.

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

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

Note for the record: As properly noticed the Board met today at 10:16 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 10:17 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding acquisition of an interest in real property, records exempt from public disclosure and attorney-client communication and to communicate with legal counsel regarding pending/imminently likely litigation. The 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. Brad Goodsell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Facilities Director Paul Navarro left at 10:23 a.m., Assessor Brian Stender and Chief Deputy Assessor Joe Cox arrived at 10:24. The Executive Session concluded at 11:07 a.m. with no decision being called for in open session.

PUBLIC HEARING – PRELIMINARY PLAT FOR NORTHERN PINTAIL RESERVE SUBDIVISION (MEADOW BLUFF SUBDIVISION), CASE NO. SD2020-0007

The Board met today at 2:02 p.m. to conduct a public hearing in the matter of a request by Dennis Clark for approval of a preliminary plat, including an irrigation and drainage plan for Northern Pintail Reserve Subdivision. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, TJ Wellard, Brent Orton, Debbie Hundoble, Julie Tucker, Dennis Clark, and Deputy Clerk Monica Reeves. DSD Planner Dan Lister participated via Webex. Dan Lister gave the oral staff report. This is a 20.62 acre lot that was rezoned in 2018 to an R-1 zone. Water and sewer will be provided through septic systems and wells. The project will have 10 lots and all except Lot #2 have slopes over 15%; plat note #11 prohibits development on slopes over 15% so there will be no development on those areas. Lots #6, #7, & #8 have a proposed 75-foot wide natural gas pipeline easement that bisects those properties, however, there is plenty of area for development on those properties without encroaching into that area. Irrigation will be provided via pressurized irrigation. They have added shared access points: Lots #9 & #10 will have shared access, Lots #7 & #8 will have shared access and Lots #1, #2, & #3 will require a 30-foot wide access easement to share. Canyon Highway District has recommended conditions. The plat was reviewed by staff and by Keller and Associates and found to be in compliance with the County code. On July 1, 2002 the P&Z Commission recommended approval subject to conditions of approval. Staff is also recommending approval subject to conditions as noted in the findings of fact, conclusions of law, and order. A late exhibit arrived an hour ago and it is a request to change the name from Northern Pintail to Meadow Bluff Estates. Staff found no problem with the name change. Commissioner Van Beek had questions about lot placement, lot size, buildable square feet, and setbacks. TJ Wellard testified the land is mostly hillside, a little flat on top and it is not farmable. They platted it to make good view lots with plenty of space and they have added restrictions so people won't build on the hillsides. The project will be served by pressurized irrigation, a public road, and individual wells and septic. Currently the property is sprinkle irrigated so there is no overflow. Historically, flood irrigation has come off the property and gone down the draw

between lots 1 through 3 so they are asking that Condition #10 be changed to where storm drainage will be piped but irrigation will continue to flow as it has naturally down the draw. It will have to be piped from the north side of the road to the south side but beyond that they don't want to have two pipes separate when there is no irrigation overflow. They are asking that Condition #10 be altered so that just the storm drainage will be piped down to the storm ponds so they can keep them separate. Commissioner Dale had questions regarding storm drainage, and Commissioner White had questions about the view from lots. Brent Orton, with Orton Engineering, said the owner is sensitive to his neighbors' needs by promising to keep the project rural residential. The City of Middleton was interested in Meadow Park being a collector road which is why there are shared access points so they don't overload the road with excessive driveways. The city determined the owner needs to build their standard section so they asked to build some reduced because it's difficult to make this number of lots pay for that full urban section. The highway district moderated that section to a wider asphalt section – 22-feet of asphalt, 4-foot shoulder, and building an 8-foot pathway. They designed the grading so it can easily be adapted to the urban section when the city grows to that point. Canyon Highway District wants to fix the hill on Duff Lane because it's a steep grade and they asked the developer to design different versions of a Duff Lane realignment, one with a foot higher and one with a foot lower. The owner consented to give extra right-of-way so that whatever the highway district does there will be enough public right-of-way to accommodate however that road section needs to be adjusted in the future. Mr. Orton said they want to pipe the storm drainage to make sure they don't create erosion but they would like to be able to allow the irrigation to be over lined. They will accommodate overflow. They will secure a national pollutant discharge elimination system permit, and their part will be a storm water pollution prevention plan. They will also do a dust control plan. Commissioner Van Beek asked questions regarding the farm-ability of the property. Mr. Orton said the property was farmed somewhat – what could be farmed was included in the property above, the sloped area was not productively farmed. Debbie Hundoble lives south of Duff Lane in a custom home and she supports this project because she wants to see property values maintained by having beautiful properties with an acre or two for people to build their dream homes and still being the country. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale made a motion to approve the findings of fact, conclusions of law and order for the preliminary plat, including the irrigation and drainage plan, and to change the name of the project to Meadow Bluff Estates. Also approved are the changes to Conditions #1A and #10. The motion was seconded by Commissioner Van Beek and carried unanimously. Mr. Lister adjusted the Conditions #1 and #10 to read as follows:

Conditions of Approval

1. All subdivision improvements (public roads, grading, irrigation and drainage) shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat. Prior to installation of improvements, a construction plan must be reviewed and approved by the County engineer.

- a. As recommended by the Idaho Department of Environmental Quality (Attachment D) an approved dust preventive and control plan and storm water permit shall be acquired and submitted prior to any construction

10. Storm drainage shall be piped through Lots 1, 2 & 3.

The hearing concluded at 2:26 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 28, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$2,000.00 for the Information Technology Department

CONSIDER SIGNING 2020 ELECTION BALLOT FOR THE CAPITAL CRIMES DEFENSE FUND AT-LARGE BOARD MEMBER

The Board met today at 9:30 a.m. to consider signing the 2020 election ballot for the Capital Crimes Defense Fund at-large board member. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli arrived at 9:36 a.m. and Deputy Clerk Jenen Ross. Nominees for the Board are from throughout the state and the names were read into the record by Commissioner White. Nominees are as follows: Kendra Kenyon, Ada County Commissioner; Terrell Tovey, Bannock County Commissioner; Bob Kunau, Cassia County Commissioner; Shayne Young, Jefferson County Commissioner; and Rebecca Wood, Lincoln County Commissioner. Commissioner Dale gave a brief overview of the purpose of the Capital Crime Defense Fund and is in favor of either Rebecca Wood or Bob Kunau. Commissioner White would like to see the smaller, rural counties have representation on the board and is in favor of Rebecca Wood. Commissioner Dale made a motion to vote for Rebecca Wood to be appointed to the Capital Crimes Defense fund At-Large Board member. The motion was seconded by

Commissioner White. Commissioner Van Beek stated she is going to abstain from voting as she doesn't feel she has enough information on each nominee. A vote was taken on the motion with Commissioners White and Dale voting in favor of supporting Rebecca Wood. Commissioner Van Beek asked Mr. Bazzoli to provide his thoughts on the nominee but he didn't feel he had any additional information that would contribute to the decision. The meeting concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – A REQUEST BY JANET TOOLEY FOR A CONDITIONAL REZONE, CASE NO. CR2020-0004

The Board met today at 10:00 a.m. to consider a request by Janet Tooley for a conditional rezone, Case No. CR2020-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Janet Tooley, Felecia Willis, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, DSD Director Tricia Nilsson and Jeff Willis. Dan Lister gave the oral staff report. The request is for a conditional rezone of Parcel R29621 from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The request includes a development agreement limiting development to a total of three parcels. The property is located at 10214 Lake Shore Drive in Nampa. Parcel A consists of 2.4 acres, and Parcels B and C will be approximately one acre. Parcel D will remain in agriculture. Parcel A can have a secondary dwelling. This property is an original lot so the resulting amount of lots doesn't change what could occur in an agricultural zone. In 2018 similar rezones were approved in the area. The property has best suited soils. This request will not be out of character with the surrounding area. Mr. Lister reviewed the agency comments. The P&Z Commission recommended approval subject to the conditions in the development agreement. Staff recommends approval as well. The main condition is no secondary dwellings will be allowed on Parcels B and C. The property is in a nitrate priority area so SWDH will need to perform a review before development. Settlers Irrigation District will have to review the land division application. Commissioner Van Beek had questions regarding access and whether subsequent landowners would have to abide by the conditions. Commissioner Dale had questions about the soil type. Janet Tooley testified in support of her request. Soils has high alkaline. She has sheep and a goat on the property. The irrigation is a runoff-type so they get a lot sludge. Her father used to grow hay on the land and raise cattle. Her father passed away and they rented it but the farmer didn't take good care of the land. Her husband passed away a few years ago and she would like her daughters to be near her on the property. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Dale supports the project and he likes the proposal to have family support. Keeping a portion of the land in agriculture accomplishes some of the goals of the comprehensive plan and allows for a couple houses to be built there. Commissioner Van Beek supports the plan to keep Parcel D in agriculture in perpetuity. Commissioner White also supports the proposal. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to grant the request by Janet Tooley for a conditional rezone, and to sign the findings of fact, conclusions of law and order, the development agreement (No. 20-117) and the Ordinance (No. 20-027.) The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 31, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ICC in the amount of \$3,599.44 for the Development Services Department
- J. Higgins in the amount of \$4,179.96 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 9/10/20

The Board of Commissioners approved payment of County claims in the amount of \$7,358.28, \$75,409.47, and \$25,097.89 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved a new Alcoholic Beverage License for Pacific Sushi, LLC dba Pacific Sushi. (See resolution no. 20-142.)

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO PACIFIC SUSHI

The Board met today at 1:28 p.m. to consider signing a resolution granting a new alcoholic beverage license to Pacific Sushi. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to sign the resolution granting a new alcoholic beverage license to Pacific Sushi (see resolution no. 20-142). The motion was seconded by Commissioner Van Beek. A vote was taken with Commissioners Dale and Van Beek voting in favor and Commissioner White abstaining from voting as she has not had a chance to review the application. The motion carried unanimously. The meeting concluded at 1:30 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY SUBDIVISION MAKER, INC. ON BEHALF OF DALE & KATHI LEE FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR OAKLEE ESTATES SUBDIVISION; CASE NO. SD2020-0003

The Board met today at 1:31 p.m. for a public hearing to consider a request by Subdivision Maker, Inc. on behalf of Dale & Kathi Lee for a preliminary plat, irrigation and drainage plan for Oaklee Estates Subdivision; Case no. SD2020-0003. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson, Darin Taylor with Subdivision Maker, Dale and Kathi Lee and Deputy Clerk Jenen Ross. Via Webex: DSD Planner Dan Lister, John Kuzman, Brian Chick, Colleen Matosich, Jamie Sharp, and Valerie Manley. Shari Kuzman joined at 1:43 p.m. and left at 1:50 p.m.

Dan Lister gave the oral staff report stating this platted land was rezoned to an R-1 zone in 2016. The plat is 54.9 acres. They are proposing 36 lots with one common lot at an average of 1.3 acres. Water will be provided by individual domestic wells and sewer will be thru individual septic systems. A nutrient pathogen study has been reviewed and approved by Southwest District Health and DEQ. Black Canyon Irrigation District has indicated there are water rights for this property and there will be pressurized irrigation to all lots. Drainage runoff will be maintained within the subdivision. This will be a two phase subdivision. Canyon Highway District #4 has required a stub road to Kemp Rd. for future use, it would not provide access to Kemp Rd. If Kemp Rd. ever becomes a public road at that point the stub could be developed and connected. A secondary stub is also required that could provide future access if and when it's available. The fire district has also required a secondary access for emergency purposes which a 25' canal easement is being proposed for. Black Canyon Irrigation District doesn't oppose the request subject to piping of the C-line canal. Since the plat has been revised it has been sent over to BCID but they have not had time to review it so it is unknown if the secondary access on their maintenance road within the easement is going to be acceptable or not. Idaho Department of Environmental Quality recommends approval subject to a dust preventive and control plan and a storm water NPDS permit at the time of construction. Canyon Highway District had a lot of comments pertaining to the plat notes requiring responsibly outside the right-of-way, specific dedications, as well as the stub roads identified on the revision. A letter has been received from Canyon Highway District stating that the applicant has met a lot of their requirements, there are a few still left but they believe those can be addressed thru conditions as part of the approval of the preliminary plat but prior to final plat approval. Middleton Fire District requires adequate water flow for suppression or sprinklers, they also require the secondary access. The revised plat has not been reviewed by them so comment as to whether this is acceptable or not has not yet been received. Keller Associates has provided comment that the secondary access does not meet county requirements. The county requires a 60' easement for a shared access of that caliber and does require approval from the fire district and BCID regarding use along the irrigation maintenance road so the applicant would need to meet the 60' easement or request a reduction, however, the reduction cannot be less than 28' in width. Comments were received from neighbors about use of well, septic and usage of Kemp Rd. Mr. Lister reiterated that this does not have access to Kemp Rd., there is a stub road but it won't be used until it becomes a public road. As for septic and well, SWDH and DEQ

have reviewed the SER report as well as nutrient pathogen study and found that this development would not have any impact. Mr. Lister said that during the P&Z meeting there were comments from neighbors with the biggest concern being landscaping or some kind of buffer between Willow Creek Estates and a buffer along Purple Sage Rd. The neighbors are concerned that the development of those lots would be very close to their lots. Staff is requesting that this be continued as there are still some issues to be resolved.

Darin Taylor offered testimony in favor of the application speaking about the secondary access for emergency access and the property boundary adjustment.

John Kuzman offered neutral testimony stating that his question was answered about access but asked about a berm on the east side.

Valerie Manley, Jamie Sharp, Colleen Matosich and Brian Chick testified in opposition of the request siting concerns about Kemp Rd. access, traffic usage, road maintenance thru Willow Creek Subdivision, density, school overcrowding, landscape berms and drainage retention.

Mr. Taylor gave rebuttal testimony stating that they do not want the right-of-way dedication to Kemp Rd., however, it is being required by the highway district. The highway district board will be holding a meeting regarding this preliminary plat on Wednesday and encouraged the neighbors to attend and voice their concerns. He addressed concerns raised by Ms. Matosich regarding headlights shining into their windows and reviewed how the subdivision will be platted. Mr. Taylor said that possibly instead of sight obscuring fencing or a berm that a 50 ft. setback could be conditioned which would offer significantly more distance between the subdivisions. He will also be in contact with DSD to apply for a boundary adjustment and shared access/right of way easement.

Commissioner Dale made a motion to continue the hearing to September 21, 2020 at 9:30 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

THE MINUTES OF THE FISCAL TERM OF AUGUST 2020 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 22nd day of December 2020.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Tom Dale
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: M. Reeves, Deputy Clerk