

JULY 2022 TERM  
CALDWELL, IDAHO JULY 1, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

No meetings were held this day.

JULY 2022 TERM  
CALDWELL, IDAHO JULY 5, 2022

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Avaya Training in the amount of \$3,590.00 for the IT Department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Family Dollar, Inc., dba Family Dollar Store #30004 (Resolution no. 22-146)

APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for McKayla Davila, Juvenile Detention Officer; and Cortney Bravo, Customer Service Specialist

EXECUTIVE SESSION – PERSONNEL MATTER

*Note for the record: As properly noticed the Board met today at 10:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter. The Executive Session was held as follows:*

Commissioner Van Beek made a motion to go into Executive Session at 10:02 a.m. pursuant to Idaho Code, Section 74-206(1) (b). The motion was seconded by Commissioner Smith. A roll call vote was taken on the motion with Commissioners Smith and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith and Leslie Van Beek, Deputy PA Alex Klempel, Deputy PA Zach Wesley, HR Director Kate Rice, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:22 a.m. While in open session, Commissioner Van Beek made a motion to continue the Executive Session to this afternoon at 1:30 p.m.

#### CONSIDER JULY 5, 2022 ACTION ITEMS

The Board met today at 10:23 a.m. to consider the July 5, 2022 action items. Present were: Commissioners Keri Smith and Leslie Van Beek, Lt. Ray Talbot, Solid Waste Director David Loper, Fair Director Diana Sinner, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Consider signing Agreement to Provide School Resource Officer Services to Vallivue School District; Law Enforcement Services Agreement with Melba Joint School District; and an Agreement to Provide School Resource Officer Services to Notus School District:*** Lt. Talbot noted there is an increase of 5% per contract so the Sheriff's Office and recoup some of their costs. Upon the motion of Commissioner Van Beek and the second Commissioner Smith, the Board voted unanimously to sign the agreements as presented. (Agreement Nos. 22-060, 22-061, and 22-062.)

***Consider Signing Resolution Increasing the Credit Card Pre-Paid Expense Account for the Pickles Butte Sanitary Landfill*** – Director Loper is requesting to increase the credit card pre-paid expense account for the landfill from \$10,000 to \$15,000 for credit card fee swipes; our fees are getting too high and the limit is not large enough. With the current \$1 charge they are behind a bit for FY2022 so for FY2023 he will need to increase it slightly. Upon the motion of Commissioner Van Beek and the second Commissioner Smith, the Board voted unanimously to sign the resolution. (No. 22-147.)

***Consider signing Real Estate Appraisal and Authorization Agreement with Jess Payne Appraisal Service*** – The Board wants the Facilities Director to obtain an additional quote. Upon the motion of Commissioner Van Beek and the second by Commissioner Smith, the Board voted unanimously to continue the matter to July 7, 2022 at 9:00 a.m.

***Consider signing Legal Notice of Public Hearing regarding amended proposed admission fees to be charged by the Canyon County Fair*** – Director Sinner said a resolution was done earlier that outlined the admission fees and some entry fees and this will add the reserved concert ticket seating fees. The language will be updated to include the pricing information, to include concert reserved seating fees as well as to note the specific prices on Thursday, Friday and Saturday for advance and day of prices. Upon the motion of Commissioner Van Beek and the second by Commissioner Smith, the Board voted unanimously to sign the notice as amended.

The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING FINAL PLAT FOR SPRING HILL RANCH, CASE NO. SD2021-0044

The Board met today at 11:05 a.m. to consider approving the final plat for Spring Hill Ranch, Case No. SD2021-0044. Present were: Commissioners Keri Smith and Leslie Van Beek, DSD Planning Official Dan Lister, and Deputy Clerk Monica Reeves. The applicant's representative, Darin Taylor, thought the meeting was scheduled for 11:30 a.m. and was not present with the mylar; however, he indicated he would be present within 15 minutes. Dan Lister reported the preliminary plat for Spring Hill Ranch Subdivision was approved by the Board of Commissioners on December 7, 2020 and amended on June 23, 2022 with 10 conditions of approval. All conditions of approval have been met. Commissioner Van Beek had questions for staff regarding the conditions. Upon the motion of Commissioner Van Beek and the second by Commissioner Smith, the Board voted unanimously to sign the final plat for Spring Hill Ranch. The meeting concluded at 11:09 a.m. *(Commissioner Smith will sign the plat in a few minutes when Mr. Taylor arrives.)*

CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

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

*Note for the record: As properly noticed the Board met today at 1:31 p.m. for a legal staff update. A request was made to go into Executive Session as follows:*

Commissioner Van Beek made a motion to go into Executive Session at 1:32 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Smith. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, HR Director Kate Rice and Facilities Director Rick Britton. Directors Rice and Britton left the meeting at 1:46 p.m. The Executive Session concluded at 2:22 p.m. with no decision being called for in open session.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR MICHAEL AND SILVIA PENA

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:36 p.m. to conduct a property tax assessment protest hearing for Michael and Silvia Pena, protest no. 22130/PIN: 30126117 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Rural Supervisor Roger Craig, Appraiser Gerri Tallabas, Appraiser Joni Irby, Appraiser Katrina Ponce, Appraiser Tracy Golder, Michael and Silvia Pena, David and Cindy Custenborder, Ancil Irminger, David Williams, Other Assessor's Office staff and Deputy Clerk Jenen Ross. Michael and Silvia Pena offered testimony in support of their protest application. Katrina Ponce and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to adjust the value to \$275,000. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAVID AND CINDY CUSTENBORDER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:37 p.m. to conduct a property tax assessment protest hearing for David and Cindy Custenborder, protest no. 22019/PIN: 36544150 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Rural Supervisor Roger Craig, Appraiser Gerri Tallabas, Appraiser Joni Irby, Appraiser Katrina Ponce, Appraiser Tracy Golder, David and Cindy Custenborder, Ancil Irminger, David Williams, Other Assessor's Office staff and Deputy Clerk Jenen Ross. David and Cindy Custenborder offered testimony in support of their protest application. Tracy Golder and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 4:36 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR ANCIL IRMINGER LIVING TRUST

The Board of County Commissioners, sitting as a Board of Equalization, met today at 4:44 p.m. to conduct a property tax assessment protest hearing for Ancil Irminger Living Trust, protest no. 22071/PIN: 33789011 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Rural Supervisor Roger Craig, Appraiser Gerri Tallabas, Appraiser Joni Irby, Appraiser Katrina Ponce, Appraiser Tracy Golder, Ancil Irminger, David Williams, Other Assessor's Office staff and Deputy Clerk Jenen Ross. Ancil Irminger offered testimony in support of his protest application. Gerri Tallabas, Roger Craig and Holly Hopkins offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the

Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 5:34 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAVID AND VICTORIA WILLIAMS FAMILY TRUST

The Board of County Commissioners, sitting as a Board of Equalization, met today at 5:35 p.m. to conduct a property tax assessment protest hearing for David and Victoria Williams Family Trust, protest no. 22138/PIN: 36555102 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Rural Supervisor Roger Craig, Appraiser Joni Irby, Appraiser Tracy Golder, David Williams and Deputy Clerk Jenen Ross. David Williams offered testimony in support of his protest application. Tracy Golder and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Smith made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 6:04 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO BOARD OF EQUALIZATION

The Board of County Commissioners, sitting as a Board of Equalization, met today at 6:04 p.m. to consider matters related to medical indigency. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Rural Supervisor Roger Craig, Appraiser Joni Irby, Appraiser Tracy Golder and Deputy Clerk Jenen Ross. No applicants appeared for the below cases, the Board took the following actions:

**Davis Peterson and Living Trust (Protest #22152/PIN: 22947000 0):** Some information was provided and upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to uphold the Assessor's value.

**Michael & Patricia Sigloh (Protest #22037/PIN: 33878010 0):** Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously.

**Knapp (Protest #22100/PIN: 28325010 0):** Upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to continue the hearing to July 7, 2022 at 10:00 a.m.

The meeting concluded at 6:11 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2022 TERM

CALDWELL, IDAHO JULY 6, 2022

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - OUT  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mountain Home Auto Ranch in the amount of \$105,072.00 for the Fleet Department

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR ROBERT AND MARI SWANSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:05 a.m. to conduct a property tax assessment protest hearing for Robert and Mari Swanson, Account No. 320879030. Present were: Commissioners Keri Smith and Leslie Van Beek, Certified Property Appraisal Supervisor Holly Hopkins, Appraiser Tyler VanWarmerdam, Robert Swanson, Mari Swanson, Assessor's Office employees, and Deputy Clerk Monica Reeves. Robert Swanson offered testimony in favor of the application. Tyler Van Warmerdam and Holly Hopkins offered testimony on behalf of the Assessor's Office. Following testimony, rebuttal, and Board discussion, Commissioner Van Beek made a motion to uphold the Assessor's value and allow the appellants to advance to the board of tax appeals if they choose. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RICKY LIMOUS BELL-GARNER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:57 a.m. to conduct a property tax assessment protest hearing for Ricky Limous Bell-Garner, Account No. 120750000 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Certified Property Appraisal Supervisor Holly Hopkins, Assessor's Office employees, and Deputy Clerk Monica Reeves. The appellant was not present for the hearing but did submit a request asking for a later hearing date. Holly Hopkins offered comments on behalf of the Assessor's Office. Following comments, Commissioner Van Beek made a motion to continue the hearing to July 11, 2022 at 9:00 a.m. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 9:58 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR IDA UTA FOUNDATION TRUST

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:58 a.m. to conduct a property tax assessment protest hearing for IDA UTA Foundation Trust, Account Nos. 091360000 and 091230000. Present were: Commissioners Keri Smith and Leslie Van Beek, Certified Property Appraisal Supervisor Holly Hopkins, Assessor's Office employees, and Deputy Clerk Monica Reeves. The appellant was not present for the hearing but did submit appraisals. Holly Hopkins offered comments on behalf of the Assessor's Office. Following comments, Commissioner Van Beek made a motion to uphold the Assessor's value on Account No. 091360000 and 091230000 and allow the appellant to advance to the board of tax appeals if they choose. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAVID AND KIM TIFFANY

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:00 a.m. to conduct a property tax assessment protest hearing for David and Kim Tiffany, Account No. 35208010 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Certified Property Appraisal Supervisor Holly Hopkins, Assessor's Office employees, and Deputy Clerk Monica Reeves. The appellant was not present for the hearing. Following comments, Commissioner Van Beek made a motion to uphold the Assessor's value on Account No. 35208010 0 and allow the appellants to advance to the board of tax appeals if they choose. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JEFFREY LANTZ

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:03 a.m. to conduct a property tax assessment protest hearing for Jeffrey Lantz, Account No. 29077354 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Certified Property Appraisal Supervisor Holly Hopkins, Assessor's Office employees, and Deputy Clerk Monica Reeves. The appellant was not present for the hearing. Holly Hopkins offered testimony on behalf of the Assessor's Office. Following comments, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR GRACE, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:30 p.m. to conduct a property tax assessment protest hearing for Grace, LLC, Account No. 32219017 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. The appellant was not present for the hearing; however, their representative submitted an email dated July 6, 2022 stating they have agreed to do a value uphold and to move this matter to the board of tax appeals. Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 1:31 p.m. *\*Note – due to a technical difficulty with the recording system there is no audio associated with this case.*

#### JULY 2022 TERM

CALDWELL, IDAHO JULY 7, 2022

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED CLAIMS

- The Board has approved claims 585830 to 585856 in the amount of \$93,540.55
- The Board has approved claims 585857 to 585894 in the amount of \$72,087.34
- The Board has approved claims 585895 to 585916 in the amount of \$58,556.67
- The Board has approved claims 585943 to 585981 in the amount of \$62,978.04

#### MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:50 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Case nos. 2022-507 and 2022-508 meet the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with written decision within 30 days. 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 AN ACTION ITEM



The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider signing real estate appraisal and authorization agreement with Jess Payne Appraisal Service:*** At the previous direction of the Board, Director Britton is still working to collect additional information on appraisal services but at this time does not have any agreement for Board consideration. He will continue to collect information and at the recommendation of Mr. Wesley this item will need to be wholly re-agendized.

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

#### EXECUTIVE SESSION – PERSONNEL MATTERS

Commissioner White made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley and Facilities Director Rick Britton. Commissioner Smith joined the meeting at 9:04 a.m. and Director Britton left the meeting at 9:13 a.m. The Executive Session concluded at 9:20 a.m. with no decision being called for in open session.

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

#### BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LARRY STEVENSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:02 a.m. to conduct a property tax assessment protest hearing for Larry Stevenson, Account No. 28129002 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Larry Stevenson, Assessor Brian Stender, Certified Property Appraisal Supervisor Holly Hopkins, Appraiser Roger Craig, Assessor's Office employees, Zach Brooks, and Deputy Clerk Monica Reeves. Larry Stevenson offered testimony in favor of his appeal for a reduction of \$2,100. Roger Craig and Holly Hopkins offered testimony on behalf of the Assessor's Office. Following testimony, rebuttal, and Board discussion, Commissioner Smith made a motion to uphold the Assessor's value noting that they are assessing storage sheds across Canyon County. The motion was seconded by Commissioner Van Beek for discussion. She said there has to be some clarification by the Assessor's Office because of the testimony that they do not assess personal property so she suggests there be some negotiation between Mr. Stevenson and the Assessor's Office, including taking the matter to the Board of Equalization. The motion carried unanimously. The hearing concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR MERLIN AND WENDY GLANZMAN

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:29 a.m. to conduct a property tax assessment protest hearing for Merlin and Wendy Glanzman, Account No. 24257510 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Certified Property Appraisal Supervisor Holly Hopkins, Appraiser Geri Tallabas, Appraiser Roger Craig, Assessor's Office employees, and Deputy Clerk Monica Reeves. The appellants were not present for today's hearing. Geri Tallabas offered testimony on behalf of the Assessor's Office. Following testimony from the Assessor's Office, Commissioner Van Beek made a motion to uphold the Assessor's value and allow the appellant to proceed to the Board of Equalization if they choose. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:38 p.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following:

Vehicles: some vehicles will not be received in this fiscal year due to build issues at the factory; monies allocated for those vehicles will need to be rolled to fiscal year 2023. They are looking to purchase vehicles directly from lots but are waiting for inventory to build up first.

Carwash: prices have increased and some monies will need to be moved into next fiscal year's budget as the project will likely not be completed this fiscal year. Since the beginning of the project the cost has increased from \$173K to \$195K.

Discussion ensued regarding driver's license checks thru Access Idaho to be done by HR Investigator Rich Soto.

Purchase orders will be coming thru in order to get vehicles purchased as soon as the order bank opens. No vehicles will arrive prior to the start of the new fiscal year.

Commissioner Van Beek would like employees to sign a letter acknowledging the vehicle use policy has been read and understood. Director Tolman will work with HR Director Kate Rice and Mr. Soto on this and then present it to the Board.

The meeting concluded at 1:57 p.m. An audio recording is on file in the Commissioners' Office.

## MEETING TO RECEIVE UPDATE ON FAIR EXPO BUILDING

The Board met today at 2:04 p.m. to receive an update on the Fair Expo building. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Facilities Director Rick Britton, Fair Director Diana Sinner, Cole Koba and Ken Fisher with Paradigm and Deputy Clerk Jenen Ross.

A handout was provided which included information on the following topics:

- Project scope
- Schedule milestones (site construction milestones and building construction milestones)
- HC Construction cost summary
- URA cost summary (URA projects completed/in-progress)
- Canyon County performed work
- Accomplishments/lessons learned

A copy of the handout is on file with this day's minutes. The meeting concluded at 2:49 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2022 TERM  
CALDWELL, IDAHO     JULY 8, 2022

PRESENT:     Commissioner Keri K. Smith, Chair  
                  Commissioner Leslie Van Beek, Vice Chairman  
                  Commissioner Pam White -OUT  
                  Deputy Clerks Monica Reeves/Jenen Ross

### APPROVED CLAIMS

- The Board has approved claims 585917 to 585942 in the amount of \$62,978.04
- The Board has approved claims 585983 to 586004 in the amount of \$44,679.80
- The Board has approved claims 5856005 to 586037 in the amount of \$53,704.53
- The Board has approved claims 586071 to 586117 in the amount of \$37,849.64
- The Board has approved claims 586038 to 586070 in the amount of \$41,698.27
- The Board has approved claims 586118 to 586154 in the amount of \$173,221.33
- The Board has approved claims 586190 to 586206 in the amount of \$9,863.42
- The Board has approved claims 586156 to 586176 in the amount of \$16,467.00
- The Board has approved claim 586155 in the amount of \$6,500.99
- The Board has approved claims 586207 to 586258 in the amount of \$208,431.72

- The Board has approved claims 586177 to 586189 in in the amount of \$29,070.00

#### APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Parma Ridge Wine & Spirits Co., LLC aka Parma Ridge to be used 7/14/22

#### MEETING TO CONSIDER MATTERS RELATED TO BOARD OF EQUALIZATION

The Board met today at 9:02 a.m. to consider matters related to the Board of Equalization. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Other Assessor Office staff, Brigit DuBois on behalf of Amazon and Deputy Clerk Jenen Ross. The below cases were considered as follows:

- Gardner Nampa Gateway LC
  - Protest no. 22176, PIN: 31086107 0
  - Protest no. 22173, PIN: 30503013 0
  - Protest no. 22172, PIN: 30504012 0
  - Protest no. 22171, PIN: 30504000 0
  - Protest no. 22170, PIN: 31086110 0
  - Protest no. 22169, PIN: 31086109 0
  - Protest no. 22168, PIN: 31086112 0
  - Protest no. 22166, PIN: 30498010 0
  - Protest no. 22165, PIN: 30498012A0
  - Protest no. 22164, PIN: 30498011 0
  - Protest no. 22163, PIN: 30498000 0

No representative was present but evidence was provided. Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously.

- Gardner Nampa Gateway East LC
  - Protest no. 22167, PIN: 30501010 0

No representative was present but evidence was provided. Commission Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously.

The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR AMAZON.COM SERVICES INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:05 a.m. to conduct a property tax assessment protest hearing for Amazon.com Services Inc. protest no. 22055, PIN 62222205 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Other Assessor's Office staff and Deputy Clerk Jenen Ross. Brigit DuBois offered testimony in support of the protest application. Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR CF HIPPOLYTA NAMPA LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:35 a.m. to conduct a property tax assessment protest hearing for CF Hippolyta Nampa LLC, protest no. 22054, PIN: 30481012 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Other Assessor's Office staff, Brigit DuBois on behalf of Brigit DuBois on behalf of CF Hippolyta Nampa LLC (Amazon) and Deputy Clerk Jenen Ross. Brigit DuBois offered testimony in support of the protest application and Joe Cox offered testimony on behalf of the Assessor's Office.

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

#### EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Smith made a motion to go into Executive Session at 9:57 a.m. pursuant to Idaho Code, Section 74-107 (24) to make certain Assessor and BOE records are exempt from public disclosure and 74-206(1) (d) regarding records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Residential Supervisor Holly Hopkins, Other Assessor's Office staff and Brigit DuBois on behalf of CF Hippolyta Nampa LLC (Amazon). The Executive Session concluded at 10:38 a.m.

Once the Board went back on the record Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 10:56 a.m. An audio recording of the open portions of the hearing are on file in the Commissioners' Office.

#### ASSESSOR ADJUSTMENTS

The Board met today at 1:40 p.m. to consider approving Assessor adjustments. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Business Manager Jennifer Loutzenhiser, Imaging Specialist Helena Thompson, Other Assessor's Office staff and Deputy Clerk Jenen Ross. Assessor Stender explained these are adjustments made by his office which include revisions to values, corrections to assessments, and homeowner exemptions. Once approved, values will be adjusted by the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to approve the certified values #1.

Additional discussion ensued regarding storage units being valued as part of the property.

The meeting concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY TAX EXEMPTION PROTEST HEARING FOR CHRISTOPHER AND ASPEN MORROW ON BEHALF OF TV FREE CHURCH

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:54 p.m. to conduct a property tax exemption protest hearing for Christopher and Aspen Morrow on behalf of TV Free Church, protest nos. 22182, 22183 and 22184 PINs: 01442000 0, 01443000 0 and 01647000 0. Present were: Commissioners Keri Smith and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Business Manager Jennifer Loutzenhiser, Imaging Specialist Helena Thompson, Other Assessor's Office staff and Deputy Clerk Jenen Ross. The applicants did not appear at today's hearing. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to uphold the denial of the exemption. The hearing concluded at 1:59 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH HR DIRECTOR TO DISCUSS EMPLOYEE STATUS CHANGE FORM FOR AN ADJUSTMENT TO THE INFORMATION TECHNOLOGY CIO POSITION

The Board met today at 2:33 p.m. with the HR Director to discuss an employee status change form for an adjustment to the Information Technology CIO position. Present were: Commissioners Keri Smith and Leslie Van Beek, HR Director Kate Rice, Controller Zach Wagoner and Deputy Clerk Jenen Ross.

Commissioner Smith explained there was an email from Director Rast indicating that he was not paid in-line with the compensation plan. Director Rice spoke about how difficult it is to recruit IT positions and, in an effort to keep a long-term, high producing and a quality manager it would be beneficial to respond to his request for salary action. Director Rast provided a list of salaries gathered from Transparent Idaho and it does appear that his salary is out of alignment with competition although she does not have the knowledge to verify or justify where he is in the

county compensation plan. In response to a question from Commissioner Van Beek, Director Rice verified that Director Rast has 26 years of Information Technology related experience that can be applied toward his 'years in position'. When Director Rast was originally hired he was given credit for 21 years of experience, he has worked for the county for 5 years which totals the now 26 years of experience credit. From the information provided by Director Rast, it appears that his peers have outpaced him in terms of compensation. Controller Wagoner spoke about how 'years in position' is accounted for in the compensation plan. Commissioner Van Beek said that in evaluating the information provided by Mr. Rast, evaluating his tenure with the county and productivity, the number of employees that he manages, and the inability to replace him at the salary he's requesting, she submits that this is a deal for the county. She said that he has been a tremendous performer and understands the compensation plan probably better than most; she is in favor of this compensation change and feels it would be a great disservice not to honor this request. Commissioner Smith said Director Rast's current compensation is \$123,416.50 and his request is to be moved to step 21 of the Canyon County Compensation Plan which would put him at \$138,620.00. Commissioner Van Beek said that would be consistent with his 26 years of experience and it is at 90% of what the Ada County CIO is paid. Discussion ensued as to whether Director Rast should actually be moved to a pay rate commiserate with 26 years of experience which would be the maximum amount as determined by the compensation plan, however, complete information for that adjustment is unknown at this time. Commissioner Van Beek suggests granting the request as presented and then reevaluate the lacking information, once that information is received the salary rate could be adjusted again for FY2023 to make is consistent. Director Rice explained that the maximum for this position is \$146,162 per the Department of Labor chart for a Computer and Information System Manager (a Director position was not available for direct comparison).

Commissioner Smith is supportive and recommends moving forward with an employee status change form. Commissioner Van Beek made a motion to approve the adjustment to the IT CIO position, approving the requested salary of \$138,620 to be effective immediately as there is budgetary savings in the IT budget and there would be no impact to taxpayers for the remainder of FY2022 and would not exclude a COLA adjustment in FY2023. Commissioner Smith supported a motion to adjust the pay mid-year to \$138,620. Commissioner Van Beek confirmed the amended motion and Commissioner Smith seconded the amended motion which carried with a unanimous vote. A status change form will be created and submitted by the Human Resources department.

The meeting concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2022 TERM  
CALDWELL, IDAHO JULY 11, 2022

PRESENT: Commissioner Keri K. Smith, Chair

Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- BOE in the amount of \$4,004.04 for the IT Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Nicholas Talbot, Deputy Sheriff; Guadalupe Tovar, Victim Witness Coordinator; Anthony Clark, Deputy Sheriff; and Hayden Stauffer, Courts and Transports

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RICKY LIMOUS BELL-GARNER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:03 a.m. to conduct a property tax assessment protest hearing for Ricky Limous Bell-Garner, protest no. 22112/PIN: 12075000 0. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Administrative Supervisor Greg Himes, Appraisal Supervisor Mike Cowan, Appraiser Darryl Spieser, Other Assessor Office staff and Deputy Clerk Jenen Ross. Mr. Bell-Garner sent an email on July 9, 2022 indicating he would not be in attendance for today's hearing. Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAVID AND SUSAN WISHNEY FAMILY TRUST

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:05 a.m. to conduct a property tax assessment protest hearing for David and Susan Wishney Family Trust, protest no. 22031/PIN: 04580000 0. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Administrative Supervisor Greg Himes, Appraisal Supervisor Mike Cowan, Appraiser Darryl Spieser, Other Assessor Office staff and Deputy Clerk Jenen Ross. Mr. Wishney did not appear for today hearing although he did send an email on July 10, 2022 which included three (3) attachments/exhibits. Darryl Spieser offered testimony on behalf of the Assessor's



Office. Following testimony, Commissioner Van Beek made a motion to uphold the adjusted value of \$1,075,000. The motion was seconded by Commissioner Smith and carried unanimously. The hearing concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 10:03 a.m. to consider agenda items. Present were: Commissioners Pam White and Leslie Van Beek, HR Director Kate Rice, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Ms. Rice and Mr. Bazzoli left the meeting at 10:27 a.m. The agenda items were considered as follows:

***Consider resolution changing the job description of the Deputy Public Defender position in the Public Defender's Department:*** Mr. Bazzoli provided an overview of some of the changes made and a redline version of the revisions made to the job description was provided to the Board, a copy is on file with this day's minutes. The majority of the changes were to the experience within each position class. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution changing the job description of the Deputy Public Defender position in the Public Defender's Department (see resolution no. 22-148).

***Consider transfer of alcoholic beverage license for Christensen Inc dba Sage Travel Plaza:*** Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the transfer alcohol license for Christensen Inc. dba Sage Travel Plaza (see resolution no. 22-149).

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

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

The Board met today at 1:33 p.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction and to consider action items. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Controller Zach Wagoner, DSD Director Steve Fultz (left at 2:01 p.m.), Office Manager Jennifer Almeida (left at 1:38 p.m.), HR Director Kate Rice, HR Jennifer Allen Assessor Brian Stender, HR Generalist Kendra Elgin and Deputy Clerk Jenen Ross.

***Consider signing resolution changing the job description of one (1) position and the job title and job description of two (2) positions in the Development Services Department:*** Modifications were made to the office manager, administrative specialist and hearing specialist positions to more clearly define the job responsibilities. There is no impact to salary ranges. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign

the resolution changing the job description of one (1) position and the job title and job description of two (2) positions in the Development Services Department (see resolution no. 22-150).

Director Fultz provided updates to the Board on the following topics:

- comprehensive plan hearing dates
- economic development
- staff evaluations
- overlay district for the housing authority
- June receipt totals
- A new member will need to be appointed to the URA Board with Director Fultz's resignation from his position with the county.
- City/county growing together: Commissioner Van Beek spoke about how she would like to host a meeting between the county and all cities within the county to discuss growth and future planning. Elizabeth Allen may be a good resource to help facilitate this type of meeting. Commissioner Smith asked Director Fultz to evaluate Ms. Allen's workload and determine how this would work in as a priority.
- The Board requested an updated hearing spreadsheet an open PIs and administrative splits.

***Consider signing resolution to approve job title, job description and FLSA status of Compensation and Benefits Manager:*** Director Rice provided an overview of the responsibilities of the position. Commissioner Smith requested additional information on COLAs being provided by other area governmental agencies. Salary range for the position is \$71,870 to \$96,826. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution to approve the job title, job description and FLSA status of a Compensation and Benefits Manager.

The meeting concluded at 2:10 p.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER ASSESSOR'S ADJUSTMENTS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:35 p.m. to consider Assessor's adjustments. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Appraisal Supervisor Greg Himes, and Deputy Clerk Monica Reeves. Assessor Stender presented the Board with adjustments to the 2022 certified values - #2. Property owners will be notified of their adjustments. Following review, Commissioner Van Beek made a motion to approve the Assessor's adjustments to the 2022 certified values - #2. (The list containing the parcel, property owner, and value information is on file with this day's minute entry.) The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

## COMMUNITY INPUT MEETING ON FY2023 BUDGET AND SPENDING PRIORITIES

The Board met this evening at 5:03 p.m. to take comments on the FY2023 budget and spending priorities. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Sr. Systems Analyst Steve Onofrei, Captain Harold Patchett, Caldwell Councilman Chuck Staddick, Colleen Schaub, Doug Peterson, Brad Jacobsen, Amy Weidner, Mark Dudley, Tom English, Kim Yanecko, Claudia Frent, Genia Watkins, Steve Burton, Hubert Osborne, Hip Delgado, Craig Sjoberg and Deputy Clerk Monica Reeves. Comments were as follows:

**Colleen Schaub** she attended the Sheriff's budget presentation in June and wants to know if anything is being done to increase salaries for law enforcement personnel. She was told by a lieutenant in the Sheriff's Office that there is a 50% staffing shortage within CCSO and the pay is substantially lower than surrounding precincts. She wants the County to make officer wages a priority. Additionally, she questioned why revenues from citations is going to the state, but not to Canyon County. Commissioner Smith said most offices did not include changes in pay during this step of the budget process, but the Clerk is working on a proposal for a cost of living adjustment (COLA), and today the Board signed a resolution to approve a wage and benefits manager to help with some of the issues we're seeing. The budget does not include any specific information on pay. Commissioner Van Beek said there was a salary adjustment presented by the Sheriff's Office approximately one month ago that increased the starting wages from \$20 per hour to \$23.06. It was a mid-year budget adjustment approved by Board, although it was not a unanimous decision. Controller Wagoner said the money from citations is split between the state; if it's a Canyon County infraction the County does get a share of the money, and if it's a city infraction the city will get a share of the money. Commissioner Van Beek suggested Ms. Schaub review the wage report for County employees, and she said the State Controller is trying to implement a program called *Transparent Idaho* which would evaluate salaries across the state and that information is available. Commissioner White said the County approved a 7.5% COLA last year for all employees. Clerk Yamamoto said the numbers Ms. Schaub is looking at are what was requested by offices and departments, the Board has made no decisions on it.

**Doug Peterson, Brad Jacobsen, and Mark Dudley** each operate skilled nursing facilities in Canyon County and they are struggling to provide care and operate the way they need to due to staffing shortages due to employees leaving for facilities in other counties and states for higher wages, and so they are interested in accessing ARPA funds to help retain staff. Commissioner Smith said Canyon County has been using all of its ARPA funds for revenue replacement and while the Board has heard from some nonprofits that have emergent needs, the County does not have a specific formal application and it is behind in fulfilling some of its own needs and struggling with employment and so she's not sure if there will be an application that opens up. Commissioner White suggested they contact the state and federal representatives about the staffing issues.

**Amy Weidner** was hoping tonight's meeting would provide more information in terms of budget comparative information. She had questions regarding amounts in specific line items; such as \$2M in the general fund miscellaneous line item; capital construction contracts; and what the \$22M in the ARPA funds has been used for. Commissioner Smith said the County's website has YouTube videos of the budget presentations as well as budget information. Community nonprofit organizations requested funding, one of which was a \$2M request from Jesse Tree to help with programming for rapid rehousing. Canyon County has elected to use the ARPA funds for revenue replacement funds and we have detailed how those funds were used and we are going to use remaining dollars to catch up on needs and capital projects. Controller Wagoner explained there are different pools of federal monies: ARPA is separate from Coronavirus relief funds. In 2021 we spent \$5M in coronavirus relief funds and we budgeted \$7M of ARPA in this year's budget that we are spending and we have a separate accounting fund. Ms. Weidner said the department heads should be here to explain why they requested these funds. Commissioner Smith encouraged Ms. Weidner to watch the YouTube videos which are available on the County's website because most of the directors reviewed their requests line-by-line.

**Tom English** wants better communication for the people who are interested in what the budget requests are for and where the monies are going. Commissioner Smith said the Board was hoping people would have watched the YouTube videos of the requests and then offered comment. The final budget hearing is in August but the Board wanted to hear comment before that time which is why it's holding tonight's meeting. The Clerk will provide a suggested budget and the Board may hold additional meetings for input, but the final budget hearing will be in August.

**Kim Yanecko** said it would be helpful for the Board to provide more budget information and to provide it sooner. She also said it's odd to have the input meeting before hearing the Clerk's recommendations. Commissioner Smith said the intent of the meeting was for the community to have watched the YouTube videos of the budget request workshops that are available on the County's website. Ms. Yanecko asked where will funds come from once the ARPA funds and Coronavirus relief funds are gone. She also asked what the County's annual liability insurance premium be? Commissioner White said we could be self-insured; the County's health insurance fund is self-insured so that could be an option for us. Ms. Yanecko asked where the liability line item is located in the budget? Controller Wagoner said it's been included with the ARPA monies. Ms. Yanecko asked where will the funds come from if the County cannot become insurable? Commissioner Smith said it will go back in the general fund. Commissioner Van Beek said the goal in using the ARPA funds is to use them for one-time expenses, not ongoing. An insurance premium would be an ongoing expense and she is curious how that would work for the short-term. At some point it has to be put back in the budget which means you either forego other services or levy property taxes to cover it. Commissioner Smith added to that comment and said or, we don't have those onetime expenses again because we paid for those as part of the general fund versus the ARPA money so it's a wash. Ms. Yanecko asked if ARPA funds will be given back to the federal government if we don't use them? People are getting taxed at the county level and at the federal level and are ultimately paying for the funds that the County is using for building the Fair Expo center out of the capital improvement fund versus the COVID or ARPA money so it's still a double tax. Commissioner Van Beek said the inflation we are seeing now is a result of the federal spending

and it's coming down to the local levels. She did not vote for receiving the ARPA funds; the argument for receiving them was that another county or state would receive those funds and the citizens would still pay for them. It's a philosophical argument on who's really paying. Ms. Yanecko commented on the cancellation of the monthly community input meetings. Commissioner Smith said the meetings were not being utilized in the way they were intended.

**Claudia Frent** said before the County gives any money to the skilled nursing facilities, she'd like to know how much their shortage is affected by the mandates they imposed on their employees versus an actual shortage of employees. Hospitals lost a lot of employees because of the mandates and they were firing people and so before her tax dollars are used for those facilities she wants to know how much of shortage has been created because of their own policies. Ms. Frent also addressed her concerns with the budget. She is self-employed and when COVID they took a 40% reduction in their business and they have not bounced back. Add to that inflation, gas prices, food prices, and they are suffering. Last year's levy was .98, and if the levy is .98 she is looking at a \$4,000 increase. If the levy is .78 like they estimated, that will be a \$2,000 increase. She doesn't want to see the County taking money and building facilities and giving raises to employees. The middle class is bearing the brunt of the taxes and she is being taxed out of her house and fears a recession is coming. Ms. Frent wants to see less spending at the County level. She wants to know what the levy rate be will and how is it determined? Commissioner Smith said we don't know the levy rate yet, but employees are working on it. The rates are calculated in mid to late September. The County is only one taxing entity and we are not the largest one so it's really important for people to stay involved with the school districts.

**Genia Watkins** said she watched the video on the Fair's budget presentation and asked why the director is not present to listen to the input on her budget. She asked how the expenditures exceed the revenues every year and where is the difference made up? Commissioner Smith said it's made up through property tax. Ms. Watkins said there is a lack of parking at the fairgrounds and questions if it's a good idea to bring in larger mainstage concerts and acts that will bring in more people and exacerbate the parking problem and if people can't get to the fairgrounds we're just spending more money on bigger acts but not collecting more revenue. Commissioner Smith said that's a valid point. Ms. Watkins' kids are involved in the fair but she believes the family things are being pushed out for more adult things and it's not safe sometimes for kids to be at the carnival at night. She said people are quitting the fair because they cannot afford it and due to parking issues. Commissioner Smith said you have to show up early and walk to the venue. There is a parking problem and we have a good partnership with the City of Caldwell and they are building a parking lot across the railroad tracks. There are been discussions about expanding the fair, including new barns to get the kids away from some of the hustle and bustle and bringing back the horse kids that don't have an opportunity to come to the fairgrounds anymore. The County is having those conversations and will keep working on it. She also said part of the mainstage entertainment prices are up because the costs have gone up in terms of fuel, travel, etc. , so we saw significant increase in contract prices. Ms. Watkins had questions about the budget process. Commissioner Smith said there will not be another forum where each department comes back, but we will probably provide an opportunity after the Clerk's suggested budget is done at some other type of forum where if they have changes, such as cuts being made, we will have another

meeting where they can come back and lobby to have the items put back in their budget. Commissioner Van Beek said the Fair has been increasing revenues and the goal is for them to be self-sustaining, but we're not there yet, but when we look at the allocation of property taxes we have to decide, in addition to services, how many amenities do we provide for the community as well and so this happens to be something we think the majority of the community enjoys participating in so property tax does help offset the expenses but the revenue generating has continued to go year-over-year.

**Steve Burton** asked where the Board is going as far as impact fee collection? What is the proposed reserve when this budget is done? And, what is the general philosophy on a balanced budget? Commissioner White said the law requires the budget to be balanced. Different municipalities have different ideas about using reserves but Canyon county has a larger reserve and that is an act of good stewardship on former Boards as well as the Clerk and the Controller. Commissioner Van Beek said impact fees are needed and a resolution is coming for the County and the Canyon Highway District. The County can collect impact fees for the Sheriff, Coroner, parks and for a jail. There are mixed feelings about impact fees because it's another level of charging people but she said it's doubtful anybody in Middleton would argue that infrastructure is needed. For the County's reserves, the last time she heard the fund balance was at 68% which is pretty high and with that reserve we have to be careful and hold the budget sacred. The County needs a plan and it's her philosophy that all of the dollars matter; there is not a threshold where we say that doesn't matter. Commissioner Smith said this Board has done a great job on addressing the needs we had over the last year and a half because of that fund balance, including funding the Center at the Canyon County Fair. We are looking at projects such as a second administration building with ARPA funds because we're outgrowing this space and we're looking at options on site for another jail. Some people have been trying to limp by and get through without asking for things but we have been actively making sure to improve our facilities for the last 18 mos. She said 60% fund balance is too high; however, the Clerk has a plan for some of those dollars. We need a new jail, and we are working with the City of Caldwell about options here and she is supportive of getting that money allocated and creating a capital construction fund and saving some money and by the end of this budget year she believes we'll have that in place. Impact fees should not just go to Canyon County residents, when it comes to the law enforcement portion of impact fees it should go countywide through all of cities and that's a big task and it's not going to be completed by the time her term in office ends. She hopes the next Board will keep the ball rolling and make it happen. Mr. Burton said he is supportive of a financial shift that supports law enforcement.

**Hubert Osborne** applauded the Board for holding meetings where the community can provide input, although it's unfortunate the public seems too busy to show up. He comments dealt with the landfill budget. He appreciates the Controller providing him with information that is difficult to find; the minutes of the meetings where the landfill director meets with the Board are not available on the County website. *(Staff will check the website to make sure the minutes are available.)* In the FY2022 amended budget there is \$2.5M for a land purchase and he understands it was for a transfer station and he also understands that money cannot find a home. In talking with Timbercreek and Republic Services they want to put a transfer station on Timbercreek's property outside of Amalgamated and Mr. Osborne's is asking why the Board wants to expand



County government when private enterprise is willing to do the same thing? Furthermore, why would the County want to get into the transportation business? In the suggested 2023 budget there is \$3M for a gas project. Ada County had a private company do that and he questioned if we really want the landfill director to do that when it's possible a private enterprise would do it? He wishes the County would extract that \$2.5 million for the property purchase out of the budget. Commissioner Van Beek said there is an upcoming meeting regarding the solid waste advisory committee and it will be an interesting discussion where you have members of the community in addition to people in the business advise the Board on what some of those best practices are that puts a step in between the direct contact which could potentially create a conflict with public and private business competition. Mr. Osborne said this is an enterprise fund, but if you have to raise garbage fees to pay for the additional expenditures you might as well call it a tax.

**Hip Delgado** expressed his support for law enforcement and spoke of his concerns with taxes going up. He asked why no one has done a Prop 13 or Jarvis Act like the California did and modify it to help the people of Idaho. Commissioner Smith said there has been a Prop 13 for Idaho on the ballot but it's been voted down. She would like to offer a homeowner's exemption where the longer you've lived here the higher your exemption. Assessor Stender said he, Clerk Yamamoto and the Controller worked together with Representative Bruce Skaug to carry an indexing homeowner's exemption bill that would have helped produce the net taxable value on all residential properties but that bill was held in committee and was not presented. It had 48 co-sponsors. Mr. Delgado said the homeowners are being taxed for development when developers should have to take some of the burden for the roadways for subdivisions. Commissioner Smith said schools are not eligible for impact fees, and impact fees will not cover new growth. She encouraged Mr. Delgado to contact his legislators.

**Craig Sjoberg** said the mission of collecting property taxes is balanced with our 3% cap on spending and with that mission in mind the other half of that equation is where the money comes from and so if it's coming from property tax shouldn't that also reflect approximately the amount of what is collected from the people that matches the 3% increase. He has rental properties and some went up by 14%, which is more than the state mandated limitation of 3%. Commissioner Smith said there is no way we are going to pass a budget that exceeds the statutory requirements. Clerk Yamamoto said we have a tax shift. We have out-of-state inflated money coming into Canyon County where people from other states are selling their homes for inflated prices and coming to Canyon County where the taxes look good. The levy rate is a simple equation where you take your requested amount of tax divided by the taxable values and that division equals the levy rate. In Canyon County the levy rate has continued to go down while the taxes continue to go up. Commercial values have stayed relatively static while residential values have gone through the roof so instead of having a 50/50 equilibrium between residential, commercial and agriculture, we are seeing residential at 70% because of those values. Mr. Sjoberg asked why the spending is not reflected in the tax collected? Clerk Yamamoto said for three years in a row Canyon County's tax request has been the same, in fact, it's gone down. We have not taken the 3%, or the foregone amount, or new construction and there is no one else who can say that. In 2021 our levy rate was .002, which is really low. Mr. Sjoberg asked how we justify collecting more than the 3% increase. Clerk Yamamoto said the 3% doesn't play a role with what Mr. Sjoberg is talking about because

we're not taking it; what plays a role is the escalation of the values. Mr. Sjoberg asked if the County takes much money from the federal government? He said Idaho takes a lot (49%) and he wants to know if Canyon County is in the same ratio? Commissioner Smith said the County took \$44M in ARPA money. Mr. Sjoberg said the stipulations describe how the federal government is going to control, and/or take, in exchange for this money such as things like core curriculum, CRT, "wokeism", and cultural things that make our lives a little more like Detroit and other places we don't want to become. There are a lot of things that are pretty despicable as to how our culture is getting bent and it's sometimes stipulated by federal mandates and he doesn't like that.

The meeting concluded at 6:36 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2022 TERM

CALDWELL, IDAHO     JULY 12, 2022

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- W2W Flooring in the amount of \$1,500.00 for the Facilities Department

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Keri Smith and Leslie Van Beek, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Treasurer Tracie Lloyd (left at 9:20 a.m.), Chief Deputy Assessor Joe Cox (left at 9:20 a.m.), Fleet Director Mark Tolman (left at 9:04 a.m.), Landfill Director David Loper (left at 9:34 a.m.), Controller Zach Wagoner, PIO Joe Decker, Assessor Brian Stender (left at 9:20 a.m.), Appraiser Roger Craig (left at 9:20 a.m.), Other interested citizens and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing notice of intent to sell surplus property to Wilder Police Department:*** Director Tolman said this is a vehicle he is getting ready to take offline but will be beneficial to the Wilder Police Department. Upon the motion of Commissioner Van Beek and second by Commissioner



White the Board voted unanimously to sign the notice of intent to sell surplus property to the Wilder Police Department.

***Consider signing notice of public hearing regarding proposed establishment of the Homedale Public Library District:*** Mr. Wesley provided details of the requirements to establish the Homedale Public Library District. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the notice of public hearing regarding proposed establishment of the Homedale Public Library District.

***Consider resolution declaring certain property as not necessary for County use, and authorizing the sale thereof - 0 Pond Lane:*** This property was taken for tax deed in approximately 1946. A reasonable minimum bid of \$196,400 was established with help from the Assessor's Office in order to offer the property at public auction. Upon the motion of Commissioner Smith and second by Commissioner White the Board voted unanimously to sign the resolution declaring certain property as not necessary for County use, and authorizing the sale thereof - 0 Pond Lane (see resolution no. 22-152).

***Consider signing notice of surplus property sale (0 Pond Lane property):*** Commissioner Smith made a motion to sign the notice of surplus property sale (0 Pond Lane property). The motion was seconded by Commissioner White. A vote was taken on the motion with Commissioners White and Smith voting in favor and Commissioner Van Beek voting in opposition. The motion carried in a 2-to-1 split vote.

***Meeting to discuss draft resolution and ordinance for establishment of Canyon County Solid Waste Advisory Committee:*** Director Loper said that bylaws, an ordinance, and resolution have been drafted with help from the Prosecutor's Office. Copies of the draft documents were provided to the Board and are on file with this day's minutes. The Board is supportive of what was presented and continuing to move forward. Director Loper will forward the documents to the stakeholders for their comments.

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

EXECUTIVE SESSION – PERSONNEL MATTERS, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 9:35 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), (f) and (i) regarding personnel matters, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation, communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Smith. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek, White and Smith voting in favor of the motion to enter into Executive Session. The

motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Alex Klempel and Deputy P.A. Zach Wesley. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

The meeting concluded at 9:54 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

TABLE PUBLIC HEARING TO CONSIDER A REQUEST BY DARREN GOLDBERG/LGD VENTURES, LLC, FOR A CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT AND PRELIMINARY PLAT: CASE NO. RZ2021-0030/SD2021-0018

The Board met today at 9:54 a.m. to table the public hearing to consider a request by Darren Goldberg/LGD ventures, LLC, for a conditional rezone with development agreement and preliminary plat, case no. RZ2021-0030/SD2021-0018. Present were: Commissioners Keri Smith and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to table the hearing to August 16, 2022 at 9:30 a.m. The motion was seconded by Commissioner Smith and carried unanimously. The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

RECEIVE CLERK'S SUGGESTED BUDGET FOR FY2023

The Board met today at 10:05 a.m. to receive the Clerk's suggested budget for FY2023. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Misdemeanor Probation Jeff Breach, HR Director Kate Rice, CCSO Financial Manager David Ivers, System Analyst Steve Onofrei, CCAD Director Michael Stowell, IT Director Greg Rast, Assessor Brian Stender and Deputy Clerk Jenen Ross.

Clerk Yamamoto spoke to the public meeting that took place last night stating that he did not feel it went very well. He doesn't believe that the public, and many elected officials, understand how property tax and government finance work and due to that there is a lot of bad information that gets passed around.

Controller Wagoner reviewed a handout that was provided to the Board which is on this day's minutes. Topics reviewed include:

- Graph showing the shift from commercial to residential since 2017
- Value and exemption examples based on a conventional 3 bedroom/2 bath house and a neighborhood commercial property
- Impact in valuation of middle-class home vs. higher-end home
- Examples to show what net taxable value would look like if the homeowner exemption is indexed

- Graph showing fund balance based on core governmental funds (excludes Enterprise funds)
- Clerk's suggested budget includes zero property tax dollars and provides real property tax relief for all property taxpayers
- Graph showing how the budget is funded from other sources such as intergovernmental revenues, charges for services, other miscellaneous and fund balance: total budget suggested budget is \$126,784,262
- Detailed breakdown of budgets
- Pic chart showing expenditures by function
- Breakdown by Office or department comparing FY22 approved budget to FY23 Clerk's suggested budget
- Additional information on American Rescue Plan Act of 2021
- Human capital investment
- Strategic capital investments
- Fiscal year 2023 tentative budget and property taxes

The Clerk and Controller addressed Board questions regarding fund balance/percentage, ARPA fund usage and community group funding.

Clerk Yamamoto spoke about the amount of time and effort that was put into creating this suggested budget. Commissioner Smith requested additional information on the statutory timelines for publishing the budget.

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

PUBLIC HEARING TO CONSIDER A REQUEST BY MARIA AND JOSE RODRIGUEZ FOR A ZONING MAP AMENDMENT, CASE NO. RZ2021-0062

The Board met today at 2:36 p.m. to conduct a public hearing in the matter of a request by Maria and Jose Rodriguez for a zoning map amendment (rezone) of Parcel R30598 from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone. The 4.73-acre parcel is located at 7801 E. Victory Road in Nampa. Present were: Commissioners Keri Smith and Leslie Van Beek, DSD Planning Official Dan Lister, Pete Rezendez, Maria Rodriguez, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The parcel was created by a land division in 2014. The application was initiated by Jerry and Samantha Nelson but the property sold and the new owners have decided to continue with the rezone. Both the P&Z Commission and staff recommend approval of the rezone request. Pete Rezendez offered testimony in support of the request on behalf of his sister, Maria Rodriguez. Their parents live on the property and they are waiting to complete this process so they can divide the acreage for the other family members to live on the property. Their goal is to have one-acre lots. Following testimony, Commissioner Van Beek made a motion to close the public hearing. The motion was seconded by Commissioner Smith

and carried unanimously. Following the Board's deliberation Commissioner Van Beek made a motion to approve the request from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone and approve the FCO's for Case No. RZ2021-0062. The motion was seconded by Commissioner Smith and carried unanimously. Commissioner Smith made a motion to approve the ordinance for Case No. RZ2021-0062. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 22-013.) The hearing concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2022 TERM

CALDWELL, IDAHO JULY 13, 2022

PRESENT: Commissioner Keri K. Smith, Chair – Participated remotely in afternoon  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Rambo Sand and Gravel in the amount of \$2,000.00 for the Facilities Department
- Norbryhn Equipment in the amount of \$4,884.00 for Facilities Department
- Command Sourcing, Inc., in the amount of \$13,825.20 for Juvenile Detention
- Salt Lake Wholesale in the amount of \$12,555.30 for the Trial Court Administrator

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Jennifer Allen, Sr. HR Generalist; and Chad Woodruff, Part-Time Juvenile Detention Officer

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Sgt. Rob Whitney (left at 9:10 a.m.), Communications Manager Roxanne Wade (left at 9:10 a.m.), Cpt. Mike Armstrong (left at 9:12 a.m.), Interpreter Coordinator

Grace Almeida (left at 9:23 a.m.), Director of Court Operations Jess Urresti (left at 9:23 a.m.), Controller Zach Wagoner (left at 9:23 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing Idaho Public Safety Communication Commission grant application:*** If the grant is awarded it will be used to enhance the 911 center; Sgt. Whitney spoke about the technology they will be upgrading. The total grant amount being applied for is \$48,317.01. Ms. Wade spoke how this upgrade will be very beneficial to the dispatchers. Ms. Klempel said there is no legal reason not to sign. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Public Safety Communication Commission grant application. A copy of the application is on file with this day's minutes.

***Consider signing MOU between Sheriff's Office and the Drug Enforcement Administration for LPR Data Sharing:*** Cpt. Armstrong gave a brief history of this program. This agreement will allow the DEA access to the new server in order to access/share information. Ms. Klempel said that legal has reviewed the MOU and is comfortable in moving forward. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between the Sheriff's Office and the Drug Enforcement Administration for LPR Data Sharing (see agreement no. 22-063).

***Consider signing Independent Contractor Agreement for Interpreter Services with Ravinder Waraich, Joelynn Ball, Suzelle Aghamalian, Chuukese Interpreter LLC, Mukaddam Irgasheua, Barbara Fisher, Salome Mwangi, Samuel A. Mattix, Rogelio N. Rigor, Alberto Mendez, Mayan Interpreters LLC, Ioana Paulat:*** Ms. Almeida described the need for a diversity of interpreters. Discussion ensued regarding the budgetary line item for interpreters. Ms. Klempel said these are standard contracts and legal sees no reason not to sign. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreements for interpreter services as listed. Ravinder Waraich (agreement no. 22-064), Joelynn Ball (agreement no. 22-065), Suzelle Aghamalian (agreement no. 22-066), Chuukese Interpreter LLC (agreement no. 22-067), Mukaddam Irgasheua (agreement no. 22-068), Barbara Fisher (agreement no. 22-069), Salome Mwangi (agreement no. 22-070), Samuel A. Mattix (agreement no. 22-071), Rogelio N. Rigor (agreement no. 22-072), Alberto Mendez (agreement no. 22-073), Mayan Interpreters LLC (agreement no. 22-074), Ioana Paulat (agreement no. 22-075).

Commissioner White made a motion to continue the legal staff update to 1:00 p.m. today. The motion was seconded by Commissioner Van Beek and carried unanimously.

Discussion ensued regarding an email summary provided by Director Baker regarding an issue to be discussed during the meeting later today to consider matters related to medical indigency.

The meeting concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING FINAL PLAT FOR LANSING LANE, CASE NO. SD2021-0046

The Board met today at 9:31 a.m. to consider approving the final plat for Lansing Lane, case no. SD2021-0046. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planning Official Dan Lister, Representative for Lansing Lane and Deputy Clerk Jenen Ross. Mr. Lister provided a summary of the case stating that it was approved by the Board on May 19, 2022 with five (5) conditions that have been met. Staff is recommending approval of the plat. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the final plat for Lansing Lane. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR REGARDING CHANGES TO THE TITLE AND SALARY RANGE OF TWO (2) POSITIONS IN THE ASSESSOR'S OFFICE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:49 a.m. to discuss changes to the title and salary range of two (2) positions in the Assessor's Office and consider an action item. Present were: Commissioners Leslie Van Beek and Pam White, HR Director Kate Rice, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. Discussion ensued regarding more consistency across pay bands for like positions in an effort to standardize titles and pay within departments/Offices as well as throughout the county. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve the resolution adopting changes to the title and salary range of two (2) positions in the Assessor's Office – Reappraisal department (see resolution no. 22-153). The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

TAX DEED HEARING

The Board met today at 10:00 a.m. to consider the issuance of tax deeds and consider an action item. Present were: Commissioners Leslie Van Beek and Pam White, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, and Deputy Clerk Monica Reeves. Commissioner Van Beek opened the hearing and noted who was in attendance. Treasurer Lloyd explained the process for working on the 2018 delinquent properties and the contact they have made with people to get their delinquent taxes paid. A property sale will be held in November and property owners will have until then to redeem their property but they will be required to pay all 5 years' worth of taxes. The following properties are delinquent:

<b>Owner(s):</b>	<b>PIN:</b>	<b>Total Due:</b>
Rafaela G. Reyna	02170000 0	\$1,804.50
Cheryl K. Mooney	02231000 0	\$1,823.14
Terry Craig Ohrt	08419000 0	\$1,753.90
Maria A. Sandoval	19509000 0	\$ 680.14

Frank E. Palmer, Janet Palmer	24658014 0	\$ 492.46
Jerry L. Burnie, Julia A. Burnie	34528010 0	\$ 546.48
Sheila Marchbanks, George Timmons	38421013 0	<u>\$ 506.90</u>
JA Marchbanks, Velma Marchbanks		
<b>TOTAL:</b>		<b>\$7,607.52</b>

Commissioner White made a motion to sign the findings of fact and conclusions of law and to move forward with the tax deeds. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:46 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Pam White, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

Director Baker said case no. 2022-509 meets the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with written decision in 30 days. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING NOTICE OF PUBLICATION AND PUBLIC COMMENT PERIOD REGARDING THE PROPOSED FINAL DESIGN PLANS FOR THE GAS COLLECTION AND CONTROL SYSTEM FOR THE PICKLES BUTTE SANITARY LANDFILL

The Board met today at 11:36 a.m. to consider signing a notice of publication and public comment period regarding the proposed final design plans for the gas collection and control system for the Pickles Butte Sanitary Landfill. Present were: Commissioners Leslie Van Beek and Pam White, Solid Waste Director David Loper, and Deputy Clerk Monica Reeves. Director Loper said the draft design has been submitted to the Department of Environment Quality (DEQ) and it went through a 28-day comment period; no public comment was received, but DEQ did comment and the County provided answers to those comments via a formal letter. The final design of the gas system was submitted and now we need to go through another 28-day comment period on the final design. The specifications and plans will be available for review both online and in the Commissioners' Office. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the notice of publication. The meeting concluded at 11:42 a.m. An audio recording is on file in the Commissioners' Office.



#### CONTINUED MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today 1:03 p.m. for a continued meeting to consider matters related to medical indigency. Present were: Commissioner Leslie Van Beek, Commissioner Keri Smith participate via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, HR Director Kate Rice, HR Generalist Jennifer Allen, Bebiana Evans, Other interested party and Deputy Clerk Jenen Ross. Case nos. 2006-421 and 2006-422 are approved cases with an outstanding balance of \$115,326.10. Director Baker gave a history of the situation and discussion ensued. Several documents were provided for Board review; however, the documents are confidential and not available as part of the public record.

Commissioner Smith made a motion to approve the release but to include the new acquired land on the encumbrance. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 1:18 p.m. An audio recording is on file in the Commissioners' Office.

#### CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:18 p.m. for a continued meeting with county attorneys for a continued meeting with county attorneys for a legal staff update.

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

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

Commissioner Smith made a motion to go into Executive Session at 1:19 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), (f) and (i) regarding personnel matters, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Leslie Van Beek, Commissioner Keri Smith via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, HR Director Kate Rice and HR Generalist Jennifer Allen. The Executive Session concluded at 2:08 p.m. with no decision being called for in open session.



JULY 2022 TERM  
CALDWELL, IDAHO JULY 14, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 2221

- The Board of Commissioners approved payment of County claims in the amount of \$1,834,892.29 for a County payroll (approved electronically)

JULY 2022 TERM  
CALDWELL, IDAHO JULY 15, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Timberlake Construction in the amount of \$15,143.00 for the Facilities Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Garrett Saucedo, Housekeeping; and Greg Rast, Director of Information Technology

JULY 2022 TERM  
CALDWELL, IDAHO JULY 18, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 586259 to 586294 in the amount of \$54,596.33

JULY 2022 TERM  
CALDWELL, IDAHO JULY 19, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White - **OUT**  
Deputy Clerks Monica Reeves/Jenen Ross

There were no meetings scheduled this day.

JULY 2022 TERM  
CALDWELL, IDAHO JULY 20, 2022

PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 586322 to 586326 in the amount of \$259,272.00

- The Board has approved claims 586327 to 586366 in the amount of \$22,261.74

#### MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. to consider several action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Controller Zach Wagoner (left at 9:10 a.m.), Fair Director Diana Sinner, Facilities Director Rick Britton (left at 9:14 a.m.), EOM Christine Wendelsdorf (left at 9:15 a.m.), Communications Manager Roxanne Wade (left at 9:15 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing builders risk insurance renewal for the Fair Expo Building:*** The current policy expires tomorrow and needs to be renewed. The new expiration date is December 1, 2022 by which time the building should be complete. Mr. Wesley provided a review of coverage and coverage amounts. Controller Wagoner has prepared a claim for Board signatures in order to get a check issued today since time is of the essence. Upon the motion of White and second by Commissioner Van Beek the Board voted unanimously to sign the Builders Risk Insurance Renewal for the Fair Expo Building. A copy of the renewal policy is on file with this day's minutes.

***Consider signing agreement with Integra Realty Resources:*** This is a standard appraisal with a not to exceed amount of \$2950 for property that has been leased by the county for the past several years and is now considering purchasing. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Integra Realty Resources (see agreement no. 22-080)

***Consider authorizing Emergency Management Coordinator to submit IPAWS MOU application:*** Ms. Wendelsdorf and Ms. Wade said that this will provide enhancement to the emergency public notification system and offered explained how the system works. Any costs will be paid thru the E911 fund. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to authorize the Emergency Management Coordinator to submit IPAWS MOU application. A copy of the application is on file with this day's minutes.

***Consider signing Fair entertainment contracts with the following: Los Rebeldes de Durango – Zolio Navarrete, FM Entertainment for Banda Renovacion and Romeo Entertainment Group, Inc. for Mark Chesnutt, Jordan Davis, Flo Rida, Matt Kozial and DJ Kronik:*** Mr. Wesley said that the contract with Los Rebeldes de Durango – Zolio Navarrete is a standard entertainment contract. The contracts with FM Entertainment for Banda Renovacion and Romeo Entertainment Group, Inc. for Mark Chesnutt, Jordan Davis, Flo Rida, Matt Kozial and DJ Kronik are their contracts explaining that with larger national acts the contracts are more on their terms than the county's, however, the county has done everything possible to mitigate the risk. Commissioner White made a motion to sign the fair entertainment contracts with Los Rebeldes de Durango – Zolio Navarrete (see agreement no. 22-076), FM Entertainment for Banda Renovacion (see agreement no. 22-077) and Romeo Entertainment Group, Inc. for Mark Chesnutt, Jordan Davis, Flo Rida (see agreement no. 22-078)

and Romeo Entertainment Group, Inc. for Matt Kozial and DJ Kronik (see agreement no. 22-079) and authorize Director Sinner to initial changes within the contracts where necessary. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

COMBINED PUBLIC HEARINGS OF THE BOARD OF COMMISSIONERS AND THE COMMISSIONERS OF THE CANYON HIGHWAY DISTRICT NO. 4 PROPOSED AMENDMENT OF CANYON COUNTY 2020 COMPREHENSIVE PLAN, ADOPTION OF THE CANYON HIGHWAY DISTRICT NO. 4 CAPITAL IMPROVEMENTS PLAN FOR THE MID-STAR SERVICE AREA, INTERGOVERNMENTAL AGREEMENT WITH CANYON HIGHWAY DISTRICT NO. 4, ESTABLISHING A NEW CANYON HIGHWAY DISTRICT DEVELOPMENT IMPACT FEE FOR THE MID-STAR SERVICE AREA, AND ADOPTION OF THE CANYON HIGHWAY DISTRICT NO. 4 MID-STAR DEVELOPMENT IMPACT FEE ORDINANCE

The Board met today at 10:01 a.m. to conduct a combined public hearing on the proposed amendment of the Canyon County 2020 Comprehensive Plan, Adoption of the Canyon Highway District No. 4 Capital Improvements Plan for the Mid-Star Service Area, Intergovernmental Agreement with Canyon Highway District No. 4, Establishing a new Canyon Highway District Development Impact Fee for the Mid-Star Service Area, and adoption of the Canyon Highway District No. 4 Mid-Star Development Impact Fee Ordinance. Present were: Commissioners Leslie Van Beek and Pam White; Deputy PA Zach Wesley; DSD Planner Juli McCoy; Attorney Bill Gigray who participated via conference call; Canyon Highway District Commissioners: Jay Gibbons, Rick Youngblood, and Patrick Reed; District Engineer Chris Hopper, Tim Richard, and Angela Franks from Canyon Highway District; Becky Crofts and Jennica Reynolds from the City of Middleton; Matt Wilke; Alan Mills; David Ferdinand; and Deputy Clerk Monica Reeves.

The Board was scheduled to consider the following action items:

**Action Item:** Consider the adoption of the *Canyon Highway District No. 4 Traffic Impact Fee Program and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan*, for the purpose of entering into the intergovernmental agreement with the Canyon Highway District No. 4 for the collection and expending of development impact fees for the Canyon Highway District No. 4's systems improvements within the Mid-Star Service Area as identified in the above referenced Capital Improvements Plans; and

**Action Item:** Consider a text amendment to the Canyon County 2020 Comprehensive Plan by the adoption of the *Canyon Highway District No. 4 Traffic Impact Fee Program and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan* and adding the same to the Comprehensive Plan appendix; and

**Action Item:** Consider the adoption of a *Canyon Highway District No. 4 Development Impact Fee Ordinance* for the purpose of imposing development impact fees for Canyon Highway District No. 4's systems improvements as identified in *Canyon Highway District No. 4 Traffic Impact Fee*

*Program and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan;*  
and

**Action Item: Consider the County Commissioners' and the Canyon Highway District No. 4 Commissioners' approval of new fees, the *Canyon Highway District No. 4 Development Impact Fee Ordinance* Development Impact Fees of Canyon Highway District No. 4:**

The Impact Fee costs per service unit for the Canyon Highway District No. 4 Mid-Star Service Area

Zach Wesley said the Board will need to adopt an amendment to the comprehensive plan that adopts the capital improvement plan for the highway district; adopt an ordinance that creates the impact fees; enter into a joint powers agreement and intergovernmental agreement with the highway district for the collection of those fees. As part of the adoption of the fees there is also a joint meeting with the Canyon Highway District Board of Commissioners on the adoption of those fees.

Juli McCoy gave the oral staff report. The Planning and Zoning Commission on June 29, 2022 voted in favor of the amending the 2020 Canyon County Comprehensive Plan. The language that was put in would allow the Board of Commissioners to adopt a capital improvement plan and impact fees for Canyon Highway District No. 4 Mid-Star Area. There are three jurisdictions are involved in this proposal: Canyon Highway District No. 4, the City of Middleton and the City of Star. The projects included in the capital improvement plan were selected using information from transportation plans, other capital improvements, and corridor studies in this area.

Commissioner Van Beek had questions of staff and Deputy PA Wesley. Attorney Bill Gigray provided comments on behalf of Canyon Highway District.

Chris Hopper, District Engineer for Canyon Highway District, said the project has been ongoing for a long time and the district is requesting the County consider an amendment to the comprehensive plan to adopt the Mid-Star Capital Improvement Plan, a plan which details projected population and traffic growth in the Middleton and Star area over the next 20 years and it highlights both the existing transportation system deficiencies they have identified as of 2020 that need to be corrected by means other than through impact fees as well as identifying a list of projects, 30 intersections and 17 roadway improvement projects that will be necessary to fund the anticipated growth and establishes a framework for the district utilize development impact fees to partially fund those. Also requested is an ordinance enacting development impact fees for the service area, and the adoption of an intergovernmental agreement between the County and Canyon Highway District that establishes the framework for the collection and expenditure of those fees. Also scheduled for today is a fee schedule amendment which would allow the adoption of a new series of impact fees. The capital improvement plan and impact fee programs have been adopted by the City of Star and the City of Middleton in cooperation with the CHD in September and October of 2021 respectively. The intent of the capital improvement plan is that all four agencies: Middleton, Star, Canyon Highway District No. 4 and Canyon County will work together

to collect impact fees and fund the identified capital improvement needs jointly based on the proportionate share of collection of these fees.

Commissioner Van Beek had questions regarding the units of collection on revenues, the identified projects, and the capital improvement plan. She said as each city develops in its own way it would be important to have a workshop on what the vision of growth and infrastructure looks like. Mr. Hopper responded to questions about the projects and project prioritization and he explained how the district will administer the program.

The biggest concern at the P&Z Commission hearing was the failure of this plan to address the use of impact fees for funding existing deficiencies. The state impact fee law does not allow us to do so those were not included to be funded through impact fees. The ordinance allows for the collection of impact fees that were not properly collected or paid. The highway district will do the administration, holding, collection, and expenditure of impact fees. They will not be remitted to the County. Zach Wesley said that is a change the Board asked for in the preliminary discussions about these fees. The way they operate with the fire districts currently is the County collects the fee with the building permit and we charge the fire district an administrative fee and then remit those funds to the fire district for the trust fund. This intergovernmental agreement and ordinance are drafted so that the County does not touch the money. The impact fee administrator will be a designee of the highway district. Bill Gigray provide follow up comments as the law relates to impact fees and capital improvement plans and said Canyon Highway District No. 4's capital improvement plan complies with the law. Mr. Hopper said the district met with the Snake River Valley Building Contractors Association in April of 2021 and provided draft plan and they did not have any specific objections to the structure of this impact fee program.

Matt Wilke asked if they can accrue interest on trust fund to help defer some waivers or deferrals. Chris Hopper said they plan to invest this trust fund into reasonable interest-bearing facilities. They are not getting terrific interest rate returns currently but they are seeing some in the range of 1%-2% that are safe either through certificates of deposit or the local government investment program sponsored by the state. The interest they collect do become part of the impact fee fund and are eligible for expenditure for anything they may use them for that is consistent with the capital improvement plan that would include refunds or credits. Bill Gigray said it's a separate trust fund, not funds of the district. It's held independently and by law all interest that's earned stays in the trust and cannot go in the general fund of the highway district.

David Ferdinand said he appreciates that the impact fees will only be used for specific projects.

Commissioner White asked if impact fees and the final payment can be put on a final plat. Zach Wesley said the platting phase would be used to identify as a tool to say what roadway the subdivision enters on and where they take action, but the actual fee collection for the impact fee would occur when they go for the access and are ready to build that home and they need a building permit. There is potential for more interaction, but generally separate.

Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the text amendment to the Canyon County 2020 Comprehensive Plan (Resolution No. 22-154).

Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to adopt the Canyon Highway District No. 4 Development Impact Fee Ordinance (Ordinance No. 22-014).

Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to consider the County Commissioners' and the Canyon Highway District No. 4 Commissioners' approval of new fees, the *Canyon Highway District No. 4 Development Impact Fee Ordinance* Development Impact Fees of Canyon Highway District No. 4. (Canyon Highway District Resolution No. 2022-06-01.) *The highway district board of commissioners will participate in a joint meeting with the Board regarding this topic.*

Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to adopt the Canyon County/Canyon Highway District No. 4 Intergovernmental Agreement and Joint Powers Agreement for the collection and expenditure of development impact fees. (Agreement No. 22-081).

The joint hearing of the Board of County Commissioners and the Canyon Highway District No. 4 Board of Commissioners began at 11:17 a.m. Highway District Commissioners Jay Gibbons, Patrick Reed and Rick Youngblood were at the table.

Zach Wesley said public notice was given and public comments were heard and for this portion we just need to have the highway district vote on the fee. Bill Gigray said this is a joint hearing to hear comment about the proposed new development impact fees. The highway district board does not have to take any action of approval of those fees because those fees are enacted by the County ordinance and its approval of the capital improvement plan as the highway district does not have authority to impose impact fees, but Mr. Gigray has recommended the CHD board participate in a joint hearing to meet the requirements of Idaho Code. Commissioner Jay Gibbons said the CHD board is in total support of this process. Commissioner Rick Youngblood said because he also serves a state representative he wants to declare a Rule of 80 which is a declaration of any conflict of interest, which there is none.

The hearing concluded at 11:27 a.m. An audio recording is on file in the Commissioners' Office.



PRESENT: Commissioner Keri K. Smith, Chair - **OUT**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED CLAIMS

- The Board has approved claims 586367 to 586406 in the amount of \$322,706.09
- The Board has approved claims 586407 to 586446 in the amount of \$61,876.24
- The Board has approved claims 586447 to 586487 in the amount of \$102,280.97
- The Board has approved claims 586607 to 586629 in the amount of \$25,128.99
- The Board has approved claims 586630 to 586647 in the amount of \$733,682.10
- The Board has approved claims 586558 to 586576 in the amount \$17,447.50
- The Board has approved claims 586521 to 586531 in the amount of \$3,767.07
- The Board has approved claims 586532 to 586557 in the amount of \$22,336.27
- The Board has approved claims 586577 to 586606 in the amount of \$88,033.49

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$1,084.20 for the IT Department
- Data Bank in the amount of \$73,879.70 for the IT Department
- Elevate Technology Group in the amount of \$13,632.00 for the IT Department
- Timberlake Construction in the amount of \$2,880.00 for the Facilities Department
- Syman in the amount of \$1,665.00 for the Facilities Department
- Vacker, Inc., in the amount of \$9,000 for the Parks Department
- Integra Realty Resources in the amount of \$2,950.00 for the Facilities Department

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Coronar, LLC, dba Los Mariachis Mexican Rest. #2 to be used 7/23/22; the Curb Bar & Grill, LLC aka the Curb Bar & Grill to be used 7/30/22 and 8/13/22; County Line Wine Co., LLC, dba County Line Wine Co to be used 8/5/22; and Moad, LLC, dba O'Michael's Pub & Grill to be used 8/6/22

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Kellie George, Indigent Case Manager; Stephanie Hutchings, Clerk I; Melissa Salazar, Clerk I; Zachary Snively, Clerk I; Oscar Macias, Clerk I; Abby Woods, Maintenance Tech; Brian McClure, Maintenance

Specialist; Margarita Rios, Customer Service Specialist; JoLynn Theatt, Customer Service Specialist; Terena Wingler, Customer Service Specialist; Shawn Gray, Maintenance Coordinator; Linda Ellis, Fair Admissions Supervisor; and Alexander Gourley, Deputy Attorney I.

#### MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Leslie Van Beek, Director of DSD Yvonne Baker, Case Manager Kellie George, Deputy P.A. Zach Wesley (arrived at 8:48 a.m.), Deputy P.A. Alex Klempel and Chief Deputy Sheriff Marv Dashiell (arrived at 8:58 a.m.) and Deputy Clerk Jenen Ross.

Case no. 2022-510 meets the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue an approval with written decision within 30 days.

In regard to case nos. 2006-421 and 2006-422 which were discussed with the Board last week, a new special lien and agreement have been instated identifying the new legal description of the property.

Discussion ensued regarding a letter sent to both the Board and Indigent Services pertaining to case no. 2006-319. This case actually dates back to 1994 and since that time consistent payments have been made. There is an outstanding balance of \$6514.85 and the son of the applicant has requested full dismissal of the outstanding balance as the applicant has passed away. Discussion ensued regarding possible options with Commissioners White and Van Beek having differing opinions. Mr. Wesley suggested that some additional information could be collected and brought back to the full Board for a decision at a later time.

The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:08 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. the action items were considered as follows:

***Consider signing resolutions authorizing the retirement of CCSO K9s "Tequila" and "Wallace":*** Chief Dashiell said that K9 "Tequila" is 9-10 years old and has been with the agency since 2017. He was recently diagnosed with hip dysplasia and retirement has been recommend. "Tequila" will be retired to his handler, Deputy Pyell. K9 "Wallace" is approximately 7 years old and was brought on in 2018. Recently a tumor was discovered on his paw and retirement has been recommended.

“Wallace” will be retired to his handler, Deputy Adams. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolutions authorizing the retirement of K9s “Tequila” (see resolution no. 22-155) and “Wallace” (see resolution no. 22-156).

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

PUBLIC HEARING TO CONSIDER AMENDED PROPOSED ADMISSION FEES TO BE CHARGED BY THE CANYON COUNTY FAIR AND CONSIDER AN ACTION ITEM

The Board met today at 10:18 a.m. for a public hearing to consider amended proposed admission fees to be charged by the Canyon County Fair and consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Mr. Wesley provide a brief review of the reason for the public hearing and amended resolution. He explained that fees for the mainstage entertainment needed to be added to the resolution; those fees need to be based on actual costs which was unknown at the time the resolution was originally signed. No members of the public attended today’s hearing to offer comment and no comments were received. Commissioner White made a motion to sign the resolution amending resolution no. 22-138 adopting fees for the Canyon County Fair (see resolution no. 22-157).

The meeting concluded at 10:22 a.m. An audio recording is on file in the Commissioners’ Office.

JULY 2022 TERM  
CALDWELL, IDAHO     JULY 22, 2022

PRESENT:     Commissioner Keri K. Smith, Chair - **OUT**  
                  Commissioner Leslie Van Beek, Vice Chairman  
                  Commissioner Pam White - **OUT**  
                  Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Jared Smith, Deputy Attorney I; and Kyra Venecia, Deputy Attorney I.

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Blue Heron, LLC dba Bobbie Jeans to used 7/27/22; and County Line Wine Co., dba County Line Wine Co., to be used 7/26/22 and 8/13/22

#### JULY 2022 TERM

CALDWELL, IDAHO     JULY 25, 2022

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED CLAIMS

- The Board has approved claims 586650 to 586653 in the amount of \$299,000.00
- The Board has approved claims 586488 to 586520 in the amount of \$18,872.64

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$222,595.00 for the Fleet Department
- Mountain Home Auto Ranch in the amount of \$48,150.00 for the Fleet Department
- Flag Store of Idaho in the amount of \$37,500.00 for the Facilities Department

#### APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

- The Board approved a commuter vehicle authorization form for Joseph Swenson

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Moad, LLC dba O'Michael's Pub & Grill to be used 8/12/22, 8/13/22, 8/20/22 8/27/2022

MEETING TO DISCUSS APPROVING PETTY CASH ACCOUNT FOR THE CANYON COUNTY FAIR AND CONSIDER ASSOCIATED ACTION ITEM

The Board met today at 8:45 a.m. to discuss approving the petty cash account for the Canyon County Fair and to consider an associated action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Director Sinner provided an overview of what the petty cash account will be used for which include entry gates, beer booths, open class premiums and other competition awards. Controller Wagoner said this is a procedure that has worked well and that Director Sinner and her team do a thorough job accounting for all the monies. Mr. Wesley explained that the increase to \$65,000 is just for the week of fair, once the fair closes the petty cash fund will return to \$2000. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving the petty cash account for the Canyon County Fair. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY GUILLERMO MARTINEZ & COLLIAS FAMILY TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT: CASE NOS. OR2021-0018 & RZ2021-0023

The Board met today at 9:01 a.m. to consider a request by Guillermo Martinez & Collias Family Trust for a comprehensive plan map amendment to change the designation of the southwest portion of parcel no. R29983 from Agriculture to Residential. Also requested is a conditional rezone with a development agreement of from "A" (Agricultural) to "R-R" (Rural Residential). The average minimum lot size in the "R-R" zone is two (2) acres. The subject properties, R23591010 & R29983 are located at the northwest corner of the intersection of Pump Road & Locust Lane in Nampa. Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planning Official Dan Lister, County Engineer Devin Krasowski, Tamara Thompson, Stephen Collias, Matt Johnson, Terry Scanlan, Manual Cavazos, Beverly Cavazos, Christine Eide, Raymond Eide, Marilyn White, Claudia Haynes, Rene Bine, Kim Yanecko, Jennifer Woodburn, Phil White, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The P&Z Commission recommended denial of the comprehensive plan map amendment and conditional rezone/development agreement request on February 3, 2022, based on the conceptual plan for 33 lots. In May, 2022, the applicant submitted a revised plan for only 19 lots with the remainder to be used as a fruit orchard. Half the property is in a residential designation on the comprehensive plan and the rest is designated for agriculture. The applicant is seeking to have the other half designated as rural residential. The subject property is adjacent to active agricultural farm ground. Mr. Lister reviewed the rural residential zoning in the area and reported there are six platted subdivisions within one mile with

an average lot size of 2.77 acres. Regarding soils, only 26% is considered non-prime farmland while the rest is prime farmland. The Beranna Dairy is located within a two-mile radius of the property. The applicant submitted a water users' assessment and within that assessment they propose a centralized water system with individual septic systems. The property is not within a nitrate priority area. Mr. Lister reviewed the access and said a variance has not been approved by the highway district, but one is required for the access locations off Locust Lane. He also reviewed agency responses noting that the City of Nampa opposes this request as the property is not within the area of city impact or the expansion area. The Vallivue School District encourages sidewalks, and streetlights for safe-walking to school; the district also cited its inability to keep up with growth and potential capacity issues. Staff received a petition signed by 29 property owners as well as a number of letters in opposition to the request with the following concerns: water issues south of Lake Lowell; recharge issues; wells going dry, lack of cumulative data regarding development in the area; removing agricultural properties; lack of agricultural protection; concerns about impacts to crop dusting; inconsistencies with the comprehensive plan goals; development contributing to traffic issues; adequate fire safety/fire suppression; and impacts to local schools. Mr. Lister said the legal description that was noticed was still for the 89.74 acres, but looking at the new conceptual plan it looks like it's only for 45 acres being developed with the rest staying in agriculture, and he is concerned it does not reflect the comprehensive plan map amendment and conditional rezone the applicant is now reflecting. It is a substantial change to what the P&Z Commission considered. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the proposal:

Tamara Thompson, the applicant's representative, testified the subject property was purchased by the Collias family in the 1940's, and although Stephen Collias (the applicant) lives out of state, he has a permanent address in Idaho. The properties are zoned agriculture and are not in an area of city impact. There is one existing home along Pump Road that is under restoration. The original application was to make the entire 89.74 acres residential but now they are seeking a rezone on the 49 acres on the east side of the property. After the P&Z Commission hearing they met with DSD staff and revised their plan to show 19 two-acre lots; they originally had 33 two-acre lots but revised it to the same land area and they reconfigured and moved it adjacent to the properties already zoned rural residential. Regarding access, the applicant will work through those issues with the highway district at the time of platting. They can make this work without meeting the Locust Lane access with the 19 lots. They are proposing individual wells and septic systems for the project. Ms. Thompson reviewed the platted subdivisions in the area. There will be a fruit orchard with a buffer of 1,000 feet (the length of 3 football fields) to address the concerns of the farmer to the west as well as the concerns about crop dusting. The proposed amendment will meet Canyon County's goal of maintaining personal property rights and to encourage growth in an orderly fashion. A development pattern is established in this area with residential zoning. A water use assessment report was prepared by SPF, which has merged with HDR Engineering, and Terry Scanlan did work for both firms. The applicant has worked extensively with planning staff to understand the challenges and needs of the County which has resulted in this modified plan and letters of the modified plan were sent to the neighbors. A traffic impact study has not been performed. Commissioner Van Beek spoke about traffic concerns at/near Lake Lowell due to the

inability to handle traffic. Mr. Lister said the Nampa Highway District typically does not require a traffic impact study unless the development has 50 lots or 500 average daily trips. Commissioner Van Beek said the cumulative effect to hold those subdivisions right under that limit does not take into account the impact of those developments.

Matt Johnson stated he represented Stephen Collias two years ago regarding the Brumbaugh/Marchbanks rezone request which is the property directly east and they raised a number of questions and concerns at that time and so in part, he is here in the legal sense because the decision on that rezone is what got the ball rolling on the Collias application. We recognize this is a transition zone and you can see that the County has for years expected this to be the rural residential transition into agriculture and the buffer there. Mr. Collias had to take the next step and look at protecting his own property rights, looking at his development options there based on what had happened with the property to the east of him. Mr. Collias has tried to look at trying to match that to the comp plan designation of rural residential. The modified proposal is in line with the County's guidance, comprehensive plan, and it's in line with what property owners have relied on and expected over time is going to occur in this area. If the Board is going to move away from its comprehensive plan you have to be careful about designating why the line is suddenly being drawn here on the Collias property after what happened on Brumbaugh/Marchbanks property.

Neutral testimony was offered as follows:

Terry Scanlan with HDR Engineering offered neutral testimony regarding: 1 Putting water use by domestic use into perspective; and 2. The groundwater conditions south of Lake Lowell. There are a lot of concerns about subdivision development and the impact on water. Domestic/in-home use for residential uses very little water compared to irrigation. If you look at a property pre/post-development typically you don't see an increase in overall water use because as you develop you decrease the irrigated area that's offset somewhat by the domestic use, but domestic use, whether it's coming from a community system or from individual wells is only so much a day, usually 200 or 300 gallons per day per home. That is the equivalent to about 1/10<sup>th</sup> of an acre of irrigation. He has seen a lot in the media about water concerns south of Lake Lowell, and he knows people have had trouble with their wells, but the data does not support an aquifer wide problem. IDWR monitors wells on southside of the lake, there's 3 monitoring wells in the proximity of this subdivision within 3 miles and they show stable water levels going back 20-40 years. Water levels fluctuate but they are not showing a chronic decline indicating over-appropriation of the aquifer. Further south there are problems, but it's not an over-appropriation of the aquifer but is more a well interference problem. There are 7,000 acres irrigated solely from groundwater in that area south of Lake Lowell so that's a huge pumping impact every year and we'll see interference drawdown in wells of 100-200 feet so as pumping patterns change with different operators and crops you'll see pumping volumes increase in some years and you'll see more interference which leads to some of the problems with wells seasonally dry up. Following his testimony, Mr. Scanlan responded to follow-up questions from the Board.

The Board took a break from 10:13 a.m. to 10:17 a.m.



The following people testified in opposition to the request:

Paul Haylett testified that he farms property to the west and south of the subject property. Said there was no protest to the well permit but there was no notification either and you cannot protest something you are not aware of. We have ag wells and we have water issues – IDWR has not done monitoring. He has a house well that has been lowered from 240 to 320 feet. To Ms. Thompson's reference to three football fields of distance, it is not enough sufficient. The FAA flyover rules would eliminate crop dusting in that neighbor. Locust Lane is a fast road – people speed are in the 100-mph range. Mr. Haylett believes this proposal will irreparably change the nature of the area. Support denial and do not allow the neighborhood to be fragmented. Following his testimony, Mr. Haylett responded to questions from the Board.

Beverly Cavazos testified that she attended a meeting last fall with representatives from the Idaho Department of Water Resources (IDWR), Nick Miller the regulation director and Dennis Owsley a water expert, and they had a slide showing the different levels of gravel, sand, clay, and water and showed how it works. There are too many wells on the aquifer lever therefore it dries up occasionally and affects some homes more than others. When a well goes dry it takes 2-4 days to replenish the water system and during that time you can't take a shower, wash your clothes, etc. The IDWR reps they talked about the cone of depression which affects the amount of water that flows and she said they need to talk to the Board and explain what they said to the residents. This aquifer is not substantial enough to support the homes that are on it now and every home you put it on makes it that much worse. The group fights large developments, but there are other individual homes that will affect the aquifer. Opposed to adding more homes.

Claudia Haynes represents the Canyon County Alliance for Responsible Growth and she wanted to make sure the Board had reviewed her exhibit which contains information about the news reports regarding the lack of water in this area and how the water shortage continues on. Ms. Haynes' well went dry and to date she has spent \$38,000 to drill a deeper well, and she testified that neighbors have spent \$300,000 in a short period of time to address well issues. This development and the other four coming before the Board will affect the pocketbooks of the neighbors in the area. Ms. Haynes testified the water is not stable in this area and the monitoring well that IDWR has is not adequate and they are not checking it properly. A neighbor has allowed IDWR to use their personal well and they are hoping to have more accurate numbers. Ms. Haynes has provided the Board with information she obtained from a website that shows all of the wells in the area and there are reports from hydrologists that say the water level is at 100-200 feet, but the wells south of Lake Lowell are over 500 feet deep. If the water level is at 100 feet why are people drilling so deep? She believes IDWR is not giving the correct information. Ms. Haynes responded to questions from the Board regarding the summary of the well information she has obtained.

Rene Bine serves as the President of the Canyon County Alliance for Responsible Growth and has lived in the area for over 20 years. This is good farm ground and is not difficult to farm, and there are farmers who would gladly take on the entire property. There is already development underway on the other side of Pump Road which is east of the property. The geology and

topography of the land changes at Pump Road, it's "hilly" and what was good soil at one time has been washed to the bottom portion of the property. The upper hilly portion of the property has gravel close to the surface and is poor farm ground. He understands why the properties east of Pump Road have been rezoned, but the land to the west changes and the property being considered for rezone is the first one of those, the ground is gently sloped and does not have gravel near the surface. There are major farming operations bordering this property and there is a dairy located two miles away. Added population and traffic make it difficult to perform the necessary farming activities.

Kim Yanecko stated she agrees with the testimony that's been given. She referred to a map showing IDWR's monitoring wells that show quality, quantity, and the wells that have been decommissioned. According to Ms. Yanecko there is contradictory information regarding water levels and the major declines that are occurring. She said IDWR has zero monitoring maps. They have talked about how numbers are stabilizing but if you look at the information, they stabilized at 100 feet lower than where they were originally. IDWR talks about recharging and how it's less water that's being sucked out of the ground but they failed to mention that farmers recharge the soil and the aquifer and domestic wells do not. Irrigating grass does not recharge aquifers at 500 feet, 300 feet. Ms. Yanecko said in the Taylor Jene case the Board denied the request because they were not able to provide water and they were told they could request a reconsideration if they could provide that well data. That case is scheduled to come back before the Board. Ms. Yanecko said there should be a task force formed that includes citizens and experts, not just paid hydrologists or hydrogeologists. Those who live in the area are the boots on the ground and should be on the task force. Until the Board can get better information she doesn't know how subdivisions can continue; there should be a moratorium on applications until we can make sure water can be provided to residents. Ms. Yanecko said there is a state requirement that there be water sources supplied for fighting fires, not necessarily maintaining a house, and there is supposed to be a hydrant or a tank and/or sprinkler systems. State law requires water supplied for fighting fires. Commissioner Smith said state law requires fire inspectors to enforce that, not the County. Ms. Yanecko said if the County won't allow the fire department to make those inspections prior to drywall and the Board removes them from plat maps it presents an issue. Commissioner Smith said the Board does not have the authority to enforce that. Ms. Yanecko said they have to be allowed to do inspections. In response to a question from Commissioner Smith, Ms. Yanecko said at the IDWR community meeting they said there was plenty of water but they also said the water levels will go down as the demand increases in the summer months which is when IDWR does not provide details as to the amount of water that is available. IDWR said there are substandard wells for the area so those who already have a substandard well will absolutely be affected by not being able to withdraw water from the aquifer. Commissioner Van Beek had follow-up questions for Ms. Yanecko.

Jennifer Woodburn testified she owns the property south of the proposed site and she spoke of how the Board is in a powerful position and has a lot of facts to decipher about the water and it should be cautious about the land use decisions it makes. It's important to maintain the rural aspect of the area. *Commissioner Smith disclosed that she knows Ms. Woodburn and she had a conversation about process for a hearing although she had no idea what property it involved.*

Phil White has lived on Lakeshore Drive for 65 years and he testified about the changes that have occurred in the area in terms of traffic, water, and wells.

The Board took a recess from 11:33 a.m. to 11:44 a.m.

Rebuttal testimony was offered by Matt Johnson and Terry Scanlan. Matt Johnson submitted an updated technical memorandum from Terry Scanlan regarding the water issues in rebuttal to the testimony about concerns with the water in the area. The memo provides additional information to respond and clarify information that's been presented and to help with the analysis regarding the exhibits from Kim Yanecko. He referred to the chart (figure 2) which shows the nearest monitoring well and said Ms. Yanecko provided charts from IDWR related to wells but this is a specification from it with an analysis. He referred to the same charts with all the information provided, not selected, and as analyzed by a water expert. Terry Scanlan said the timescale extends from May 2021 to March of 2022; on figure 2 it's the same data except it extends starting from January of 1973 through March of 2022. You are seeing the last three measurements out of perhaps 50 measurements and that appears to be misleading by not showing all the data. You have to look at the entire dataset to really evaluate the situation, you cannot just take the last three measurements. The Board had follow-up questions for Mr. Scanlan.

Mr. Johnson said the Board is looking at an individual application on a comp plan amendment and conditional rezone and the applicant has taken significant steps to modify it from the original proposal to address the concerns. It's important the Board is basing its decisions based on the standards before you and on actual factual evidence, ideally coming from experts. Water is a good one, where there has been a lot of statements made and graphs have been shown and they have been shown out of context by people who do not have the expertise to fully explain what's going on but that doesn't mean their concerns aren't valid but it does mean when the Board is evaluating its standards it has to weigh the evidence appropriately and that's why Mr. Collias has invested significant money in hiring a well-respected water engineer to provide information. He did not ask Mr. Scanlan to advocate for it, but simply to provide the accurate information and be able to answer the questions. There's been a lot of the "NIMBY" (not in my backyard) concerns about traffic, fire, and it's not that they are not valid but you have a process for those commentaries to come and there is no comment from the highway district or ITD that this application should not be approved. If this moves forward on a subdivision application, agencies will address the issues. The neighbors have expressed concerns but they have not shown justification for a denial. There was a fair amount of discussion at the P&Z hearing about crop dusting and the statement has been made that because there are three houses you cannot have crop dusters fly over, but that is an incorrect interpretation of the FAA regulations. Mr. Johnson spoke about how this is the transition zone and the County has identified it in the comprehensive plan.

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Van Beek said the pressure for the Board is significant to find the balance between development and the preservation of ag ground. There has to be more diligence; this plan may be a fine plan, but it does represent change. The

Board has to receive information from IDWR, and it's not Terry Scanlan's job to refute information from IDWR. Because of the change and the attempt to mitigate concerns for locating homes next to agriculture the Board needs to host the ag community, developers, realtors, farmers where we identify here are places that make sense. We have no ability to evaluate without looking at the areas of impact on what the cumulative impact looks like – we need collective input from agencies on how to make intelligent decisions on growth in Canyon County. She finds the testimony regarding farming practices, wells, and the costs associated with repairing wells credible. We have a responsibility to guarantee essential services. She needs additional time to evaluate the information; we don't have enough clarification on the key and critical issues, and there has been substantive information. Commissioner White said the changes have been extensive and she wants more time to review the information. Commissioner Smith reviewed the changes she wants staff to make to the FCO's, specifically regarding the testimony received from the surrounding farmers and the businesses in the area that support agriculture who said the use is not compatible and would have negative impacts on farming operations. Staff has done a good job outlining the policies that are not in support of a change, and she does not find support for moving the case forward because it's on prime farm ground. Commissioner Van Beek has concerns about providing essential services, safe travel, water, etc. Denial would be based on these reasons: agriculture, area of impact, infrastructure, etc. Commissioner Smith said for all the reasons already stated, including the main issues with compatibility and that it's not more appropriate than the current zoning designation of prime farmland, a rezone is not more appropriate than the current zoning. Commissioner Van Beek has concerns about the road systems in the area, and the timing issue. She made a motion to deny the comprehensive plan map amendment and conditional rezone and directed staff to improve the findings for consideration of a denial. Steps the applicant could take to possibly gain approval in the future would include: additional water studies, traffic studies, and to send it back to the P&Z Commission because this is a substantial change from what they heard and to allow them to go through a new hearing process. The motion was seconded by Commissioner Smith. Commissioner White wanted more time to review the information before making a decision. The motion carried by a two-to-one split vote with Commissioner White voting in opposition to the motion to deny. The Board will consider the FCO's at a later date. The hearing concluded at 12:46 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - APPEAL BY CALVIN WALSH OF THE P&Z COMMISSION'S DENIAL OF A CONDITIONAL USE PERMIT MODIFICATION TO MODIFY CONDITION #3 OF CU2004-68

The Board met today at 1:46 p.m. to conduct a public hearing in the matter of an appeal by Calvin Walsh of the P&Z Commission's denial of CU2022-0005, a conditional use permit modification to modify Condition #3 of CU2004-68, regarding a planned unit development allowing the development of Rosedown Subdivisions 1, 2, and 3. The request was denied to remove the 150' setback requirement. The applicant's property is located at 19266 Flora Road, within Rosedown Subdivision No. 2, in Nampa. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planning Official Dan Lister, DSD Planner Jenna Petroll, Calvin Walsh, Heather Walsh, Patrick Callahan, Michael Silva, JoAnn Sevy, Bruce Sevy, Lowell Dale, Justin Fredin, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that the

subject property is located in close proximity to property she owns, and, she knew the original owner of the parcel, Oscar Wick, but it will not present a problem of objectivity.

Dan Lister gave the oral staff report and gave background of the property and the request. The applicant filed for a modification to remove the 150-foot setback so they could apply for an accessory structure to be built on the back half of the property. In April of 2022, the P&Z Commission denied the application for the following reasons:

- The agricultural property along the east boundary of Rosedown Subdivisions 1, 2, and 3, is still active. There is no evidence of residential development on the farm ground or recent decisions that change the character of the area to residential. Therefore, the character of the area and conditions approved as part of CU2004-68, have not changed.
- The request is inconsistent with 5 goals and 7 policies of the 2020 comprehensive plan regarding protection of agricultural zones, designations and uses.
- The request violates the PUD and CC&R's.
- The existing PUD is considered a legal non conforming use. The removal of the setback should be with annexation or zoning map amendment to R-1 or R-2, and re-platting.

The applicant's reasons for appeal are as follows: 1. County setbacks create natural 50-foot buffer between the subdivision and the farmland making the 150-foot setback invalid. 2. The Rose Down Subdivision HOA and the farmer leasing the adjacent farm ground support the request. Staff recommends denial of the request. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the appeal:

Calvin Walsh testified he wants to use all of his property and with a 150-foot setback it cuts the available use of his property in half and in order to have full use he has to modify the CUP and then do a replat of the property. The major reasons P&Z Commission denied his request is because the conditions are to protect the agricultural ground behind him, but according to Mr. Walsh, the ground, even though it's farmed, will change and it will be developed. The property to the east was previously owned by the Christensen Trust and it was purchased by Mark Bottles Real Estate who has a history of buying ag ground and selling as developed land. Mr. Walsh spoke with the current farmer, who's been farming the adjacent land since the 1990s, and he has no problem with the request to put up a shop closer to the fence line. Most of the residents in the neighborhood support the request and at the next HOA meeting an item will be added to the docket that calls for a vote to change the CC&R's. Following his report, Mr. Walsh responded to questions from the Board.

Michael Silva lives in the neighborhood and his property also has the 150-foot setback which makes it pie-shaped and means he does not have full access to his parcel and he should be taxed accordingly. There are three homes to the west that back up to a pasture but they have no setback. On the north side there is a Brighton Home sign that's been put up and if the land is

developed his view will be gone. He should not be taxed on ½ acre rather than the whole parcel. There should be changes so it meets today's standards.

Patrick Callahan, is the President of the Rosedown Subdivision, and he wrote a letter of support for this request in his individual capacity as president. According to Mr. Callahan, the HOA board is currently considering changing the CC&Rs.

Bruce Sevy testified he supports the request and he sees the benefit of not having shop directly behind the Walsh house.

The following people testified in opposition to the appeal:

Justin Fredin represents the Dales who live south of the subject property. He appreciates Dan Lister's staff report and said the appropriate vehicle is to seek a rezone and platting. The proposed use is not consistent with the comprehensive plan. All existing uses are ag currently, and no changes have occurred since the PUD was approved. The request would violate 12 different polices or goals, and it will be injurious or change the essential character of the area. Additionally, there are six property owners within the subdivision, including those most adjacent, who are opposed to the removal of the setback. People have purchased lots and made investments and designed their properties in reliance of the 150-foot setback.

Lowell Dale lives adjacent to the subject property and he is opposed to the request. There is no easement other than the setback that protects his property; he does not want his view blocked and he has concerns about a structure being built near the irrigation canal. He believes there is a way for Mr. Walsh to make this work within the confines of the 150-foot setback. If it's removed there are no restrictions in CC&R's to protect against the size of the building that can be built, which is concerning to him.

Calvin Walsh offered rebuttal testimony. He understands the opposition of Mr. Dale and he believes if the land behind them is developed everyone will lose their view. Yes, it is possible to put a shop on the backside of his property and remain within the 150 feet; however, in doing so it limits the use of his backyard and would require the shop to be 20 feet from his back door. The irrigation line does need to be protected and he would take that into consideration and not build directly on top of a service line.

Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Smith supports the staff report as presented, she agrees with the findings and does not propose any changes. Commissioner Van Beek also agrees with the staff report. The timing on the loss of the view is subjective and is subject to the current economic climate. People purchased their properties under a PUD that allowed them to have a view, and it's how the original owner set it up and we should honor that. She agrees that it's an inefficient use of land that was done by a previous Board, but in the interest of fairness and a lack of bias the process has to be upheld that makes it fair for everyone. Commissioner Smith said the current Board has also been doing things for conditional rezones to

protect agriculture and when considering this was a PUD to create open space areas not just for ag but to have an open area, that was their intent and this process to change the condition would circumvent that approval. The timing is not correct. Commissioner White does not support the request and she encouraged Mr. Walsh to look at how he can enhance it so he can use the property and maintain the 150-foot setback. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to uphold the P&Z Commission's denial of a conditional use permit modification, and to update the FCO's to include the actions the applicant can take for approval in the future. Staff will bring back the FCO's for consideration at a later date. The hearing concluded at 3:16 p.m. An audio recording is on file in the Commissioners' Office.

Board and Elected Officials' Discussion regarding the FY2023 Tentative Budget  
Detailed minutes to come at a later time

JULY 2022 TERM  
CALDWELL, IDAHO    JULY 26, 2022

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CDWG in the amount of \$4,812.09 for the Facilities Department and the IT Department
- Right! Systems, Inc., in the amount of \$24,429.00 for the Facilities Department and IT Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Erin Lancaster, Legal Support Specialist I; and Thomas Rojas, Deputy Public Defender

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 Leslie Van Beek and Pam White, Deputy P.A. Alex



Klempel, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner and Deputy Clerk Jenen Ross.

***Consider signing a Resolution Authorizing the Acceptance of State Criminal Alien Assistance Program Grant Funds:*** Chief Dashiell provided an overview of the program. Today's resolution is to accept monies from FY2020 which is about \$28,000. Ms. Klempel said this is an annual agreement and there is no reason not to sign. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds (see resolution no. 22-159).

The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY DESIGNHAUS ARCHITECTURE, REPRESENTING TJM PROPERTIES, LLC, FOR A CONDITIONAL REZONE, CASE NO. CR2021-0011

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of a Public hearing to consider a request by Designhaus Architecture representing TJM Properties, LLC, for a conditional rezone, Case No. CR2021-0011. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, DSD Planner Elizabeth Allen, Tory Martin, Steve Wensel, Angie Wensel, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that the subject property is located near her home and she knows some of the neighbors who are here today, but she has not discussed the case with them nor does she have a financial interest in this case.

Elizabeth Allen gave the oral staff report. The applicant, Designhaus Architecture representing TJM Properties, LLC., is requesting a conditional rezone to change the zoning designation of parcel R34194, approximately 9.99 acres, from an "A" (Agricultural) zone to a "CR-C-2" (Conditional Rezone - Service Commercial) zone. The request includes a development agreement to limit development to a self-storage facility. The subject property is located at 7832 Highway 20 in Nampa. The parcel has a home and has been utilized for farming for many years. A portion of the site is located within a nitrate priority area. Ms. Allen reviewed the zoning information, soils information as well as agency comments and citizen comments. Individual septic and wells are proposed. The City of Nampa recommends denial of the request. On April 21<sup>st</sup>, 2022, the Planning and Zoning Commission recommended denial of the request. Staff recommends denial of the request as well. Following her report, Ms. Allen responded to questions from the Board. Commissioner Smith asked staff to update the FCO's to address the joint exercise of powers agreement as well as the references to public hearings.

Tory Martin, who is the property owner, testified in support of his application and said the architecture firm he had been working with has experienced a high rate of turnover and therefore they are not here to represent him today. He is working with Jacobs Engineering on the irrigation plans and they've worked on piping and plans to relocate the ditch. He will work on the accesses with ITD. The land is currently being farmed and he is rebuilding the house for a family friend and he plans to hold the property as long as he can. Commissioner Smith said she has concerns about

compatibility and asked how the proposal fits with the agricultural character of the area. Mr. Martin said it does not fit with the existing agriculture, but he has worked with the owner of the Berry Ranch. The whole area is agriculture and he's assuming it will remain that way until the city comes out there.

Steve Wensel offered testimony in opposition to the request. He owns a 100-acre farm to the north, and his home is located on a separate 12-acre parcel in the area. The project was contemplated a year ago with a community meeting and the messages were confusing and questions went unanswered. The top soil is some of the best in the County and we have to be careful with how we give up that soil. There is no water available for fighting fires. Mr. Wensel said the project is premature and lacks the submittals from the highway district, and the non-compatibility would confirm the denials that have happened on this request.

Rebuttal testimony was offered by Mr. Martin who said at the P&Z Commission hearing a representative from Designhaus said they would store farm implements at the storage units, however, that was not an intelligent thing to say.

Commissioner Van Beek made a motion to close the public testimony. The motion was seconded by Commissioner White and carried unanimously. Commissioner White believes the request should be denied due to timing issues as well as compatibility and access issues. It's a beautiful piece of property that should be preserved for agriculture. Commissioner Van Beek said this is a pristine area with some of the best farm ground in the valley and there is no need at this point for RV. It would be a disservice to the County and the area to approve this request. She supports the City of Nampa's request that we wait until services are closer. Commissioner Smith agrees with upholding the denial of the request and she asked staff to update the FCO's with a full analysis of supporting the recommendation of the City of Nampa. Her reasons for denial area: it is an agricultural area and even as the applicant stated, it is not characteristic of the area. The actions the applicant could take for future approval would be: It's a timing issue and there needs to be changes to the County's comprehensive plan and the City of Nampa plan before approval could be given, or that the character of the area changes substantially to where it would support a storage unit facility. Commissioner Van Beek said the Syngenta location has test plots next to it and have invested \$60 million in the last 5 years so that proximity needs to be looked at and should be included in future reports with agency comments. Commissioner Smith said with that being said we should talk with Nampa about changing their comprehensive plan to support agriculture in that area.

Following the Board's deliberation Commissioner Van Beek made a motion to uphold the P&Z Commission decision to deny the request Designhaus Architecture representing TJM Properties, LLC, for a conditional rezone, Case No. CR2021-0011, and to direct staff to include changes in the FCO's as proposed by Commissioner Smith. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 2:17 p.m. An audio recording is on file in the Commissioners' Office.

REVIEW FISCAL YEAR 2023 TENTATIVE BUDGET

The Board met today at 3:34 p.m. to review the fiscal year 2023 tentative budget. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Sheriff Kieran Donahue, Treasurer Tracie Lloyd, Assessor Brian Stender, Director of Juvenile Probation Elda Catalano, CCAD Director Michael Stowell, Director of Misdemeanor Probation Jeff Breach, Facilities Director Rick Britton, PIO Joe Decker, Lt. Travis Engel, ADJ Davis Vander Velde, Assistant TCA Benita Miller, TCA Jamie Robb, Cpt. Harold Patchett, CCSO Financial Manager David Ivers, David Ferdinand (arrived at 3:55 p.m.) and Deputy Clerk Jenen Ross.

As part of the review the following topics were discussed:

- Commissioner Van Beek's emailed budget questions (a copy of the questions is on file with this day's minutes); she would like to see budget numbers more closely reflect actual trends based on previous years. Controller Wagoner and Sheriff Donahue spoke to the importance of having contingency funds available and how the budget is simply a plan, what matters is what gets spent.
- Need for creation of a capital improvement plan/fund.
- Clerk Yamamoto and Controller Wagoner gave a brief explanation of how the county budget operates and is funded.
- Commissioner Smith would like to see each office and department review their budget numbers in an effort to get them closer to actuals and positions that have been open for extended periods of time either removed if they are unneeded or funded at a level that they can be filled.
- Commissioner Smith is concerned about escrow accounts and the affect a zero-property tax budget will have on them.
- The Board feels that by tightening up numbers within the 'B' budget there will more funds available for the 'A' budget.
- Discussion regarding employee compensation.
- Commissioner Van Beek wants to see the budget developed in way that expenses meet revenue not revenue meeting expenses.
- COO position needs to be added back into the budget as there is Board majority support for the position.
- Commissioner Van Beek feels that there is also a need for a financial officer which could be incorporated into the COO position. She also thinks that the Board has a need for independent conflict counsel. She would like the Board to have a business administrator with a legal degree to manage some of the issues the Prosecutor's Office can't get to; she would take a PCN from the PA's office in order to fund the position. She believes it would relieve pressure on the Prosecutor's Office and reduce the PERSI contribution. Discussion ensued regarding this idea and the unlikelihood of the Prosecutor relinquishing his statutory authority.
- Commissioner Smith feels that there needs to be an adjustment to compensation, more than the \$3000 that was suggested. She would like to see the 'B' budget reduced to invest

in the 'A' budget. Commissioner White has concerns with the 'B' budget being reduced with the current rate of inflation and wanting to make sure the county has money available for the unexpected.

Commissioner White made a motion to continue the meeting to Thursday, July 28<sup>th</sup> at 2:30 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 4:43 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2022 TERM  
CALDWELL, IDAHO JULY 27, 2022

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 586295 to 586321 in the amount of \$48,324.72

APPROVED CLAIMS ORDER NO. 2222

- The Board approved payment of County claims in the amount of \$1,959,860.67 for a County payroll

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/5/22, 8/6/22, 8/7/22, 8/13/22, 8/14/22, 8/15/22, 8/20/22, 8/21/22, 8/27/22, & 8/28/22; and Serve It Up, Inc., aka Legends Sports Pub & Grill to be used 8/13/22

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Nicole Haney, Recorder/Passport Specialist

MEETING TO DISCUSS EMPLOYEE COMPENSATION ADJUSTMENTS IN THE CANYON COUNTY PROSECUTOR'S OFFICE

The Board met today at 9:05 a.m. to discuss employee compensation adjustments in the Canyon County's Prosecutor's Office regarding two attorneys for the Civil Division and one for the Criminal Division. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy PA Sam Laugheed, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Commissioner White made a motion to sign the resolutions authorizing specific compensation adjustments regarding two attorneys for the Civil Division and 1 for the Criminal Division of the Canyon County Prosecutor's Office. The motion was seconded by Commissioner Smith. Commissioner Van Beek was opposed to the motion as she believes the adjustments should be made during budget time. The motion carried by a two-to-one split vote. (Resolutions Nos. 22-160 and 22-161.) The meeting concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW FOR THE FOLLOWING:

MONTHLY MEETING WITH DEPARTMENT ADMINISTRATORS TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION:

HR Director

Public Information Officer

Director of Development Services

Code Enforcement Officer

Action Item: Consider approval/denial of abatement request

Weed and Gopher Superintendent

Facilities Director

IT Director

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

MONTHLY MEETING WITH DEPARTMENT ADMINISTRATORS TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION:

County Agent

Director of Parks, Cultural and Natural Resources

Public Defender

Director of Juvenile Detention

Director of Juvenile Probation

Director of Misdemeanor Probation

JULY 2022 TERM

CALDWELL, IDAHO JULY 28, 2022

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:51 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Chief Deputy Sheriff Marv Dashiell and Lt. Ray Talbot (arrived at 8:55 a.m.), Clerk Chris Yamamoto (arrived at 8:57 a.m.), Elections staff Haley Hicks and Aidan Lorenz (arrived at 8:57 a.m.), Treasurer Tracie Lloyd (arrived at 8:58 a.m.) and Deputy Clerk Jenen Ross.

Case nos. 2022-511 and 2022-512 meet the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue approvals with written decisions to be issued within 30 days.

Director Baker spoke about case no. 2008-892 in which the applicant has requested to have the outstanding amount of \$31,873.17 reduced. In 2018, one payment of \$25 was received; no other payments have been received and the case. The case has been turned over to collections and that fee is \$10,509.90. The applicant owns property in Parma, although the home caught fire approximately 3 years ago and due to a lapse in insurance there was no coverage or payout. The applicant is now looking to sell the property which is assessed at \$199,300 with a sale price of \$190,000. Subtracting closing costs and the county lien, the applicant would receive \$130,000 from the sale. However, he would like to purchase another home for \$157,000 in cash. For that reason and the additional costs to move and furnish the home he has asked for a reduction of the amount owed to the county. The applicant has offered \$21,000 as a payoff amount, however the \$10,509.90 owed to Advantage Financial collection agency would need to be paid first as they have denied the request for a reduction; the remaining amount would be split between the county and the CAT fund (the CAT Board would also need to approve the reduction). Discussion ensued as to whether this is considered a hardship and if there would be any opportunities available there. Director Baker doesn't feel this is a hardship as he has resources available in the sale of the property. Commissioner Van Beek would like to see the applicant offered information so that he

may apply for a hardship, after that point the Board could reconsider this case; she feels there are some circumstances that could be taken into consideration. Commissioner White stated she is not in favor of the offer that has been made and would rather provide a counteroffer. Commissioner Van Beek made a motion to decline the request for reduction in reimbursement amount from Jeff Keeter [*spelling unknown*] on case no. 2008-892 and provide the option for him to apply with hardship. The motion was seconded by Commissioner White and carried unanimously.

In regard to the Perry case that was discussed last week and Board direction given, Director Baker spoke with the family who has agreed to pay 10% of the outstanding balance, which would be \$651.49, as a full and final payment. A copy of all the probate documents, including the last will and testament, have been received – those documents state that all debts be settled with the applicant's assets. There was liquidity thru the probate process of the sale of the home and a vehicle, however, those proceeds were paid to the heirs and the debt remained. Commissioner White would like this debt to be gone as the applicant never missed a payment while she was alive. She did everything she was expected and asked to do, Commissioner White would expect the family to honor her wishes and to finish taking care of this since there were assets. Commissioner Van Beek feels that legal would need to be consulted as there has been a good-faith offer and she is unsure how binding that offer is. She asked that Ms. Baker confer with legal to discuss options. The meeting concluded at 9:09 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 9:10 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Keri Smith (joined the meeting at 9:15 a.m.), Deputy P.A. Alex Klempel, Chief Deputy Sheriff Marv Dashiell (left at 9:16 a.m.), Lt. Ray Talbot (left at 9:16 a.m.), Clerk Chris Yamamoto (left at 9:21 a.m.), Election Supervisor Haley Hicks and Election specialist Aiden Lorenz (left at 9:21 a.m.), Treasurer Tracie Lloyd (left at 9:28 a.m.), Deputy P.A. Zach Wesley (arrived at 9:28 a.m.), HR Director Kate Rice and HR Generalist Jennifer Allen (joined the meeting at 10:00 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing a resolution approving award of officer's badge and duty weapon to Deputy Roy Walthall:*** Chief Dashiell provided a brief history of Deputy Walthall's service stating that he's been in law enforcement for 46 years - 32 with the county and 14 with the DEA. Ms. Klempel said there is no legal reason not to sign. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving award of Officer's badge and duty weapon to Deputy Roy Walthall (see resolution no. 22-162).

***Consider signing Memorandum of Understanding between the City of Nampa, City of Caldwell, and Canyon County 2022 Byrne Justice Assistance Grant (JAG) Program CFDA #16.738:*** This is a historical grant that has been received for several years which will be managed by the City of Nampa. Canyon County will receive approximately \$22,000 and the funds will be mainly used for body cams. Ms. Klempel said this is a very similar agreement to last year. Upon the motion of Commissioner White



and second by Commissioner Van Beek the Board voted unanimously to sign the Memorandum of Understanding between the City of Nampa, City of Caldwell, and Canyon County 2022 Byrne Justice Assistance Grant (JAG) Program CFDA #16.738 (see agreement no. 22-082).

***Consider signing a resolution designating polling locations for the August 30, 2022 election:*** Ms. Hicks explained most locations being used have been previously used although they were able to obtain a few more locations, mainly in Middleton area. A review of the locations that have been secured was provided. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution designating polling locations for the August 30, 2022 election (see resolution no. 22-163).

Ms. Hicks noted for the record that Celebration Church cannot be used for early voting in November.

Treasurer Lloyd spoke about the upcoming tax deed auction stating that in years past a list of the properties being taken has been provided to both the Nampa and Caldwell housing authorities in order for them to conduct their due diligence and determine if they'd like the property as allowed in a 2015 MOU. Last year there was discussion about transferring these properties to the housing authorities as it provides no financial outcome for the previous property owner. Treasurer Lloyd suggested sending the list the housing authorities, allow them to do their research and if there are any properties they are interested in that would be brought to the Board to decide how they would like to move forward before a notice is published in the newspaper.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:28 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek, White and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy P.A. Alex Klempel. HR Director Kate Rice and HR Generalist Jennifer Allen joined the meeting at 10:00 a.m. The Executive Session concluded at 10:44 a.m. with no decision being called for in open session.

Commissioner Smith noted that an executive session meeting with the Weed and Gopher Superintendent will need to be scheduled for Monday, August 1<sup>st</sup> at 8:30 a.m.

The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY MASON & ASSOCIATES INC FOR A PRELIMINARY PLAT, FINAL PLAT AND IRRIGATION PLAN FOR WINDMILL RANCH SUBDIVISION, CASE NO. SD2021-0024

The Board met today at 10:49 a.m. to conduct a public hearing in the matter of a request by Mason & Associates Inc., representing Matt and Christine Travis, for approval of a preliminary plat, final plat and irrigation plan for Windmill Ranch Subdivision, Case No. SD2021-0024. Present were: Commissioners Leslie Van Beek and Pam White, DSD Planner Elizabeth Allen, Angie Cuellar, Matt and Christine Travis, and Deputy Clerk Monica Reeves. Elizabeth Allen gave the oral staff report. The six-lot subdivision is located on a 10.69-acre parcel (R30600011) and is located in an "R-1" residential zone. The subject property is located on the west side of McDermott Rd., approximately 867 ft. south of the intersection of E. Victory Rd. and McDermott Rd., Nampa. On March 3, 2022 the Planning and Zoning Commission recommended approval of the Preliminary Plat, and staff is recommending approval subject to conditions. Angie Cuellar from Mason & Associates offered testimony in support of the request. Matt Travis testified that he and his wife purchased the property to build their dream home. In response to questions about subdivision improvements, he said there are no sidewalks or streetlights in that area. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve approval of a preliminary plat, final plat and irrigation plan for Windmill Ranch Subdivision, and to approve the FCO's for Case No. SD2021-0024. The hearing concluded at 11:10 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY WESTERN CONSULTING REPRESENTING CORY AND CRISTINE CODR FOR A CONDITIONAL REZONE, CASE NO. RZ2021-0055

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of a request by Western Consulting representing Cory and Cristine Codr, for a conditional rezone of Parcel R37431017A from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone, Case No. RZ2021-0055. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planner Elizabeth Allen, Cory Codr, Jody Codr, Julie DeForest, Dennis Codr, Matthew Parks, Brian Fisher, Mark Rich, Lisa Trexler, Joanne Lee, Zach Damron, Bud Reberry, Laura Reberry, Sheena Colton, Kelly Lucas, Rocky Yoneda, Bobbi Yoneda, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she was contacted by Lisa Trexler, who lives near the subject property, regarding concerns she has with access issues. The women have developed a friendship and they have a professional relationship, but Commissioner Van Beek has no financial interest in this case. Commissioner Smith asked Commissioner Van Beek if she provided feedback on the testimony she heard from Ms. Trexler, and Commissioner Van Beek said she did not.

Elizabeth Allen gave the oral staff report. The request includes a development agreement limiting future development to no more than six lots. The property is located approximately 802 feet west of the Eric Lane and Gilbert Road intersection and approximately 540 feet north of Gloria Road in

Middleton. On May 5, 2022, the Planning and Zoning Commission recommended denial of the request. Following her report, Ms. Allen responded to questions from the Board.

The following people testified in support of the request:

Cory Codr read a letter of support from Melinda Moore, who cited concerns with fires in the area and believes the proposal would decrease the risk of fire. Mr. Codr testified about issues related to the access which has been approved by the Canyon Highway District and stated he will begin construction on the road. He is willing to consider enlarging the lots if the Board prefers. Following his testimony, the Board had follow-up questions for Mr. Codr. Commissioner Van Beek had questions of Mr. Codr regarding access, the proposed road improvement, and the structures that are built on the line where there is no road, and setback distance. Commissioner Smith asked if some of the questions are coming from ex parte communication because it seems Commissioner Van Beek knows things the Board doesn't know. Commissioner Van Beek said the concerns she heard dealt with proximity to their home. Commissioner Smith said it sounds like Commissioner Van Beek she is advocating for the neighbors and she needs to be unbiased and look at the information/evidence the applicant has provided and let the neighbors make their pitch to the Board. Further discussion with the applicant ensued.

The Board took a recess from 2:48 p.m. to 2:52 p.m.

Julie DeForest, the applicant's sister, testified that she and her husband want acreage property so they can build a home and raise horses, chickens, etc. They have looked at a lot of properties but they do not allow the owners to have large animals on the lots.

Dennis Codr, the applicant's father, testified that he sold his farm in New Plymouth and has been looking for a home for over a year and he believed this property would be the perfect place and would allow him to live near his children. He approached Mr. Lippert who owns the property to the east and asked to purchase an easement but he declined to sell it to Mr. Codr.

The following people testified in opposition to the request:

Matthew Parks, who represents several homeowners in the vicinity of the subject property, gave testimony in opposition to the request and stated there has been a faulty assumption by Canyon Highway District and by the property owner that impacts this process and that availability of legal access through another route. He provided deeds that he says show there are recorded easements providing access to this property over the adjoining Lippert property to the east. With that other access he questioned why they need to reopen Gilbert Lane to provide access to the property. The perimeter of both properties for Codr and Lippert has a 28-foot easement encompassing the north, south, east and west. Breezy Lane is the most appropriate access for the property, it's the easiest one to get to and has the least impact on adjacent property owners and provides for the same development the Codrs are seeking. Mr. Parks said the highway district's letter stating there are no recorded easements is incorrect. Gilbert Road is, in many areas, only 40-feet wide and the portion of Gilbert Road they want to use has never been built or used as

public road. The right-of-way needs to be at least 56 feet wide. He asked the Board not to grant a conditional rezone allowing the use of Gilbert Lane when it would be defacto granting of a variance on the plat application later without going through specific findings. The applicant should determine if there is legal access that meets the requirements of the highway district. Discussion ensued with Mr. Parks and the Board regarding the highway district's process regarding the right-of-way. Staff was asked to obtain mapping information regarding the deeds Mr. Parks submitted. Lisa Trexler testified about her concerns with access and the proximity of the proposed road to her home. She purchased her road property in April and the right-of-way was closed, but it recently reopened. She didn't know there would be a road 17 feet from her back door. There are three potential access points; Merlin through Gilbert, and also going up Eric Lane to Gilbert; or following Breezy Lane. She talked to the adjoining neighbor, Mr. Lippert, who is trying to get a single split of five acres and sell that piece off, and she asked the Codrs if they could potentially purchase that acreage, but they said they could not afford to pay \$400,000 for the property.

Brian Fisher testified there was comment that this subdivision would bring higher quality homes, but he is concerned it will change the lifestyle of the residents around it. He also is concerned about traffic and those who travel at excessive speeds in the area.

Mark Rich testified that Merlin Lane was already a county lane and it was widened to 60 feet for two houses. He has concerns regarding traffic, safety, the water table, residents not receiving hearing notice, inconsistency with the process, and setback issues.

Joanne Lee testified about her concerns with the road and the potential of setting a precedent for hundreds of homes to use this road. She believes the whole process had been rushed.

Zach Damron testified that he recently purchased property and he will be significantly impacted by the road expansion. They already have low water pressure in the area and he is concerned about what impact this proposal will have.

Bud Reberry testified that he bought his home 22 years ago so he could live in a peaceful area and he is concerned about the impacts this development will have on his quality of life as well as the water table in the area.

Sheena Colton testified she was born and raised in Middleton and comes from a farming family and she believes the development will change their lifestyle. She said it makes more sense to go down Eric Lane and Breezy Lane. She has concerns with water and with the taking of her 20 feet of her property.

Kelly Lucas testified about concerns regarding traffic on the road which has only been used for neighborhood access; speeders; people who run the stop sign; the use of Gloria Road as the main route; the water table; and drainage concerns because her property has been washed out during heavy rains.

Rebuttal testimony was offered by Cory Codr who stated believes he did his due diligence with staff and with the highway district and they discussed all the scenarios and whether there were encroachments on the right-of-way and felt that through the communication there was an opportunity for this property. Access has been the key topic and he has worked with the highway district and there were six options put forth to determine the best access and the access that was approved is the access that met the criteria for highway district public safety standards. There is precedence for a 40-foot easement and a 20-foot road that exists already within the area. Mr. Codr said they discussed the easement issues and realized those were not feasible for the applicant to gain access at the time. There was a preference for the applicant to find any other way to access property before they do a closed right-of-way to get an open right-of-way. They approached Mr. Lippert about purchasing an easement but that did not work out and this was determined to be the best reasonably way possible. There is opposition to any direction they go to access the property. We have followed the protocol to get access and went through every legal requirement asked of them to get access and he was told he could begin the process of constructing the road. Regarding water, the wells in the area range in depth from 125 feet to 300 feet; most are 30-gallons-per-minute wells.

Commissioner Smith asked Mr. Codr if he would change his plans and with access on Eric Lane to Gilbert Road given the warranty deed information that Mr. Parks says are legal recorded easements for 28 feet on every boundary of the property. Mr. Codr said they cannot get sufficient grading and drainage to build a suitable road. Discussion ensued regarding the variance process. Commissioner Smith wants to provide the deeds to Canyon Highway District and ask for verification on the grading on the road, and reach out to emergency services and ask them about the single road in. She also wants a water report showing the historic trends. Commissioner Van Beek wants the applicant to seek a variance from Gilbert Road and the line up north. Commissioner Smith wants an interpretation from the highway district if that grants Mr. Codr adequate easement access across Gilbert Road on the Lippert property as well, and if that is the case and he does have access, what would the options be for Codr to build across the Lippert property to the Codr property. Evaluate if there is a path forward, which might include a variance. DSD staff will contact EMS and get clarification on the access. Commissioner Van Beek wants the applicant to ask if 30 gallons per minute will suffice for fire flow, and she said there should be some type of dry-scape plan. Commissioners Smith and White do not want the applicant to do that. Commissioner Van Beek wants the applicant to pursue a variance to go north on Breezy Lane up and around the properties. Commissioner Smith said that route is impossible and it's wrong to ask MR. Codr to build all of that road for the Lipperts and the other houses. She asked the applicant to look for extending Gilbert Road to the property south of the Lippert property on the south edge; she is not asking the applicant to get variance, she is asking to look at Exhibit 5E (warranty deeds that grant 28 feet of right of way easement) and if it's true that it's for the Lippert property that would grant 28 feet along the southern border of Lippert which would match Codr's original site plan. See if it's a legitimate access. Commissioner Van Beek made a motion to continue Case No. RZ2021-0055 to August 16, 2022 at 10:00 a.m. to receive additional information. The motion was seconded by Commissioner White. Commissioner Smith asked if the motion is to reopen testimony totally or to leave it open just for specific items from Canyon Highway District, the Idaho Department of Water Resources and emergency services?

Commissioner Van Beek said she would accept additional information that is relevant to making a good decision. Commissioners Smith and White only want to receive information from the highway district, IDWR and emergency services. When the vote was called for the motion failed. Commissioner Smith made a motion to continue the case to August 16, 2022 at 10:00 a.m., with testimony being limited specifically to Canyon Highway District, IDWR, and emergency services related to access. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion. The motion carried by a two-to-one split vote. The hearing concluded at 5:04 p.m. An audio recording is on file in the Commissioners' Office.

#### REVIEW FY2023 TENTATIVE BUDGET

The Board met today at 5:11 p.m. to go on the record to continue the meeting regarding the FY2023 tentative budget to tomorrow at 1:30 p.m. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. The budget meeting was supposed to start at 2:30 p.m. today but a land use hearing lasted until 5:04 p.m., and so the Board went on the record to continue the meeting to Friday, July 29, 2022 at 1:30 p.m., but first it wanted to have a brief discussion for comments. Commissioner Van Beek referenced an email she sent and she spoke about how some offices and/or departments use some of the 577100-line items to pad their budgets. The IT Director already builds contingency in for that amount in the event they have an issue so it made some people wonder if they were doing something wrong, but that's not necessarily true, she just didn't want to target any one office. In the DSD budget there is a significant amount dedicated marketing but that line has a zero history of usage so there is a question there. Commissioner Smith said it's a brand-new line item and the DSD Director was going to use it for economic development but they have not had enough time to utilize it. Commissioner White questioned why money was added to the line item for marketing when we've hired economic development person to perform those duties. Commissioner Smith said it's to pay someone else to help produce marketing materials that would market Canyon County as a desirable place to locate a business. Commissioner Van Beek referenced the fleet car wash, and said she wants to address the salary for the Assistant Fleet Director. She also spoke about how the Board wanted certain community groups funded at one level but the Clerk funded them at a different level. Commissioner Smith said the funding levels are what the Clerk suggested and he has the statutory authority to create his own budget and then it's the Board's job to make its changes. Commissioner Van Beek will send an email about what the Board direction was related to those funding amounts. She noted that the HR Department has funds for education and training, but she said there needs to be training for the HR Generalists. Commissioner Smith said if the HRD has a plan and needs more money she needs to request it. Commissioner Van Beek wants a meeting scheduled with the Prosecuting Attorney because he said he would do whatever Director Rast believes is best related to cybersecurity. She does not want the PA to purchase anymore Chromebooks. Commissioner Smith noted that it's getting corrected in the FY2023 budget. Commissioner Van Beek said the Sheriff's Office affirmed that some of those lines needed adjusted because of trends and they provided explanations for the items they wanted to leave and why, but the Board has not received any information from the Prosecutor and she believes with the lack of the response the Board should make the best and most informed decisions it can. She

said the Board needs to have a discussion on the Clerk's statement of leaving the \$175,000 in place. What we've heard is that the unspent portion goes into fund balance and if he were able to find a place, nobody on this Board would say no don't do that. Commissioner Smith is okay with that. Commissioner Van Beek will formulate an email. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the budget meeting to tomorrow, July 29th at 1:30 p.m. The meeting concluded at 5:23 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2022 TERM

CALDWELL, IDAHO JULY 29, 2022

PRESENT: Commissioner Keri K. Smith, Chair – **OUT IN THE MORNING**  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Micromain in the amount of \$3,937.50 for the IT Department
- LanShack in the amount of \$1,527.30 for the IT Department
- Henrickson Butler Design Group in the amount of \$2,708.00 for the Prosecutor's Office

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Blue Heron, LLC, dba Bobbie Jeans to be used 8/3/22, 8/6/22, 8/10/22, 8/13/22, 8/17/22, 8/20/22, 8/24/22, and 8/27/22

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

- The Board approved an employee status change form for Shawn Gray, Maintenance Coordinator; Alexis Klempel, Associate County Attorney; Stephanie Morse, Deputy Attorney II; and Oscar Klaas, Associate County Attorney



## APPROVED APRIL 2022 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of April 2022 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.

## DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. *\*Note - Commissioner Leslie Van Beek and Commissioner Pam White went on separate tours of the detention center campus with Sheriff's Office personnel.*

## CONSIDER FINAL PLAT FOR THE MINOR REPLAT FOR LOT 1, BLOCK 2 OF THE SUMMERWIND AT ORCHARD HILLS SUBDIVISION PHASE 1, CASE NO. SD2021-0050

The Board met today at 10:20 a.m. to 10:20 a.m. to consider a final plat for the minor replat for Lots 1, Block 2 of the Summerwind at Orchard Hills Subdivision Phase 1, Case No. SD2021-0050. Present were: Commissioners Leslie Van Beek and Pam White, DSD Planning Official Dan Lister, other interested persons, and Deputy Clerk Monica Reeves. The final plat is based off a minor replat the Director has approved, and it was to amend an easement to reduce it on one side. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the final plat for the minor replat for Lots 1, Block 2 of the Summerwind at Orchard Hills Subdivision Phase 1, Case No. SD2021-0050. The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

## DETAILED MINUTES TO FOLLOW:

Review Fiscal Year 2023 Tentative Budget

Community Input Meeting regarding FY2023 Tentative Budget

THE MINUTES OF THE FISCAL TERM OF JULY 2022 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CANYON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Commissioner Leslie Van Beek

\_\_\_\_\_  
Commissioner Keri K. Smith

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

ATTEST: CHRIS YAMAMOTO, CLERK

By: \_\_\_\_\_, Deputy Clerk