

JANUARY 2018 TERM  
CALDWELL, IDAHO JANURARY 2, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross  
*Previously the thirteenth day of the December term, A.D., 2017*

APPROVED CLAIMS ORDER NO. 1-10-18

The Board of Commissioners approved payment of County claims in the amount of \$82,107.34, \$128,066.08, \$208,610.40, \$17,182.57 and \$125,000.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 1-2-18

The Board of Commissioners approved payment of County claims in the amount of \$550.00 for accounts payable.

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

The Board approved a salary rate request and/or key & security access request form for Phil Gram, Adam Joseph "AJ" Mondor and Aimee Rollins.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- International Academies of Emergency Dispatch in the amount of \$1245.00 for the Sheriff's Office
- Priority Dispatch in the amount of \$1460.00 for the Sheriff's Office
- Premier Wireless in the amount of \$11,145.00 for the Sheriff's Office

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

The Board met today at 8:54 a.m. for a biweekly meeting with the Human Resources Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items: She is continuing to work with Jamie Chapman to create the leadership training. She will be

meeting with the wellness consultant for Blue Cross to discuss all the things Blue Cross offers in regards to wellness, some of which are free or minimal cost. Open enrollment went well being shorted to the 2 week timeframe. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Building Official Dave Curl, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff and Deputy Clerk Jenen Ross.

***Consider signing amendment to Chapter 6, Article 1, Canyon County Building Code Ordinance and consider signing a summary of amendment to Chapter 6, Article 1, Canyon County Building Code Ordinance:*** Zach Wesley said this is part of the ordinance amendment process that happens every 3 – 4 years. This ordinance includes recommendations from the State; there are no major changes just the usual updates. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the summary of amendment to Chapter 6, Article 1, Canyon County Building Code Ordinance. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the amendment to Chapter 6, Article 1, Canyon County Building Code Ordinance (see ordinance no. 18-001).

***Consider signing a resolution to issue a refund for a building permit to Brock Obendorf:*** Tricia Nilsson said Mr. Obendorf applied for a building permit, which is based on bid price for commercial structures. They later learned that the bid included equipment so the permit fee needed to be recalculated based only on the building value resulting in a refund. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution to issue a refund to Brock Obendorf (see resolution no. 18-001).

***Consider signing Willamette Dental of Idaho, Inc. acceptance of group dental insurance contract:*** Zach Wesley said this is the annual amendment to the agreement with Willamette Dental. Each year they go thru and make revisions to the underlying plan which Mr. Wesley has reviewed. There are no major changes that impact the benefits provided under the plan. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Willamette Dental of Idaho, Inc. acceptance of group dental insurance contract (see agreement no. 18-001).

There were no items for discussion at the legal staff update. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 3, 2018

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

Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross  
*Previously the fourteenth day of the December term, A.D., 2017*

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

The Board approved a salary rate request and/or key & security access request form for Scott Hagen, Johannes Claus and Gary Deulen.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Zoho Corp. in the amount of \$1099.00 for the Information Technology department
- On Base in the amount of \$8240.00 for the Information Technology department

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 4, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross  
*Previously the fifteenth day of the December term, A.D., 2017*

APPROVED CLAIMS ORDER NO. 1807

The Board of Commissioners approved payment of County claims in the amount of \$1,557,609.70 for a County payroll.

FILE IN MINUTES

The Board filed the Designation of Senior Deputy Clerk/Auditor for Zach Wagoner in today's minutes.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Generalist Kellie George (left at 8:48 a.m.), Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Kellie George explained that case no. 2016-847

went to pre-litigation where they disagreed with the Board's decision and the case was remanded back to the county. Ms. George has spoken with the PA's Office who has recommended approval of this case. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue an initial approval with a written decision to be issued within 30 days.

The following cases do not meet the criteria for county assistance: 2018-0188, 2018-0200, 2018-0203, 2018-0207, 2018-0228, 2018-0190, 2018-0233, 2018-0232, 2018-0206, 2018-0224, 2018-0230, 2018-0234, 2018-0185, 2018-0275, 2018-0210, 2018-0180, 2018-0204, 2018-0209, 2018-0208, 2018-0211, 2018-0184 and 2018-0231. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials.

The following cases do meet the eligibility criteria for county assistance: 2018-92 and 2017-106. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial approvals.

Director Baker said she's had a request from the applicant on case no. 2010-686 to lift the lien and forgiveness of the medical debt. Herbert and Kenna are the applicants and Herbert is attempting to purchase a home; the county lien was discovered when a search was performed. Although Herbert and Kenna were married at the time of Kenna's illness, treatment and passing he states that he was not aware that the county paid her bills and a lien was recorded against him. At the time, Herbert and Kenna were separated and his understanding from the hospital was that Medicare would pay the bills although Kenna did not qualify for Medicare at the time of her passing. No payments have been made on the case and Kenna had very little in assets when she passed. This is a purchase-money mortgage and the county lien is secondary; the lien debt could remain and Herbert could make payments along with his mortgage, however, due to the size of the medical debt and his income he will likely not be able to meet certain loan criteria or the loan-to-value criteria. The county paid out \$11,000 with the catastrophic fund paying out \$51,542.11. Ms. Baker spoke to the lender and the title company who confirmed that because the county is secondary this debt could remain and he could continue to pay on it and the loan would still fund. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to deny forgiveness of the debt. The Board signed paperwork for release of lien so the loan could fund, once the loan has funded the lien will be placed back on. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING LEGAL NOTICE OF INFORMAL PUBLIC MEETING CANYON COUNTY SHERIFF'S OFFICE

The Board met today at 9:03 a.m. for a legal staff update and to consider signing a legal notice of an informal public meeting for the Canyon County Sheriff's Office. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Lt. Ben Keyes and Deputy Clerk Jenen Ross.



***Consider signing legal notice of informal public meeting Canyon County Sheriff's Office:***

Allen Shoff said the Sheriff's Office is looking to purchase a tow vehicle for the boat and this is for an informal meeting to let the public know that this is what the Sheriff's Office is pursuing and to take any kind of public inquiry about it. This is a notice to be published in the newspaper letting people know of the meeting. The meeting will take place in the office at Lake Lowell Park. Lt. Keyes stated that he has solicited a bid from Director Tolman at the fleet shop to replace the 2008 truck currently being driven and replace it with a new 2018 truck. The county match on the grant is \$9629 and they will be asking for \$28,884 in the grant. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the legal notice of an informal public meeting with the Canyon County Sheriff's Office.

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

**PUBLIC HEARING – REZONE REQUEST BY JAMES AND ALYCE CARTER, CASE NO. RZ-PH2017-64**

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by James and Alyce Carter, Case No. RZ-PH2017-64, regarding their request for a rezone from "RR" (Rural Residential) to "R1" (Single Family Residential) of property located at 5525 E. Orchard Avenue in Nampa. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Assessor Brian Stender, Mike Dutton, Linda Dutton, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report and said the Duttons are here on behalf of the family estate requesting a rezone from rural residential to single family residential on the 4.73 acre parcel for the purpose of dividing it into three properties versus being able to only divide it into two 2-acre pieces which would be currently available for rural residential. The property is designated residential on the comprehensive plan and is currently zoned residential. The highway district had no concerns regarding access. The property will have to be platted. Staff is recommending approval of the rezone from "RR" to "R-1" (single family residential). Commissioner White made a motion to close the public hearing. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners White, Rule and Dale voting in favor. The motion carried unanimously. Commissioner White made a motion to approve Case No. RZ-PH2017-64 to rezone the 4.73 acres from rural residential to "R-1" (single family residential) and to approve the Findings of Fact, Conclusions of Law, and Order as well as the ordinance. The motion was seconded by Commissioner Rule. (See Ordinance No. 18-002.) The hearing concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

**MEETING WITH MOSQUITO ABATEMENT DISTRICT TO DISCUSS YEAR END REPORT FOR 2017**

The Board met today at 10:32 a.m. with the Canyon County Mosquito Abatement District Director to discuss the yearend report for 2017. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director Ed Burnett, Julie Monroe, Norm Brown, and Deputy Clerk Monica Reeves. Director Burnett expressed his gratitude for the County's assistance last year and he spoke about the district's use of the map the County had posted on its website which identified the flooded areas which the district used to help determine where to apply the heavy duty mosquito larvicide which worked really well. There were only two cases of human infection and they're not sure if one was locally acquired. He said they went over budget on the larva control products by a large amount but they took funds from their foregone amount and put it in the contingency fund. They were over budget on everything but they had quite a bit of carryover from last year so they are in significantly good shape going into 2018. He spoke about the Culex species, which is the disease carrying mosquito, and how we had the potential of having a real epidemic. Commissioner Dale asked if there is any evidence of Zika mosquitos. Director Burnett said there is not, but they received grant money from the Centers for Disease Control for monitoring the Zika species; they collected more of the disease carrying Culex mosquitos than anything else. In September Malheur County, Oregon and Gem County tested some mosquitos which were positive for St. Louis encephalitis which is another disease that has never been found west of the Mississippi until now. The district does not have the capability of detecting that disease in its lab so those mosquitos have to be sent to the bureau of laboratories in Boise to get further analyzation. Julie Monroe, the district's ULV operation manager, explained what happens when a trap has high Culex numbers or is positive with the West Nile Virus. They can visually tell which species are in the traps and they predict what areas to treat. In recent years there have been fewer areas to treat for many reasons but more importantly because the bad mosquito doesn't travel too far so they don't need to spend the resources doing such large areas. She creates a map and then treats the area and by the end of the next day they'll find out if the traps were positive for West Nile Virus and in that case, depending on the area and the infection rate, she'll send trucks two nights in a row to combat it and nine out of 10 times when they trap again the numbers will be significantly lower. Commissioner Rule spoke about his experience with mosquitos on his property and how the problem is alleviated after the trucks have sprayed. Director Burnett is finishing the district's operation plan and he will send it to the Board next week for approval. The meeting concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 5, 2018

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

*Previously the sixteenth day of the December term, A.D., 2017*

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Northwest Service Technologies in the amount of \$3863.00 for the Facilities department

### APPROVED CLAIMS ORDER NO. 1-10-18

The Board of Commissioners approved payment of County claims in the amount of \$167,173.35, \$141,889.78 and \$4952.80 for accounts payable.

### LEGAL STAFF UPDATE AND CONSIDER SIGNING RENEWAL NO. 4 TO FIRST AMENDMENT TO LEASE AGREEMENT NO. 13-100 BETWEEN SNAKE RIVER PROPERTIES BOISE, LLC AND CANYON COUNTY

The Board met today at 9:03 a.m. for a legal staff update and to consider signing renewal no. 4 to first amendment to lease agreement no. 13-100 between Snake River Properties Boise, LLC and Canyon County. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro (left at 9:06 a.m.), Deputy P.A. Allen Shoff, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross.

***Consider signing renewal no. 4 to first amendment to lease agreement no. 13-100 between Snake River Properties Boise, LLC and Canyon County:*** Allen Shoff and Director Navarro explained this is for the property at Industrial Way which is used for storage of human resource records, Clerk's records, jail kitchen equipment, surplus property, election equipment and ballots, etc. The only change to the agreement this year is that the payment will be made in one lump sum instead of monthly payments. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign renewal no. 4 to the first amendment of lease agreement no. 13-100 (see agreement no. 18-002).

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:19 a.m. with no decision being called for in open session.

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

#### MEETING WITH DLR FOR CONTINUED DISCUSSION REGARDING JAIL NEEDS

The Board met today at 1:30 p.m. with representatives from DLR Group to continue discussion regarding the needs analysis that was delivered in November. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Bill Valdez and Lori Coppenrath from DLR, Chief Deputy Sheriff Marv Dashiell, Assessor Brian Stender, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Facilities Director Paul Navarro, PIO Joe Decker, Kathy Alder, Paul Alldredge, Bob Carpenter, Ron Harriman, Sid Freeman, Chuck Staddick, Hubert Osborne, Bob Gaddis, Leslie VanBeek, Larry Olmstead, other interested citizens, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue arrived at 2:35 p.m.

Commissioner Dale said the purpose of the meeting is to review the basic assumptions of the analysis to explain the methodology that was used to arrive at the numbers that have been included. We are still in the beginning stages; the study was the first step and we have several steps to go before we're ready to build a jail. This is a long process to address a longstanding need.

Bill Valdez said DLR was contracted last year to perform a jail needs analysis based off of determining exactly what the projected growth and needs from a bed count would be as well as look at how that would turn into a developed program for square footage, and then try to determine how that program would fit on a selected site as well as doing that same type of analysis for the Sheriff's Office. That report was completed late last year. They have received additional questions and additional information so they prepared a short presentation that covers some of that key information that's within the last public presentation as well as in the final report, as well as some additional information based off some of the questions the community has asked. They are here as a resource so if additional questions are posed hopefully we can answer them, but if not they'll do the research and get the additional analysis done and provide it back through the County to make sure the community's questions with regard to the analysis or the process or what DLR did are answered. (A copy of the PowerPoint presentation is on file with this day's minute entry.)

Their focus is on safety, operations efficiency, and looking at the different components so not leaving a component out just for cost effectiveness; it's making it a highly functioning building and this was the driver behind all the decisions DLR made and how the process was put together in determining the County's needs. Several of the questions posed by the citizens group are about DLR's methodology and understanding of the projections which will be addressed by Lori Coppenrath, their national programming expert. Mr. Valdez and Ms. Coppenrath have been doing justice design work for the last 20 years and for the last 10 years they've worked side by side; they only focus on justice and corrections type of work. DLR is one of the largest design firms within the country with regard to justice and correctional projects so they were able to draw upon not only their own knowledge but the knowledge within their offices as well as their peers nationally to make sure they understand what the trends are nationally, as well as how they apply to us locally.

Lori Coppenrath reviewed the population projections. They start with the County population and how that growth might occur into the future. Since 1996 there's been a 3% average increase with a peak increase of 5% in 2000. Idaho is the fastest growing state in the country and while that's not in the data they have to think about it moving forward. They also cross correlated their data with what COMPASS predicted the County growth population will be in the future so they used a conservative estimate of 2.9% increase as a basis for their stats as opposed to the 3.4% that has happened lately.

With regard to the jail count, Ms. Coppenrath said as a comparison between Ada County and Canyon County you can see the growth is in line with that with the exception of losing a lot of beds between 2008 and 2010. The alignment of the two counties is pretty similar. Inmate population projections were based on the average ratio of bookings to population to incarceration rate, there's also a few factors that go along with that. They add a peaking and grossing factor to all jail designs to allow for a certain number of beds to be vacant in any functional jail. Once a jail is 80% full they consider that at capacity because you need those other beds for maintenance reasons and for other peaking and classification use. There's a 20% factor added on to their statistics that account for peaking and classification. There's also a very robust pretrial release program and that means when the jail is full you don't put those on pretrial in jail as long as they meet a certain criteria as a risk calculation. When DLR did the calculations the County felt that they would rather have those 250 people in jail than on the street but they don't have room for them in the jail so at that time when DLR did the snapshot there were 255 people that were released because they didn't have beds, but the Sheriff's Office would prefer they be locked up for community safety so DLR added that factor as well. It's interesting that between 2002-2007 the jail bed numbers were really high and when the predictions were done in 2006 we thought that by 2027 the County would need 1800 beds whereas we are predicting at this point you will need 800-1000 beds because we've normalized and that's why the projections were brought down compared to what they would have been had they used the 2001-2006 data. The projections are based on an average ratio and they selected a conservative number of 1000 beds by 2037 versus needing the 1000 beds by 2027 so if you add in that 255 population then you would be at 1055 in 2027. If you don't add that in then you'll be at the 1055 number by 2037. This does not account for any legislative changes, bail reform, etc., it's based on the stats they have.

Ron Harriman asked what source was used for the population and bed count. He said the historical population for Canyon County was 2% a year, and Nampa is using 2.1% a year for the expansion over the next period of years. With regard to bed count, he looked at DLR's previous projects and the bed count extends far beyond what is normal in Idaho and the fact of the matter is the incarceration rate for Idaho is 2.39 so they have questions about how big the jail has to be. He understands we need a jail but right now the stats he pulled said we are 70 beds short.

Ms. Coppenrath said 477 beds is what they have and what they use. If you were to count the 20% peaking factor that would add another 100 beds so that's 577 and then if you add the people they'd rather have in custody than on the street that's another 255 so we're at 770 beds today that are needed to serve the need of the County.

Mr. Valdez said there was a comment that they are looking at some of the statistics within Idaho; they are looking at an incarceration rate per 1000 and one thing to look at is the two largest counties are Canyon and Ada Counties, both have instilled hard caps on inmate population for numerous years, but that might be skewing some of those incarceration rates

per 1000 since literally over 50% of all beds within the state of Idaho are located in those two counties so what happens between them does have a big effect on the state. There is another chart that looks at incarceration rates per 1000 comparing Ada County, Canyon County, the State of Idaho and national averages and in reality they are all fairly similar but with Canyon County being below the state and the national averages. There were several different questions posed about construction costs and methodology so he will go into a synopsis about that and look at some of the national trends and information with regard to construction costs of these type of large jail projects. The initial cost model is prepared by a cost consultant they work with within the region – John Bales (JMB) – it was a detailed cost analysis looking at the different systems, doing takeoffs and conceptual cost analysis and they came up to this term which ended up being a 17-page detailed report that has been incorporated into the final report. That was the methodology, actually looking at national trends for historical data with regard to the different systems that would be incorporated into the jail, looking at construction costs within the Treasure Valley, looking at national as well as local escalation costs, and incorporating that type of data into the analysis as well as doing square footage and different equipment takeoffs based off of what would be incorporated into the facility. This is the reader's digest to the report with regard to big picture of what the jail costs were developed off of: 1044 beds which is 298,000 gross square feet of facility. The construction cost is \$144M plus some change; project costs which is 37% on top of that and includes building permit and planning permit fees, any offsite development, traffic impacts, project management services, design services, furniture fixtures and equipment (FF&E); all those things build up from the construction cost which is what your contractor will build the project for to the final project cost which is all inclusive turnkey. The project cost is just under \$200M. A big part of this is when the project is anticipated to be built and this is the assumption they made from a constructability standpoint and all the construction costs: the start date would be in the 1<sup>st</sup> quarter of 2019, the completion date would around the 4<sup>th</sup> quarter of 2021, with occupancy and starting of operations around the 1<sup>st</sup> quarter of 2022. In order to do this what was anticipated was a delivery method of CM at risk (CM@R) which means the County would bring on a contractor during the design phase to assist with constructability reviews and do early work packages so what's anticipated here with that construction start of the 1<sup>st</sup> quarter of 2019 is that there would be site grading, utility work, foundation packages, early ordering of steel and precast concrete with not starting the physical construction of the building until later. This methodology allows for more accelerated construction which means we are taking advantage of time and putting it in the best benefit of the County and eliminating escalation as much as possible. This is a big picture of what we're going to do and this is one thing when you look at projects you need to understand are they talking about construction costs or project costs. DLR has been focusing on project costs because you need to know what are you paying all in, final turnkey. When you roll that back to what the construction value would be it is \$144 million. Also incorporated in that project cost is tax so that's another thing they wanted to make sure everything is normalized based off the region, based off the tax you'd have for construction materials.

Mr. Valdez said there were a lot of questions with regard to whether appropriate budgets have been applied to this project with regard to construction methodology and construction cost model methodology so they decided to do a more detailed analysis to look at what large construction projects of jails have been throughout the country over the last several years.

If a jail is built in Georgia, for example, there will be different costs than in the Treasure Valley. They regionalized and normalized everything back to here for all the data they're about to show. They used RS Means which is a nationally adopted cost modeling agency that provided an updated regional and cost index which says what is the difference in costs between Boise and Pocatello, and the difference between Atlanta, Georgia and San Diego, California; it analyzes different regions and areas. Boise is the closest to Caldwell so they're using it most likely because that's the subcontractor and general contractor market we would draw from. They brought all these facilities from other locations around the country and regionalized their costs to what it would cost to build that facility right here. Also, they have to consider when they were built so they had to escalate all their costs to bring them off of when Canyon County's project would be built, so as indicated earlier, they would start construction in the 1<sup>st</sup> quarter of 2019 so they escalated all the other projects up to the same point in time in 2019. They used Mortensen Construction Cost Index and he back checked it against RS Means as well as back checked it against Rider Levett Bucknall (RLB) which is an international cost consulting firm. They all issue similar cost indexes and so he wanted to make sure they were similar, which they were, but he used Mortensen's since it was much more readily available and had the most relevant data to be utilized. That only got us through the 4<sup>th</sup> quarter of 2017 so they still had to project those numbers up to the 1<sup>st</sup> quarter of 2019 so with that they applied the same escalation factors that are in the cost estimate that John Bales prepared so for 2018 and into 2019 they applied the same escalation factors that are in the County's project to all those other projects. They had to use multiple different escalation values from multiple sources but everything is getting applied in the exact same way. John Bales used about 4.5% escalation for 2018 and 2019 which is similar to what a lot of other national agencies are looking at, especially for the western United States which is somewhere between 4%-6% over the next couple of years with it continuing on the decrease so in this year more like 4.5%-6% and then by 2019, 2020 seeing that hopefully come down to 4.5%-4% is what is anticipated. These are in line with all the other national data that they've been able to find and utilize with regard to anticipated escalation in the future so that brings all these projects both to the location as well as to the point in time. Then they wanted to make sure they were comparing at apples to apples so they only looked at new jail projects; they did not look at additions because an addition may not have different components of the program of the building that would be needed and might be more costly, like a booking and intake center or a medical clinic, or food service and laundry areas, so they only looked at new jails that would have all the components of a functioning jail within them and within those cost values. They also only want to look at large jails so obviously a small jail that's 100-200 beds doesn't have nearly the amount of programs or food service or laundry or intake or booking that a large jail would have so they wanted to compare large jails, 500 beds and larger. They wanted them to be relevant, they didn't want to look at projects before the market crashed because that would skew the data, most likely proving that this is very cost effective because as you remember between 2003 and 2007 costs were escalating very rapidly and then they flattened out, decreased and started trending upwards again. They looked at projects that were more like in 2010 to now so based off all that data they came up with this chart which lists 17 projects taken from all around the country and projects that DLR and their competitor design firms have been doing. They reached out to all the contractors they know that do major projects and they did online searches for all projects that were open, or in design, or are recently completed or starting construction so

they could get real data off of and this is all they were able to find over that time period that were new, over 500 beds. It is a national trend, it's not just DLR's data. HOK Justice and DLR Group have been the largest design firms for justice projects in the country for the last 20 years so you're going to end up seeing a lot of the large jails designed by those two firms. (The chart he's referring to is included in the PowerPoint presentation on file.)

In their experience cost per square foot is not a great indicator, you should look at cost per bed because that normalizes whether its dorm beds, cell beds, additional program spaces, etc. It looks at what is the cost per inmate to be able to house them. We applied the cost per bed, which is taking the total cost and dividing by the number of beds provided gets you a cost per bed, so that was about \$135,000 per bed nationally. Canyon County is in the middle of the range at \$138,000 per bed for construction costs. The chart shows four or five projects that are considerably less than the others and there is some justification behind that: the SCORE (South Correctional Entity) jail in Washington state. It is the basis of design with regard to the County's project as part of the programming document and one thing it was able to take advantage of was timing. It was one of the first projects that was bid after the market crashed so it took great advantage of the construction market at that time. It's not a stripped down project, it has a great amount of program space, all the security electronics technology, it just took advantage of a perfect point in time. That can also be said of HOK's project at Douglas County. He has talked in great detail with the project designer and they were able to leverage the same thing. DLR wanted to show public facilities as well as privatized jail projects such as the CCA and the GEO-Conroe projects. CCA took advantage of a great time when it was bid and it was a great project from a cost per bed analysis. The GEO project in Texas has mostly dormitories (hardly any cells) where Canyon County's project is over 80% cells, less than 20% are dormitories so it allows more flexibility for inmate management and control and classification to be able to go with cells versus dorms. Dorms are more cost effective and cheaper to build but there is a justification behind that and you end up looking within the range, obviously some are much lower and then you get into a normalized situation for the majority of the projects. There are three or four that are very high in price. Franklin County in Ohio is just starting construction so it's probably one of the most relevant projects they could hit on, and another one is in San Mateo County and it has won numerous design awards and has been a focus of discussion at multiple correctional conferences around the country as well as internationally because of its design, its approach to normalize environment, and how it fits within the community. They paid a premium for it at \$196,000 per bed but it is a phenomenal facility but he wouldn't say that's the standard we should look at for the County's facility. The big picture it paints is right now, being early programming and planning and conceptual estimating, we are in the middle, right where we should be.

Chuck Staddick asked how long the San Mateo facility been in place. Mr. Valdez said they took occupancy and moved inmates in June of 2016. They received an architectural design award, and others were issued from design build institute based off of how the team (contractor, architect, design team, and owner) worked together and collaborated, as well as the presentations they've been doing at ACA, which is a large jail conference, in their approach to a normalized environment, heavy programs, addition of daylight, how the jail facilities can be civic, and amenities within the community. Mr. Valdez said they are still gathering some post-occupancy data; they had preliminary information they shared this last year but they are gathering data with regard to reduction of recidivism, inmate-on-inmate/inmate-on-staff violence, those outcome-based metrics and analysis. They have



indicated they feel it will show there is positive outcome but it's too soon since they've only had 12 months of data collection. We need to be able to see what this is like three years down the road. Mr. Staddick said there shouldn't be a lot of emphasis made until you have the results. Mr. Valdez agreed and said a lot of it's based off design, team, delivery method, and how the community views the facility but we'll see if the actual design solution and how they run it have beneficial outcomes in the coming years. He said there are a lot of projects that are being approached in the same way. On all of their projects DLR has a building optimization group that looks at how buildings are performing. Ms. Coppenrath said they do a staffing analysis and come up with what they think the operational costs will be so we can budget for it. The SCORE facility in Washington has been open for almost seven years and they don't have taxpayers paying for it directly - the cities that use it pay it through their bed rates so DLR had to do a lot of analysis on what the operational costs are. They just did a five-year retrospective on what their costs were versus what DLR predicted and they are running \$2M less than predicted so they are being run very efficiently and are very well staffed. She said DLR can do that analysis for us; it's not always going to hit spot on but they can do those predictions.

Paul Alldredge asked what the deputy/inmate ratio is in the other facilities versus what we have in the current jail. Chief Dashiell doesn't think you can get a true deputy/inmate ratio because of the design difference. The deputy assignment is based on the facility construction not the number of people that are assigned to it. Ms. Coppenrath said they are predicting that we'll be using about the same number of staff in the new facility for the 1044 beds as we are now with 477 beds. Mr. Valdez said they'd have to do an analysis of the other projects to see what their inmate to staff ratios are, but a big driver of that is whether it's direct or indirect, blended supervision, dormitories, cells, do they have special management units, do they outsource and contract certain staffing positions? All of that needs to be analyzed to try to normalize that, but a subtle change in design solution all of a sudden creates or reduces a staffing post so that's why we take great care in making sure our projects are as staff efficient as possible.

Ron Harriman said DLR produced that \$56M contract and they wound up producing that for \$65,000 a bed according to DLR's site. He noticed their listing of the construction projects is not duplicated on their site, even nationally, so they might want to check that. Mr. Valdez said some of the information that gets put on websites are based off of construction estimates at the start, before bid, and has not necessarily been updated with actual final construction costs after bid or after project completion, but they are able to go in and mine it through project management software to pull this data out of final construction costs on their projects. Ms. Coppenrath said during that project the owner added a \$1.5M driveway to be able to access the site that they didn't think they were going to need. Mr. Harriman said he will talk to DLR after the meeting because he thinks there are items that are not in the other projects in comparison.

Mr. Valdez said we can talk about additional cost reduction opportunities. These are some things they brought in, and a lot of this and the methodology from a construction cost and systems was based off of what was provided in the SCORE jail just south of Seattle as well as the Skagit County jail which is in Mount Vernon, north of Seattle, which are two projects the County was familiar with and has toured. The following are things to look at for additional reductions:

- Epoxy paint – there was an upcharge, it's being anticipated to use prime coat, which is specialized painting material rather than using a standard epoxy paint so that can be eliminated.
- They were anticipating cameras in every cell, but that can be reduced to pull cameras out of the general population cells in the maximum segregation cells since there's only one person within them, and keeping cameras within all the holding cells within the special management unit and the mental health unit as a way to control costs.
- They looked at whether there are programs that can be removed and put off toward future expansions/needs which would be future growth is incorporated within the administration space so we can pull that square footage out and anticipate a small addition to the administration unit in the future as that need is met.
- Removing one of the program units and incorporating it into a future expansion.
- Removing the warehouse out of the project and incorporating that into future expansion.
- Pulling the work release program out from here and keep it located at the Dale Haile facility.
- Currently they are carrying a 13% design and construction contingency which they feel is very appropriate for this time within the project but that could be reduced to 10% at this point in time.

The cost reduction opportunities would have a net benefit of construction cost reduction of \$16M-\$20M, which then once you apply those soft costs and other factors with tax and everything else could be a project cost savings of \$22M-\$28M. By doing this it would put the County at or below a cost per square footage of Skagit County which was in the lower end of those range of projects and a cost per bed analysis but the other thing to consider is that delaying the project by a certain amount of time just based off of that escalation cost, which is 4.5%, which they feel is very appropriate, but based off the scale and the size of the project a one year delay based off of what was assumed with all the cost modeling is about a \$7M construction increase or a \$9M project cost increase for every year that would be delayed. That's one thing they looked at from construction methodology - how do we take advantage and make sure that escalation isn't hindering and hurting the project from a cost standpoint and a cost modeling which is a big reason why they chose to base everything off of a CM at risk delivery method so what does that mean within the plan if you end up eliminating some of those. If you eliminate the work release that's included in the floor plan we could add it in a future phase if you want to relocate it back out there. It would take about 10% square footage out of the administration area so you'd have to plan for future expansion at some point in time to be able to add those additional spaces back in. We can't take all the warehouse out because there's maintenance and some storage that's needed for operations but we might be able to take about half the warehouse space out and plan for future growth. The space for programs such as AA, NA, GED, religious programs, and skill development programs is located directly off each of the different housing units; we could

pull one of those out and include it in a future phase which would mean the inmates within the housing unit would have to go down to another housing area to access those programs so that's more operations and inmate movement but it could be considered as a cost reduction.

Hubert Osborne asked how many programs there are for average jail time of 16 days 20 days. Ms. Coppenath said the national average is 16-21 days and depending on how efficient the courts are running it can be a lot longer than that. There are some people who've been waiting for their trial for 2-4 years so we have programs that get people involved in AA and NA, but we also have long term programs such as GED and others who are there for 90 days or 120 days, or whatever it might be. We need to provide a continuum of programs for every length of stay and the jail staff are looking forward to be able to implement more programs than what they can do now because they just don't have the space. Besides a bail reform, programs are things that are going to reduce the size of your jail and DLR has taken that into consideration through this design.

Kathy Alder asked for the cost per pod. Mr. Valdez said they did an analysis of that in their previous presentation and he will find that information for her.

Clerk Yamamoto asked what the operational cost impact is in particular to staffing with retaining work release on campus. Ms. Coppenrath said staffing should be the same because you will use the existing beds upstairs at the jail, you'd have the same officers that would run work release out here as you would downtown so it should be about the same. It is staffed with two people pretty much fulltime so you would have those staff remain at the existing jail. As to whether there would be some overlapping with staff between the facilities, Chief Dashiell said the only thing you'd run into is food service.

Kathy Alder asked if transportation has been considered and whether there will be an increase in staff. Ms. Coppenrath said they have taken that into consideration with the staffing costs. There may be two to three staff difference but the analysis that's been done early in the project shows we're about the same.

Commissioner Dale appreciates the participation today and said this is exactly what we need to do and it has to be a collaborative community effort or it's not going to succeed. We have to understand the need, the cost involved and in some fashion or another we're going to have to pay for something at some time because the present situation cannot continue on indefinitely because it's a poor situation. He said our Prosecuting Attorney has said our present Dale Haile facility is the largest liability risk we have in the County. Prosecutor Taylor said we have spent millions of dollars defending numerous lawsuits.

Bob Carpenter said he thought today's meeting was to discuss a proposal for an expanded marketing program provided by these people to the citizens of the County. Commissioner Dale said that was a misconception, that's not what this meeting was centered on.

Sid Freeman asked if DLR has on data on the population and economic base of the geographical area that the listed jails serve and how it compares to what we have in Canyon County. He said it would be helpful to see whether we are being overburdened with expenses based on our population and economic base. Mr. Valdez said DLR does not have that data. Pretty much every one of those jails went through a similar process that we went through with Canyon County with doing needs analysis based off of growth, population projections, and needs, each one is unique with regard to the need based off of localized laws, community approach to the justice system, legislative actions within those states, etc. He's not sure how they would approach that. Mr. Freeman said it was stated that the SCORE jail is not going

back to the taxpayer because each city pays for it (which is being funded by the taxpayers.) Ms. Coppenrath said they didn't ask for a vote of the citizens to get that passed. They created a public development authority and then they let bonds and the taxpayers ultimately are paying for it but for lack of a better word they didn't have a say in it. They are paying it per their daily rate, which they would have paid for at any jail they used because they didn't have their own jails so for example, King County was charging them \$198 per bed day, plus a \$350 booking charge for every inmate that was going to King County and now they are paying it to their own jail that they have control over. She said SCORE is not as apples to apples in terms of what their demographics are because they are only a misdemeanor jail and not a felony jail so it would be a little skewed in terms of the data. Mr. Freeman asked how many of those were like kind to the type of the architectural structure we are looking at here. Mr. Valdez said the majority of them would be deemed a horizontal jail concept which is what ours is, pretty much a one-story horizontal facility. There are a couple that were verticals so they had more multiple floor plans but that's a smaller grouping of those that were a vertical jail component, but as far as how were they configured, how were the units set up, were they set up to be a blended supervision model like this one versus being a direct supervision model, he doesn't have that data. The question was brought up about how much one of the housing units would cost (so in referring to the PowerPoint he said) this is a cost comparison they brought in from a previous presentation as well as included in the report and what you'd be able to see is the proposed program on the far right, one over is to remove one housing unit and that would be one housing unit along with the program space associated with that. So the project cost difference is about the cost for one housing unit and its support program space is \$34M in project budget so that would be something around \$22M-\$24M of what the actual construction cost would be, but the project cost is \$34M.

Bob Carpenter asked what the plans are for going forward with this plan; are we going to promote it and consider this option? How does this go out to the community? Commissioner Dale said we are talking about that and Sam Laugheed has developed a step-by-step plan on how we'll move forward. Educationally we have some due diligence to do on the various funding options; there are 3-4 different methodologies that could be utilized and we're just in the beginning stages of how to analyze that. We have talked about getting proposals from other groups based on this analysis, based on what they've come up with here and put that out for a request for information/request for proposals from other people who do this kind of work.

Commissioner Rule said he's been going through this process for 11 years and the reality is the population base we have won't accept \$135 per \$100,000 of value added to their taxes. This proposal has zero chance of being bonded and we're in a dangerous dance because it's being staged and prepared for a judicial review/mandate that would make the taxpayers absorb this cost so for us to move forward with a plan to build a \$198M jail is setting the stage for a judicial mandate that would increase our taxes. He is really nervous about the process when three previous bond attempts for a \$50M-\$60M bond failed. He has zero faith this will fly so his advice is to get real about what Canyon County might approve. This plan (DLR's plan) is not his plan.

Commissioner White said she has no intent to do anything that's going to force a judicial mandate. She doesn't want to put the burden on taxpayers because they're already overburdened so she's doing her due diligence and looking for alternative funding sources where society as a whole can come together. She would like to consider a local option

revenue source for jail construction in the amount of one cent that would debt service a 20-year bond to be paid off in 10-11 years, and if we use a half cent local option sales tax we could probably retire it in 16-17 years. She said if you look back at the past three failed bonds, each one has a "Paul Harvey, that's the rest of the story" attached to it; amounts changed, there were concerns with the way the property was purchased, and there was discontent and mistrust associated with them. She has spoken with four Canyon County legislators who would support a local option sales tax and she asked for the public's support as well. These are societal problems and everybody should pay but it will take all of us in order for it to be successful. Commissioner White spoke of two incidents that occurred this past fall where, due to the unsafe design of the facility, a deputy could have been beaten to death by an inmate had it not been for another inmate who had a conscience and got on the radio and called for help. There was also an escape where an inmate turned up in a Caldwell home where the homeowner was there by herself. Both situations were dangerous and weigh heavily on her as a Commissioner and she wants to find a way to get the jail built and noted it will take not only the elected officials' support but the support of the public as well. Bob Carpenter asked how much money we have right now that can be put toward a jail project. According to Commissioner Dale we have approximately \$3M.

Commissioner Rule said while the local option sales tax would work if Canyon County would approve it, COMPASS has been trying to get a local option sales tax approved for 11 years but they can't get past the state legislature.

Commissioner Dale said he has no ulterior motive for anything other than a new jail – one jail, not multiple jails because that is neither effective nor efficient. One of the greatest challenges of elected officials is to look beyond the next election and act as a fiscal conservative to look down the road and allow for maintenance costs and growth and do it in the most cost effective manner available. He said he's not looking that this is a game of chess where we do X, Y, and Z and end up at a judge's desk and say tell us to do it. He hopes we can solve this problem without having to do that because that's never the best option, it would be the last resort. With regard to a local option sales tax, he thinks that is allowed and Sam Laugheed has been checking on it. We have to put all options on the table to get this done because the option of doing nothing is the most costly option. He said DLR did a comparative cost of various opportunities and one of them was the cost of status quo which is where you acknowledge there are 250 prisoners out there right now that ought to be in jail out of the 650 that are on pretrial release and if you acknowledge that population will grow there is an increased need for incarceration space as you go on. Right now we can't find more beds than we are already utilizing within the state of Idaho so that means you have to start going out of state and that's even more cost so the cost of doing nothing is the most expensive over the 20-year run, it's like \$800M if he remembers correctly. The cost of incrementally doing maybe just a little bit now and the cost of an addition to the jail was considered and those costs are more than the cost of doing it once and doing it right so our corporate responsibility is to figure out what is the right way to do it. We don't have that answer today. We have a really good analysis that is based on scientific data and methodology that is accepted throughout the nation, it's verifiable so we need to take this as a tool and work together to design what works for Canyon County. We will figure it out but it's not going to be free and that's what we need everybody's help to do. He thinks Commissioner White's optimistic look on the local option tax is a great idea and he likes it better than a property tax.

Chuck Staddick asked how the half cent potential revenue was derived. Zach Wagoner said it based on last year's sales tax revenues. Mr. Staddick asked if the Board has looked at any federal grants that could help with building a jail. Commissioner Rule said those that were applicable or available at that time would be out of focus now so we'd have to start all over again, and until you get a project ready and approved to build you can't get a grant. Commissioner Dale said it's his understanding that those kind of grants are really limited and with the present attitude in Washington, DC, he doesn't think we're going to see those kind of grants coming out.

Clerk Yamamoto asked for a comparison of a horizontal jail to a multi-floor structure. Mr. Valdez said they have a two projects in their presentation that are at the same point in time: one is the Clark County, Washington jail and your Canyon County jail. Jail populations are almost the same, one is a downtown urban environment vertical jail concept and the other is a horizontal jail concept. That's usually the difference you end up paying. Not to mention there are some operational inefficiencies within a vertical jail for inmate movement because you have to have access to the elevator which means additional staffing and additional issues associated with that not to mention smoke evacuations are a little more expensive with a vertical jail so there are aspects with that. With Clark County that's the land that's available so that was their solution to be able to approach it and that's why you end up seeing a lot of these large jails going either totally horizontal or totally vertical like the LA Men's Central Jail which is 11 stories and \$1.8B (billion dollars) to be able to build that.

Hubert Osborne asked if the County can legally charge an impact fee for jail use. Commissioner Dale said County and municipality impact fees are the same, you can charge the same range of fees and I believe in the City of Nampa they have a public safety impact fee that helped fund a couple of fire engines. He thinks there is an allowance for an impact fee for public safety but doesn't know how it applies in this. Prosecutor Taylor said they are in the process of researching that.

Larry Olmstead said in Nampa it's for police, fire, parks, intersections and bridges, but they aren't charging this year because the police had a balance to carry over from previous years but they are still in there. Commissioner Dale said the impact fee for public safety can only be used for construction of new facilities, not on salaries, it can only be used for hard construction. He went through the process when he was the mayor and they established impact fees, but there's a yearlong process to do an analysis to justify the appropriate impact fees for the appropriate things, for example, when you talk about park impact fees the big commercial and industrial builders don't get the assessed impact fee because they don't impact that. Another thing is impact fees only affect you from the point they're instituted moving forward and so if you're looking at impact fees as a possible funding source to build a jail that's a long ways down the road before you'd have enough funds to do anything. It could help maybe for the future expansion if you need to do that, but there again you'd have to do an impact study to find the impact of industrial growth, for example, which is the largest share of our tax base, but it may not even be subject to a public safety impact fee. That's something that would take a long time to study, but it is a possibility.

Ron Harriman said Commissioner White has an excellent idea. He said they have formed a committee and they are fully familiar with jail construction throughout the northwest and the United States. He's an ex-contractor and he's built jails and estimated jails and he knows what jails cost and that's one of the things he wants to talk to DLR about after this meeting to make sure they (DLR) have the right information to be competitive in this attempt to

correct what we have wrong. We know we need a jail and we will have a jail but we will have the right jail at the right cost at the right place or we won't have a jail, we'll have a lawsuit. Commissioner Dale anticipates having more of these meetings and he encouraged the public to stay involved with accurate information so we can be on the same page and keep our eyes on the goal of public safety in Canyon. The meeting concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 8, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- edu Business Solutions in the amount of \$1870.20 for the Information Technology department
- ITCC (Idaho Tower) in the amount of \$5026.00 for the Information Technology department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communication items: he will work with Commissioner White on some KBOI talking points; he will attend the upcoming local emergency planning committee meeting on Wednesday, Channel 2 has a drone for news purposes and they are giving a demonstration on Thursday to show who their pilots are, when they're going to use it, and how they're going to use it so he will probably attend the demo; the Sheriff's Office is having a semi-annual award ceremony on Friday; he has information on the courthouse closure for next Monday for Idaho Human Rights/Martin Luther King, Jr., Day; the Historic Preservation Commission will hold a meeting on Thursday; the landfill free day is coming up on April 28 so he will work on the notification for that; the Elections Office would like to do poll worker training videos; and there may be an update from the Sheriff's Office on a shooting incident in Wilder. Commissioner Dale thought Friday's meeting with DLR and the concerned citizens went really well. Commissioner Rule said the fact that the citizens group bought off on the half cent local option sales tax proposal is a good sign. He said Jeff Bradley with HOK has

requested to meet with the Board (HOK built a 1,100 bed jail for \$140M). Commissioner Dale said we need to talk to legal counsel because Sam Laugheed talked about going forward with a request for information and make an official request for them to provide information on what they can do. There are three or four groups that could do it, Core Civic being another one and they have indicated they've built three 4,000 bed facilities in the past 18 months for much cheaper than what DLR quoted so we need to get that request for their information ready. He will talk to legal counsel about that today. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Salinas Foods, LLC dba Yita's Family Restaurant King Legend Hall (See Resolution no. 18-002).

#### LEGAL STAFF UPDATE

The Board met today at 9:06 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Commissioner Dale asked about the state statute regarding local option sales tax authority, he knows it's an option for resort cities and believes it is an option for construction of jails. The Board also asked what the guidelines would be for having a jail company come in on January 18<sup>th</sup> to present about what they have to offer for jail construction. Commissioner White asked about allowing DSD to process refunds up to a certain amount without having to come before the Board. Mr. Porter said he or Mr. Laugheed would look into each item the Board asked about. The meeting concluded at 9:14 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 CONSIDER AGENDA ITEMS

The Board met today at 9:33 a.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: at a quarter of the way thru the fiscal year they are at 41% of revenues. She has been invited to be part of a panel at the Ag forum in Nampa. She has been working with Zach Wesley and Chief Dashiell to review and update the job description for the code enforcement position. Chief Dashiell will participate in the recruitment and interviewing as they have in the past, additionally, they may look at a limited deputization for that person to be able to issue citations. Ms. Nilsson hopes to have that completed and posted by the end of the week to be posted for the next few weeks. There are a couple of code enforcement issues she will be bringing to the Board thru a legal staff. There is a question about P&Z commission stipends and mileage. The Board agreed to \$25 for a work session, \$75 for hearings and then



mileage for hearings, work sessions and approved trainings. Ms. Nilsson will work with Zach Wesley to get a new resolution created for the Board's consideration.

***Consider signing a resolution to issue a refund for a zoning compliance fee to Ryan Huyck:*** Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution issuing a refund to Ryan Huyck (see resolution no. 18-004)

***Consider signing a resolution to issue a refund for a plan review deposit to Duane Crawford:*** Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution issuing a refund to Duane Crawford (see resolution no. 18-003)

The meeting concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 9, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Tyco SimplexGrinnell in the amount of \$22,637.00 for the Facilities department
- Northwest Service Technologies in the amount of \$29,700.00 for the Facilities department
- Northwest Service Technologies in the amount of \$31,800.00 for the Facilities department
- Northwest Service Technologies in the amount of \$28,300.00 for the Facilities department

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

The Board met today at 8:32 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro,

IT Director Greg Rast, Assistant IT Director Eric Jensen, IT Operations Manager Don Dutton and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following items: He has several purchase orders for the Board's consideration – there are three to bring DDC controls to the juvenile detention center which includes the juvenile detention center, juvenile probation and misdemeanor probation. The new controls will allow for more control of those areas in that the heating and cooling will not have to run 24/7 but instead can be set to certain temperatures for certain days and times of the day. He expects to see about a 10% reduction on the power bill. Another project he's been working with IT on is a fire suppression system for the data center. A lot of research has been done and they've found a non-flammable oil suppression system that uses a soy bean modified oil. There is a large transformer that Idaho Power moved about a year ago at no cost with the understanding that costs would be recouped thru usage. However, without that transformer being used and Idaho Power not able to recoup the costs the county will now be charged a \$600 monthly franchise fee. It would be approximately \$17,000 to remove the transformer which was not budgeted for this year so Director Navarro may revisit the issue for next year's budget. Additional projects the Facilities department are working on include getting the fairgrounds ready for the Ag show and a couple small remodel projects for the Indigent Services office and IT.

Director Rast updated the Board on the following items: Recently the county's internet and phone provider was purchased by Century Link. This change could affect telephone, internet, and email. There are still a lot of questions as to how or when this will happen but he will keep the Board informed once he learns more. They have several projects that will be going live shortly including the landfill cutover to port over their phone numbers onto the county system, the CCNU microwave project and the fair and family court services websites. He has five project closures he will be reviewing with the Board at the end of the month. Mr. Rast provided a handout to the Board giving a breakdown of project hours and how some projects may need to be put on hold due to not having enough of the appropriate staff to work on the projects (a copy of the handout is on file with this day's minute entry). The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS MASTER PLAN FOR THE CANYON COUNTY FAIRGROUNDS

The Board met today at 9:38 a.m. to discuss the master plan for the Canyon County fairgrounds. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Facilities Director Paul Navarro, Mayor Garret Nancolas, Caldwell Public Works Director Brent Orton, Reagan Rossi from the College of Idaho, CNR Board Members Frank Wyant, Curt Ruehl, Jim Bower, and Craig Stradley, Areena Arora from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Paul Navarro spoke about the work the County's maintenance staff has done at the fairgrounds, such as: removal of the damaged metal siding, used 900 gallons of white paint, installed three 20-foot diameter fans, brought a new 40-volt three phase service into the building, redid the landscaping in front of the building, installed a new staircase on the outside of the building, eliminated dated materials, installed large fans to help move air horizontally where the rabbits and chickens were housed, and remodeled the concession stand and the restrooms. Mayor Nancolas said there have been a lot of improvements to the O'Connor building and he estimates the city

has spent between \$600,000 and \$700,000. Improvements include: new restrooms, painting projects, stripping of the old insulation from the inside of the building, and installation of a new roof and fans. Brent Orton said this year's plans include redoing the lower roof, fixing broken concrete and a new reader board sign.

Commissioner Dale said we have talked about what assets the County has that could be utilized here, such as the 80 acres on Highway 20-26 and if that property is sold the proceeds should be dedicated to the fair and to this area. We have also talked about tiling the Wilson Drain which would make that entire area usable for some purpose. Diana Sinner said in the 2002 fair master plan they were going to leave the creek open and beautify it and have a building near Georgia Avenue; they envisioned putting the concerts back on the grass (near the Taco Time location). There could be an access road for the artists' busses and backstage logistics that have to happen, but eventually if they have a building to house the open class exhibits and commercial vendors it would free up the O'Connor building for 4H and FFA use, and the livestock would be in the Charolais barn. The other side would open up for more entertainment and they'd probably leave the carnival on the grass with the plan to add parking on Georgia Avenue with a main entrance in that area too. Mayor Nancolas said that was part of the original master plan and that's why the city pushed Georgia Avenue through to the boulevard so there could be access, but the Wolfe Field is untouchable because the city has invested several million dollars in it, however, the softball field area, which was at one time considered for use as a track by the College of Idaho, could be turned into parking. The city can remove the ballfields and rebuild them someplace else. He said the property by Taco Time needs to be left open because the rodeo needs it for parking, the college needs it for practice fields, and the fair needs it for the carnival so it should be left as grass. If the County wants to tile the drain they could extend it out so there would be more space; it would be a joint partnership and both agencies would share the costs. He spoke about the rodeo board's plan to move the plans to another area, and how the city has made improvements on 21<sup>st</sup> Avenue and there is now a new crossing which makes it safer for people to park and walk in the area. Mr. Navarro asked if parking will be allowed on the baseball diamonds like they do at the Western Idaho State Fair. Mayor Nancolas said yes, parking is allowed there. Commissioner White asked if the pens which the rodeo plans to move behind the football field will be permanent. Jim Bower said they are trying to design it so that part is permanent and part is accessible for the fair's needs. Commissioner Dale asked what's going to happen to the ground behind the rodeo stadium. Mr. Bower said it will change slightly; next to Stock Trail Road they're going to add some pens on the east side but it will only come out to the gate and you will be able to break apart the panels and stack them to allow for parking for the fair.

Commissioner Dale said there are plans for a new fair building similar in size to what we have and it's estimated to cost \$500,000. Mr. Navarro said he was told the County's share of tiling the drain would be between \$250,000 and \$300,000. Mr. Orton said whatever the plan turns out to be the city is ready to design it - whether it's tiled in place or tiled up and around. Ms. Sinner said the original master plan left the creek open with some bridges going across it. Commissioner White likes the idea, but Mr. Navarro said it will be hard to maintain the drain if it's left open. Commissioner Dale said it would be more cost effective to tile it and plant grass over it. Mr. Orton said the drain is a Bureau of Reclamation facility that will

eventually transfer to the city. They will need a consent to use agreement and once it transfers they'll need a permit from the Army Corp of Engineers as well as a certification from the Department of Environmental Quality with regard to public comment. If the permitting can be accomplished this summer the city will plan to start the project in the fall after the irrigation season.

Commissioner Dale asked if the College of Idaho is still interested in putting some visitor locker space behind the football field. Reagan Rossi said they are and they are fundraising for the tent structure now. They will use Conex shipping containers and they plan to turf the interior of the facility, but they decided against a restroom and shower facility due to the additional expense. Commissioner White said if we're going to have a concert venue next to the facility perhaps we should consider adding restrooms. Ms. Sinner said it wouldn't be a public restroom, it would be for artists. Mayor Nancolas likes Commissioner White's idea about having permanent restrooms because they will be needed for the long term. Ms. Rossi spoke of the possibility of removing a row of Conex containers to allow space for restrooms and locker/shower facilities. Mr. Orton will do a layout and ask for feedback.

Curt Ruehl spoke about how the internet service is slow and sporadic on site and they've had problems checking/scanning rodeo tickets. Mayor Nancolas will check on that because he was told upgrades had been made and internet service is now available to the property. He would like to look to the long-term and bring in fiber, but that will involve looking at the costs and having all four entities figure out the best way to do it and then determine how to pay for it. Mr. Orton said we are connected to each other and if we can connect to a city ring we could get fiber to the site; he will add this item to his to-do list.

Mr. Ruehl asked if the proposed parking area by Wolfe Field will have grass and sprinklers. Mayor Nancolas said it will be a combination of both; they need to leave some areas in grass but some areas will be paved. The city is working with Union Pacific Railroad to negotiate the use of the right-of-way even closer to the tracks and they hope to build paved parking along the tracks and leave the rest of it in grass. Mr. Navarro asked if there is a timeline on the parking lot pavement improvement project for 21<sup>st</sup> Avenue and for the project on the other side of the tracks. Mr. Orton said it's been budgeted for this year, but Union Pacific has been vacillating about the type of fence and what offset they want from the tracks.

Mayor Nancolas said we aren't going to pave it if the stalls eliminate that from being used by the rodeo for their pens so as soon as we get an agreement on the configuration of the pens they will begin paving. Commissioner Dale said there was talk about an underpass/pedestrian walkway under the railroad tracks, but is that a moot point now that the pens are going to be moved. The Mayor said it's not off the table, but the negotiations are not easy. Mr. Orton said it will be cheaper if we move the pens and if we're only accommodating pedestrians rather than livestock. The estimates were around \$2.5 million. With regard to tiling Wilson Drain, Mayor Nancolas said city staff will prepare estimates to 1) tile it in place and 2) tile it based upon the curvature of Georgia Avenue and Stock Trail Road. Once they know the size of the building the County wants they will do a layout on that end of the property and prepare a drawing of an amphitheater on the other end and then give a timeframe on the parking across the way with the RV parking. The Mayor suggested the group meet again in another week to talk about removing one of the ballfields and making the space available for whatever the County's needs are. Mr. Ruehl said there is pile of dirt near Gabiola Field and it's wasting a lot of space, however, the Board and Mr. Navarro

do not want the dirt moved because the County could use it as part of the tiling project. Ms. Rossi will try to get permission for the County to use the dirt. Commissioner Dale said there were concerns about the loss of the VIP fairground area. Ms. Sinner said they can still have a VIP area on the grass; she likes the concerts in the rodeo arena but some of the opportunities they had when it was held at the stadium have been lost and they're still getting asked about things such as company picnics. Commissioner Dale said there were discussions about trying to incorporate some youth athletic activities during the fair or a college recruitment event in conjunction with the fair. Ms. Rossi said the timing is off with the fair being held the last week in July because the college kids don't start arriving until the following week, but at some point we should sit down with the coaches and collaborate. Commissioner Dale would like to meet again in two weeks. The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

**JANUARY 2018 TERM**  
**CALDWELL, IDAHO JANUARY 10, 2018**

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

**APPROVED CLAIMS ORDER NO. 1-25-18**

The Board of Commissioners approved payment of County claims in the amount of \$253,942.40 for accounts payable.

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

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

**APPROVED PURCHASE ORDER**

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$24,950.00 for the Sheriff's Office

**LEGAL STAFF UPDATE**

The Board met today at 10:11 a.m. for a legal staff update. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Mike Porter said every year Eide Bailly asks for a letter from the Clerk assessing the county's litigation

liability. In order for the letter to be released they need the Board's approval. Commissioners White and Rule both agree that the letter looks good and are okay with it being released. Chief Deputy P.A. Sam Laugheed will sign the letter and get it sent to Eide Bailly (a copy of this letter is on file with this day's minute entry).

EXECUTIVE SESSION – REGARDING ACQUISITION OF AN INTEREST IN REAL  
PROPERTY AND COMMUNICATE WITH RISK MANAGER REGARDING  
PENDING/IMMINENTLY LIKELY CLAIMS

*A request was made to go into Executive Session to discuss acquisition of an interest in real property and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:15 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were Commissioners Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:36 a.m. with no decision being called for in open session.

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

**JANUARY 2018 TERM**  
**CALDWELL, IDAHO JANUARY 11, 2018**

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$7218.00 for the Information Technology department
- BOE in the amount of \$7910.00 for the Information Technology department
- Dell Inc. in the amount of \$14,174.40 for the Sheriff's Office
- Watson Consoles in the amount of \$44,453.00 for the Sheriff's Office
- Apple Inc. in the amount of \$29,820.00 for the Sheriff's Office
- First Responders in the amount of \$8750.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 1-11-18

The Board of Commissioners approved payment of County claims in the amount of \$14,953.49 for accounts payable.

### INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0252, 2018-0241, 2018-0253, 2018-0320, 2018-0243, 2018-0256, 2018-0254, 2018-0319, 2018-0245, 2018-0257, 2018-0255, 2018-0244, 2018-0251, 2018-0321 and 2018-0240. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

### INDIGENT MATTERS

The Board met today at 8:49 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The following cases meet the criteria for county assistance: 2017-1333, 2017-996 and 2017-1585 upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to approve the cases as read into the record with written decisions to be issued within 30 days. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1230

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for Case No. 2017-1230. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Attorney Mark Peterson for St. Luke's, Kassi Glasgow for St. Luke's, Representative from St. Luke's, the applicant participated via telephone and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue the case to March 8, 2018. The hearing concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY HEARING FOR CASE NOS. 2017-1713 AND 2018-69

The Board met today at 9:32 a.m. to conduct a medical indigency hearing for Case Nos. 2017-1713 and 2018-69. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Attorney Mark Peterson for West Valley Medical Center,

Karen Thurber for West Valley Medical Center, The applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner Dale the Board voted unanimously to approve case no. 2017-1713 with a written decision to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to deny case no. 2018-69 with a written decision to be issued within 30 days. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1609

The Board met today at 10:01 a.m. to conduct a medical indigency hearing for Case No. 2017-1609. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, The applicant, Kassi Glasgow for St. Luke's, Ashley Hess for St. Luke's, Attorney Mark Peterson for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue the case to March 8, 2018. The hearing concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1226

The Board met today at 10:11 a.m. to conduct a medical indigency hearing for Case No. 2017-1226. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, The applicant, Kassi Glasgow for St. Luke's, Attorney Mark Peterson for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to deny the case with a written decision to be issued within 30 days. The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1564

The Board met today at 10:24 a.m. to conduct a medical indigency hearing for Case No. 2017-1564. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue the case to March 8, 2018. The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS



The Board met today at 10:28 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Generalist Kellie George, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Director Baker explained this is for case no. 2017-106 that was approved on January 4, 2018. The order for reimbursement was not attached at that time and therefore she is entering that today. No decision was necessary, it is for informational purposes only. The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1263

The Board met today at 10:29 a.m. to conduct a medical indigency hearing for Case No. 2017-1263. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Attorney Mark Peterson for St. Luke's, Kassi Glasgow for St. Luke's and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue the case to March 8, 2018. The hearing concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:45 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue denials on the following cases with written decisions to be issued within 30 days. 2017-1450, 2017-1602, 2017-1613, 2017-1652, 2017-1383, 2017-1647, 2017-1623, 2017-1669, 2017-1693, 2017-1628, 2017-1227 and 2017-1483. The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1561

The Board met today at 10:47 a.m. to conduct a medical indigency hearing for Case No. 2017-1561. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to continue the case to March 8, 2018. The hearing concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER INDIGENT MATTERS

The Board met today at 11:00 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Generalist Kellie George, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue denials with written decisions to be issued within 30 days on the following cases: 2017-1389, 2017-1556 and 2017-1603. The meeting concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

### RESCHEDULE PUBLIC HEARING IN THE MATTER OF THE APPEAL REGARDING A REQUEST BY COPE SAND AND GRAVEL FOR A MINERAL EXTRACTION EXPANSION, CASE NO. PH2017-52

The Board met today at 1:34 p.m. to go on the record to reschedule the public hearing regarding an appeal filed in the matter of a request by Cope Sand and Gravel for a mineral extraction expansion. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing to January 23, 2018 at 1:30 p.m. The proceeding concluded at 1:35 p.m. An audio recording is on file in the Commissioners' Office.

### JANUARY 2018 TERM CALDWELL, IDAHO JANUARY 12, 2018

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

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

The Board met today at 8:01 a.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale and Steve Rule, Judge Bradley Ford, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Ford let the Board know that this will be his last meeting as ADJ and thanked them for the working relationship and support of the courts. He expressed great appreciation for the work Director Navarro and his staff have provided in the remodel of the courtrooms. Judge Wiebe will be taking over as ADJ on February 1<sup>st</sup>. He is unsure as to whether she may or may

not want to continue with monthly meetings as her chambers are in Payette County. The meeting concluded at 8:10 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN

The Board signed the Treasurer's Tax Charge Adjustments by PIN for December 2017.

#### FILE IN MINUTES

The Board filed the Annual Mosquito Management Plan by Canyon County Mosquito Abatement District in today's minutes.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Lt. Dave Schorzman (left at 9:05 a.m.), Director of Misdemeanor Probation Jeff Breach (left at 9:03 a.m.), Elections Supervisor Cassie Whitney (left at 9:08 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing resolution classifying records of Canyon County Misdemeanor Probation and authorizing destruction of closed offender supervision files:*** Jeff Breach said closed offender files need to be maintained for 2 years and after that time period they can be destroyed. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution classifying records of Canyon County Misdemeanor Probation and authorizing destruction of closed offender supervision files (see resolution no. 18-005).

***Consider signing Emergency Management Performance Grant Adjustment:*** Lt. Dave Schorzman said this is an addition to the Emergency Management Performance Grant. This adjustment is due to leftover monies at the close of the grant. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Emergency Management Performance Grant Adjustment (a copy of the document is on file with this day's minute entry).

***Consider signing independent contractor agreement with Meeting the Challenge:*** Mike Porter said this is the culmination of several months working with the Department of Justice to make sure county polling places are as ADA compliant as possible. The cost of this service is \$45,600. The Clerk's Office has reviewed the agreement and is satisfied with it. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement with Meeting the Challenge (see agreement no. 18-003).

#### EXECUTIVE SESSION – REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND TO

COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY  
LIKELY CLAIMS

*A request was made to go into Executive Session to discuss acquisition of an interest in real property, records that are exempt from public disclosure and to communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:23 a.m. with no decision being called for in open session.

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

APPROVED NOVEMBER 2017 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2017 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.

JANUARY 2018 TERM

CALDWELL, IDAHO JANUARY 16, 2018

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

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Joe Decker reported on the following communication issues: he will put the HPC survey online, Director Loper reached out about getting information on the spring cleanup day which is April 28, and the household hazardous waste disposal event on June 9, the veterans' court graduation is on January 29 so

he will send notice to media. The meeting concluded at 8:41 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the monthly report of the Treasurer for November 2017 in today's minutes.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Mike Porter, Clerk Chris Yamamoto (left at 9:04 a.m.), Elections Supervisor Cassie Whitney (left at 9:04 a.m.), Clerk's Executive Assistant Taryn Peterson (left at 9:03 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing independent contractor agreements for court interpreters Val Kvitko-Simon and Maria Mabbutt:*** Allen Shoff said Ms. Kvitko-Simon is a Russian interpreter who is on the state roster of master certified interpreters and Ms. Mabbutt is a Spanish speaking interpreter who is on the conditionally approved list and will be used as a back-up. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreements for court interpreters with Val Kvitko-Simon (see agreement no. 18-004) and Maria Mabbutt (see agreement no. 18-005).

***Consider signing a resolution approving maps for 2018 Canyon County voting precincts:*** Cassie Whitney said this is the annual resolution to have precinct boundaries approved, no boundaries have changed in several years. Clerk Chris Yamamoto said the only reason to change precinct boundaries is if you have a precinct that has gained or lost voters. Redistricting will happen after the 2020 census. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution approving maps for 2018 Canyon County voting (see resolution no. 18-006A).

***Consider signing Canyon County jail renewal application for medical professional liability insurance:*** Mike Porter said The Hartwell Group and their sub insurance providers, in this case RSUI Group Inc., have the county re-insert forms; this one included a questionnaire about liabilities and costs from last year. Chief Dashiell, Lt. Kiehl and Josie Murray from his medical staff review and complete the form. Mr. Porter believes it is ready to go based on this representation. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Canyon County jail renewal application for medical professional liability insurance.

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

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

The Board met today at 10:02 a.m. for a monthly meeting with the Juvenile Detention Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Steve Rule, Juvenile Detention Director Steve Jett, Deputy Administrator Sean Brown, Training Officer Shawn Anderson, Candy Martilla, Detention Officer Matthew Isaak and Deputy Clerk Monica Reeves. Director Jett updated the Board on the following items: Matthew Isaak recently received his certification as a basic Juvenile Detention Officer. Candy Martilla has retired but she had been the driving force behind the horse program for the last 10 years. Director Jett would like to find a way to continue the program and Ms. Martilla is very open to working something out. The Board suggested Mr. Jett work with the civil attorneys for liability reasons. According to PREA regulations they've been slightly out of compliance with staff to student ratios and he will probably look to add two positions to the FY2019 budget. He met with Director Navarro, there will be some money coming out of the Juvenile Probation budget for some computer security upgrades. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:11 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

The Board met today at 10:14 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Steve Rule, Chief Probation Officer Elda Catalano, Training Coordinator Amaia Vicandi-Bow, Intake Supervisor Leticia Vance, Division Supervisor Jose Orozco, Division Supervisor Linda Hall, Lead Admin. Specialist Rachel Jacques, Director of Misdemeanor Probation Jeff Breach, and Deputy Clerk Monica Reeves. Ms. Catalano brought several staff members with her to introduce them to the Board. She explained how they are always looking for new and better ways to serve a tougher population that continues to come in. Ms. Catalano feels they are doing a much better job today than even ten years ago in evaluating kids and assessing them for where the focus should be instead of treating everyone the same. Ross Garvin was given an award by the Caldwell Police Department for the work that he's done in removing graffiti throughout the year. The Odyssey system has one aspect that has not yet been sorted out with the Supreme Court and that is how juveniles pay restitution which has made it difficult for them to track who has paid restitution and who hasn't. There have been no reports from the Supreme Court on how they're doing in that area but it is something she is continuing to work with the Clerk's Office on. Commissioner Dale said he's spoken with the IAC about the issue but is unsure of what the resolution is going to be. Mr. Breach said that last year the Supreme Court attempted to change the priority of payments but the legislature wouldn't do it. The Prosecuting Attorney's Association was pretty adamantly opposed to it. From what he understands Ada County is doing their own thing to try and push something thru but it's pretty unlikely. He believes the Prosecuting Attorney Association is fearful that it will start

to bump other things and then you'll see less victim restitution. They were pretty opposed to it last year and that was the thing that killed it once the Supreme Court tried to push it thru the legislature and the legislature wouldn't do it. He doesn't know what the status is for this year. He feels that maybe it's an unintended consequence as the Supreme Court tries to bring uniformity across the state. Commissioner Rule said not to expect anything from the Supreme Court or legislature. If the legislature did anything it would be at least two years and then another year for implementation which would be the best case scenario. Commissioner Rule feels it would be best for the county to just figure out what to do from here and move that direction. Director Breach explained the system is set up to pay off the oldest case first so if you set up several cases some of those older cases get paid first and it will be a while before the county sees any cost of supervision dollars for that offender because it's all under priority of payments and going to the older cases. He thinks if IAC doesn't have some kind of legislation before the legislature already it's not going to happen. Commissioner Dale's impression from the IAC is that they're working on it. Mr. Breach said overall the Odyssey transition is going pretty well. He believes the biggest issue right now is how to receive cost of supervision revenue on courtesy cases that they get from other counties or other states. The Supreme Court doesn't have a way to do that yet although he's worked with the Controller and the Clerk to find a couple work-arounds. He anticipates by the end of September he'll only need to keep a couple of CMS licenses just to be able to answer records requests otherwise everything else will be in Odyssey. The company that was providing the drug testing has gone out of business; they've had two other companies approach them so they have collected the information from those companies and will let the vendors choose which provider they'd like to go to. On Thursday he will meet with KIT Manufacturing to discuss ways for their employees who are on probation to stay on track. His department is down one position right now but he plans to keep it open until April in hopes of attracting the best possible candidate pool. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:33 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING - CONSIDER A REQUEST BY EJ LEWIS TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE REQUEST FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER, RESOLUTION AND THE ORDINANCE FOR MAP AMENDMENT; CASE NO. PH2017-59 & 60

The Board met today at 11:02 a.m. for a public hearing to consider a request by EJ Lewis Trust for a comprehensive plan map amendment and rezone request and to consider signing the findings of fact conclusions of law and order, resolution and the ordinance for map amendment; Case nos. PH2017-59 & 60. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Jennifer Almeida, Interested citizens and Deputy Clerk Monica Reeves. Jennifer Almeida said there is a new hearing date of January 25<sup>th</sup> at 1:30 p.m. Upon the motion by Commissioner Rule and second by commissioner Dale the Board voted unanimously to continue the hearing to January 25<sup>th</sup> at 1:30 p.m. The meeting concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:02 p.m. for a monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell (left at 3:12 p.m.), Landfill Director David Loper and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing Tetra Tech Change Order No. 13:*** Director Loper said this change order is to continue with 3<sup>rd</sup> party ground water monitoring. The first round of sampling has been done so now quarterly sampling needs to be done for a couple years, eventually they will be down to bi-annually testing. This change order is for 3 more quarters. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Tetra Tech change order no. 13(a copy of this change order is on file with this day's minute entry).

***Consider signing Tire Reclamation Agreement:*** Director Loper explained this is an agreement with a 3<sup>rd</sup> party vendor to take the tires that are collected at the Landfill. Currently another company based out of Oregon is being used but this agreement is with a local company called Second Life Recycling, LLC. Brad Goodsell said this agreement has been reviewed and revised by legal with several provisions being added. Under this agreement the landfill will pay \$125 per ton with credit for tires that could be resold/reused. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the tire reclamation agreement with Second Life Recycling, LLC (see agreement no. 18-006).

Director Loper continued with his monthly meeting updating the Board on the following items: Waste amounts are up 18.97% for December. The Title V permit has been thru the 30 day comment period with only one comment being received but it doesn't affect the permit. It will now go on to the EPA for the 45 day comment period, however, DEQ doesn't expect there to be any issues. Director Loper believes he should have the report in hand in the next 6 weeks. The first round of groundwater sampling has been done and went well. With the exception of the PB12 well, everything that was detected is naturally occurring. He is continuing to work on the office addition and should have something from the architect by the end of the month. Free day at the landfill will take place on April 28, 2018 and the household hazardous waste event to be held at the Idaho Center again this year will be on June 9, 2018. Director Loper will be bringing resolutions to the Board for consideration in the next month or so. For the household hazardous waste event they will be working with Stericycle again and having discussions on how to tweak the process to make it run even better than last year. Over the past few months they've had several power outages and he would like to move forward with a back-up generator. Idaho Power is continuing to investigate why the outages are happening but in the meantime some of the outages are affecting business and they really need the backup. He's spoken with the controller to see if it would be a feasible project for this year or better to wait until FY2019. One thought he had was to do this project instead of purchasing the vehicles he had budgeted for this year. The



cost of the generator that would be needed is approximately \$30,000 plus the cost of set-up. The Board thinks it is a good long-term solution and is okay with moving ahead. Director Loper met with IT staff today regarding the connectivity project in getting the landfill onto the county system. They hope to have the project completed sometime in February. Recently they've had some reorganization of positions and need to add an additional screener position; 2 people need to be on duty at all times and they only have 3 people in this position right now. The Board is okay with allowing Mr. Loper the freedom to add an additional person prior to the new fiscal year. The meeting concluded at 3:38 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 17, 2018

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

APPROVED CLAIMS ORDER NO. 1808

The Board of Commissioners approved payment of County claims in the amount of \$1,677,277.44 for a County payroll.

APPROVED CLAIMS ORDER NO. 1-25-18

The Board of Commissioners approved payment of County claims in the amount of \$2299.00, \$33,291.46 and \$139,252.68 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/20/18 for an open house.

EXECUTIVE SESSION –RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 a.m. with no decision being called for in open session.

PUBLIC HEARING – REQUEST BY KEITH AND AMANDA DRAPER FOR A REZONE, CASE NO. PH2017-58

The Board met today at 11:00 a.m. to conduct a public hearing in the matter of a request by Keith and Amanda Draper to rezone 2.75 acres from an “R-R” (Rural Residential) Zone to an “R-1” (Single Family Residential) Zone. The property is located at 5855 Joe Lane in Nampa. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Amanda Draper, an interested neighbor, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report; the subject property is located within the Nampa City Impact Area, the future land use is residential. Approval of the rezone would not create an incompatible use nor would it change the essential character of the area. There are currently 36 platted subdivisions within one mile of the property for a total of 789 lots which have an average lot size of 1.33 acres. The applicant is requesting the rezone to allow for the property to be divided into two lots and if approved platting would be required for the development. Neither the Nampa Highway District nor the City of Nampa Engineering Department expressed concern with the proposed rezone. Staff has found the rezone meets the standards of evaluation found in the Canyon County Zoning Ordinance, and it does comply with the 2020 Canyon County Comprehensive Plan. The P&Z Commission recommended approval of the rezone on November 2, 2017, and staff is also recommending approval of the rezone. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Rule made a motion to approve the rezone request as well as the Findings of Fact, Conclusions of Law and Order, and to approve the ordinance directing a change to the official zoning map. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 18-003.) The hearing concluded at 11:05 a.m. An audio recording is on file in the Commissioners’ Office.

**JANUARY 2018 TERM**  
**CALDWELL, IDAHO JANUARY 18, 2018**

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

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ConvergeOne in the amount of \$29,564.14 for the Information Technology department
- Tracks N Teeth, Inc. in the amount of \$9902.74 for the Solid Waste department
- Coastline Equipment in the amount of \$3635.28 for the Solid Waste department
- Coastline Equipment in the amount of \$1898.96 for the Solid Waste department

### APPROVED CLAIMS ORDER NO. 1-25-18

The Board of Commissioners approved payment of County claims in the amount of \$49,056.79, \$193,789.20 and \$153,400.59 for accounts payable.

### CONSIDER SIGNING A RESOLUTION GRANTING DARIGOLD, INC. A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE § 63-602NN

The Board met today at 9:00 a.m. to consider signing a resolution granting Darigold, Inc. a property tax exemption pursuant to Idaho Code § 63-602NN. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Dave Jones from the Canyon Highway District, Mr. McKnight and Ms. Burke from Darigold and Deputy Clerk Jenen Ross. Brad Goodsell explained that Darigold submitted an application for exemption which was preceded by meetings which initiated negotiations. The County has determined that the statutory requirements have been met, specifically that there is a written plan outlining the proposed project and project site, that the projected investment is a land investment and contributes directly to an increase in base value. The project site is in an eligible location, the plan identifies a project period, the plant or building facility is for non-retail purposes that are either commercial or industrial, the investment does meet the applicable dollar thresholds identified in the County Ordinance, in this case the threshold is 50%. The question the Board needs to determine is whether the taxpayer has demonstrated significant economic benefits that will accrue to the county by granting this exemption and then make a determination of what portion of the market value should be exempted, which should be 50% under the ordinance, and then how long the exemption should be granted for, which is five (5) years under the proposed resolution. Darigold has provided the county with a letter stating that they agree to all the terms and conditions of the proposed resolution. Notice was sent to the taxing districts as provided in the statute. Commissioner Dale asked Mr. Jones from the Canyon Highway District if he'd like to address the Board, he declined. There were no other taxing districts in attendance. Commissioner Rule asked about the new job creation to which Mr. McKnight said initially about 9 positions will be created but they hope to create about 20 in the future. Brad Goodsell said the exemption is not to exceed \$3.9 million. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution granting Darigold, Inc. a property tax exemption

pursuant to Idaho code § 63-602NN (see resolution no. 18-006). The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

#### SUB-ROLL BOARD OF EQUALIZATION HEARING FOR DANIEL AND LISA GRAF

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:32 a.m. to conduct a sub-roll board of equalization hearing for Daniel and Lisa Graf, Account No. 37581191 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Sr. Administrative Specialist Jennifer Loutzenhiser, Appraiser Barbara Wade, and Appraiser Rod Wickstrom from the Assessor's Office, Daniel and Lisa Graf, David Peterson, other interested persons, and Deputy Clerk Monica Reeves. Daniel and Lisa Graf believe their assessed value of \$273,000 is unfair compared to their neighbors' property assessments. The assessed value is \$36,000 over the purchase price but their neighbors' homes, which sold for much more than the Graf's, have lower assessments. Rod Wickstrom and Barbara Wade offered testimony on behalf of the Assessor's Office. The original assessed value was \$273,000, but after talking to the Grafts they adjusted it to \$268,101; the Grafts are requesting a value of \$236,962. The Assessor's Office is recommending an assessed value of \$263,000. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close testimony. Commissioner Rule made a motion to adjust the assessed value to \$247,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

#### SUB-ROLL BOARD OF EQUALIZATION HEARING FOR DAVID PETERSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:00 a.m. to conduct a Sub-Roll Board of Equalization hearing for David Peterson, Account No. 16268501 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Sr. Administrative Supervisor Jennifer Loutzenhiser, Appraiser Barbara Wade, Appraiser Brett Hartley, David Peterson, other interested persons, and Deputy Clerk Monica Reeves. David Peterson said he is not disputing the time of the property improvement being on the assessment compared to the time the house was destroyed. There were 15 months between the date of destruction and the date the Petersons moved back in and he was told he would be assessed for a 10 month period of the removal of the property improvement, not 15 months. He explained that on July 4, 2016 his home was destroyed by his neighbor's fireworks, and on July 7 he met with the Assessor's Office and was told there is no change for the taxable year but it would cycle into a cessation in the next go around. On July 11 he received confirmation that the homeowner's exemption had been removed and what he should do upon moving back in to reinstate it. He wanted to be sure that the removal and the property valuation removal were at least the same timeframe in terms of date and duration and he was assured that was the case. Their house was completed on September 25 of 2017 and they moved back in on October 4, 2017 and the Assessor's Office reinstated the homeowner's exemption. Then he received the assessment for 2017 and it reflected what he thought it should. The improvement value for the home

was not there and that would have been for 2017, a 12-month period of removal of the assessment for the property improvement, and would be within three months of the homeowner's exemption removal and he presumed in the following year there'd be a three month catchup so that in 2018 the assessment would have a 9 month value, not 12. He received a supplemental notice that made no sense so he spoke to Brett Hartley about the 2016 assessment, irrespective of the fact that the house was destroyed in the middle of the year it had to remain. Mr. Peterson said he is here to plead to the Board that what he was told in July of 2016 would come to pass, that the time that the property improvement value was off of the tax assessment would be equivalent to the time he was not in the house and to also include the time the homeowner's exemption occurred.

Brian Stender said since July the Assessor's Office has had a lot of casualty situations and they've become aware of a new code section. Normally with a casualty loss the Assessor works with values so in the case of snow collapsed buildings last year people would apply for a casualty loss exemption before the fourth Monday in June and the applications were brought before the Board. However, this is a different situation. The fire happened after the fourth Monday in June so he no longer had control of the assessment roll and they were not aware of the code that allows the Board to cancel taxes after the fourth Monday in June. He has calculated a new amount the Board can cancel for 2016. The Treasurer has no objection to it. Assessor Stender doesn't think it can be addressed today since this is a 2017 board of equalization hearing so we will have to conduct a casualty loss hearing to accomplish that. Mr. Peterson can decide if he wants to continue this appeal. There were 180 days that his house was gone and essentially he should have only been billed \$2,841 in taxes so we could potentially, in a different hearing, adjust his taxes for 2016 and he would only be owing for 2017 what they've assessed it for. The Petersons would get a credit toward what is owed in 2017. Mr. Peterson said he paid all of the 2017 taxes, including a penalty on the last half of the last year. He will complete a casualty loss exemption form and then the Board will schedule a date to consider it. The Board went off the record at 10:15 a.m. and then went back on the record approximately one minute later. Commissioner Rule made a motion to uphold the value for 2017 until the hardship hearing can be held to establish what taxes Mr. Peterson is responsible for. He will not be held accountable for the months where he was not able to live in the home due to the fire in 2016. The motion was seconded by Commissioner Dale and carried unanimously. Following the discussion, Assessor Stender presented the Board with adjustments to the 2017 Certified Supplement Roll #1. Commissioner Rule made a motion to set the adjusted value for Parcel No. 32839233 0 for Barry Borger at \$78,375, and to set the adjusted value for Parcel No. 30872163 0 for Deven Limb at \$78,583. The motion was seconded by Commissioner Dale and carried unanimously. The Assessor also had some applications to exempt certain values as well as applications for homeowner's exemptions being applied but those matters will be scheduled at a later date. The hearing concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER INDIGENT DECISIONS

The Board met today at 11:01 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Customer Service Specialist Robin Sneegas (left at

11:03 a.m.), Director of Indigent Services Yvonne Baker, Case Manager Jennifer Odom-Mann, Case Manager Angela Papa and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0268, 2018-0266, 2018-0258, 2018-0265, 2018-0330, 2018-0263, 2018-0262, 2018-0260, 2018-0150, 2018-0259, 2018-0264 and 2018-0277 upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Director Baker brought reimbursement accounts to the Board's attention, recently there was a meeting and agreement signed with CBI collection services and part of that was to bring delinquent accounts before the Board prior to them being submitted to CBI. The first group of 50 that they'd like to send over are cases that they've had no response on. All of the accounts are at least 90 days past due and within 5 years old. A letter has been send on each case letting them know to make contact with the county within 30 days or their account will be turned over to collections, there was no response from any of the applicants on the list. All fees for the collection is added on to the amount owed to the county. Brad Goodsell said that CBI does have obligations under the contract to provide reports back to the county and once Director Baker has those she will report back to the Board with that information. Both Commissioner Dale and Commissioner Rule are in favor of moving forward with the collection process. The meeting concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:37 p.m. for a monthly meeting with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: He and several people from his office recently attended the State Public Defense presentation. A review of his budget was provided to the Board, he is at 33-35% of budget and feels he is on track for the year. He also provided a review of active caseloads along with conflict attorney caseloads. They are in the process of hiring an Office Manager, he has been working with HR to revise the job description; the job was posted last week and will be posted for the next couple of weeks. There are two investigators who will be heading to Colorado in March for a training and Mr. Bazzoli would like to attend the death penalty conference in Monterrey, CA in February as it would put him in a position to be able to sit 1<sup>st</sup> chair death penalty qualified; his office currently has four people who are qualified to sit 2<sup>nd</sup> chair but no one who is 1<sup>st</sup> chair qualified. He would like to attend this first conference and then have Scott James attend the next conference to become 1<sup>st</sup> chair qualified. The Board is okay with Mr. Bazzoli attending the conference. He has been working with the Facilities department to get an estimate of the cost to make some minor changes to create a couple attorney-client meeting rooms. The meeting concluded at 2:08 p.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING TO CONSIDER A REQUEST BY BAKER LAND MANAGEMENT, LLC FOR A CONDITIONAL REZONE WITH A DEVELOPMENT AGREEMENT; CASE NO. CR-PH2017-41

The Board met today at 2:08 p.m. to continue the public hearing to consider a request by Baker Land Management, LLC for a conditional rezone with a development agreement; Case No. CR-PH2017-41. Present were: Commissioners Tom Dale and Steve Rule and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the public hearing to March 14, 2018 at 1:30 p.m. The meeting concluded at 2:09 p.m. An audio recording is on file in the Commissioners' Office.

#### JANUARY 2018 TERM CALDWELL, IDAHO JANUARY 19, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ESRI, Inc. in the amount of \$9770.00 for the Information Technology department
- ESRI, Inc. in the amount of \$34,560.00 for the Information Technology department
- SPS in the amount of \$7097.28 for the Information Technology department

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

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 1/27/18 for a corporate training.

#### LEGAL STAFF UPDATE

The Board met today at 9:06 a.m. for a legal staff update. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Brad Goodsell presented a response letter to Wyatt Johnson regarding BrunoBuilt, Inc. and a complaint that was received about taxes on a house he owns in Canyon County. The letter states that he

should have appealed his assessment and because he didn't appeal the assessment the Board is now without jurisdiction to do anything. The Board is okay with the letter and signed it to be sent to Mr. Johnson (a copy of this letter is on file with this day's minute entry). The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH ROBERT "JORDAN" TURNER TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 10:09 a.m. with Robert "Jordan" Turner to discuss his application for a hardship cancellation of property taxes. Present were: Commissioners Tom Dale and Steve Rule, Jordan and Elspeth Turner, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Greg Himes from the Assessor's Office, Deputy P.A. Brad Goodsell, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Mr. Turner said they purchased the property in July of 2016 and on January 29, 2017 the house caught on fire and was destroyed. The Turners have received an insurance settlement and are rebuilding on the same location. They are petitioning for a reassessment of their 2017 tax valuation. Joe Cox said Idaho Code requires them to assess what is owned on January 1 for the full year so if a home were to burn you still have to pay taxes for the full year, however, the legislature has allowed for a casualty loss exemption. The Assessor's Office sends out the assessment notice in May and property owners have until the fourth Monday in June to apply and the Board has until the second Monday in July to grant the exemption, but unfortunately, Mr. Turner missed out on the exemption for 2017 because the fire occurred in January. He said it's on the "goodness of the Commissioners' hearts" if they want to grant the cancellation. Commissioner Rule believes this is truly a hardship case. Treasurer Lloyd said the total land value was \$69,500, the improvement value was \$77,700 and with a homeowner's exemption of \$68,850 it equates to a net taxable value of \$78,350. The taxes are \$996.74. She asked if the Board is going to grant a hardship for the full tax year or for the number of days of prorated value for the number of days the house was demolished, and, is it going to be on the land value and structure value, or just the structure value? Mr. Turner said he has been staying on the property because there have been a lot of thefts after the fire occurred. The Board believes that because he was staying on the land he should be taxed for it but they will allow the taxes to be waived on the structure for the days it was lost. Commissioner Rule made a motion to cancel the taxes in the amount of \$448.44. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Rule said the penalties were forgiven; Mr. Turner is only being taxed on the land value for the days he lived there. Mr. Cox said some of the insurance companies have an allocation to pay the property tax when a home is destroyed by fire. Mr. Turner will check on that with his insurance company. The meeting concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH MICHELLE JEPPE TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 10:30 a.m. for a meeting with Michelle Jeppe to discuss her application for a hardship cancelation of property taxes. Present were: Commissioners Tom



Dale and Steve Rule, Michelle Jeppe, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Greg Himes from the Assessor's Office, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Ms. Jeppe lives in the Burnie Subdivision located at Midway Road and Bonnie Lane where the road collapsed and broke the culvert and 21 homes were flooded. She lives on the corner and her home was one of the hardest hit with 15 inches of contaminated standing water in her house making it unlivable. It has taken four months to get it back to a livable condition given the amount of damage that occurred. Ms. Jeppe said the highway district sent appraisers to the subdivision and they gave the residents to money to "get them buttoned up for the winter." Greg Himes said since the flood occurred after the fourth Monday in June Ms. Jeppe didn't have the opportunity to apply for the exemption, but she can take advantage of the casualty loss exemption. He said they have worked up a casualty loss statement that shows the assessed values which are prorated exactly to the days she was out of the house. The percentage is prorated just on the improvement value. Treasurer Lloyd said the land value is \$36,500 and the dwelling and improvement value is \$108,800 for a total assessed value of \$145,300. There was no homeowner's exemption because it was not owner occupied for 2017 so the prorated value, if the hardship is granted, would be \$108,000, for a total tax reduction of \$498.22. Commissioner Rule made a motion to cancel taxes in the amount of \$498.22 the motion was seconded by Commissioner Dale and carried unanimously. Treasurer Lloyd will make the adjustment and Ms. Jeppe will receive a corrected property tax statement.

There was discussion about the need to update County forms/applications to address casualty loss exemptions because currently we are using the hardship application and handwriting *casualty loss* at the top of the form for those cases. It was also suggested that language be added to the casualty loss application that asks the applicant if they have been reimbursed by their insurance company for property taxes. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

#### 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.

#### JANUARY 2018 TERM

CALDWELL, IDAHO JANUARY 22, 2018

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

## APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin in the amount of \$26,989.00 for the Fleet department

## COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: he will work on updating Canyon County promotion materials that can be distributed at the upcoming trade show in Portland; he will put some information on the website regarding the Canyon County Industrial Development Corporation Board; reach out to Diana Sinner about seeking application for additional fair board members; include an article on the website regarding employee Ross Garvin being named the Caldwell Police Department Citizen of the Year; a recent article in Idaho Press-Tribune attributed some of the bad stuff that's going on at the Department of Juvenile Corrections to the Southwest Idaho Juvenile Detention Center so he will contact the reporter to make sure they got it corrected. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

## LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Clerk's Executive Assistant Taryn Peterson (left at 9:06 a.m.), Deputy P.A. Allen Shoff, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing independent contractor agreement for court interpreter Ehtaw Dwee:***

Ms. Peterson said Mr. Dwee is only one of two language skilled certified in the language of Karen. There is a court case coming up that will require this particular language where Mr. Dwee will appear telephonically. Allen Shoff said this is the same agreement that has been used for other interpreters with the exception of the mileage due to the supply/demand situation. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement for court interpreter Ehtaw Dwee (see agreement no. 18-008).

***Consider signing memorandum of understanding with Nampa Highway District No. 1 for Celebration Park directional signs:***

The agreement says that the county will create the placards that show the public where Celebration Park is located and the highway district will provide the sign posts and fasteners and then will place the signs on the roads. The highway district will also be the ones inspecting the signs to make sure they remain in good condition. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the MOU with Nampa Highway District No. 1 for Celebration Park directional signs (see agreement no. 18-009).

***Consider signing resolution authorizing the quitclaim of parcel 19944000 0 to Emilia Llamas and quitclaim deed:***

Brad Goodsell said this is a property located in Wilder that the

county acquired by tax deed in 2012; it was put up for auction but did not sell. The total amount due with taxes and penalties is just under \$7000, however, Ms. Llamas has offered \$5000 to purchase the property. The Board was made aware of this offer some time ago and indicated they would accept the offer. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the quitclaim of parcel 19944000 0 to Emilia Llamas and quitclaim deed (see resolution no. 18-008).

There were no items for discussion at the legal staff update. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Ridgewood Enterprises, Inc. dba Legacy Feed & Fuel (see resolution no. 18-007)

#### MEETING WITH CALDWELL FREE METHODIST CHURCH TO DISCUSS APPLICATION FOR CANCELLATION OF PROPERTY TAXES

The Board met today at 11:21 a.m. with the Caldwell Free Methodist Church to discuss their application for cancellation of property taxes. Present were: Commissioners Tom Dale and Steve Rule, Pastor Jim Porter, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Jennifer Loutzenhiser from the Assessor's Office, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Ms. Loutzenhiser said in 2011 the Board granted an exemption on the vacant portion of the property because it was being used as a community pumpkin patch. The Assessor's Office had used the church's property as an example to other exempt organizations on how to utilize their vacant land in order to retain their exemption. In 2015 one of those organizations informed the Assessor that there weren't any pumpkins on the land, so the Assessor visited the property and found it was in weeds. A letter requesting information was sent in August of 2015, but there was no response so an assessment notice was mailed in December of 2015, still no response. When the tax bill came out for the 2015 sub-roll that's when the church contacted the Board and started the process for a hardship. Pastor Porter said the church used the land for growing pumpkins and in 2014 the well started to fail and it impacted their water supply, including the water for their building. Later that spring he went on sabbatical and the church board decided it was unwise to plant pumpkins that year and it became an eyesore. When they received a tax bill they asked for a hearing with the Board and Commissioners Dale and Hanson advised them to begin immediate repairs to the field to get it ready for productive use, and to make consistent payments toward the back tax bill, and then once those two things were accomplished they could come back and apply for the hardship on the remaining balance. Treasurer Lloyd said currently \$9,943.60 is owed in outstanding taxes, penalty and interest for the 2015 and 2016 taxes. The last payment was received on September 21, 2016 in the amount of \$500. Pastor Porter said the land is now being used for two soccer fields; there is a small building where they store water, the parking area has been improved, and there are materials for a fire pit. It's not just for church use, it's intended for the community. Joe Cox asked how the issue with the irrigation water had been resolved. Pastor Porter said

they were able to take the water from a different location at Montana Avenue and Spruce Street and a pressurized system was installed. Commissioner Dale said the church spent quite a bit of money on the project to get it usable for the community and they're not gaining any profit so it's his opinion the taxes should be forgiven. Commissioner Rule expressed concern that a previous Board made commitments to forgive the taxes. Commissioner Dale said no commitments were made; they said once improvements were made and the exemption was back in place they could come back and talk about the remaining tax balance. Commissioner Rule said the church found the funds to make the improvements and so in fairness to the other churches he will forgive the penalties and interest but not the taxes. He then made a motion to forgive the penalty and interest on the 2015 and 2016 taxes. Commissioner Dale seconded the motion for discussion and if the church will still have the opportunity to ask for cancellation of the remaining balance at another time, or, does this action tie the Board's hands to further consider it. Mr. Goodsell doesn't believe this action will preclude the Board from considering another request. Commissioners Rule and Dale voted in favor of the motion which carried unanimously. Commissioner Dale said Pastor Porter should discuss this with the church board and decide where they want to go from here. The meeting concluded at 11:37 a.m. An audio recording is on file in the Commissioners' Office.

#### MEET WITH TINA WILSON FROM WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT REGARDING TRADE SHOW INFORMATION

The Board met today at 1:33 p.m. for a meeting with Tina Wilson from Western Alliance for Economic Development regarding trade show information. Present were: Commissioners Tom Dale and Steve Rule, Tina Wilson with Western Alliance for Economic Development and Deputy Clerk Jenen Ross. Ms. Wilson reviewed the WAED annual report. Last year the grant awards added up to \$79,606 which put the total amount of grant awards received over \$1M. She currently has a Community Development Block grant in process for a new fair building in Owyhee County and an Economic Development grant for her "Project Dry" for connection to a sewer line. Both of those grants are due in March. There are also 4 value added producer grants in process for small business in Canyon County which are due at the end of the month. This year she was able to provide business services to 22 business, either business retention/expansion or business attraction which is up from 2016. She has been working with Development Services on some of their special projects such as ag-land preservation and special permitting. Looking ahead this year she will be attending the Sportsman show in Portland, OR next month and looking at a food and beverage show in Yakima, WA in June. One item she brought to the Board's attention is the revenue stream from Owyhee County. They have indicated that they will continue to support the Western Alliance at the \$7000 level but would not ever go beyond that. There is some concern about Owyhee County continuing to be the fiscal agent but Commissioner Dale and Commissioner Rule said that Canyon County could probably help with that situation if Owyhee County were to decide not to continue with that portion. The meeting concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

#### 2017 BOARD OF EQUALIZATION SUB ROLL/CERTIFIED SUPPLEMENTAL ROLL

The Board met today at 3:10 p.m. to consider the 2017 Board of Equalization Sub Roll/Certified Supplemental Roll. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Ms. Loutzenhiser presented the following exemption applications for new construction:

***Nampa Assembly of God of the City of Nampa (formerly known as The Promise, now known as The Awakening)*** - The application is for a church they built at the old Broadmore Golf Course. The exemption is pursuant to Idaho Code, Section 63-602B for Parcel No. 13034011 0. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the exemption.

***Mission Aviation Fellowship*** - This application is for a new duplex located on their campus. The exemption is pursuant to Idaho Code, Section 63-602C for Parcel No. 22891000 0. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the exemption.

***Saint Alphonsus Medical Center, Nampa*** - The applications are for the new construction portion of the campuses and they are fully occupied by the hospitals. They do have some tenant space but that's not part of the new construction. The exemption is pursuant to Idaho Code, Section 63-602D for Parcel Nos. 31112010 0, 31099000 0, 31099010 0, 31100000 0, 31098000 0, and 31084000 0.

***St. Luke's Regional Medical Center, and St. Luke's Caldwell Pediatrics*** - The exemption is pursuant to Idaho Code, Section 63-602D for Parcel Nos. 30995011F 0 and 64941410 0. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the exemptions for Saint Alphonsus and for St. Luke's.

Joe Cox said whenever the hospitals rent out space to a different doctor or organization it becomes a taxable event and the new construction on the exemptions is solely occupied by the hospital that owns it. Greg Himes said the Assessor's Office is recommending homeowner's exemptions be added to the supplemental roll as follows: Brent W. Proper, Parcel No., 20643000 0; Eddie L. Webb, Parcel No. 32043206 0; Patricia Carmel Shepherd, Parcel No. 32457154 0; Julie Salvador, Parcel No. 32839244 0; Steven Crouse, Parcel No. 32083324 0; and William Wolbach, Parcel No. 37458125 0. Upon the motion by Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to grant the exemptions that were read into the record. The meeting concluded at 3:16 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 23, 2018

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

### APPROVED CLAIMS ORDER NO. 2-9-18

The Board of Commissioners approved payment of County claims in the amount of \$90,739.13 for accounts payable.

### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:45 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Director of DSD Tricia Nilsson (left at 9:52 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing legal notice for public hearing on resolutions to increase Development Services Department's Planning and Zoning fee schedule and building permit fee schedule:*** Zach Wesley said this is to give notice of a public hearing on February 14<sup>th</sup> regarding proposed fee schedule increases for Planning and Zoning and Building permits. Tricia Nilsson said they are not really increases but more amendments to the fee schedule to address new types of applications and clarifying the type of work and the fee. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the legal notice for public hearing on resolutions to increase Development Services Department's Planning and Zoning fee schedule and building permit fee schedule.

***Consider signing legal notice for public hearing on resolution to increase Fair building facility fees:*** Zach Wesley said in reviewing the fair facility agreements some of the fees that were built in were not reflective of how much it was actually costing the county. This is a public hearing to consider making those changes. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the legal notice for public hearing on the resolution to increase Fair building facility fees.

Mr. Wesley said he has a letter prepared for the Board regarding a code enforcement case, to be referred to the Prosecutor. Ms. Nilsson said she has discussed this case with the Board in previous meetings but this is now the official memo referring it to the Prosecutor. At this point DSD has exhausted all its abilities to gain compliance and they are requesting for the Board to refer it to the Prosecutor. The Board signed the letter which will be forwarded to the Prosecuting Attorney's Office (a copy of this letter is on file with this day's minute entry). Brad Goodsell presented a letter to be sent to Canyon Highway District No. 4 regarding a letter they sent expressing their concerns about property tax exemptions as incentives for business investment in Canyon County. The Board signed the letter which will be forwarded to the Canyon Highway District No. 4 (a copy of the letter is on file with this day's minute's entry).

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

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

Commissioner Rule made a motion to go into Executive Session at 9:54 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:02 a.m. with no decision being called for in open session.

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

#### MEETING WITH STEVEN D. FICKES TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 10:00 a.m. for a meeting with Steven D. Fickes to discuss the application for hardship cancellation of property taxes. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Office Manager Jennifer Mercado, Sr. Deputy Treasurer Tanya May, Steven Fickes, Nicole Foy from the Idaho Press-Tribune and Deputy Clerk Jenen Ross. Mr. Fickes explained he was part of the Burnie Subdivision flooding making his house unlivable for several months and is requesting tax relief for the time he was unable to live in his home. Brad Goodsell said that the Assessor's Office has determined that the number of days the house was unoccupied was 105 days, so with those days taken out and the taxes prorated, the amount of the taxes to be cancelled is \$303.21. The Treasurer's Office said the forgiven amount will be taken from the second half of the taxes due. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to forgive \$303.21 of property taxes for Mr. Fickes. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

#### RESCHEDULE PUBLIC HEARING - APPEAL REGARDING COPE SAND AND GRAVEL'S REQUEST FOR A MINERAL EXTRACTION EXPANSION, CASE NO. PH2017-52

The Board met today at 1:30 p.m. to go on the record to reschedule the public hearing in the matter of an appeal of Cope Sand and Gravel's request for a mineral extraction expansion, Case No. PH2017-52. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Todd Lakey, interested citizens, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing to February 12, 2018 at 9:00 a.m. The meeting concluded at 1:32 p.m. An audio recording is on file in the Commissioners' Office.

#### JANUARY 2018 TERM

CALDWELL, IDAHO JANUARY 24, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Chem-Aqua in the amount of \$2301.12 for the Facilities department
- Dell Inc. in the amount of \$1414.30 for the Sheriff's Office

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:20 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley (left at 9:24 a.m.), Director of Juvenile Detention Steve Jett (left at 9:24 a.m.), Facilities Director Paul Navarro, Assistant IT Director Eric Jensen, IT Director Greg Rast, Elections Specialist Lisa Power (left at 9:22 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing March 2018 polling place designation:*** Lisa Power said there really are no changes to the polling places with the exception of 53 and 58, they used to be located at Kendall Ford but they have been moved to the Hampton Inn right across the street. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the March 2018 polling place designation (a copy of the voting place designation is on file with this day's minute entry).

***Consider signing Southwest Idaho Juvenile Detention Center neglected or delinquent agreement with Caldwell School District:*** Steve Jett said this is an annual agreement with the Caldwell School District that they will provide the educational services. There have been a couple changes but they are satisfactory. Zach Wesley said it is a standard agreement that has been signed in the past. Our portion is to allow them access and provide the facility for the educational component. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center neglected or delinquent agreement with Caldwell School District (see agreement no. 18-010).

***Consider signing building entrance agreement with Syringa Networks, LLC:*** Allen Shoff explained that Syringa is connecting the County to Idaho State Police. There is no cost to the County we will only be allowing Syringa access onto county property to lay the conduit. Director Navarro and Director Rast have already identified where they will be putting in the cabling to connect to our system. Upon the motion by Commissioner Rule and second by



Commission Dale the Board voted unanimously to sign the building entrance agreement with Syringa Networks, LLC (see agreement no. 18-011).

There were no items for discussion at the legal staff update. The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING – PRELIMINARY AND FINAL PLATS FOR REECE ESTATES SUBDIVISION

The Board met today at 1:31 p.m. to conduct a public hearing to consider the preliminary plat and final plat for Reece Estates Subdivision, Case No. PH2017-63. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Jennifer Almeida, TJ Wellard, Scott and Angela Reece, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject properties were rezoned from Agricultural to Rural Residential on August 30, 2017. The proposed lots meet the average minimum lot size in the Rural Residential Zone. The properties are not located within an area of city impact and the P&Z Commission has recommended approval of the preliminary plat. The lots will utilize a 28-foot access easement to Pump Road (an easement reduction from 60 feet to 28 feet has been approved). A road user's maintenance agreement has been recorded for each of the access points. The subject properties are not located within an irrigation district, they do not have water rights. The development will be served by individual domestic wells and septic systems. Keller and Associates has reviewed the plats and provided comment; their comments and modifications have been made by the surveyor. The Nampa Highway District has no objection to the subdivision and has signed the final plat. Both plats meet the requirements of the Canyon County Zoning Ordinance and all conditions of approval have been met therefore staff is recommending approval of the preliminary and final plats. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Rule made a motion to approve the preliminary plat and the Findings of Fact, Conclusions of Law and Order, as well as authorize the chairman to sign the final plat for Reece Estates Subdivision, Case No. PH2017-63. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:35 p.m. An audio recording is on file in the Commissioners' Office.

#### JANUARY 2018 TERM CALDWELL, IDAHO JANUARY 25, 2018

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

#### INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker,

Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0312, 2018-0385, 2018-0313, 2018-0284, 2018-0300, 2018-0391, 2018-0307, 2018-0323 and 2018-0297 – upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to deny the cases as read into the record with written decisions to be issued within 30 days. On case no. 2013-1112 there has been a request for a subordination agreement, medical indigent liens are always secondary but the lender is requesting this agreement. The Board signed the letter as requested. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 8:53 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Allen Shoff and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to vacate the following cases from February 8, 2018 and continue them to February 15, 2018: 2018-16, 2017-1283, 2017-1544, 2018-18, 2017-1449, 2017-1438, 2018-41, 2017-1701, 2017-1667, 2018-68, 2018-19, 2017-1332, 2017-1735, 2018-17, 2017-1448, 2018-57, 2017-1724, 2017-1704 and 2018-91. The following cases meet all eligibility criteria but have an outstanding resource and therefore are being requested to be placed in suspension: 2017-1657 and 2017-1595, upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to place the cases as read into the record into suspension. Case nos. 2017-1458, 2017-1315, 2016-527 and 2016-811 meet the eligibility criteria for county assistance and upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to approve the cases with written decisions to be issued within 30 days. Case no. 2017-1596 will have all timelines tolled until the hospital requests for the case to be brought back into hearing status – upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to toll the timelines as requested. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1639

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for Case No. 2017-1639. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, the applicant, the applicant's wife and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to deny the case with a written decision to be issued within 30 days. The hearing concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1356

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for Case No. 2017-1356. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Karen Thurber for West Valley Medical Center, Attorney Mark Peterson for West Valley Medical Center and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and the second by Commissioner Dale the Board voted unanimously to deny the case. The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 9:55 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue denials with written decisions to be issued within the 30 days for the following cases as neither the hospital nor the applicant appeared today: 2017-1625, 2017-1589, 2017-1178, 2017-1532, 2017-1515, 2017-1643, 2017-1605, 2017-1453, 2017-1535, 2017-1575 and 2017-1611. The meeting concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

#### CONTINUE PUBLIC HEARING TO CONSIDER A REQUEST BY EJ LEWIS TRUST; CASE NO. PH2017-59 & 60, LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 1:31 p.m. to continue a public hearing for a request by EJ Lewis Trust, legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Jennifer Almeida (left at 1:32 p.m.), GIS Land Records Supervisor Sarah Van Dyke (left at 1:36 p.m.), Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter (left at 1:34 p.m.), Deputy P.A. Brad Goodsell (left at 1:38 p.m.), PIO Joe Decker (left at 1:38 p.m.) and Deputy Clerk Jenen Ross.

***Continue a public hearing to consider a request by EJ Lewis Trust for a comprehensive plan map amendment and rezone request findings of fact conclusions of law and order, resolution and the ordinance for map amendment; Case No. PH2017-59 & 60:*** Jennifer Almeida explained she's received a request from the applicant's representative to continue this case to February 15, 2018 at 1:30 p.m. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the public hearing as requested.

***Consider signing Viper maintenance agreement:*** Mike Porter explained this is an amendment to an agreement with Century Link for the dispatch services, this is for service and technician support for work they do in supporting the dispatch services. Upon the

motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Viper maintenance agreement (see agreement no. 18-012).

***Consider signing internet access agreement with Nextitle:*** Brad Goodsell and Sarah Van Dyke said this is a standard agreement to sell access to certain data. The agreement is for \$2000 a year which will allow access to information regarding subdivision and survey PDFs. Ms. Van Dyke said this is a standard package they sell. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the internet access agreement with Nextitle (see agreement no. 18-013).

***Consider signing a resolution reappointing members to the Board of Directors of the Industrial Development Corporation of Canyon County, Idaho:*** Bob Jacobsen, Gayle Batt, Margie Watson, Kathy Alder and David Ferdinand have all agreed to be reappointed to the Industrial Development Corporation. Upon the motion by Commissioner Rule and second by Commissioner Dale the board voted unanimously to sign the resolution reappointing members to the Industrial Development Corporation Board (see resolution no. 18-009).

***Consider signing a request for proposals for real estate firm for the sale of surplus real property:*** Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the request for proposals for real estate firm for the sale of surplus real property (a copy of the request is on file with this day's minute entry).

***Consider signing real estate appraisal and authorization agreement with Jess Payne Appraisal Service:*** Zach Wesley said this is related to the IFP solicitation of interest that was just signed as it will be a necessary part of the process in assessing the value and setting a minimum bid for the auction process that will likely happen. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the real estate appraisal and authorization agreement with Jess Payne Appraisal Service (see agreement no. 18-014).

During the legal staff update the Board asked for clarification in the process for the RFP/RFI regarding the jail. Commissioner Dale said there is no restriction that said they have to do that but there is also no restriction saying they cannot do that, that it would be okay to collect information from HOK and/or Core Civic, that doing the RFP/RFI is just something they can do. Mr. Wesley said he has not been involved with this process but would ask Sam Laugheed to contact the Board. The Board said that there is a meeting scheduled in the upcoming weeks to meet with HOK as an information only meeting. Commissioner Dale said in the conversations he's had with Core Civic and the conversations Commissioner Rule has had with HOK, both organizations have indicated they can build a 1000+ bed jail for a lot less than what DLR has indicated and before they go out for an official RFQ it would be nice to know the other figures. The meeting concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

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

Commissioners attended the District III Elected Officials meeting.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 29, 2018

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

#### APPROVED CLAIMS ORDER NO. 2-9-18

The Board of Commissioners approved payment of County claims in the amount of \$192,174.49 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$1300.00 for the Information Technology department
- Dell in the amount of \$7491.82 for the Information Technology department
- Right! Systems Inc. in the amount of \$4665.00 for the Information Technology department
- Carousel Industries in the amount of \$1400.00 for the Information Technology department

#### QUITCLAIM DEED

The Board signed a quitclaim deed to Emilia Llamas for PIN 19944000 0 (recorded as 2018-003681).

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:35 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative

Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff and discussed upcoming meetings. There was a brief discussion about the suggestion to pursue a local option sales tax and how it could be difficult to get the measure approved by the legislature. Commissioner White said there has to be a reality check and we have to work together because there are some grotesque costs at the county level because of pass through costs that have come from the state. Commissioner Dale said another problem is that the Supreme Court has gobbled up our misdemeanor probation money and although he's heard they are working on it he is not convinced they are working on it in a way that will be satisfactory at all. Mr. Decker reported on the following communications issues: he included some information regarding the County's Industrial Development Corporation on the website; once the fair advisory board bylaws have been revised he will work with Diana Sinner to do a public notice seeking fair board applicants; Tricia Nilsson will provide updated demographics and stats for inclusion in the agricultural pamphlet that's being prepared for the upcoming trade show; he has worked with the Parks Department on their historic preservation survey; there is an Operation Life Saver event on Thursday which will bring awareness to railroad crossings; and, the Idaho Press-Tribune is doing a dirty jobs segment and they want to profile the landfill. Commissioner Rule spoke briefly about last week's ceremony for David Eames who was sworn in as a Magistrate Judge. Commissioner Dale said he had a good discussion with Seth Grigg who spoke of his desire to restructure what IAC is doing and be more responsive to the actual membership. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley (left at 9:09 a.m.), DSD Director Tricia Nilsson (left at 9:09 a.m.), Building Official Dave Curl (left at 9:09 a.m.), Deputy P.A. Brad Goodsell (arrived at 9:07), Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross.

***Consider signing an ordinance and summary amending Chapter 6, Article 1, Building Codes, Sections 7 and 9 of Canyon County Code of Ordinances:*** Zach Wesley said this ordinance and summary were signed a few weeks ago but when it was sent to Sterling Codifiers they sent back some notes that provided some clarity to the ordinance. Upon review by legal and the Development Services department they thought the changes were good and today is amending the ordinance that was signed a few weeks ago. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the ordinance and summary amending Chapter 6, Article 1, Building Codes, Sections 7 and 9 of Canyon County Code of Ordinances (see ordinance no. 18-004).

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

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

Commissioner White made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by

Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:21 a.m. with no decision being called for in open session.

The meeting concluded at 9:22 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(C): DISCUSS POTENTIAL ACQUISITION OF AN INTEREST IN REAL PROPERTY

Commissioner White made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (c) to discuss potential acquisition of an interest in real property. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Parks Director Nicki Schwend, Parks Assistant Director Kathy Kershner, Outdoor Recreation Planner Laura Barbour, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:53 a.m. with no decision being called for in open session.

#### JANUARY 2018 TERM CALDWELL, IDAHO JANUARY 30, 2018

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

#### APPROVED CLAIMS ORDER NO. 2-9-18

The Board of Commissioners approved payment of County claims in the amount of \$53,636.65 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ESRI in the amount of \$9800.00 for the Sheriff's Office

#### FILE IN MINUTES

The Board filed the Treasurer's monthly report for December 2017 and quarterly report for October thru December 2017 in today's minutes.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto (left at 9:06 a.m.), Clerk's Executive Assistant Taryn Peterson (left at 9:06 a.m.), Deputy P.A. Brad Goodsell, Deputy P.A. Allen Shoff (left at 9:06 a.m.), Director of Indigent Services Yvonne Baker (left at 9:05 a.m.), HR Generalist Cindy Lorta (left at 9:05 a.m.), Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing a resolution to adopt changes to the job title of one (1) position in the Indigent Services Department:*** Yvonne Baker said this title change should have been done a couple months ago but was inadvertently missed. The title change is to change the Hearing Generalist to a Hearing Manager; there is no pay change, it is just a title change. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution to adopt changes to the job title of one (1) position in the Indigent Services Department (see resolution no. 18-010).

***Consider signing court interpreter contract with Johannes Voogt:*** Taryn Peterson and Allen Shoff said this is part of building the interpreter roster. Mr. Voogt speaks Portuguese and is certified in Washington. The fee is slightly higher due to the level of demand. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the court interpreter contract with Johannes Voogt (see agreement no. 18-015).

#### EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

*A request was made to go into Executive Session to discuss acquisition of an interest in real property and records exempt from public disclosure. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

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

#### INFORMATION TECHNOLOGY PROJECT CLOSURE UPDATES



The Board met today at 9:38 a.m. for Information Technology project closure updates. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of IT Greg Rast, Assistant Director of IT Eric Jensen, Project Manager Shawn Adamson, Business Analyst Jack Sum, Operations Manager Don Dutton, Development Manager Rick Fisher, Business Manager Caitlin Pendell and Deputy Clerk Jenen Ross. Director Rast and his management team updated the Board on projects that have recently been completed. Those included the Windows 2003 Upgrade, the MLS to ProVal conversion for the Assessor's Office, the Courts User Integration, the Jury Wheel 2017 project for the Jury Commissioner and the Windows 10 Update. Copies of the project closure information is on file with this day's minute entry. The meeting concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING - REQUEST BY JOHN RAFF FOR APPROVAL OF A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION PLAN, AND WAIVERS FOR CASE NO. PH2017-53

The Board met today at 11:02 a.m. to consider the preliminary plat, final plat, irrigation plan and waiver request for John Raff, Case No. PH2017-53. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida said the highway district is scheduled to sign the final plat on February 9 so the applicant is requesting a continuance. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to February 14, 2018 at 1:30 p.m. The meeting concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2018 TERM  
CALDWELL, IDAHO JANUARY 31, 2018

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

APPROVED CLAIMS ORDER NO. 2-9-18

The Board of Commissioners approved payment of County claims in the amount of \$55,177.07 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Commercial Flooring in the amount of \$2655.74 for the Facilities department
- Idaho Tool & Equipment in the amount of \$6556.00 for the Facilities department

#### APPROVED DECEMBER 2017 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of December 2017 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.

#### LEGAL STAFF UPDATE

The Board met today at 9:06 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Commissioner Dale said he received a call the other day from a gentleman from the Veterans' Court Mentorship Program, he explained they have Veterans' who meet at the courthouse campus for various reasons and is wondering about Purple Heart recipient parking spaces. Brad Goodsell believes this is something that can be worked out with Facilities Director Paul Navarro and does not require any additional action. Commissioner White is in favor of the parking spaces but Commissioner Rule is concerned that it may be opening up a situation for other groups to request special parking spaces. Mr. Goodsell presented the Board with a letter for consideration to ON Semiconductor regarding a property tax exemption application. The Board feels that the letter clearly identifies the county's position and signed the letter (a copy of this letter is on file with this day's minute entry). The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:32 a.m. for a monthly meeting with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fair Director Diana Sinner, Areena Arora from the Idaho Press-Tribune and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: The new website was launched a couple weeks ago and went really well. She is very impressed with design and functionality of the site. One improvement to the site was to add a fillable form for vendors that can then be submitted thru the website. Building improvements have been wrapped up and they hosted the Western Idaho Ag Expo last week. At this point they already 20 events booked for the year. The fair mainstage concert acts for Thursday and Friday have been confirmed but contracts have not yet been signed and they

are finalizing Saturday night and working to book the opening acts. They've had another meeting with Radio Ranch in regards to Sunday activities and so far have had a really good response. Ms. Sinner would like to stagger the dates for concert ticket sales; at this point they planning to announce one in mid-March, then April and May. Other stage entrainment is being booked and she anticipates having a lot of contracts to be reviewed next month. Rebecca Coulter is continuing to meet with and secure sponsors. They are also working on staffing and hoping to have more staffing thru the county instead of having to use a temp service, additionally, they are looking for volunteers for certain areas. Zach Wesley is going to be doing a workshop with the advisory board next month to work on revising the bylaws, once that is done they will do more advertising to fill the other open board positions. Commissioner Dale let Ms. Sinner know that they recently signed a solicitation of interest letter looking for a firm to sell the surplus fair property and it is the opinion of the Board that the proceeds from that sale will go directly back to the fair. The meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JANUARY 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018

CANYON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Commissioner Steven J. Rule

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

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

ATTEST: Chris Yamamoto, Clerk

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

FEBRUARY 2018 TERM  
CALDWELL, IDAHO FEBRUARY 1, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- DataBank in the amount of \$14,400.00 for the Information Technology department
- Carousel in the amount of \$16,757.00 for the Information Technology department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Steve Rule, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. Per the Clerk's statement of findings the following cases do not meet the eligibility requirements for County assistance: 2018-0322, 2018-0287, 2018-0344, 2018-0261, 2018-0332, 2018-0315, 2018-0440, 2018-0288, 2018-0280, 2018-0326, 2018-0325, 2018-0419, 2018-0448 and 2018-0328 upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Pam White and Steve Rule, Lt. Ben Keyes (left at 9:04 a.m.), Deputy P.A. Allen Shoff (left at 9:08 a.m.), Clerk's Executive Assistant Taryn Peterson (left at 9:08 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing an agreement with Idaho Department of Parks and Recreation for assistance in the County Recreational Boating Safety Program:*** Allen Shoff said this is money that is sent from the Idaho Department of Parks and Recreation to the counties. Canyon County has been granted this money in previous years, the only difference this year is the amount. This year the county will be receiving \$36,187 which will be matched at 50% by the county. Lt. Keyes said the funds are used to offset part-time deputies and the matched amount comes from the vessel account. This is a competitive grant and is based on citations, educational opportunities and safety inspections among other things. Commissioner White asked if this is guaranteed money and Lt. Keyes explained that it is paid based off the Idaho fuel tax so it is not guaranteed

but in his years working for the county we have never not received it. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the agreement with Idaho Department of Parks and Recreation for assistance in the County Recreational Boating Safety Program (see agreement no. 18-016).

***Consider signing independent contractor agreement for court interpreter Diana Noman:***

Taryn Peterson said Ms. Noman is an Arabic and Russian interpreter who is certified in Washington. There is currently an Arabic case happening where Ms. Noman will appear telephonically. Her rate is \$75.00/hour due to the rare languages and being certified. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for court interpreter Diana Noman (see agreement no. 18-017).

***Consider signing a resolution appointing Doug Shinn to the Canyon County Mosquito Abatement District Board of Trustees:***

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution appointing Doug Shinn to the Canyon County Mosquito Abatement District Board of Trustees (see resolution no. 18-011).

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

**CONSIDER BYRON AND BECKY HAYDEN'S CASUALTY LOSS APPLICATION FOR CANCELLATION OF PROPERTY TAXES**

The Board met today 10:03 a.m. to consider Byron and Becky Hayden's casualty loss application for cancellation of property taxes. Present were: Commissioners Pam White and Steve Rule, Becky Hayden, Treasurer Tracie Lloyd, Assessor Brian Stender, Greg Himes from the Assessor's Office, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. The application is another casualty loss from the Burnie Subdivision where a number of homes were flooded. The Haydens were out of the home for 128 days. The Treasurer prepared a form that shows the breakdown of the values and the percentage of loss and the estimated taxes attributed to that loss. The tax amount requested to be forgiven is \$343.27 and is based on a reduction in value of \$25,700. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to forgive the taxes in the amount of \$343.27 for Byron and Becky Hayden. The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

**MEETING WITH DAVID PETERSON TO DISCUSS CASUALTY LOSS APPLICATION FOR CANCELLATION OF PROPERTY TAXES**

The Board met today at 10:30 a.m. to discuss David Peterson's casualty loss application for hardship cancellation of property taxes. Present were: Commissioners Pam White and Steve Rule, David Peterson, Treasurer Tracie Lloyd, Assessor Brian Stender, Greg Himes from the Assessor's Office, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Greg Himes

said Mr. Peterson came in for a board of equalization hearing but the valuation of his new house wasn't the issue so the Board upheld the value on the new house and decided to come back and hear the casualty loss cancellation. He was out of the house from July 4, 2016 through the end of December 2016 so there is a valuation reduction of \$185,092 and a tax calculation of \$3,527.24. Treasurer Lloyd said he was charged penalty and interest back in 2016 because he forgot to pay the taxes and he has asked for it to be forgiven due to the information he received from the Assessor's Office in 2016. Commissioner White made a motion to grant the casualty loss in the amount of \$3,527.24. The motion was seconded by Commissioner Rule and carried unanimously. Commissioner Rule asked for further explanation on the penalty portion. Mr. Peterson said if the process had been done correctly he would have been here in July 2016 and the tax would have been forgiven and there wouldn't have been a penalty, but neither he nor the Assessor's Office were aware of the law then. Brad Goodsell said the statute under Idaho Code, Section 63-711 allows the Board to cancel penalty and interest that are related to taxes it has cancelled. Assessor Stender said Mr. Peterson came to the office in a timely fashion, but staff assumed he wanted to get the value reduced for when the house burned and they were not aware of the situation or else they would have had a process in place a long time ago and he would have received the right tax bill. Commissioner Rule made a motion to forgive the penalty and interest in the amount of \$308.21. Commissioner White seconded the motion which carried unanimously. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH CASH AND FRANCES MITCHELL TO DISCUSS CASUALTY LOSS APPLICATION FOR CANCELLATION OF PROPERTY TAXES

The Board met today at 11:02 a.m. to consider Cash and Frances Mitchell's casualty loss application for cancellation of property taxes. Present were: Commissioners Pam White and Steve Rule, Cash and Frances Mitchell, Treasurer Tracie Lloyd, Assessor Brian Stender, Greg Himes from the Assessor's Office, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Tracie Lloyd said this is a Burnie Subdivision casualty loss application where they were out of their home for 90 days. She prepared a work sheet which shows a reduction in property tax value would be \$14,600 amounting to a cancellation of \$195.00 in property tax for 2017. Frances Mitchell said they were out of the house for three months while repairs were being made. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to forgive taxes in the amount of \$195.00. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

#### **FEBRUARY 2018 TERM** **CALDWELL, IDAHO FEBRUARY 2, 2018**

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

No meetings were conducted.

## FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 5, 2018

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

### APPROVED CLAIMS ORDER NO. 2-9-18

The Board of Commissioners approved payment of County claims in the amount of \$5932.88, \$106,124.37, \$430,357.75 and \$105,382.02 for accounts payable.

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Converge One in the amount of \$31,012.82 for the Information Technology department
- Amazon in the amount of \$1044.99 for the Information Technology department
- Inselman Plumbing & Excavation in the amount of \$3600.00 for the Facilities department
- Graybar in the amount of \$15,799.00 for the Facilities department
- Quality Electric in the amount of \$40,276.00 for the Facilities department

### STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Sr. Administrative Specialist Jamie Miller and Deputy Clerk Jenen Ross. The Board reviewed the calendar and agenda with staff. PIO Joe Decker updated the Board on the following communication items: he will be doing a press release regarding the retirement of Jim Martell and appointment of AJ Mondor. He recently spent time with a reporter from the Press-Tribune touring the landfill with Director Loper as they will be doing a story about Pickles Butte. There are a couple of Sheriff's sales to be loaded onto the website along with the next public meeting for the Historic Preservation Plan. Idaho Day is on March 4<sup>th</sup>, which is something the legislature recognizes, so he will look into finding a proclamation for the Board to sign towards the end of the month. The meeting concluded at 8:40 a.m. An audio recording is on file in the Commissioners' Office.



## CONSIDER AGENDA ITEMS

The Board met today at 9:06 a.m. to consider signing resolutions issuing refunds requested by Development Services. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Board considered the following resolutions for refunds:

***Refund for a building permit to Gene Ness:*** Mr. Ness changed his mind on his building and decided not to do a basement. The fees were recalculated resulting in a refund of \$157.76.

***Refund for a rezone and comprehensive map amendment to Curtis & Sharon Urrutia:*** The Urrutia's changed their minds on this project and have asked for a refund. Some limited staff costs were deducted making the refund \$3253.93.

***Refund for a property boundary adjustment application to Talich Land, LLC:*** Mr. Talich had his clients change their application which resulted in an \$80.00 application fee to be refunded.

Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolutions issuing refunds to Gene Ness (see resolution no. 18-014), Curtis & Sharon Urrutia (see resolution no. 18-013) and Talich Land, LLC. (see resolution no. 18-012). The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

## LEGAL STAFF UPDATE

The Board met today at 9:11 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Commissioner White asked about a letter that was recently received from an inmate requesting a resolution to his situation. Mr. Porter let the Board know that the letter had been referred to ICRMP for a response and that there is no need for the Board to respond. The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

## FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 6, 2018

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

The Board attended the Idaho Association of Counties conference.

FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 7, 2018

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

The Board attended the Idaho Association of Counties conference.

FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 8, 2018

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

The Board attended the Idaho Association of Counties conference.

FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 9, 2018

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

APPROVED CLAIMS ORDER NO. 2-26-18

The Board of Commissioners approved payment of County claims in the amount of \$78,868.76 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ITCC (Idaho Tower) in the amount of \$13,895.20 for the Information Technology department
- HP, Inc. in the amount of \$3703.44 for the Information Technology department
- Mountain Home Auto Ranch in the amount of \$30,492.45 for the Fleet department

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

The Board approved a salary rate request and/or key & security access request form for Adam (AJ) Mondor.

### LEGAL STAFF UPDATE AND CONSIDER SIGNING DISTRIBUTION OF CANYON COUNTY FY2018 JAIL FINANCE AND CONSTRUCTION RESEARCH REQUEST FOR INFORMATION

The Board met today at 9:06 a.m. for a legal staff update and to consider signing distribution of Canyon County FY2018 Jail Finance and Construction Research Request for Information. Present were: Commissioners Pam White and Steve Rule, Commissioner Tom Dale attended by phone, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Jail Captain Daren Ward, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, Kelby Monks, a student at the University of Idaho and Deputy Clerk Jenen Ross. Sam Laugheed said last year the Board contracted with DLR Group to provide a needs assessment and concept design. DLR worked with the Sheriff's Office and other county stakeholders over a period of several months with the final report being released in November. After the report was released the Board held a couple of open meetings with DLR Group and the local community to address questions and some concerns that were raised by the final report. In the meantime, some Board members as well as other stakeholders have been contacted by various national construction and jail expertise firms and individuals offering their perspective and information on the county's situation and the DLR report. As Mr. Laugheed understands, in consequence of that contact, the Board would like to standardize the format in which this additional information is received. The purpose of the RFI is to provide a standardized form for these entities who have this experience and perspective to provide their information to the county. This is just an RFI (Request for Information) and the responses are not offers nor would they be binding and could not be the basis for a contract, it is purely for research and informational purposes only. The RFI sets out the current factual circumstances as well as some of the relevant legal framework, particularly how jails are operated in Idaho with the Board being the manager of the facility and the Sheriff being the operator of the facility. It includes any financial restrictions on the county entering debt beyond that available in a given fiscal year and requests their perspective and input. The RFI states that the County is open to all well-reasoned solutions based on the DLR Group's needs analysis which is incorporated into the RFI, perspective and ideas on financing over a term not to exceed 30 years, which is the statutory maximum, construction of at least 800 beds with expansion possibility with the bed space being of varying classification status. The RFI includes a calendar showing that the notification will be published in the Idaho Press-Tribune and Director Navarro and PIO Joe Decker are working to find outlets beyond the local media for this RFI to be pushed to. The attachment shows the basic format of how the county would like to receive the information. There is no legal reason not to move forward with the legal notice and the RFI itself. Commissioner Dale expressed concerns about the meeting with HOK coming up next week and wondered if that should be postponed. Mr. Laugheed did not believe it needed to be postponed but that

perhaps the RFI packet could be forwarded to them in advance of the meeting. Commissioner Dale made a motion to release the RFI and Commissioner White seconded the motion. A roll call vote was taken with Commissioners Rule, White and Dale voting in favor of the motion. The motion carried unanimously. Commissioner Rule and Commissioner Dale shared with Commissioner White that at the IAC Conference this week there was a question asked about the local option sales tax. Several legislators answered that it is unlikely a local option sales tax would be approved this year or in the near future. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS

Commissioner Rule made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, HR Director Sue Baumgart, Public Defender Aaron Bazzoli, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

JAIL POPULATION UPDATE; POSSIBLE EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) AND (I) TO FOLLOW

The Board met today at 10:02 a.m. for a jail population update; possible Executive Session pursuant to Idaho Code, 74-206 (1)(d) and (i). Present were: Commissioners Pam White and Steve Rule, Commissioner Tom Dale via conference call, Chief Civil Deputy P.A. Sam Laugheed, Chief Criminal Deputy Chris Topmiller, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Sam Laugheed said the Executive Session will be continued to next week as there are some associated risk and liability issues that need to be discussed and it would be in the county's best interests to have Sheriff Donahue and Prosecutor Taylor here for that component. There are some matters that are already public record involving the jail population and some events that have been occurring over a period of time but have reached a head this week with particular regard to female inmates. He said Captain Ward can talk about that and we can tell you what interim measures have been taken. He provided the Board with an attorney-client privilege memo outlining some of the other options and risks that can be discussed in Executive Session next week. Captain Ward said they have 62 female beds within the main Dale Haile jail and they've opened one floor in the annex (the 1948 jail) that holds 14 more female beds. It's very problematic because there has to be a female deputy in that unit because of the layout of the facility. This morning there were 98 females in custody; 13 are housed out of county and the rest are in special management units. This Monday they had 39 people in special management units because

they had no other place to put them so they are trying to get people released to alternative programs but those programs are at the saturation point. There are people who should not be in those programs according to the risk assessment scores so he feels like they are somewhat sabotaging the pretrial program by sending people we know are not going to be successful. According to Captain Ward they are okay with the male population this week. There are 18 males housed out of county but every day the transport staff calls surrounding counties but there aren't any available beds. Commissioner Rule said he had a conversation with Washington County Commissioner Kurt Chandler regarding jail space and he said they have a contract with the state for 40 beds at \$45 a bed. He asked if Washington County would consider contracting those 40 beds with Canyon County instead of the state if we paid a little more for the space and Commissioner Chandler said yes, that could be worked out. Captain Ward said that's how we are getting the beds in Owyhee County and Gem County, by paying a little more than the state, but they have not been able to get Washington County to do that yet, but he is happy to reach out to them. Chief Dashiell said we have 3-5 inmates housed in Washington County this week, and they've worked with the Sheriff over the past year and it's up and down on space availability and when they run into employment shortages it changes how many beds they operate in their jail. Female bed space becomes a premium for everybody and we are in competition with Ada County and Twin Falls County for beds from Moscow to the Wyoming border and it can be a chess match on who can secure the beds quicker. He said when we talk about the special management units, some of those inmates do have to be housed in those locations on suicide watch and medical watch, etc., but it's not overflow housing. They put pressure on the state every day to pick up their prisoners that are housed in the jail. They have expended all resources and are trying to figure out what to do next. Commissioner Rule said we have to get creative if we're going to solve the problem and he's willing to authorize a new position or two to guard our prisoners in Washington County. He also said there's an approved set of plans for 190 beds on the end of the Dale Haile and if the other Commissioners will consider that we could get a building permit and have some jail relief within 18 months. It's not perfect but that's the one thing that's doable. Chris Topmiller said this week he reviewed the entire female population to see if there were any inmates who were immediately dangerous. A list then went to Captain Ward and he said of those 20 people, 16 will not successfully complete pretrial release. Chief Topmiller agrees but we need the space. Mr. Laugheed said we're at this point where creative solutions have to be found because we've reached this kind of saturation point before - 10 years ago or so - and that was the prelude to litigation and to the creation of the pretrial program, and the alternative sentencing program, and to the creation of the early release efforts that we've worked on with the judiciary, and the out of county lease space, and at this point they can't envision any more of those sorts of solutions that would be lawful or would afford any relief and so we are down to making choices that are going to put things off for some time and that's why he provided a memo about some of the risks and liabilities. Chief Dashiell said when they were over 100 females in custody they pulled up that same date for the past four years which showed it's nearly a 100% increase in female population. It isn't a change per se in what the courts are doing, it's a change in population numbers and who's committing what crimes, the majority of which are drug based but unless there is a legislative change or decision change in the mindset on how the courts want to approach these we are only going to see these numbers continue grow because we are giving all these people opportunities not to sit in jail and they are abusing that opportunity. Commissioner

Rule asked if the Sheriff's Office had enough surplus in this year's budget to take care of the extra fees. Chief Dashiell said through January the out-of-county housing is at 86% expended, jail overtime is at 112% expended but due to vacancies in the A budget they are still within range but it will be something he has to continue to discuss with the Controller. Commissioner Rule said we talked two years ago about putting hundreds of thousands of dollars in the budget for out-of-county housing costs and now reality is slapping us in the budget. Mr. Laugheed said if we can take some time over the next few days to think about the circumstances and those choices that are being presented and then reconvene for an executive session. Commissioner Rule asked Captain Ward to check with Washington County about additional bed space. The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

#### **FEBRUARY 2018 TERM**

**CALDWELL, IDAHO FEBRUARY 12, 2018**

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

#### **APPROVED PURCHASE ORDER**

The Board approved the following purchase order(s):

- Platt Electric Supply in the amount of \$5262.70 for the Fair
- Bomgar Corp in the amount of \$2306.29 for the Information Technology department

#### **APPROVED CLAIMS ORDER NO. 2-12-18**

The Board of Commissioners approved payment of County claims in the amount of \$333.00 for accounts payable.

#### **APPROVED CLAIMS ORDER NO. 2-26-18**

The Board of Commissioners approved payment of County claims in the amount of \$24,546.73, \$67,824.15 and \$119,864.32 for accounts payable.

## COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: will do a press release for the Request for Information for the jail finance and construction research project; AJ Mondor, the new Director of the Weed and Gopher Department, would like to start a Facebook page for the department; KBOI talking points; Crunch Fitness is offering reduced rates to employees; he will meet with KBOI reporters to discuss Canyon County issues; he will post a notice on the website about the courthouse closure on February 19 for President's Day; he will work with Valley Information Systems about putting an insert in with the assessment notices regarding the household hazardous waste event in June; and the Elections Office asked him to work on a training video for their poll workers. The meeting concluded at 8:40 a.m. An audio recording is on file in the Commissioners' Office.

## PUBLIC HEARING – APPEAL RE: COPE SAND AND GRAVEL'S REQUEST FOR A MINERAL EXTRACTION EXPANSION, CASE NO. PH2017-52

The Board met today at 9:07 a.m. to conduct a public hearing in the matter of an appeal by the Wild Rose Estates HOA, Carriage Hill Community HOA, Two Towers Subdivision HOA and Memory Lane Community, of the P&Z Commission's approval of Cope Sand and Gravel's request for a Conditional Use Permit (C.U.P.) for a long-term (20 year) mineral extraction use on Parcel R33106. The use includes sand and gravel mining, operation of a portable crusher and gravel transportation. The subject parcel is addressed as 12475 Lake Lowell Avenue in Nampa. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, DSD Planner Jennifer Almeida, Steve Torrano, Charles Dennis, Tom Michaelson, Sheryl Mansfield, Steve Brooks, Bill Rapp, Sherra Rapp, Tina Putnam, Chris Putnam, Ed Wofford, Marilyn Wofford, Paula Torrano, Al McGlinsky, Lee McGlinsky, Patricia Dennis, Jean Perdue, Diane Echols, Alexander Bozeman, John Anderson, Anne Turner, Robert Turner, Cheyanne Turner, Elspeth Turner, Youli Wang, Claudia Frent, Flavius Frent, Philip Shearer, Marshall Anderson, Mike Moore, Julie Parsons, Gregg Lasher, Kim Lasher, Kenneth Struck, Patricia Myrick, Kelly Mansfield, Victor Rodriguez, Ty Benhom, Christian Stanciu, Todd Lakey, Paul Cope, Brett Cope, Jacque Cope, Bob Cope, Cheryl Cope, Dave Cockrum, Kim Keller, Ken Wood, Patrick Hargan, Jay Greenwood, John Babcock, Chuck White, Mike Olson, Dusty Hibbard, Robert Parrish, Jason Wallace, Philip Welch, Karleigh Robinson, Leslie Robinson, Angie Robinson, Ritchie Wheaton, Mike Hill, Brad Carpenter, Mike Mussell, Mike Fusselman, Caleb Gentry, Randy Barney, Dean Hartwig, Steve Snead, Jim Russell, Tyler Dahle, Mark Hess, Chris Lords, Tony Schuler, and Deputy Clerk Monica Reeves. Commissioner Dale said this is an appeal of an application for an expansion of the existing gravel pit. The Board heard a Cope application previously but that was for a new project on a different site, but this is not that case, it's a continued operation at the present site, an expansion of the present site. He knows people on both sides of the issue, his parents owned property in the Wild Rose Subdivision back when this first pit started. He has not made up

his mind so it's going to depend on the testimony and what we hear today. Commissioner White said she knows people on both sides of the issue and she has family members that have been in business and they may have at one time done business with Cope. Commissioner Rule said he has done business with Cope Sand and Gravel as part of Rule Sales and Service. He likes industry, commerce, and economy, but on the other hand after the last decision he received severe critical comment on his character and ability to judge information from the Cope side, but if he recused himself every time he received criticism he'd probably set out half the meetings that are important to Canyon County progress. He doesn't like to be called names or be told he doesn't know what he's doing. He will wipe the slate clean, listen to the testimony and try to make a decision that supports the data we are given.

Dan Lister gave the oral staff report. Cope Sand and Gravel is proposing an existing mineral extraction use on Parcel 33107, which is gravel pit mining operation of a portable crusher and related gravel transportation to gradually transition to the subject parcel (R33106) as the existing site becomes depleted. Operations include an expiration date of 20 years, the existing pit expires March 20, 2032; hours of operation are Monday through Friday 7 a.m. to 6 p.m., Saturday 7 a.m. to 1 p.m., and they are closed on Sunday. This is the existing operation's hours of operations; there will be one access point from Lake Lowell and as the operation moves over to the subject property that access point would be installed; there will be only 10 parking spaces near the proposed crusher location, trucks and equipment would be parked on site during active operation periods; trucks are not proposed to increase as part of this transition to this proposed location and neither is the number of employees. Reclamation of the existing use is proposed to be recreational, Boy Scouts of America use. On November 2, 2017 the P&Z Commission approved the C.U.P. with conditions of approval. On November 13, 2017 Steve Torrano, representing Wild Rose Estates HOA, filed an appeal which included opposition letters from Carriage Hill Community HOA, Two Towers HOA, and Memory Lane Community. Staff received many letters both in support and in opposition. Some of the concerns are the increased dust, noise and traffic impacts, potential resource impacts to the subdivisions' water supply, habitat of the Deer Flat area, recreational use of Lake Lowell and related impacts to property values. Staff received concerns about it being visually unattractive and that it's inconsistent with the Canyon County Comprehensive Plan. There were numerous letters of support stating this location is critical and that gravel resources are critical to the future growth of Canyon County for construction, roads, etc. Local ownership keeps the costs down and competitive, and they are good neighbors and responsible business owners. Staff's analysis shows that the proposed use doesn't really change the existing area or the character; it's predominately agricultural with similar conditions, dust, noise, machinery, smells. Within that area there are three gravel pits: one is the Cope gravel pit, and two that have been there for a very long time, Rambo and Nampa Paving, also known as Woodland Properties, LLP. They are large acreages and have no end date so they will be able to use that use for a very long time. The existing extraction use expires March 20, 2032. The proposed 20 years would expire February 12, 2038, approximately six years after the expiration of the existing site, therefore the expanded use does not significantly prolong the use already approved in the area nor impact the transition of the area from agriculture to residential any more than the existing approved use currently does. The applicant has provided information that demonstrates this would not create a significant adverse impact to the surrounding area. The portable crusher will gradually be



located into that newer location, over 1200 feet from the closest residential use to reduce noise impacts to neighbors. Use will comply with existing operation days and hours. As conditioned, air quality, dust control requirements from DEQ are required to be met. They have demonstrated with data from a professional geologist that the existing site meets current standards. As part of the conditions staff has added that they have to meet all state and federal requirements. The proposed use will not change existing views from the north, west and south. The use will be 50 feet or more below the surface. A 400-foot buffer is proposed between the site and the nearest residential subdivision which is Wild Rose Ranchettes, which will remain in agricultural use which currently includes a feedlot with homestead. A 100 to 300-foot buffer is located between Lake Lowell Avenue and the Thacker Lateral which will remain as maintained pasture. The existing tree line along the lateral will serve as a visual buffer between the road and pit area. The southeast border will provide a 50-foot buffer starting at the property line and then gradually become a 500-foot buffer going southwest on the property line. The use is designed and conditioned to impact or further strain essential services; existing irrigation laterals and Idaho Power transmission lines will be protected. The use transitioning to a smaller location will not increase impacts to fire or police services; existing septic and well will not be utilized or disrupted as part of this use. The applicant is not proposing to increase the number of trips as part of the mineral extraction operation, therefore, Canyon Highway District does not require a traffic impact study, but it has requested a condition of approval that truck traffic be limited to east bound Lake Lowell Avenue and Midway due to road conditions west bound and the applicant has agreed to that. As conditioned the proposed use is consistent with the required C.U.P. findings in section 07-07-05 of the Canyon County Code. The proposed use is consistent with the use standards required for long-term mineral extraction uses, section 07-14-19 of the Canyon County Code, therefore, staff is recommending the Board deny the appeal and approve the C.U.P. with conditions.

**TESTIMONY IN SUPPORT OF THE APPEAL WAS OFFERED AS FOLLOWS:**

Steve Torrano offered testimony as the appellants' representative. He is the Vice President of the Wild Rose Ranchettes HOA established in 1978. Wild Rose Ranchettes fought the current gravel pit when it was originally proposed 15 years ago and many of those here today are continuing the fight for the new pit. They understand the Copes are looking toward the future to continue their operation, however, this new location is not appropriate and would have a negative impact for decades to come. Significant impacts include: Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area? Land uses in the immediate vicinity to the subject property include multiple residential subdivisions, agriculture and rural residential property. The proposed gravel mining operation would be located within 400 feet of the eastern boundary of the Wild Rose Ranchettes Subdivisions. Being this close noise and dust from a mining operation would continue to be disruptive to the rural residential character of the area. Additionally, allowing this operation to move this much closer to existing subdivisions would continue to harm the property values and development of those exiting subdivisions and threaten their water supply.

Traffic Impact – From the standards of review for the C.U.P., Section 07-07-05, 1) the existing pavement section for Lake Lowell west of the proposed mine was not designed to accommodate significant truck traffic. It's a section they have agreed not to use, however, who's going to monitor that? How do we know, and why haven't they stopped the trucks

from going down that street before? The intersection of Lake Lowell and Lake Avenue has narrow approaches, small radii, and a high percentage of bicycle, pedestrian and school bus traffic that did not exist 15 years ago. Trucks are competing with bikers, runners, walkers, school buses and boat-towing traffic coming from all over the Treasure Valley. The intersection of Lake Lowell and Midway Road has trucks backing up traffic while they wait to turn west onto too narrow of a road. It's an inappropriate location for this kind of traffic. Concerns in complying with the comprehensive plan – Property Rights Policy No. 8 from the 2020 Canyon County Comprehensive Plan states to promote orderly development that benefits the public good and protects the individual with a minimum of conflict. They do not feel that the public good is benefitted this close to the Lake Lowell recreation area and to the Wild Rose Ranchettes water aquifer. They have been assured that no significant damage is likely to happen to the water aquifer but that does not guarantee our safe water. Secondly, Land Use Component Goal No. 2 states to provide for the orderly growth and accompanying development of the resources within the county that is compatible with the surrounding area. Within Canyon County land resources are limited. Land is valuable and should be utilized in a constructive manner. County Commissioners, P&Z officials, cities and citizens are all responsible for determining the highest and best use of land. Priorities regarding land use needs to be routinely reviewed and updated. Long range plans should be updated to accommodate expected growth without endangering natural resources and the quality of life. Because of the beneficial nature of the resource and its cultural and historical value, the County recognizes that the Deer Flat National Wildlife Refuge is a special area. Careful consideration should be given to development adjacent to the site. They are concerned about trucks being on roads that were not originally designed for that type of traffic. The final component for the comprehensive plan, the natural resources component states consideration should be given, but not limited to the following impacts: economic value of the ground, access to the ground, compatibility with surroundings, noise, traffic, visual aesthetics, and flooding. We feel like these points are in danger of not being complied with. Mr. Torrano asked the Board to deny the proposed use because it's not compatible with the comprehensive plan.

Marilyn Wofford testified that almost every week when approaching the stop sign in front of the Cope gravel pit they have to back up because a gravel truck with a trailer needs both lanes to make the turn. Last year they saw a bicyclist going up the hill on Lake Lowell Avenue and they chose to stop rather than go around and a loaded gravel truck came down the hill just then and had they not stopped they could have been killed. She spoke of the dust and silica that gets in their home; they have an electronic air filter and when it's washed the water is black as ink. Ms. Wofford submitted a video showing the dangers of exposure to silica.

Ed Wofford stated he was the water system operator for 10 years for Wild Rose Lane so he went through a lot of continuing education with DEQ. He did some research on how to control silica dust from the stone crushing with water spray technology. He said the body doesn't know what to do with silica and so it becomes embedded in your lungs and you can't absorb oxygen anymore. He asked where the water is going to come from that the Copes needs to hold the dust down. Is it from the bottom of the pit? That's a potential source of contamination, any well that's drilled in that area alongside the gravel operation. What about the 40% that goes into the air?

Al McGlinsky testified that in the early 1980's they purchased five acres on which they built the home they have lived in for 33 years. They paid a premium for the land knowing it was

sure to be peaceful being surrounded by ag land, a county park, the lake, and the wildlife refuge and they thought this would be a wonderful place to live their last years, but that changed in 2005 when the Copes, using a C.U.P., began mining gravel a few hundred yards from their house. The quiet is gone, she hears the rock crusher every time it runs and the machinery beeping six days a week and now Cope wants to expand. The front door of their home is less than 200 feet away from that land and their view will be of the mine itself. Elevations are such that no berm could possibly screen it or its noise. None of those who wrote letters in support of Cope live nearby, nor do the Copes. They have failed to follow the C.U.P.'s on his existing mine. Documents show Cope paid over \$3200 in fines for 33 MSHA violations between 2007 and 2017. There have been many repeated violations indicating he finds it easier to pay the fines rather than fixing the problems and by his own admission he has exceeded the depth conditionally allowed and he continues practices that may contaminate drinking water. The 2020 comprehensive plan is residential for the area the Copes want to mine, please do not allow them to do it.

Diane Echols said the proposed expansion presents a health risk to the neighboring community. Silica dust can become airborne and transported to surrounding areas during mining operations and by the wind. The proposed site is too close to many homes and the park; this is a public health issue impacting quality of life and medical expenses. Crystalline silica dust is not the same as ordinary house dust; the particles can be 100 times smaller than sand and one-seventh the diameter of a human hair. They are too small to be seen by visual inspection but they can easily enter the human respiratory system. The Department of Health and Human Services and other public health agencies have identified crystalline silica as a human carcinogen that can cause or exacerbate silicosis, lung cancer, COPD, autoimmune and renal diseases. Children are more at risk than adults with shorter exposure periods resulting in lung damage. While it is true that the greatest exposure occurs exists within mines, people living on neighboring properties are also at risk. Silica particles can travel hundreds of feet depending on size and wind speed. According to the EPA larger particles, 30 to 100 micrometers, can travel a few hundred feet in a 10 mph wind. Respirable dust smaller than 15 micrometers travels further and remain suspended longer. Even smaller fugitive dust at 10 micrometers can remain airborne for weeks. In April through August 2017 Nampa had sustained wind speeds greater than 10 mph on 68% of the days and gusts greater than 10 mph on 95% of the days. People in nearby homes, the park and nature trail would easily be exposed to fugitive silica dust. Many states use sampling instruments over several hours to measure particulates in the air at gravel pits. Idaho DEQ inspections instead rely on visual observation and are only required on five years. How will that protect the community from fugitive silica dust from the gravel pit? Residents of this community should not have to be exposed to respirable silica, neither should people enjoying recreation at the park, the wildlife refuge or biking routes. She urged the Board to consider the health risks to the people living in the vicinity of the proposed expansion.

Patricia Dennis testified that her family has lived on their property since the Lake Lowell Dam was built. Her great grandparents owned from the property in the area but had to sell pieces off. To say our property values are not going to be affected is misleading. There are many people that if they know a gravel pit is banging around and noise producing we're going to lose people that would have purchased, they aren't going to want to contend with that and it goes to the year 2032. That is not advantageous to those who live in this area. The subdivisions that are starting to surround us are going to be affected by this. The pit

that was made by the dam has been there ever since it was made; the pit that's on Lake Lowell our police force has used for a gun range and it's still there. The pit that's on Midway behind where Johnny lives, his mother and grandmother used to badmouth that thing so I know they would not be for this. They were opposed to the original Cope pit and they are opposed to this one.

Philip Shearer stated this phase won't affect as much as the last one would have, but he wants to share a sound video from his backyard of the existing crusher. If they expand the sound will be magnified greatly as it creeps closer to the homes. He understands the need for gravel pits but we can't mix mineral extraction and residential. He isn't saying they shouldn't be able to finish out where they're at they just don't want them to creep closer to the homes. This isn't the only location they can pull gravel from. He wants to live in this area and be comfortable, and the retired folks and stay at home moms don't want to listen to the crusher, truck traffic and equipment.

Lee McGlinsky stated her property borders on the proposed expansion and she urged the Board to deny the request. Presently this 40.69 acre property is zoned agricultural, and changing an agricultural zone to an industrial zone next to a residential area is in violation of the comprehensive plan. There are countless reasons not to place an industrial mineral extraction business next to homes: the noise of the rock crusher, the beeping of trucks backing up, the silica dust blowing off the pit on a windy day, increased truck traffic on narrow country roads, wide truck turns crossing centerlines, threats to well drinking water and certainly decreasing home property values resulting in lower taxes to the County. Another area of concern is the Copes past lack of compliance and being fined for past violations of existing rules and not obeying the stipulations placed on them when they got their C.U.P. for the other pit. They have exceeded their hours of operation, the visual barrier ordered along Lake Lowell consists of a dirt berm and small trees that have almost died and the visual barrier along Midway Road is a bulldozed dirt berm with no landscaping. Neighbors called to complain but nothing was done. She questioned if there is a government department that enforces requirements for a C.U.P. This area contains a wildlife refuge, a park, a lake with boat docks, and an expanded industrial gravel pit is certainly not a compatible land use. Canyon County has a good long term land use plan that provides protection and quality of life to all residents and she urged the Board to follow the plan and enforce the restrictions it ordered Cope to abide by as conditions of the present C.U.P. Mr. Lister said code enforcement is through the Development Services Department, and the only one on record is for landscaping, but unfortunately they lost their code enforcement officer recently but they should have another one soon. He said staff is looking at the landscaping issue. Mrs. McGlinsky said she has called in the past, as did other neighbors, about operating past their hours and a variety of other things. Mr. Lister said he will look through the records. Claudia Frent asked who is responsible for enforcing C.U.P.'s. Based on her research in talking to P&Z and the Idaho Department of Labor and the DEQ the response she continually heard was they do not have enough manpower to police C.U.P.'s. When you look at the original C.U.P. that was approved in 2001, specifically the depth of the pit, it says the applicant shall comply with the submitted operation plan. In their submitted operations plan and reclamation plan and in their testimony, Cope testified they would not go deeper than 50 feet, but on Nov 2, 2017 Paul Cope testified that they have gone 70-80 feet deep. Are they in violation of their original C.U.P. with the depth of the pit and if so, what's going to happen? There are stipulations in their C.U.P. but they are not enforced and now they are

bringing dirt into the pit, where is the dirt coming from? What's in it? Does it contain arsenic or bacteria? She believes the Copes are putting us at higher risk. The new C.U.P. is not compatible with the Comprehensive Plan.

Charles Dennis brought with him a water filter that was caked in sand. He changes the filter every six months and has for the last 18 years. Five years ago he had to replace the well and go 20 feet deeper with a new pump. His home is 1800 feet from the existing pit and the newer one will be a lot closer. His daughter has emphysema and just being close at home gives him a lot more problems.

Steve Brooks stated that he lives 400 yards from the proposed gravel pit. He moved to Idaho in 2009 for the quality of life; he is pro-business, however, the business needs to match the needs of the community and the area it is in. He purchased his property in 2016 after the last land use permit was denied. He waited to purchase because he didn't want to live next to a gravel pit. He knew there was an existing pit, but knew it would come to an end relatively soon. He built a dream home as a long term investment and said if this new pit is approved it will affect his family for the next 20 years and will impact the home value and their ability to sell. In looking at satellite images from 2005 when Cope first began, there were very few homes within a mile radius of the pit, but in the last 13 years that has changed dramatically but the data and reports don't show it to be a slowing down trend. Idaho is reported to be the fastest growing state in the nation. Today there are several subdivisions and hundreds of homes within a half mile of the newly proposed pit and more homes planned even closer in the next five years. This will affect the quality of life for families as they settle to Nampa. In 2016 the Board denied the land use permit because it doesn't belong near residential neighborhoods and that decision should still be the same today as nothing has changed other than more residents have begun growing closer. Commissioner Rule asked which direction the prevailing winds blow. Mr. Brooks said the winds go in lots of directions; oftentimes they come from the south off the lake, and they go to the northeast and as you bring that up that current pit when the winds do blow often you can't drive down Midway Road without having to slow down because the winds are blowing so much dust.

Tina Putnam testified her house is one of four homes directly affected. Per the zoning ordinance you have to determine whether or not the use would cause damage, hazard, nuisance or other detriment to persons or property in the vicinity. People come to Lake Lowell to enjoy recreational watercrafts, boating, fishing, swimming and photography. We have many walkers and joggers down Lake Lowell Road, around the park and along the dam. There is an active park, learning stations along the Story Trail, an open green space and they just added a backstop for t-ball. There is a wildlife nature preserve as well as a learning and activity center, the rural environment and close knit communities with multigenerational families, pets, livestock and scenic views. A bigger gravel pit is not compatible in this picture. This is not an expansion, it's a new lease of 40 acres with a different property owner. It was mentioned that the wildlife refuge had no objections, this was misleading and the refuge manager had to email Mr. Lister to clarify that they cannot comment in support or against the request. It was also stated there hasn't been new growth in two years but as you can see by the pictures you can't go down any roads from Lonestar to Greenhurst Road from Midway down without running into huge new developments. It was stated the Copes have had no code enforcement issues, violations, or citations but in looking at the Mine Safety Health Administration(MSHA) reports you can see they've had 33 citations and violations from 2005 to present, two of which have been marked for significant and substantial. She showed

a video of the sand and dust that scatters over the berms and across the road that she said shows the sand hitting the side of her car. If approved, her family and property will be directly affected; they have a big back yard and in-ground pool and they like to entertain and host pool parties for friends, neighbors and church youth and approval of the new area to be mined will impact deeply that quality of enjoyment. They will be exposed to additional dust, sand, noise and health hazards.

Tom Michaelson testified about the issues of health. He was the superintendent of public schools for 30+ years including a short stint in the Nampa School District and in his prior school district they had an elementary school downwind of a sand and gravel pit and they had significant medical issues with younger children, particularly at the elementary school. There is a subdivision that has 137 homes and his concern is that elected officials have approved acres and acres of land to be subdivided to put homes upon and as a result hundreds of homes have been built spanning mostly to the west toward Lake Lowell so what assurances do the homeowners have for quality of life, safety on roads, and for health issues that are downwind in terms of dust – increased breathing disorders, potential asthma and/or emphysema. They want safe travel to and from work, to and from our schools, to our homes, and our churches and recreational areas. There have been discussions in the past few years about bike paths and walking paths in and around the Lake Lowell area. Those are significant safety issues when you’ve got heavy commercial truck vehicle traffic and even if they don’t increase their traffic patterns the number of significant new home owners are going to be increasing the arteries of our transportation on roads in the area. Please consider the masses of people affected by this development. The appellants are not asking it to be shut down, but that it be in an appropriate area not adjacent to and in the middle of subdivision growth. A recess was taken from 10:50 a.m. to 10:59 a.m. When the Board went back on the record Commissioner Dale asked Al McGlinsky where he obtained the data retrieval system document that references the citations. Mr. McGlinsky said he obtained them from the Mine Safety Health Administration website. Additionally, Claudia Frent indicated this is the same material she referred to during her testimony.

Chris Putnam stated his house is directly against the affected area and during the summer he has to clean his pool every day because there is a layer of dust on the bottom. He said the current pit is 100 feet deep but it cannot be reclaimed as anything. The Wild Rose Subdivision was built on a gravel pit, and its 20 feet deep, but no one is going to build in a 100-foot pit. He is concerned that the existing permit runs to 2032 but he doesn’t think there’s any dirt left, they’ve already mined it because they’re currently bringing in dirt. When he purchased his home two years ago he knew the pit was there but he thought they were nearly done. He spoke about the tax loss the County would experience if homes are not built in the area and he spoke about his concerns with silica dust in the water.

Sheryl Mansfield said the request doesn’t add just six years; the Copes are almost done mining there so it really will add another 18-20 years. It was said the Cope pit is the only one that provides resources in this area but there are two other gravel pits in the area that provide for new development. She said Mr. Lakey stated there will be significant growth so we need to hurry and put this in before those homes come in but that is the opposite of what should happen, let’s not allow the gravel pit if there is going to be that many homes coming in. The 2020 comprehensive plan states “property owners acknowledge and expect that Canyon County will preserve private property rights of values by enforcing regulations

that will ensure against incompatible and detrimental neighboring land uses. The neighbors are land owners, Copes are not landowners. When she purchased her property in 2015 she knew there was a gravel pit but she was also well aware that it was coming up on completion of the operation so she knew it wouldn't affect her long-term. So when the C.U.P. request came up in 2016, they delayed building until they knew the request was denied and she believes this request should be denied for the same reasons.

Julie Parsons testified that a corner of her family land touches a corner of the mineral extraction site and she is very concerned about the environmental impact of the proposal. She spoke about the quality of life issues including a historical perspective on how her family and neighbors came to live in this neighborhood and the impact they have had on the nature of the neighborhood. Many of the families affected have lived in the area for generations. Her father served in World War II and after experiencing the untold horrors of war he moved to the area for the peace and quiet. Her parents donated land for the development of a County park believing it would provide recreational opportunities to countless residents and in the hope that their donation would ensure that the land would never be developed in a way that would negatively impact the residential nature of the neighborhood. Her husband was paralyzed in a car accident and he loves to sit on the patio and watch the lake and it concerns her that he'll be breathing in the particulate from the air.

Gregg Lasher believes the request will be injurious to other properties in the immediate vicinity and/or negatively change the essential character of the area. The quality of life will be damaged for the people who live in this vicinity from the lack of beauty, to the poor air quality and even the possibility of water pollution. His immediate concern is the loss of property values, for example, in 2016 the moment the Cope's proposed the pit to the south of Two Towers, people with concerns began to change their minds in wanting to buy a lot or continue building their home. Even those who already purchased a lot halted their plans of building their dream home due to concerns about what quality of life they would have and what would happen to the value of their land living by a gravel pit. Once the final denial was issued in September of 2016 people were ready to build. Simple economics of supply and demand teaches us that if the demand of people who want to live by a pit is down the price of land will go down also. Of course the further away from a pit you live the less you are impacted but for the Wild Rose and Memory Lane communities it will now be in their backyard essentially and will have a devastating impact. Mr. Lasher said the Two Towers Subdivision is not opposing the current pit, they knew it was there but they also knew it was going to come to an end, not an additional 20 years. With more than 500 homes in the area and the trend of residential occurring, with more to come, it's time to give gravel pits in the area a break.

Cheyenne Turner read a statement in opposition on behalf of Jordan Turner noting concerns about negative impacts to septic systems and wells and drinking water.

Anne Turner testified that she is an avid gardener and has been repeatedly sick for the last three years with a continual sinus infection and red eyes which she assumes is from the gravel pit. If the pit is allowed to operate for another 20 years she may have to sell her

home at some point but she has concerns about someone not wanting to buy it because of its close proximity to the pit.

Elsbeth Turner said the 2020 Canyon County Comprehensive Plan identifies two main problems that Canyon County faces, that of maintaining their agricultural production and providing residential housing as a bedroom community for Boise. Canyon County is the 7<sup>th</sup> smallest county but the 4<sup>th</sup> agricultural producer. The soil in the area is class 3 moderately suited soil so that means you have to choose which plants can go there and you have to do certain practices with irrigation so it's not the easiest to farm. Each land owner is required to be a steward over their property. Idaho is the fastest growing state and Canyon County is the second fastest growing county despite its small size. The growth of the county, it's not a future problem, it's a current problem as the population grown has exceeded 2030 projections. Thoughtful development is imperative for the future use of this land. If it's not going to be used for farming the next best use is for residential. This gravel pit does not fit the neighborhood identity as a lakeside community. Regarding true reclamation, the Department of Lands deems reclamation of the gravel pit as they have to be at the maximum depth, which was 50 feet, but we know they are at least 20-30 feet deeper than that. They have to slope the side to a 3:1 slope and the top soil has to be spread back over the pit. If Cope does not reclaim their pit, if they walk away from it, the people of Idaho have to pay for reclamation. She said the proposed pit is supposed to be a Boy Scout camp, but she spoke to David Kemper of the Ore-Ida Council and he said the \$112,000 bond amount is a paltry amount to build, own and maintain a Boy Scouts of America camp, He also said he has no knowledge of this pit or the reclamation of it and they are not involved in the reclamation of this pit. She said the Copes have multiple violations of their original C.U.P. and they have multiple MSHA violations. Ms. Turner has concerns about the truck traffic in the area.

Robert Turner, who is the Wild Rose HOA President, testified that his property borders the west side of the proposed property. He chose to move to the area three years ago and they made that decision knowing the pit was there but knew that long term it's what they wanted for their retirement so they bought a fixer-upper home and put a lot of money and time and effort into it. It's concerning to him that the P&Z Commissioners did not visit the site/the area. In 2002, 49 homes existed around the pit and in the last five years seven major developments have been created. Currently there are 2500 homes that have been added in the last 5 years in the one mile radius around the pit. He spoke of the considerable development that has occurred in the area. In speaking to the hundreds of people within the local area, almost 90% want the pit to end its time.

Kelly Mansfield testified that he waited until the decision in 2016 to begin construction on his house. He said just because the legal conditions are met and the Department of Environmental Quality has been satisfied that doesn't mean there's not an impact to those who live in the area. He spoke to Dan Lister and in the 2020 comprehensive plan, he said there was to be a study done or a map of potential future gravel sites in the area but that has not happened yet. He said the County should explore other areas for gravel and make those areas accessible to gravel pits and not grant this C.U.P. because that map hasn't been created yet. Mr. Mansfield said he viewed some websites of reclamation of gravel pits in



other states, in Oregon and Washington, and they are beautiful, but he doesn't believe the reclamation of the Cope's pit can be accomplished given the amount of their bond, which is between \$80,000 and \$120,000.

Victor Rodriquez said he is pro-business but you have to look at what affects it will have in the residential area and even though the Copes are good businessmen we have to consider what the affect will be. He spoke of the residential development and the property taxes that are paid.

Ty Benhom is a real estate associate broker who specializes in property evaluation and he spoke about how property values in the area are impacted by the open pit. It's been stated there are some health issues and those concerns can and will affect the value of the property as the sellers are responsible for disclosing any matters affecting the subject properties. Tax records provided by Assessors do not reflect the current property values, appraisers now have a federal mandate that their evaluations of market value and land improvements meet guidelines which lenders must adhere to when buying and using resources from Fannie Mae and Freddie Mac including VA loans. Property evaluations are a more in depth report on the property conditions of both land and improvements along with the surrounding impact of neighboring properties easements which include air, land and underground a projection of future use based on county and city masterplans. Even though Idaho is a non-disclosure state there are disclosures that are mandated by the State of Idaho when a property owner sells land and land with improvements. He said documents known as the RE-25, RE-25A and RE-26 address these concerns. These documents, known as seller's property disclosures, are very specific disclosures that affect the property and they ask "are you aware of any existing problems concerning the property including legal, physical, product defects or other items that are not already listed?" A warning is included in the statement prior to the signature on page 4 of the RE-25, it certifies that the information therein is true and correct to the best of the sellers knowledge and as of the date signed the seller is familiar with the residential property and each act preformed in making disclosures of an item of information is made and performed in good faith. To summarize, in his professional opinion should he be asked to list or represent a buyer who may be considering one of these properties located at the impact area and the existing open pit mining operation he would have a fiduciary obligation to disclose any and all conditions known regarding these properties which can and will impact the monetary value of both land and improvements. Commissioner Rule asked what Mr. Benhom's motivation is for attending today's hearing and he said he was asked by the property owners to give a professional opinion on property values. When asked how the gravel pit will affect the water table, Mr. Benhom said the elements that are involved in moving the land will filter down into the water system and as they filter down in the water system it can contaminate the water system and so it requires monitoring. We have to find where that source is coming from and what affect that has on the purification of the water. If he were evaluating a property in the area he would note that it needs to be inspected further by somebody that's a specialist.

Christian Stanciu testified that the school bus stop is in front of his house and when he's been outside he has observed gravel trucks travelling faster than the 45 mph speed limit and he's concerned about the potential for accidents on that slope. He works for a company that sells safety supplies to a lot of gravel pits and when he goes to the pits he has to wear eye

protection and hard hats; the crushers are very noisy and you can feel the ground vibrating from them. Nobody wants that in their backyard. He has purchased gravel from the Copes, but when he built his house he purchased gravel from a pit in Middleton because it was cheaper to get it from them. According to Mr. Stanciu, there are over 30 listings of gravel pits in the Treasure Valley.

The Board asked Claudia Frent to describe a document she submitted earlier. Ms. Frent said it includes: 1) a copy of the original C.U.P., line No. 6 states they will follow the operations plan based on their depth; 2) a copy of the approved reclamation through the Idaho Department of Lands that talks about the depth of the pit being 50 feet deep; and 3) the "operation of source" talks about the depth of their pit being 50 feet.

A recess was taken from 11:45 a.m. to 11:48 a.m.

**TESTIMONY IN OPPOSITION TO THE APPEAL (IN SUPPORT OF COPE SAND AND GRAVEL'S REQUEST):**

Todd Lakey offered testimony on behalf of the applicant, Cope Sand and Gravel. Staff has provided an unbiased and very thorough analysis in this case that shows that the comp plan and zoning ordinance support the application, thus their recommendation of approval for the project. The P&Z Commission also did a thorough analysis and review and approved the project. He acknowledged that the appellants raised legitimate questions but those questions have been addressed in the analysis, the design and the conditions of approval that came from the P&Z Commission that were recommended by staff. You have very good responsible operators that are bringing this application. Since they began the operation 15 years ago and up to the time of submitting their application there have been no violations of the regulatory requirements. There's been no code enforcement actions, or accidents regarding their trucks or equipment and there's been no complaints. In approving this operation you rely on the technical analysis and the applicant and in this case you have an applicant that has a demonstrated track record of compliance and they will comply with the conditions of approval that have been placed on them. This is an extension not an intensification of their current use. There will be no additional truck traffic or higher volumes within the hours of operation. There was a previous application going north outward from the current operation across Lake Lowell, but this site is very different from the previous application. The site, design, buffering and conditions are all different and make this application unique. The comprehensive plan also recognizes the bigger picture; this is a critical resource that's needed for public benefit to support economic growth and development in our community especially in this part of the County. This is also a small family business that provides a balance to the large gravel companies that are locking up and buying a lot of the gravel resource that's located in Canyon County. The importance of this resource is demonstrated both from the public and private perspective. These are just some of the businesses that have submitted letters and requesting your approval of this application: Amalgamated Sugar, Mussel Construction, Hess Construction, Coleman Homes, Hoffman's Landscaping and Nursery to name a few. These public entities have requested your approval: City of Nampa Economic Development Department, City of Nampa Water Works Division, Nampa Highway District, Caldwell Engineering Department, and the Pioneer Irrigation District. They all recognize that this is also a vital resource that helps save taxpayer dollars because of their ability to provide a resource in close proximity to demand and keep the impacts and the costs down. This is a resource that's used to not only support new development and existing development but also supports maintaining existing infrastructure. The Comprehensive

Plan has two maps that are applicable to this property: map that designates the area for residential development; it's still mostly agricultural operations with gravel and recreation in the area and a limited amount of rural residential development. The designation for residential is a future land use that's the long term goal for this property, but overlaying that future land use map is the gravel pit resource map which is also part of the comprehensive plan and notes that this area is and has been a resource for gravel for the county. This is an area that's been used for gravel for more than 100 years. The site connects to the original pit that was used for Lake Lowell Dam starting in 1905. Staff did a good job describing the operations but here's your resource map. Now is the time to approve this application before significant residential development occurs in this area. This is a balance; the questions raised by the appellants are legitimate but we have addressed those questions. The evidence shows that property values in the area have not decreased but have gone up. If there was a decrease it would have occurred years ago because of the fact that this has been a gravel extraction area for many years. This is located outside the Nampa impact area. This property was proposed by the City of Nampa to be included in an expansion of their impact area but based on the testimony the city council received they pulled that area and this property out of the impact area, thus recognizing this area is not likely to experience imminent residential growth from the City of Nampa in the near future. Most of the property is nonprime farm ground but we are only utilizing a little more than half, the rest is maintained in buffer areas. Reviewed photographs that show the topography is also part of the visual buffering, it's not level. The elevations are lower to the east and rise to the west. The high point is located close to the boundary line with Wild Rose Subdivision and there's a significant drop, 15-20 feet, to the street level down in the Wild Rose Subdivision. The red line is the 400-foot buffer and within that buffer you can see the canal and the existing feedlot. Other areas with mature trees and pasture is also a buffer and those areas will remain undisturbed and in pasture/agriculture. The wildlife refuge was mentioned, that's a part of it but that property was developed for irrigation purposes. A county park and shop are nearby. Shows the difference in elevation. Two Towers Subdivision was approved pursuant to a C.U.P. which included a condition that they not challenge lawfully operating gravel pits. It specifically noted that in their decision so that demonstrates the character of the area. Staff and P&Z Commission recognized that the comp plan and zoning ordinance support the project. Patrick Hargan stated he supports the Cope expansion from a business standpoint and a personal standpoint. He is their heavy equipment salesman for the equipment they use in their pits. Support of local business trickles down to help everyone in this economy. He personally purchases sand and gravel from the Copes because of the quality of their product and because it's cheaper than what he can get in Ada County.

Dave Cockrum is a registered professional geologist in the state of Idaho and he discussed the expansion proposal, mine reclamation and impact mitigation. The proposed expansion would begin in the SE corner adjacent the existing operation. The proposal would mine the coincident boundary between the two operations – the expansion and the existing to take that out so that there would be an east/west trending single pit. There is a high wall along the south property boundary. The initial location would be approx. 1170 feet from the nearest residence on Memory Lane and 1340 feet from the nearest residence in Wild Rose Subdivision. The crusher is proposed to be moved to the west at the end of phase II but no closer than 900 feet from the nearest residence. The reason behind that is supported in the

noise report that was completed for this application, the separation distance reduces noise levels from crusher to background levels. Cope Sand and Gravel have submitted Mine Safety Health Administration noise test data confirming that no personal hearing devices are required for employees working around the gravel crusher and noise levels generated by the active operation are in compliance with MSHA standards for noise emissions. We propose to reduce dust by regular watering of mine haul roads, work area, water sprays on the gravel crusher to reduce dust emissions. Water of the site would be up to 5 times per day during dry periods and windy days. Cope Sand and Gravel submitted an Idaho Department of Environmental Quality inspection from 2017 that demonstrates compliance with state and federal dust emissions requirements for the gravel crusher and the mining and transport operation. In addition Cope Sand and Gravel submitted MSHA silicosis and dust test data for employees working in the mine specifically adjacent to the gravel crusher. The results show that silicosis risk is low and dust emissions are roughly 1/10 for the federal daily maximum standard for dust so no mitigation for dust is required by working there and the impacts from silicosis have not occurred in any of the workers over the life of the mine. Esthetic impacts would be limited by active mining 50-60 feet below the natural ground surface. The location of the mining and crushing equipment below the ground will reduce the noise emissions and visual impairments to surrounding neighborhoods. As you can see from the aerial photograph the existing trees along the Thacker Lateral will remain in place to screen the operation from Lake Lowell Ave. Mining will proceed to the north, in a north to south direction for each phase so that the south perimeter of the operation will remain a farm field to reduce visual impacts. No berms will be constructed and once the mining is completed then residents in the Wild Rose and Memory Lane area will have a view towards the north which they don't have at the present time because of a ridge that is approx. 15 feet high that blocks it in at the present time. As you've heard we're proposing to build a Boy Scout Camp as the final reclamation but to get to that point the pit high walls will be regraded to 3:1 using brought in material and grading. The floor will be graded flat, hiking areas, camping area, lakes will be constructed. The mining disturbance will be revegetated with native trees, native shrubs and native plants. Just briefly, the ground water contamination issues as you heard earlier – we completed a ground water study to assess the risk, we also did one back in 2002 as part of the original application. 11 wells were examined in the vicinity of the proposed expansion area. All wells are cased through the gravel layer down into a confining clay layer that occurs below. The aquifer for all the wells is in sand and silt. The water horizon in all but one well is below that clay confining layer that occurs immediately below the gravel. The clay confining layer prevents petroleum migration into the subsurface silt and sand that are used for water in the area. We concluded the risk for petroleum contamination of the well should be considered to be very low. There has been no well contamination that has occurred in the 12 years, now 13 years that Cope Sand and Gravel has been in operation and we wouldn't expect anything to change as part of this operation. I'll answer any questions you may have. As to the migration of any of the silica that goes through the gravel and the clay layer, Mr. Cockrum said we need to realize gravel, sand, silt, dust, agricultural fields are silica, it's what they're made of. That silica is present all the time in that area and in the dirt it's finer grain, in the gravel it's big. When you crush rock you make some gravel, some sand size materials and very small amounts crushed fine grain material that's clay sized that's what causes silicosis. That process that crushes the rock produces a small amount of dust, it goes down to the pit

floor but it takes water to migrate it down through and there is a confining layer of clay that's over 10 feet thick that in all wells that were drilled is dry. And that means that water is not going down through the gravel, through the clay layer into the aquifer, it's not happening, 15 years of time has shown that. So the likelihood of something like that taking place is very low. Also the likelihood of sand falling into a pump or a filter in a pump is more likely caused by a lack of sand screen on some of these older wells that prevent sand that is in the aquifer that they draw water out of and they pull it towards the well, it prevents it from coming in which is probably what took place. Coming down from the gravel operation through a clay confining layer into water wells that are another 20-40 feet below that elevation is, in my professional opinion, not taking place. Commissioner White said she's heard that water seeks itself as it goes down so because of the different layers will that happen? Mr. Cockrum said it's not impossible but when you look at the amount of time that has already taken place and it hasn't that helps you to see that the likelihood is very low. With regard to watering the pit, Mr. Cockrum said typically it takes about a ½ hour for them to water the whole facility with a water truck, the gravel crusher has spray bars on it that sprays water down and the effect is usually anywhere from 2-3 hours on a hot sunny day when it's 100 degrees. It starts out dry out and if they see there is dust generated they go and water it again, it's not just five times it's on an as needed basis. So if they start to see trucks rolling up the ramp of the pit and they see dust then they water and that's just standard practice. Commissioner Rule said there was testimony that indicated this gravel pit could affect wells hundreds of yards away. Mr. Cockrum said that's very unlikely. He thinks that maybe the testimony that was provided was in a case where it's a quarry where they use explosives, but this operation doesn't produce the kind of movement that would cause cracks and cause water to flow down through open cracks and things like that, it's just mined with equipment, there's no explosive, jarring or anything that could cause it. In regards to the possibility of silica penetrating the clay level, Mr. Cockrum said in general gravel thickness ranges between 80-110 feet in the general area where all these wells are located. Below that is the clay layer that ranges between 1-14 feet in some of the wells and that a confining layer, it doesn't allow water to come down, it doesn't allow aquifer water to come back up. It's dry and when the wells were drilled it was all dry so that indicates there's no water seeping down through the clay. If it did it would take a very large amount of time (1,000 years) to go through 10 feet of clay.

Ken Wood testified that he lives next to several pits and they are doing a fine job and has have had no issues on his property. His property taxes have increased over the years and the value of his property has substantially increased. He bought the property in 2004 for around \$3600 and today it's probably in the area of \$8000-\$9000 per acre. He's found that the truck traffic has increased but he doesn't see where there's a problem with the truck traffic as much as they pay a lot more in fuel taxes and their DMV prices so he thinks they have every right to be on county roads.

John Babcock stated he is here to offer expert testimony about the history of the property, the roadways, the wells, the weather and the Boy Scouts. He's currently an assistant scout master for 11 year-old boy scouts and the most favored activity they have is camping. The end use of this property is to be a campground for families, for Boy Scouts, and for anyone that wants to make an appointment to come down; it's going to have soccer, a shooting range

and about 80 campsites as well as a lake/pond. His grandparents started farming the land approximately 100 years ago. It's under a well currently, it's the closest well to the gravel pit and then there is another irrigation well on the Lester property and neither one has been affected at all by the pit. He said it's not economical to farm this property anymore because it's under a well. When his parents started farming it it was \$35 a month for Idaho Power, now its \$800 a month for water. Back when they lowered the water level in the lake the irrigation well at his home went dry and it cost \$30,000 to drill a new one. Currently this property is rented to Whistle Farms, they grow corn and pumpkins, but the rent doesn't pay the taxes and the liability on the property. The recovery plan is to be campgrounds and we'll be building up money for the buildings and all the work. It's an excellent place for a campground because it will be down in a hole. At approximately \$70,000 an acre sale price for a subdivision property 40 acres will generate \$2.8M, but that's a hit he's prepared to take to avoid turning it into a subdivision. This will be a perpetually cared for recreational area via committee that continues on over the years. The prevailing winds almost always come from the west. When asked about a contract with the Boys Scouts of America, Mr. Babcock said there isn't a contract, it's a concept to make a recreation area, it is the official reclamation plan for the Cope brothers.

Brett Cope asked the Board to uphold the P&Z Commission's approval of the C.U.P. for the extension of the gravel operation. He has asthma and has worked at the current location since its opening and hasn't had any health problems. Most importantly the gravel resources in Canyon County are becoming scarce and harder to come by. There have been many gravel pits on the northern ridge of Lake Lowell that have depleted over the years which have supplied the foundation of thousands of projects and still to this day continues to supply the foundation of projects for our community. Cope Sand and Gravel chose the current site, which is on the northern ridge of Lake Lowell because the gravel vein is rich in gravel resources. The consistency of the gravel and the hardness of the rock are the two things you need to meet spec materials. The depth of this gravel vein allows us to mine more yardage per acre vs. wet pits on the Boise River. The wet pit take 3-4 times the acreage than our current dry pit. This northern ridge of gravel has been serving Canyon County for many generations and with this extension it will continue to serve Canyon County for this generation. Cope Sand and Gravel specializes in serving the needs to homeowners, contractors, local city and county departments, in doing so we take great pride in providing quality material at affordable prices saving hundreds of thousands of tax dollars. We, Cope Sand and Gravel, are one of only two sand and gravel companies in Canyon County which specialize in the retail of sand and gravel products. Without this extension there will be little ways of keeping prices in check. This extension is crucial to the future growth of Canyon County. Coleman Homes, a developer in the area, supports the expansion. Homes have been brought up, obviously the Canyon County Assessor shows homes in Wild Rose have increased \$100,000 in the last 10 years. There was talk about MSHA violations, but they've never had any major violations, injuries or deaths. Regarding the \$3,300 in fines, he's not sure where the appellants got that. MSHA does unannounced visits, they'll look at every piece of equipment and they'll look at the pit with a fine tooth comb. For example some of those minor violations, during the operation a brake light may go out on a piece of equipment, but nothing major. Every time they go out there they'll find something, they'll go inside the office, covers on your fluorescent lights, that's how

particular, they have to be covered with a plastic shield or guard. With regard to the complaints, Mr. Cope said they have never received complaints from the neighbors. There is a berm, a fence, and landscape rock. Commissioner Rule asked if he feels that maybe these issues developed just recently because the Copes want to expand into this property. He then asked if they will lease the property. Mr. Cope said they have a lease agreement. Commissioner White asked if the Copes plan to add more trucks. Mr. Cope said no, this is an extension of the current operation and everything there is remaining the same, nothing is changing it's just an extension of property so they can continue to serve the community. There will not be additional trips. The operation as it exists now will continue just as it is today. With regard to the comment about trucks not having enough space to turn, Mr. Cope said trucks make the same turns whether they are in downtown Boise or rural Canyon County. There's no way to avoid it. He spoke about their watering practices to keep the dust down. With regard to the depth of the present pit, Mr. Cope said it averages 63 feet as measured by Mr. Cockrum. At points it may be 40 feet, and there might be a spot where it's a little bit lower but there's not a 20-30 foot difference.

A lunch break was taken from 12:28 p.m. to 1:05 p.m.

Bob Cope testified that he has been in the sand and gravel business for nearly 50 years; he's hauled out of other pits for many years and most are depleted and that's why he saw a need to open his own gravel pit. The demand for sand and gravel has increased over the years, and he sees that the demand for product is even greater now than ever before. 90% of their gravel goes from 1 mile to 6 miles from the sand and gravel site. The growth in Canyon County is not slowing down so we need to get ahead of the curve and approve this expansion for the future of Canyon County.

Paul Cope submitted data regarding home values and home sales which was prepared by his real estate agent Tracy Kasper. Knowing that some of the residents in Wild Rose Subdivision had concerns about the expansion he went door to door and spoke with them and he found that many are not opposed to the expansion. He said the questions regarding dust, noise and traffic are all valid concerns and the Copes share the same concerns. A safe working environment is critical to their operation and they are committed to providing a safe environment. Dust will be a minimal impact because the roads are watered with a water truck daily and spray bars are used on the rock crusher to minimize dust. They do this for three reasons: 1) to keep dust down because it's hard on equipment and creates an unpleasant work environment; 2) in consideration of our neighbors; 3) we are mandated by MSHA to have policies and safety protocol in place for our employees in regards to dust control, noise pollution and personal safety. MSHA officials do unannounced site visits to ensure the standards are being met. Noise will be a minimal impact because the site plan provides for a 400-foot buffer zone between the site and the nearest residential subdivision. The rock crusher is currently down inside the pit, with this expansion it will remain at the same location as we mine through the property line starting on the east end. We will eventually move the rock crusher no more than 400 feet from the existing power pole. We installed three phase power when we opened the existing pit instead of using a noisy generator. Canyon Highway District has determined that traffic count on Lake Lowell Avenue is not high enough to require a traffic impact study. With this expansion Cope Sand and Gravel will run the same amount of trucks, not increasing truck traffic. Cope Sand and Gravel has operated at the current site in compliance with all laws, regulations and

ordinances with regard to dust and noise. Over the past 15 years Cope has not received any complaints regarding the operation of the pit nor have we had any major fines with local state or federal agencies such as DEQ or MSHA. Sand and gravel products from our existing pit has been consumed at a much higher rate than originally projected leaving us with no other option than to expand the site in order to mine product to keep up with the current and future demands. Cope Sand and Gravel is a family owned business that has been providing products in the Treasure Valley for three generations. We are committed to being good community partners and stewards of the land. Once they mine through the property line, start at the east end, the crusher will move and once they mine through the property it will sit right here close to a power pole. There is three phased power and that's how they run the rock crusher. They probably won't move it, they'll bring gravel to the rock crusher. Commissioner White asked what kind of privacy no-see measures are in place on the west side. Mr. Cope said there are trees along the lateral for a visual buffer and there is pasture ground.

Ritchie Wheaton owns a small business that does install construction of landscaping in the Treasure Valley. They have done over 100 projects in the immediate area of Cope Sand and Gravel and having them nearby gives a reasonable price versus having to haul it a longer distance. When he first started his business in 2006 he applied for a line of credit with Rambo Sand and Gravel but they refused to give him credit because his company was new and he had no business credit. He met with Bob Cope and they have been doing business together since and that speaks to being a good neighbor. Small business in the United States represent 99.7% of all employee firms. Since 1995 small businesses have generated 64% of new jobs and have paid 44% of the United States' private payroll. He's had from 1-8 employees depending on the season. He has worked on landscape projects for 8-10 homes in the Wild Rose Subdivision. The community hired him to do a large water line project which got shut down for numerous reasons but through his time there not once did he ever hear the rock crusher and he spent considerable time in that neighborhood.

Mike Hill stated he owns 3 ½ acres in Wild Rose Subdivision and has lived there since 2004 and since then 14 houses have changed ownership out of the 22 that are available. The gravel pit was there first. He has a side business and hauls gravel, compost, etc. from the Cope pit and he's delivered to several neighbors. He realizes there are concerns about living out there but the Copes are good neighbors and they have been honest and haven't raised the price of delivery. Integrity counts and if we're going to try to shut down a small business then we should be willing to incur the cost and time to go farther for a more expensive product. You can't stand at a public hearing and say the Copes are bad but still take their product. He supports Cope Sand and Gravel.

Mike Fusselman said it's important to support local businesses. Cope Sand and Gravel supplies a valuable resource at a reasonable price and it's used and purchased by numerous local construction companies including his employer. Allowing them to continue their business as planned will only be beneficial to the local economy and job market. As a native Idahoan he has witnessed the explosive growth and believes that having a locally owned and operated business is key to our local economy. He is building a home within a half mile of the pit and he wouldn't have hesitated to purchase or build closer if it would have been an option.

Brad Carpenter stated that staff has said the Copes have met all the conditions and that stands for a lot. He is local business owner and pays a lot of taxes to the county and so are



the Copes. It's ironic that all the subdivisions that are approved for growth are close by and so it seems that the pit hasn't slowed down any residential growth. The subdivisions have to have roads and foundations that require the product that the Copes supply. Mr. Carpenter lives by the Copes and he said they are the best neighbors you'll ever meet, they are professional and courteous. They cannot open a business just anywhere, they have to go where the product is.

Caleb Gentry testified that he operates a construction company and they purchase from Cope Sand and Gravel when they are working within the area. If not for Cope he'd have to take his business to Middleton or Boise. He lives in a small portion of Hunters Point, west of Carriage Hill. Not once has he seen any issues with trucking, dust, or noise.

Steve Snead is the business development manager for Blue Sky Construction and they do work in Canyon County and they rely heavily on Cope Sand and Gravel to provide a good product. They are professional and great to work with.

Mark Hess represents a company that's been in the county for 60 years and they've done a lot of development and location has always been a key to any major success. It's critical, it affects costs and profit. He has been in several pits in this valley that are no longer producing gravel, such as Bowman Sand and Gravel on Midland and Greenhurst. While it was in operation subdivisions existed to the east. He bought from Idaho Sand and Gravel in Caldwell and a subdivision existed by it for 20-30 years. The Copes have gone through their pit faster than anticipated because of the growth and because of the location. In 2006 he did a subdivision on South Maple Grove Road that was next to a commercial dairy and those lots backed up to the dairy. Regarding water being a concern, water has not been an issue for any of the pits he's had experience with in terms of impacting wells. Regarding reclamation, the Morrison Knudsen Company bought a pit along the freeway that Boise Paving leased from them and after they went out of business it was purchased and they reclaimed it. One of the biggest users is Dennis Dillon in Boise and you'd never know a pit was there for 60 years. The logical conclusion would be approve a pit that satisfies the demands of the growth. He spoke of a pit that is surrounded by \$750,000 homes so the negatives are a little bit conjured up emotionally. He believes Cope will exhaust the pit in a manner that will be far quicker than what the residents are concerned with because of the location.

Robert Parrish said he has done business with Cope for 8 years. The Treasure Valley is in a perilous position with rock. In the entire state of Utah two companies own every rock source and they are the two largest construction companies. If you want to take a trailer and get 1-3 yards of rock you'll have to go to Payette or Weiser because once these pits are gone the other companies will dictate and determine where you buy rock and how much you pay for it. Without Cope Sand and Gravel those contractors become subcontractors of the large companies. In Utah if you are not in good graces with these companies you do not get work and that's a dangerous spot to be heading toward. He said we need to do our research on the size of crystalline silica that it takes to damage the human lung, it's a very small range and if MSHA came out there and they detect it you have to go through a whole parameter to change what you are doing to either get rid of it or minimize it and if you can't then they start testing the community and everything around it. A silica crushing pit is operated in Emmett and they do not produce crystals fine enough to do damage to the lungs. It only occurs when someone is cutting, grinding, blasting or drilling rock, not the rock crushers you see today. Do the research and know what will do damage and cause these issues. At the pit in Emmett they do not produce particulate small enough to enter into the human lung. Granted, he

wasn't prepared to come in with the measurements but there's a narrow window there and if it's too big it will not enter the lungs, the blood will filter it, or your nose or mouth will filter it out. If it's below that and reaches a certain size it will go into the lung and do damage but it's very small. Past that it will get passed through your system and do no damage to your lungs so that is the window you must concentrate on for it to be a danger to the community. Chris Lords testified he's been doing business with the Copes for 20 years. When he goes to the pit he sees irrigation trucks, city and county trucks and utilities that provide services and they take advantage of the benefits of Cope Sand and Gravel. The pit in Notus is almost twice as far for him so that increases his appreciation, fuel costs and it will do that to the county as well. He wants Cope to stay in business. He said while he was sitting at a boat ramp at Lake Lowell during the week he could not hear the crusher or a back-up alarm.

Jason Wallace said his family has operated a gravel business since 1972 and last year was a booming year in the sand and gravel industry. He spoke about how it was easier and safer to haul product from the Cope pit to Highway 55 down 10<sup>th</sup> Avenue to the mini storage they were constructing. He said there is one retail pit in Owyhee County but they do not crush what he uses on construction projects. Owyhee County has a huge shortage of gravel because there aren't any sources and due to the nature of the Cope facility it's easy commute from their facility. He said the Wallace pit is 40 feet deep, and he has ground water at 12 feet and he runs pumps 300 days a year and he's never had any problems with neighboring wells.

Dusty Hibbard works in the construction industry and buys a lot of gravel from Cope. They bid against the larger companies such as Knife River and Idaho Construction materials, and they depend on the Copes for the aggregates they sell and they are competitive on projects because of Cope Sand and Gravel. Without them, they won't be competitive. Local contractors depend on the Copes.

Lamond Thueson said there's been concern about new development on this property. His in-laws sold the property that's going to be future developments. There has been no concern about the pit on the other side of Midway Road. What's ironic is Rosewood Subdivision was built on a gravel pit. The subdivision to the south, which is Miller's Point, there's a gravel pit there that Nelsons used to haul gravel out of. Everybody's talking about how bad gravel pits are but everybody is living by them and building on top of them. His in-laws put a well down and they cleaned it up and drove it down another 150 feet so they could irrigate the property they own. That well will be put into city ownership and will run 24/7 for the system that will be put in for the new subdivision so what's going to happen to the water table when there is more development? The reason people are getting silica in their wells is because it's a well – it needs to be maintained and every 20-25 years you need open it up and blow the sand out. The screen needs to be sized to a certain type of sand and in 25 years you have to blow the sand back out and make sure you have the proper screen. It happens constantly and not because of a gravel pit. His brother owns gravel pits along the river and last year during the floods he was fined \$280,000 for inadequate things that happened on the gravel pit. He had to go to court and fight it.

Mike Mussell owns Mussel Construction and has done business with the Copes for 22 years and they have done a great job supplying on projects. Small business is the backbone of the community and if you want to see something that's done right, you can drive down Deer Flat where they built \$1 million homes around that gravel pit. They've put two ponds on each side and currently they continue to build all around it and it's gorgeous. It can be done with excellence and it could be a win for both sides.

Todd Lakey offered final comments. The record was clear that the Copes have performed the necessary technical analyses on this project. Studies were performed by individuals with expertise and those studies show there's been no significant public health risk to the water table from a geologic standpoint and the well study that was done. As far as silicosis, that is something that MSHA tests, they wear their badges all day and then they are evaluated by MSHA; there was nothing close to a violation on this particular site. There will be no significant increase in noise; the crusher will be moved to that western side of the property but it will be below the grade. With the smaller operation it will be a smaller crusher that doesn't have a generator. There have been no complaints. He corrected his previous statement – there has been no significant MSHA violations. They talked about the minor violations that have occurred, but there has been no violation for noise or silica or particulate matter, and no injury as a result of their operation. This is a gravel pit that's very different than others; they are not mining most of the property to the boundaries, they're only using just over half of the property. The rest of the property is dedicated and staying the course on the type of use that is and providing buffer areas. There is the Memory Lane community and that's the buffer that will stay in vegetation and pasture separating them. There is a buffer to the north and the feedlot and the buffer to the west boundary. There is a drop in elevation that occurs between the top of the western boundary of this site down into the lower portion and along with the fencing for the feedlot and the internal fencing that exists on the site to maintain those existing operations. Commissioner White said there are trees and a buffer but asked where the fencing is along the west side. John Babcock said there is a fence that runs along the Thacker Lateral and it keeps the cows in. It's a cattle fence but for the park they intend to have a chain link privacy fence all the way around to keep everything out of the park, the recreational area. As part of the reclamation plan the Copes are to put in a chain link fence to keep everything out. Lamond Thueson said there is a six-foot chain link fence on the back of the park. Mr. Babcock said Canyon County put in a chain link fence that runs from right here all the way down through the pit right up to the corner of Wild Rose. Mr. Lakey said looking again at the western side, that's the entrance to the old home site and the feedlot. The Thacker Lateral is on the southern boundary of the property that buffers this pasture area and there are a lot of mature trees that provide separation. This immediate area is still rural but there is also growth, but we have letters of support from the Nampa Economic Department, the Nampa Water Department, the Caldwell Engineering Department, the Nampa Highway District, and the Pioneer Irrigation District along with the numerous business owners that are doing work in those projects in this part of the County that demonstrates the public and private benefit that are important. Coleman Homes is in support and they're doing a lot of the development that occurs in the area. He asked the Board to recognize the unbiased and detailed analysis of staff in this case; they've looked closely at that the site, they've walked it, they've driven in the area and they have conducted the analysis on the comprehensive plan and the zoning ordinance and recommended approval. The P&Z Commission also recommended approval. He asked the Board to deny the appeal and support those recommendations and decisions of approval.

Bill Rapp offered rebuttal testimony on behalf of the appellants. He submitted a petition containing 193 signatures. He said he was selected to give rebuttal comments but he doesn't feel like he has rebuttal, he has more of a reminder of what's already occurred and it's critical that the decision not be made on emotion or feelings. We have an incredible group of hardworking people, people with kids, people with allergies, people who are involved in

construction and those who are not, but with all of these we need to look back at the Canyon County Comprehensive Plan. We went through this process in 2016 and at the conclusion of the process the Board voted unanimously to deny the Cope C.U.P. based upon three major concerns and it's good to note what those are because there was a lot of discussion today but it didn't really focus on those items. 1) A property rights policy, No. 8: Does this project promote orderly development that benefits the public good and protects the individual with a minimum of conflict and it was determined that this project does not do that. 2) The land use component goal No. 2: To provide for the orderly growth and accompanying development of the resources within the County that is compatible with the surrounding area. A gravel pit even in existence now is not compatible with the surrounding area and does not promote a better quality of life for those who live there. It does provide a business for the Cope family and that's important but there are numerous places where gravel pits can be installed and in the middle of a growing residential area that is quickly expanding, and in doing research a lot of communities went through this very thing and it was eventually denied and said we don't want a gravel pit to be the center focus of a residential area. 3) Natural resources component that talks about consideration should be given but not limited to the following impacts: economic value of the ground, access to the ground, compatibility with surroundings, noise, traffic, visual aesthetics and flooding. That was a key part that was written in the document that two of the current Commissioners signed. Seventeen months later the Canyon County Comprehensive Plan has not changed and the new request from the Copes is essentially the same but they want to move a couple hundred feet further away, which is actually a couple hundred feet closer to residential homes so with that being said this essentially puts us right back where we were 17 months ago and there are no material changes, no major changes from what's currently existing. Mr. Rapp asked the Board to look back at the unanimous decision in September of 2016 and reaffirm that at that time the due diligence was done, hours upon hours of looking into this project at that time and if we make the assumptions that nothing has changed with the comprehensive plan and there have been no major changes as being put forward it makes no sense to take a unanimous decision and change that. On behalf of the hundreds of residents who live in the area he asked the Board to deny the request. The Copes are good people and no matter what the decision is there will be nobody from the appellants' side that will say anything negative about the Commissioners.

The Board took a recess at 2:14 p.m. and went back on the record at 2:24 p.m. Commissioner Rule made a motion to close public testimony the motion was seconded by Commissioner White and carried unanimously. Commissioner Dale said there has been a great amount of material that has been submitted today that they've not had an opportunity to review or read through and doing so could take several hours so it may be appropriate to delay a decision until we've had an opportunity to review the material that have been given to us today. Commissioner White wants more time to review the 17 pages of notes she has along with the information in the case packet and the exhibits that were submitted today so that she can make sure she knows what she's talking about when she renders a decision.

Commissioner Rule said it's always been a frustration that people flood the Board with information at the last hour and want them to process it. There are a few things that are not an issue for him, he doesn't think some of the concerns that were brought up are valid. The impact of a continued gravel operation on the water is not an issue that would sway

him one direction or the other. He's not a dust and silica expert but maybe there's a problem in there, maybe there's not, but he's not sure that's swaying it. He doesn't weigh complaints about conditional use permits quite as heavily when there hasn't been an issue all year long but as soon the hearing approaches, all of a sudden there are complaints. The enforcement of the pit depth doesn't weigh that heavily with him when it's stated it should be approximately 50 feet. In his career as a Commissioner he hasn't had a traffic study come back yet that said "you're right, this is going to push that road over the limit, you're going to have to build a wider two-lane road with a turn lane"; he doesn't think traffic is the issue. It's a concern, anytime you roll a truck, or a VW Bug, down a county road it's a concern, but is it something that we stop whether it's a gravel pit or a new home on a hill, or a Boy Scout camp in the bottom of gravel pit. It really doesn't sway him on the use of this in 20 years. This is a land use issue, what do we want to see moving forward? Will noise be a factor? It might be. On the other hand, 63 feet down in a hole there's not as much noise as on top of a 10 foot rise. So all of this is very difficult to weigh out. There was some testimony about shutting a business down and that strikes a nerve because he doesn't like the term shutting a business down. Cope Sand and Gravel ran a good show for a long time and the Board's decision won't be about shutting a business down it will be about appropriate land use. A lot of good businessmen showed up to testify about what a great resource this gravel is, but there was also lot of testimony against the operation.

Commissioner Dale agrees that it's going to take some time to go through all this material. He does not make decisions on land use based on potential property tax income, that's not appropriate. Yes, we like economic development and yes it's true that the more economic development we see in our county the lower that property tax levy can go down and we all want to see that. Nobody wants to see a property tax levy go up. I do not make specific land use decisions based on whether or not it's going to be a benefit in property taxes coming. He asked if gravel mining is part of the agricultural use or is it a change in land use to industrial. Mr. Lister said it's an allowed use with a conditional use permit in agricultural areas. Commissioner Dale said he doesn't know how he's going to vote on this issue. He understands and appreciates the issues that have been brought up on both sides. He is very familiar with this area and he lives within that range of three miles. He doesn't believe property values will go down within even three miles of the pit. This is going to take a lot of consideration because we want to make sure we make the right decision for all concerned. Commissioner White made a motion to continue the hearing to Thursday, February 15, 2018 at 2:30 p.m. The motion was seconded by Commissioner Rule and carried unanimously. The hearing concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER AGENDA ITEMS

The Board met today at 2:46 p.m. to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing Marsing Rural Fire District conditional use permit fee waiver request:***  
Zach Wesley said that the Marsing Rural Fire District is building a new fire station and are

requesting a conditional use fee waiver. DSD staff are in support of the fee waiver. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Marsing Rural Fire District conditional use permit fee waiver (see resolution no. 18-016).

***Consider signing a resolution for a refund request for a conditional use permit to Samuel Wolf:*** Jennifer Almeida explained that the applicant chose to annex into the City of Nampa and she has verified with the City that it has indeed been annexed. Director Nilsson's recommendation is to refund \$779.25, the hearing was not noticed and there wasn't a lot of printing involved with this case so only \$70.75 was deducted for staff time. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution for a refund request for a conditional use permit to Samuel Wolf (see resolution no. 18-015).

***Consider signing a resolution affecting fees for Planning and Zoning Commissioners attending hearings, work sessions and joint meetings:*** Zach Wesley said the Planning and Zoning Commission currently receives \$75.00 plus mileage reimbursement for attending a hearing. Director Nilsson occasionally plans work sessions and they sometimes attend training related to their duties. In addition to the \$75.00 per diem for the hearings, Director Nilsson wanted to add a \$25.00 per diem for work sessions plus mileage and then reimburse mileage for trainings. All work sessions and training would have to be pre-approved by Director Nilsson. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution affecting fees for Planning and Zoning Commissioners attending hearings, work sessions and joint meetings (see resolution no. 18-017).

The meeting concluded at 2:53 p.m. An audio recording is on file in the Commissioners' Office.

## **FEBRUARY 2018 TERM**

**CALDWELL, IDAHO FEBRUARY 13, 2018**

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

### **APPROVED CLAIMS ORDER NO. 2-13-18**

The Board of Commissioners approved payment of County claims in the amount of \$25,124.80 for accounts payable.

### **APPROVED PURCHASE ORDER**

The Board approved the following purchase order(s):

- InterOp in the amount of \$2899.00 for the Information Technology department

- Wall 2 Wall Flooring in the amount of \$3125.09 for the Facilities department

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

The Board met today at 8:33 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following items: he was recently contacted by Carol Teats from Metro Senior Services letting him know that they are hoping to move into their new building this spring/summer which means their current building will be coming back into county possession at that point. His department will be starting the project of putting a fence up around the lot at 14<sup>th</sup> and Chicago, he believes the project should take about two weeks and they plan to start at the end of the month. There is a multi-defendant trial starting next week and he's been able to work with the courts and no furniture will be moved out of the courtrooms as originally requested. There are a couple big projects he's been working on including a UPS system for IT and a generator for the DMV; some of the capital projects include the fence for the Fleet department, roofing of the DMV and jail annex and then sealing of the double T's and windows and painting of the courthouse building. Director Rast updated the Board on the following items: they met with Director Mondor at Weed and Gopher regarding the GIS transition. This weekend they will be moving the landfill email and phones over to the county system. Several members of IT recently toured all the work done by Idaho Tower. Mr. Rast met with the City of Caldwell last week, they will be starting work in the next couple of weeks to tap into the dark fiber and make connectivity back to the police station. ITD has also reached out for use of the dark fiber and he anticipates there will be an MOU coming before the Board sometime soon. The Nortel phone replacement for the Sheriff's Office will be starting soon, he anticipates that it could take years to get everything switched over. The remodel of the IT department is now complete and they are currently evaluating the print shop as it is out of space. The CAPS program in DSD will go live on March 5<sup>th</sup>; the City of Caldwell went live on their system last weekend so they are no longer hosted by the county. The online portal for subscriptions in the Assessor's Office has been completed and went live a few weeks ago. The program used for tracking on the website during election nights is being revamped before the next big election. The IT department has been asked by the Sheriff's Office to write an application to track jail inmate population; it would extract all the information from Spillman on a daily basis add it to an application and then be displayed on the website. The idea would be to use the information for public awareness so they know how many beds are full, how many are empty, how many women, etc. The Clerk's Office has requested a cueing system for the Recorder's office as the current buzzer system is no longer working. The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH WEED & GOPHER SUPERINTENDENT

The Board met today at 9:05 a.m. for a meeting with the Weed and Gopher Superintendent. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Weed and Gopher Superintendent Jim Martell, Weed and Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross. Since Mr. Mondor has started as the weed and gopher superintendent Mr. Martell has realized all the tasks he wasn't able to complete in his supervisory role. Due to staffing and budget restrictions he was spending much of his time in a spray truck. Mr. Martell would like to see an assistant position created for weed control and then leaving the lead position open and hiring an additional person. Currently there is a superintendent and no open positions. The pest district is its own separate taxing levy so the belief is that a position could be created without it having to be funded by county taxes. Once that position for the pest district is created that person could also help in weed as the two areas can overlap duties. Commissioner Dale is in favor of creating a position thru the pest district before the busy season starts; Commissioner Rule also believes creating an additional position is a good idea. The Board suggested Mr. Martell and Mr. Mondor work with the HR department to get the position created. The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS APPLICATIONS FOR HARDSHIP CANCELLATION OF PROPERTY TAXES FOR DONALD & ANGELA BASSETT AND GERALD & CATHERINE LOBB

The Board met today at 9:36 a.m. for a meeting to discuss applications for hardship cancellation for property taxes for Donald & Angela Bassett and Gerald & Catherine Lobb. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Donald & Angela Bassett, Gerald & Catherine Lobb, Administrative Property Appraisal Supervisor Greg Himes, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. Treasurer Lloyd said the number of days of loss for the Lobb's was 119 so the total casualty loss would be \$257.12 – upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the cancellation of taxes for hardship for Gerald and Catherine Lobb in the amount of \$257.12. Treasurer Lloyd said the Bassett's were out of their home 123 days making their casualty loss \$417.41 – upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the cancellation of taxes for hardship for Donald and Angela Bassett in the amount of \$417.41. The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a monthly meeting with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items: they recently sent out the wellness survey and have already received 227 responses back. Some of the



suggestions included a 24 hour nurse help line and discounts on gym memberships or incentives for weight loss or regular gym visits. Ms. Baumgart believes our plan possibly offers gym membership discounts so she will look into that. Last year department administrator reviews were done in May but there has been some conversation about doing them earlier this year and the Board is okay with that. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 10:17 a.m. for a legal staff update and to consider signing Indigent Services department independent contractor agreement for interpreter services with Maria Gonzalez Mabbutt. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Director of Indigent Services Yvonne Baker (left at 10:19 a.m.) and Deputy Clerk Jenen Ross.

***Consider Signing Indigent Services Department Independent Contractor Agreement for Interpreter Services with Maria Gonzalez Mabbutt:*** This is the third Spanish speaking interpreter contract just to continue building the roster of available interpreters. The contract is the same as has been used in the past for other interpreters. Ms. Mabbutt is conditionally approved, which means she has passed 2 of 3 tests to be court certified but Ms. Baker believes she will be going for the 3<sup>rd</sup> test this spring. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the Indigent Services department independent contractor agreement for interpreter services with Maria Gonzalez Mabbutt (see agreement no. 18-018).

#### EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

*A request was made to go into Executive Session to discuss an acquisition of an interest in real property and records exempt from public disclosure. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:19 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:27 a.m. with no decision being called for in open session.

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

#### MEETING WITH REPRESENTATIVES FROM HOK TO DISCUSS CANYON COUNTY JAIL

The Board met today at 1:32 p.m. with representatives from HOK to discuss the Canyon County Jail. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Jeff Bradley and Curt Parde from HOK, Clerk Chris Yamamoto, Controller Zach Wagoner, Captain Daren

Ward, PIO Joe Decker, Leslie Van Beek, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Commissioner Rule said Jeff Bradley contacted him about a project HOK is working on where they are building an 1100 bed facility for \$140M (in comparison to the County's project which is projected to cost \$198M) and so he invited Mr. Bradley to make a presentation to the Board.

A PowerPoint presentation was given, however, HOK did not provide a copy of the presentation because it's against their company policy to do so. Mr. Bradley said when they read the Request for Information (RFI) for the jail finance and construction research project they were already preparing their presentation for today's meeting and he doesn't want to be in a position where that could preclude HOK from being involved in the process in the future. Commissioner Dale said it's a request for information, it's not an official bid process nor are we seeking a professional arrangement of any kind. Mr. Bradley said HOK, which is headquartered in St. Louis, employs 1700 people and has 23 offices around the world with 14 in the U.S. They have 6 justice design studios which are full teams of people designing all types of justice projects from crime labs to 911 centers, police stations, jails, prisons, and courthouses. They cross over into civic projects as well. They have three times the recognition of awards of any other architectural firm and are recognized for their justice excellence by both the American Institute of Architecture and the American Correctional Association. They have designed over 170,000 detention beds that can be both a combination of jails, prisons and police stations, and one to take note of is the Wayne County Justice Campus which decided to consolidate all of their operations (courthouse, juvenile detention, adult detention, special mental/medical health area, and administration functions for the county). It's a half billion dollar project in Detroit and is a public/private partnership project. They are working on another large campus project with a cost of \$571M. Indianapolis had four separate jail locations around the city and they asked HOK to look at their operations and make recommendations and one of the things they found is if they consolidated the four jail operations into one location they would save about \$9M a year in operational costs so at that point not only did they want to consolidate, they took that extra \$9M a year and built a new courthouse.

HOK has done numerous projects in Idaho and in the region. Their projects have included the Utah State Prison and a billion dollar project at the Salt Lake Airport as well as some normal size projects. The following projects are similar to Canyon County's jail facility:

**Hays County, Texas Project** – Reusing existing beds to reduce the initial cost of replacing the entire jail; the project is master planned at 1070 beds. They have chosen to reuse as much of their existing facilities as they can in the interim but they also need to increase their bed count. They had been working with another company on a large master plan that was \$187M and they came to HOK and said they couldn't afford that so they redesigned the master plan and are now doing the phase 1 project for the County for \$106M.

**Pueblo County, Colorado Project** – Replacing the entire jail = planned for 1100 beds. They have a 40-yr. old jail that has a lot of issues and it needs to be replaced. They also had a previous master plan that was in the range of \$180M and like most communities they were looking at ways to reduce costs. HOK redesigned the master plan with a project at \$145M.

**Wichita County, Texas Project** – They are replacing the entire jail – initially it was designed for 672 beds, with 1100 at buildout. It's a brand new jail facility that also has a law

enforcement center associated with it. The county previously looked at solutions that were in the \$120M range and HOK helped them develop a solution that was going to meet a budget they could afford. HOK redesigned a master plan shows an initial project at \$70M; they are currently in the design development phase of the project.

Commissioner White asked if the projects include all classifications of beds, or are they dormitories. And, did the owners have to start the process over with HOK? Curt Parde said on the Hays County project a previous firm did a space program so HOK helped them develop the number of and type of beds they would need. They worked with the sheriff's department and developed a matrix that showed the different types of beds and HOK took the information they previously had and worked closely with the client to develop a solution that would work for them. It was a similar case for Wichita County; they had a very minimal previous plan so HOK developed the space program and helped them establish the types of beds and the different classifications needed.

#### Canyon County Possibilities Based on Existing Jail Facility Information:

Mr. Parde said they are offering ideas, not solutions, from their vantage point of having a lot of experience in designing jail facilities around the country. They took one of their recent facilities to see how it lays out on top of the Pond Lane property to see if it's large enough to develop a new jail and whether there is space for expansion and it answers all of those questions positively, it's a good piece of property. Space has been designated for 960 beds and there would be space for expansion as well. We would continue the housing units to be able to expand into the future and we could get another 480 beds. There could be room for expansion for additional support space. It's a very simple linear concept, keeps direct sight lines throughout the building, has all the support spaces on one side so it's easy to access them, get deliveries to and from; there are a lot of good things in terms of how this fits onto that piece of property and it could give a lot of flexibility in terms of how much you want to build now and into the future. In determining cost, they used numbers from the Hays County project and the Wichita County project and although they modified them somewhat there's not much modification from central Texas to Boise in terms of cost. The data helps understand where our project might be if we were to build the same amount of square footage with the solution shown on the Pond Lane property. The cost estimate is \$126M and they estimate the overall project timeline could be reduced by quite a bit with the design time reduced by 12-18 months.

Mr. Parde said the next possibility is staying downtown. There's always an advantage to keeping the jail close to the courthouse in terms of less travel and reutilizing existing beds which means building fewer beds and having a lower cost. He said it's worth looking at because there seems to be space and we have a chunk of the existing jail that's not that old and so if we are interested in continuing to utilize the space that would be 290 beds. If we wanted to continue to utilize the tent structure for work release instead of higher level classification of inmates that might still work and then build a significant amount of new beds. There is a two story solution that would connect directly into the existing jail and it would keep the new cells and new beds and we could build on the existing properties. If you add the work release beds, new beds and the existing beds that gets us 946 beds so again, a significant increase from where we currently are. It leaves room for expansion and utilizes existing spaces. It would be multi-story so there will be a few things to deal with, such as

closing 11<sup>th</sup> Avenue, so they increased the construction cost per square foot and included square footage for support spaces (kitchen and laundry facilities, programming space, etc.) He has included 40,000-50,000 square feet in the building addition. At \$450 a square foot that's your construction cost and equating the same escalation factors and soft cost factors that gets you to the \$95.5M (for 576 new beds and the potential for an additional 192 beds). Commissioner Dale said we've explored a lot of this and one of the conclusions pointed out was in continuing to operate the old Dale Haile jail you have to have a full staff and then adding the new 500+ beds you'll have to hire a second jail staff so we'd have to double personnel which over the long term creates a tremendous tax liability. We have to consider not just the construction cost but the ongoing operational costs as well. It still requires utilization of a facility that is highly inefficient and poorly designed which in his opinion is a nonstarter.

Mr. Parde said two things stick out in the County's master plan: the \$398 number for direct construction costs is high; it's the same cost typically seen for construction plus general conditions from a general contractor which adds about \$40-\$50 per square foot in this case. It's important to figure out what kind of facility we want and how durable we want it to be because that can impact the construction cost; there are less expensive ways to construct these buildings and that needs to be considered. He said there's a lot of contingency in this number and more contingency in another location and while it's important to have it in these kinds of project you can quickly get a handle on what you're going to build and get that information to a cost estimator so there doesn't need to be a lot of design contingency. If you get a good bid that helps so going forward it would probably only decrease because of those reasons. When adding in the contingency the construction cost number is \$541 a square foot and that's a number HOK probably wouldn't be at. Also, the existing plan includes a 5% construction contingency, while the national average is in the range of 2% and HOK is usually under that. Again, these are things to consider if we're looking to reduce the overall dollars. Mr. Parde asked if we're planning to have an art program in the jail because there's a cost estimate of \$1.5M for that. (No one seemed to have information on that subject.) He also said the \$8M number (4% of the overall project cost) for project management is a little high and depending on how much we ask of that person the number could go up or down. The number is typically between 2%-3% depending on what we're asking for.

Commissioner Rule doesn't know how realistic any of this is because he doesn't think a \$144M bond will pass, but, if we're going to set up a program we want to go with the best bet. Commissioner Dale said we're trying to hone down our options and figure out what's best for the County and he looks forward to seeing HOK's official response to the RFI. Mr. Bradley said RFI's make people vulnerable and nervous and firms will be a little reluctant to expose too much so they'll wait until the RFQ comes out. He also said there are a lot of extra costs in the master plan that they don't typically see.

Commissioner White said she had a realization that it was on the high side and she believes that's because if they (DLR) came in low and we chose them to draw everything and construct everything and it went high it would destroy the company's credibility. At a subsequent meeting DLR had found approximately \$28M in savings and that made her realize there are savings to be found. She asked if HOK offers financing options. Mr. Bradley said they do not finance the development of a major project, but they team with people who do. There are people who like to invest in public buildings because courthouses and jails always stay open. He spoke about how Canada has perfected the P3 (Public Private

Partnership) where the common theme is a developer who sometimes acts as the financier, or, they may have a different person for a source of funding. The components to a P3: developer, financier, legal and design firm. If you don't have the right ones in all categories the P3 projects will fail. There are different ways to structure it, people are willing to loan money but it's not always the best or cheapest way. Commissioner Dale said it comes back to the taxpayers being willing to support it, and we only have one source of funding and that's property tax. The County is looking at local option sales tax but the legislature is not supportive of it. Clerk Yamamoto said the lease option is always more expensive. Private sector uses a lease option because it's less upfront money but in government it doesn't matter because either way we have to bond. He doesn't see the lease option as being an option. Mr. Bradley said that's a good thing because it'll take a year just to structure it before you can get going. He said the existing report shows the Sheriff's headquarters at a cost of over \$500 per square foot, but that's not jail space and in that case the cost should range between \$191 and \$240 per square foot. Commissioner White said that was presented as part of the repurposing of the jail facility. Commissioner Dale said the Board looks forward to moving ahead step by step. No Board action was required or taken. The meeting concluded at 2:48 p.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SUBMISSIONS FOR THE SOLICITATION OF INTERESTS IN THE REAL ESTATE FIRM FOR THE SALE OF SURPLUS REAL PROPERTY

The Board met today at 3:37 p.m. to consider submissions for the solicitation of interest in the real estate firm for the sale of surplus real property. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Mr. Wesley said he had some items to discuss in Executive Session which will be followed by public discussion.

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

Commissioner White made a motion to go into Executive Session at 3:39 p.m. pursuant to Idaho Code, Section 74-206(1) (d) to discuss records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:56 p.m.

While in open session Commissioner Dale said the Board has been discussing three proposals received from real estate firms and all three are very qualified. The Board wanted to stay local and out of the two firms that were from Canyon County both are fully qualified and able to do this but the Board chose to go with Bullock and Company Realtors. Commissioner Dale asked if a motion is required to instruct the Prosecutor's Office to negotiate the contract. Mr. Wesley said it would be appropriate to have a vote to initiate a contract discussion. On January 25, 2018 when the solicitation of interest was initiated we

sent it to three parties and asked for proposals that are intended for the Board to evaluate and we included a contract to go along with that but before we enter into that there will be a couple of specifics we'll have to get into based on the proposal that's selected so we will need some time to finish those negotiations and then the final action will be to get this contractors agreement on the agenda. Today he needs direction to initiate that negotiation. Commissioner Rule made a motion to use Bullock & Company Realtors to assist in auctioning and then marketing (if it doesn't sell at auction), the fair property located at Highway 20-26 and Prescott Lane. The motion was seconded by Commissioner White and carried unanimously. Mr. Wesley said tomorrow he will prepare for the Board a letter to all three parties letting them know who was selected and then indicate to Bullock and Company that we'll begin negotiation. The meeting concluded at 3:59 p.m. An audio recording is on file in the Commissioners' Office.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 14, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- National Locksmithing Institute in the amount of \$1990.00 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 1810

The Board of Commissioners approved payment of County claims in the amount of \$1,636,796.84 for a County payroll.

#### APPROVED CLAIMS ORDER NO. 2-26-18

The Board of Commissioners approved payment of County claims in the amount of \$34,412.54 and \$75,554.96 for accounts payable.

PUBLIC HEARING – REQUEST BY JOSH AND REBECCA KNOTT FOR A CONDITIONAL REZONE, CASE NO. PH2017-67

The Board met today at 10:07 a.m. to conduct a public hearing in the matter of a request by Josh and Rebecca Knott, Case No. PH2017-67, for a conditional rezone of approximately 47.25 acres, Parcel R39371 from an “A” (Agricultural) Zone to a “CR-R-R” (Conditional Rezone – Rural Residential) Zone. Present were: Commissioners Tom Dale and Pam White, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Josh Knott, Rebecca Knott, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The request is to change the zoning to allow for a residence to be built on the subject property and through this process the applicants have agreed to enter into a development agreement which will restrict the development to one residential home site. No divisions are proposed as part of this request. The future land use map designates this area as agriculture, however, as restricted by the development agreement the request would still meet the intent of agriculture by retaining a majority of the property as agricultural use. The surrounding area is a mix of agriculture and sporadic residential uses; the property is adjacent to an existing platted subdivision. There are currently four platted subdivisions within one mile with an average lot size of 7.30 acres. The request would not create an incompatible land use nor would it change the essential character of the area. There have been no objections received for the project and no concerns were raised by any of the affected agencies. Staff has found the proposed conditional rezone meets the standards of evaluation found in the zoning ordinance and as restricted by the development agreement, and it also complies with the 2020 comprehensive plan. The P&Z Commission recommended approval of the request on December 21, 2017. Staff is also recommending approval of the conditional rezone. Josh Knott testified in support of his application regarding the location of the proposed building site, access to the property and the efforts to work with the irrigation district and the Bureau of Reclamation. Rebecca Knott testified that they will build on the fallow ground and will continue utilizing the rest of their farm ground. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the conditional rezone request and the development agreement with the conditions that are enumerated in the staff report. (See Agreement No. 18-019.) Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the ordinance directing amendments to the Canyon County Zoning Ordinance. (See Ordinance No. 18-005.) The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners’ Office.

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

*Note for the record: As properly noticed the Board met today at 10:31 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public*

*disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:57 a.m. with no decision being called for in open session.

PUBLIC HEARING TO CONSIDER A RESOLUTION TO INCREASE FAIR BUILDING FACILITY RENTAL FEES AND A RESOLUTION TO AMEND AND APPROVE THE FAIR BUILDING FACILITY USE AGREEMENT

The Board met today at 11:10 a.m. to conduct a public hearing to consider resolutions to increase the fair building facility rental fees, and to amend and approve the fair building facility use agreement. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Areena Arora from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Mr. Wesley said the Board adopted a facility use agreement so that renters would receive the same fees and be required to sign the same contract when using the facility. As part of the routine in evaluation he and Director Sinner worked through some changes which included changing some fees that were built into the rental agreement such as the cleaning fee which wasn't reflective of the hourly cost that was being put into the cleanup of the facility. Director Sinner said they analyzed what they were charging for services and rental rates and they found that the rental rate was in line but the setup fees and cleaning fees either didn't exist or were very low. They have added a cleaning fee and adjusted the setup rate and the cleanup rates for stalls as well. The rental rate is recommended to remain the same for weekend rentals at \$470. There will be no changes to the fees or deposits. The stall cleaning fees went from \$5 to \$15, and there is an additional grooming fee for preparing the ground at the fair building that went from \$30 to \$60 to reflect the number of employees and use of equipment required to take care of it. Commissioner Rule asked if Canyon County events receive a break in fees. Director Sinner isn't aware if there are any groups that are strictly Canyon County but she can find out. The 4-H and FFA groups are allowed to use the building for free but private parties that are profit-centered are charged a fee. No members of the public were present to comment on the proposed fees. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to amend and approve the Canyon County Fair Building Facility Use Agreement. (See Resolution No. 18-019.) Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the resolution approving the increase of the fair building facilities rental fees. (See Resolution No. 18-018.) The meeting concluded at 11:18 a.m. An audio recording is on file in the Commissioners' Office.



PUBLIC HEARING TO INCREASE DEVELOPMENT SERVICES DEPARTMENT'S PLANNING AND ZONING FEE SCHEDULE AND BUILDING PERMIT FEE SCHEDULE

The Board met today at 11:18 a.m. to conduct a public hearing to consider resolutions to increase the Development Services Department's Planning and Zoning Fee Schedule and Building Permit Fee Schedule. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Areena Arora from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Director Nilsson said it's been a year since they started working on the fee schedules and she said the intent isn't to raise fees but to reflect some changes in the zoning ordinance where it wasn't clear on certain types of applications. One change is adding the winery/brewery/distillery that was changed from a conditional use to a Director's decision. They are adding it to the list on the fee schedule so it's clear. The same thing applies with the private road; they updated those standards and realized they didn't have a process to track all the private street naming and road user's maintenance agreements and so they wanted to reflect it on the fee schedule as a Director's decision without notification of property owners. Recently, in working with the flood districts on an aftermath of last year's flooding of the Boise River and in the permitting of stream bank repairs they recognized it's a bit of a barrier for applicants to come in and pay a \$70 fee. They believe the fee is unnecessary given DSD's role in that type of flood plain repair work is administrative (documenting that they have permits with the Army Corps of Engineers and the EPA) as opposed to new development where staff performs inspections. On the conditional rezone they're clarifying that it's a development agreement and a rezone fee combined so instead of having it in two separate places they're showing it as a combined fee. Four years ago the Board passed a separate resolution on a zoning amendment text change and raised that fee to \$2500 so they are reflecting that previous action of the Board. It's more consistent with an amendment to a comprehensive plan so the zoning text amendments are quite time consuming and expensive, they involve the PA's time and several lengthy legal notices that have to get published and at \$2500 that probably is a breakeven point for staff's hard costs on those types of applications. The current cost is \$850. Those are cases where there might be changes the Board wants to have in a hearing and then staff has to re-notice and put the advertisements in the newspaper. Again, they're just trying to cover the hard costs at a minimum. For the building permits, they're not changing any fees but are clarifying some of the mechanical permits with plan review fees; it's a clean up to the fees. DSD charges a deposit for plan review because they spend time and if the applicant never picks up their approved building plans and they abandon their project we at least have some money to cover the staff time in doing the plan review. Zach Wesley said two mechanical permits were added that didn't exist previously for heat pumps and AC condensers for additional systems, new and retrofit (\$75); and radiant heating systems in an existing structure including shops and exterior (\$60). Director Nilsson said they want to make it clear you have to get a permit and inspection on each system within the structure. It's been over a year, but she looked at Canyon County fees relative to other jurisdictions and found them to be in line, if not slightly higher than the cities fees which makes sense because DSD has a lot of travel time between inspections that has to be accounted for. Looking at personnel and travel costs she didn't see any need to increase any fees. Upon the motion of

Commissioner White and the second by Commissioner Rule the Board voted unanimously to close the public hearing. The increases were described in the hearing notice, however, because the individual fees were not listed Commissioner Rule is hesitant to move forward until we publish the actual fee increases. Commissioner Dale asked for clarification on the \$2500 text amendment fee. Director Nilsson said the \$2500 for the text amendment was previously adopted by the Board but it never made its way onto the fee schedule for some reason. It was a separate resolution. Mr. Wesley said the fee schedule provides for if there's an application for something that's not in the fee schedule then the fee for that is set by the Board by resolution. That particular fee had not ever been adopted before so when we got an application for text amendment the Board had to set the fee in advance of accepting the application and \$2500 is what the fee was set at. Director Nilsson said it was a separate resolution and they want to combine it into one fee. Mr. Wesley said the zoning amendment/text amendment fee mirrors the comprehensive plan text/map amendment which is the only similar application in that process. The distinction would be one is a text amendment to the comprehensive plan and one would be a text amendment to a zoning ordinance. Although the legal requirement for publication has been complied with Commissioner Rule still wants the fees to be listed in the newspaper publication. The Board's consensus is that the fee changes should be detailed in the publication notice. The meeting concluded at 11:38 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - PRELIMINARY PLAT, FINAL PLAT, IRRIGATION PLAN, AND WAIVERS FOR BASIN VIEW SUBDIVISION; CASE NO. PH2017-53

The Board met today at 1:32 p.m. to conduct a public hearing in matter of a request by John Raff for approval of the preliminary plat, final plat, and irrigation plan for Basin View Subdivision, Case No. PH2017-53. Also requested are waivers of subdivision improvements consisting of sidewalks, streetlights, curbs, gutter, and landscaping. The subject property is located at 217 S. McDermott Road in Nampa. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, John Raff, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property was rezoned from "A" (Agricultural) to "R-R" (Rural Residential) in July of 2017, and the P&Z Commission recommended approval of the preliminary plat in December of 2017. The project will contain three residential lots and will be served by individual domestic wells and septic systems. Irrigation will be via domestic water wells as well as existing flood irrigation that is currently in place. Keller and Associates has reviewed both plats and provided comments and the requested modifications have been made by the applicant's surveyor. The applicant has obtained approval of a variance from the Nampa Highway District which granted the additional access point onto McDermott Road which is classified as an arterial roadway. The City of Nampa granted deferral of the requested waivers and approved the irrigation plan. The final plat has been signed by Southwest District Health. Bonding is not required for this subdivision. A road user's maintenance agreement has been recorded. Staff is recommending approval of the request. No other testimony was offered. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule made a motion to approve the preliminary plat, final plat, irrigation plan and deferral of the requested waivers. The motion was

seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order. The hearing concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board was scheduled to hold an Executive Session today as part of the discussion that was continued from the jail population update meeting which was held on February 9, 2018. Commissioner Rule made a motion to go into Executive Session at 2:34 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Chief Criminal Deputy P.A. Chris Topmiller, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:51 p.m. with no decision being called for in open session.

**FEBRUARY 2018 TERM**  
**CALDWELL, IDAHO FEBRUARY 15, 2018**

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

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

The Board approved a salary rate request and/or key & security access request form for D. William Phelps.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin in the amount of \$33,000.00 for the Fleet department

- Data Bank in the amount of \$8200.00 for the Information Technology department

### INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, Customer Service Specialist Robin Sneegas and Deputy Clerk Monica Reeves. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days for the following cases: 2018-0382, 2018-0485, 2018-0511, 2018-0333, 2018-0401, 2018-0365, 2018-0397, 2018-0349, 2018-0377, 2018-0317, 2018-0311, 2018-0342, 2018-0379, 2018-0327, 2018-0389, 2018-0360, 2018-0514, 2018-0339, 2018-0337, 2018-0388, 2018-0404, 2018-0386, 2018-0324, 2018-0427, 2018-0428, 2018-0334, 2018-0378, 2018-0383, 2018-0406, 2018-0384, 2018-0488, 2018-0400, and 2018-0387. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with a written decision to be issued within 30 days for the following cases: 2018-0518, 2018-0533, and 2018-0559. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the following cases: 2018-0516 and 2018-0503. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

### INDIGENT MATTERS

The Board met today at 8:59 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Indigent Services Director Yvonne Baker, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, and Deputy Clerk Monica Reeves. Director Baker presented the Board with a letter to the State of Idaho that would allow the Indigent Services Department to pursue unclaimed property requests. The requests are performed for collection purposes in order to satisfy outstanding debt for financial assistance by Canyon County. The Board signed the letter. Director Baker also presented the Board with two requests for lien forgiveness. In regards to Case No. 2011-1333, the applicants are in the process of a divorce and they're trying to sell their house and they are offering to pay \$15,000 toward their debt of \$51,545.22. Their assets total \$73,550.59. After discussion it was the Board's consensus to tell the applicant it will accept 50% of the outstanding balance. In regards to Case No. 2010-1228, the applicant is asking for full lien forgiveness of a \$20,309.78 debt. She wants to pursue a reverse mortgage and in doing that she needs the lien lifted. The assessed value of her home is between \$120,000 and \$154,000 and Director Baker believes some of the equity should go towards the debt. The applicant has made consistent payments for the last four years; the original debt was \$28,000 and it's now \$20,000. After discussion it was the Board's consensus to tell the applicant it will accept 50% of the outstanding balance. The meeting concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1449

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for Case No. 2017-1449. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, the applicant via conference call, Julie Wood for Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue a written approval within 30 days. The hearing concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-16

The Board met today at 9:35 a.m. to conduct a medical indigency hearing for Case No. 2018-16. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Julie Wood for Saint Alphonsus Regional Medical Center, the applicant, Interpreter Will Browning, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to March 8, 2018. The hearing concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1724

The Board met today at 10:02 a.m. to conduct a medical indigency hearing for Case No. 2017-1724. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Julie Wood for Saint Alphonsus Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to April 5, 2018. The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-17

The Board met today at 10:16 a.m. to conduct a medical indigency hearing for Case No. 2018-17. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Julie Wood for Saint Alphonsus Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to March 8, 2018. The hearing concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-91

The Board met today at 10:22 a.m. to conduct a medical indigency hearing for Case No. 2018-91. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Ashley Hesteness from St. Luke's Regional Medical Center, Attorney Mark Peterson, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the hearing to April 5, 2018. The hearing concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1667

The Board met today at 10:40 a.m. to conduct a medical indigency hearing for Case No. 2017-1667. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Ashley Hesteness from St. Luke's Regional Medical Center, Cortney Kriss from St. Luke's Regional Medical Center, Attorney Mark Peterson, the applicant, the applicant's relative, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to March 8, 2018. The hearing concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1438

The Board met today at 11:01 a.m. to conduct a medical indigency hearing for Case No. 2017-1438. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Julie Wood for Saint Alphonsus Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to deny the case. The hearing concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1283

The Board met today at 11:11 a.m. to conduct a medical indigency hearing for Case No. 2017-1283. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Tim Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the case at the lower rate for the dates of August

22, 2016 through August 25, 2016. The hearing concluded at 11:23 a.m. An audio recording is on file in the Commissioners' Office.

### INDIGENT MATTERS

The Board met today at 11:25 a.m. to consider some indigent matters following the conclusion of today's medical indigency hearings. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, and Deputy Clerk Monica Reeves. In the following cases neither the hospital nor the applicant appeared for the hearings, therefore, Commissioner White made a motion to deny the cases with a written decision to be issued within 30 days: Case Nos. 2017-1544, 2018-41, 2017-1701, 2018-19, 2017-1332, 2017-1735, and 2017-1148. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve Case No. 2018-18 with a written decision to be issued within 30 days. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve Case No. 2016-176 and Case No. 2016-583 with a written decision to be issued within 30 days. The meeting concluded at 11:28 a.m. An audio recording is on file in the Commissioners' Office.

### PUBLIC HEARING - REQUEST BY EJ LEWIS TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. PH2017-59 & 60

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by EJ Lewis Trust for a comprehensive plan map amendment to change the designation of Parcel R34493 from Commercial to Residential, as well as a zoning map amendment from "A" (Agricultural) to "R-1" (Single Family Residential). The subject property is located on the east side of El Paso Road, approximately 865 feet north of the intersection of State Highway 44 and El Paso Road in Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Alan Mills, Bob Arnold, Lamar Lewis, Jarita Augerot, Daniel Custer, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is 19.71 acres currently zoned agriculture, and the future land use is commercial. The applicant is requesting a comprehensive plan map amendment to change the designation of the parcel from commercial to residential as well as a request to rezone the property from agricultural to single-family residential. The Canyon County Future Land Use Map identifies this area as commercial, however, the area contains a mix of residential and commercial uses and the property is adjacent to existing subdivisions. The proposed designation would not create an incompatible land use and would be commensurate with the existing residential uses adjacent to the property. The zoning map shows there is currently R-1 zoning south of Highway 44. The residential zoning would not be out of character with the area. There are currently 28 platted subdivisions within one mile for an average lot size of 1.54 acres. Access may be accomplished via a local road or private road access to El Paso Road. Canyon Highway District has said the use is not anticipated to materially impact the existing or future

road network. ITD supplied threshold values which could trigger a traffic impact study and through that information they determined that the proposed development would be less than 100 dwelling units, therefore, a traffic impact study would not be required. ITD did not object to the rezone. Because the application is within the City of Middleton's impact area they reviewed the project and indicated their future land use map designates the majority of the subject property as residential with a small portion shown as mixed use. A portion of the property was once utilized as a gravel pit from 1970 to the mid-1980s. A reclamation plan was not required. If approved, the project will be required to be platted; subdivision engineering reports will be required for the project that will ultimately dictate the number of developed lots. Engineered drainage plans would also be required as part of the platting process. The P&Z Commission recommended approval of the comprehensive plan map amendment on November 2, 2017, however, they recommended denial of the rezone to R-1 single family citing that a rural residential zone would be more compatible with the surrounding area. Staff has found the request complies with the Canyon County standards of evaluation for the comprehensive plan map amendment as well as the rezone and that it also complies with the comprehensive plan.

Alan Mills agrees with staff's report and findings on the questions relating to the comprehensive plan map amendment, as well as the questions relating to the R-1 zoning criteria. He disagrees with P&Z Commissioner Duspiva's recommendation to deny based on the incompatibility with the surrounding area and negative drainage issues. The property is not in a nitrate priority area; the septic system will be engineered and density will be set by Southwest District Health. There was some opposition about the well problem in the area but after pulling well reports it showed the area to have little or no change in aquifer. The property used to be gravity irrigated and there was drainage from the irrigation but they've converted it to sprinkler and for development it will remain sprinkler and pressurized so the runoff will not exist. The majority of the runoff comes from the land where the storage units are located because the surface roads have been paved and are impervious during storms. He said in the process of development the runoff issues will be improved and it will take care of Mr. Overland's problem with the drainage. Regarding traffic issues, ITD initiated and completed a study of the Highway 44 corridor and recommended 30 feet of additional right-of-way for future improvements. Mr. Houser had concerns about erosion but they worked out an agreement and gave him a recorded slope easement so he can take care of the erosion issue.

Lamar Lewis offered testimony regarding the drainage and irrigation history on the property.

Bob Arnold, a licensed professional engineer, testified about his visual inspection of the property as well as a records search for information that could help address issues raised in written testimony by Mr. Custer. All the concerns are addressed best by developing the land; it gives the opportunity to dictate what happens with all the problems that have been described. County rules mandate that storm water be retained on site so that alone fixes the erosion concerns with water flushing off this property onto adjacent properties. The uphill slope is in bad shape and has had water flowing over the crown of the slope; however, he sees no indication of recent washouts or erosion but there are some deep gullies that have cut back in where the flow across the fields have concentrated and eventually crowned the slope in one location. They need to be corrected and the best way to do that is through the



development process. He's helped with gravel pit remediation plans and that's a disadvantage with this property because the property is so old it predates the rules for having a remediation plan. Remediation is needed in some of the slopes and they've made arrangements with the neighbor to the east to do that. If the lots are going to extend into the pit clearly that tall slope will have to be removed. It's a gravel pit so we have an abundance of materials on site to do that. He pulled well logs for several homes on El Paso Road and they indicate the ground water on El Paso is between 84-114 feet deep. The homes along Stone Lane average 10 feet to the ground water. There are civil engineering questions that need to be addressed but there isn't anything that cannot be addressed. The current situation can be corrected and whether it's corrected as open space, or a park or public access land or private reserve or larger lots than the one acre average, the fact is every concern stated for the gravel pit can be corrected. According to Mr. Arnold, the drainage area has not been resolved and was grossly understated at the hearing. The key issue was getting rid of the flood irrigation system and going to a sprinkler system with somebody manning the switch and turning it off when it's appropriate. With this development he anticipates zero water ending up in the Hartley Creek. Soils are conducive to accepting septic and to absorbing irrigation water. He recommends a hydrogeology report to confirm where ground water is and how deep it is. There is potential for erosion but it's easily mitigated and designed into a residential development. All issues can be easily addressed by geotechnical engineering recommendations.

Jarita Augerot testified that she doesn't have a problem with the land being residential, but her concern is for the safety of the residents, in particular the children who wait for the school bus on El Paso Road and Highway 44 because traffic is an issue. She spoke of her experience with the irrigation/drainage of the property as well as a concern on whether the development will overload the wells and septic systems in the area.

Daniel Custer spoke of his concerns with the problems with downstream erosion that occurs due to the tremendous amount of water coming onto his property. Other concerns include: project density; the entrance and egress; the gravel pit reclamation.

Lamar Lewis said the development is going to put the lots in a situation where they will have to comply with current ordinances and there will be a civil engineering package to address the runoff on the neighboring properties. He said it's been stated the property drains to the east but that is not the case, the majority of the property drains to the pit.

Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said he has driven past the property for years and it's been an eyesore and now with development there is talk of reclaiming it which will be difficult but it will be putting it to a good use rather than being in weeds, stumps and chunks of concrete that have gathered there. He believes it's an appropriate use of the land. The water will be an issue on the site just as it has been for the ones across the highway, but he believes the issues can be addressed through the irrigation planning and engineering. Commissioner Dale said if the pit stays in unbuildable territory, you're looking at 16 lots, if it's reclaimed you're looking at 19 lots neither of which is a huge number, and if you go to rural residential, which requires two acres, more land will have to be irrigated which will create more potential for runoff. Commissioner White believes the issues have been thoroughly researched through the questions that were asked at the underlying hearing and she then made a motion to approve the comprehensive plan map amendment to change the designation of Parcel R34493 from commercial to residential.

Commissioner Rule seconded the motion which carried unanimously. Commissioner Rule made a motion to approve the rezone from “A” (Agricultural) to “R-1” (Single Family Residential). The motion was seconded by Commissioner White and carried unanimously. Commissioner White made a motion to approve the resolution for the comprehensive plan map amendment and to approve the Findings of Fact, Conclusions of Law and Order. The motion was seconded by Commissioner Rule and carried unanimously (See Resolution No. 18-020). Commissioner Rule made a motion to approve the ordinance directing the change to the official zoning map and to approve the Findings of Fact, Conclusions of Law and Order. The motion was seconded by Commissioner White and carried unanimously (See Ordinance No. 18-006). The hearing concluded at 2:28 p.m. An audio recording is on file in the Commissioners’ Office.

CONTINUATION OF APPEAL HEARING RE: COPE SAND AND GRAVEL’S REQUEST FOR A MINERAL EXTRACTION EXPANSION, CASE NO. PH2017-52

The Board met today at 2:35 p.m. for a continuation of the appeal hearing regarding Cope Sand and Gravel’s request for a mineral extraction expansion, Case No. PH2017-52. The case was originally heard on February 12, 2018 and was continued to this day for the Board’s deliberation and decision. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Todd Lakey, Bob Cope, Brett Cope, Paul Cope, Dave Cockrum, John Babcock, Steve Torrano, Ed Wofford, Claudia Frent, Elspeth Turner, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner White said this is one of the hardest land use cases she’s considered in her time as a Commissioner. She spoke about traffic and the growth that’s occurring and her experience with large trucks making wide turns. She said the homeowners are living with the existing gravel pit and have found compatibility with it but the new request is in closer proximity to some homes and it changes their sense of compatibility and it becomes an impact to their way of life. Commissioner White understands the importance of both sides of this issue and said it’s interesting because business can’t survive without people and without business people can’t progress and move forward but this comes down to an issue of compatibility and with the new request she believes the homeowners will lose that sense of compatibility and it will impact their sense of wellbeing, therefore, she will vote to uphold the homeowners’ appeal. Commissioner Dale said these types of decisions are never easy, it’s a balancing act of data that often come to different conclusions although they both claim to be scientifically derived. His parents owned a house in the subdivision when the first gravel pit was proposed and approved and at that time the perception was that all of the water would be destroyed, the wells would be damaged and nobody would be able to have drinking water because the water supply would be contaminated. After 15 years that has not proven to be true. We heard testimony from one gentleman that brought his water filter in that showed a lot of sand, but he’s familiar with wells and understands how pumps get filled up with sand in the bottom and he believes the silica and the different types of things that are generated by the gravel pit crushing activity are not going to permeate through that clay level. He doesn’t think the dirt and sand on that water filter was produced by the activities of the gravel pit. He sees really different circumstances with this application versus the application from 2016 which was a very different situation that would have put a gravel

pit literally in the backyards of the Two Towers Subdivision and that's why he voted to deny that permit. The application moves it closer to the Wild Rose Subdivision and closer to a home on Memory Lane but there's some really good buffering, a waterway, trees, a feedlot and a pasture, and the crusher will remain very close to where it is currently situated. He said the benefits to the property owners for prohibiting this to go forward are quality of life perceptions, but the benefits to the Copes extend much further than the operation itself. There's a lot of people that are dependent and reliant upon that source of product and he wants to reiterate that he doesn't make decisions like this on land use based on what he perceives the potential increase of property taxes, or lack of such, will produce. It is based on his best perception of the data that's presented given on the merits of the particular application in front of us. In looking at some of the information presented and as part of the first conditions of approval on the buffering landscaping, it was about the berm that was supposed to be there and the trees that were supposed to be there and kept in a living condition, but he thinks there are only one or two trees that are still alive. He asked if there is a way to tighten up the conditions to mitigate some of the concerns. Dan Lister reviewed the conditions as follows:

Development shall comply with all applicable federal, state and county laws, ordinances, rules and regulations that pertain to the subject property and the proposed use.

The operator shall obtain an access permit from Canyon Highway District No. 4 prior to commencing development on the property or propose expansion, and prior to construction of any new access points. Access from the proposed mining operation shall be constructed to meet commercial approach standards in accordance with standards. At the time of development the following mitigations shall be met: the mining and reclamation for the subject property shall provide sufficient room to accommodate a future collection road, Section 4, Lake Lowell Avenue to include a 40-foot half width right of way generally level with the existing roadway and provisions of any fill slopes necessary to provide lateral support. Access to the public highway system for truck trips from the proposed mine shall be limited to eastbound Lake Lowell Avenue. There would be no more westbound trips generated for this pit so it wouldn't go past Wild Rose Subdivision anymore.

The operator shall provide appropriate facilities for disposing of human generated waste and water in accordance with Southwest District Health requirements.

The operation shall comply with the reclamation plan approved by the Idaho State Department of Lands (Attachment No. 2). The operator shall complete the reclamation plan as approved by the Idaho State Department of Lands. Property boundary buffer zone setbacks shall not be less than specified in the reclamation plan. The gravel extraction and crushing operation shall not operate in excess of 20 years from the date of the signing of the findings of fact, conclusions of law, conditions of approval and order without further jurisdictional approval.

Hours of operation: Normal hours of operation extraction, crushing and hauling shall not exceed Monday through Friday 7:00 a.m. to 6:00 p.m., and Saturday 7:00 a.m. to 1:00 p.m. Those are the existing hours of operation for the existing site.

Operation of mining equipment, storage and use of fuels and petroleum products shall be in accordance with all applicable federal, state and county laws, ordinances, rules and regulations that pertain to operations. Dust shall be controlled in accordance with applicable federal, state and county laws, ordinances, rules and regulations that pertain to operations

including but not limited to nuisance regulations of the Canyon Code, Chapter 2, Article I Public Nuisances. Development should not impede, disrupt or destroy irrigation canals, ditches, laterals, drains and associated irrigation works and rights-of-ways. The operator shall comply with all Idaho Power requirements and recommendations of Attachment No. 1. All buffer areas shall be maintained as pasture or row crop. Maintenance shall include removal of weed, debris, and waste materials. Existing trees along the Thacker Lateral shall be maintained as visual buffers from Lake Lowell Avenue. Any loss of any existing tree during the life of the permit shall be replaced with a visual barrier such as solid fencing with natural landscaping. The planting of additional trees is encouraged to maintain the existing natural visual buffer. The mineral extraction operation shall be conducted in substantial compliance with the reclamation plan and letter of intent with site plan.

Commissioner Dale asked if on Saturdays the operation could be restricted to only hauling, no extracting and crushing, so that the noise would be mitigated on a Saturday. Brett Cope said they do not currently operate the crusher on Saturdays. Commissioner Dale asked if the crushing operation hours could be changed from 6:00 p.m. to 5:00 p.m. Mr. Cope said they shut down the crusher at 4:30 p.m. Commissioner Dale would like that in the conditions of approval.

Commissioner White asked who will enforce the conditions. Director Nilsson said when her office gets code enforcement complaints they investigate them immediately within their current time and staff constraints. They work toward compliance and try to understand what the issue is. One example would be they had a landscaping requirement between a storage unit and a residential property where the neighbor complained so Director Nilsson contacted the property owner who was aware of it and was working on it so staff commemorated that in writing and gave them a deadline to comply. They let the neighbor know and the property owner completed it. DSD maintains a tickler file for reminders of deadlines for any enforcement actions and if they cannot get the property in compliance the ordinance gives the director the ability to take it to a hearing, with the Board's approval, to revoke the conditional use permit. Commissioner Dale said this permit goes to 2038, which extends it by six years from the present permit. He asked Mr. Cope how long he believes this extension will realistically go because they are a number of years short of what was anticipated previously. Mr. Cope said it's hard to project the future but if things keep going like they're going they could probably have this done by 2032 but that extra five years would leave a buffer for their business. It is difficult to judge what the economy is going to do. Commissioner Rule said people come in with sincere testimony and they don't want something to obstruct their view yet they want the right to build. They are worried about wells being contaminated but he doesn't think this business contaminates wells. They say they're going to put a Boy Scout park on the property but there's not a \$200,000 trust to make sure that happens so he has to filter through all of those things and try to get down to what the points are that support either side. This is a very difficult decision but he is going to support the appeal because the meeting room has never been this full and he has never received a petition with 193 signatures. Commissioner Dale said he goes back and forth trying to find the balance, but he will support the decision. Commissioner White made a motion to approve the appeal to Cope Sand and Gravel, Case No. PH2017-52. The motion was seconded by Commissioner Rule. Commissioner White said there are no complaints on file with Canyon County, but it was stated there were numerous complaints, but that was explained in detail – they were minor violations. This is not a reflection of bad business, this

is a reputable business and this is a decision made on land use. A roll call vote was taken on the motion to approve the appeal with Commissioners Rule and White voting in favor. Commissioner Dale voted against the motion stating he understands the case of the appeal but he leans a little more toward the business and he has to go on what his own personal feelings are and that's why he's voting no. The motion carried by a two-to-one split vote in support of the appeal therefore the P&Z Commission decision is reversed. Director Nilsson said staff will bring back findings of fact to support the Board's decision on March 2, 2018 at 10:00 a.m. The meeting concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 16, 2018

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

No meetings were conducted today.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 20, 2018

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

#### APPROVED CLAIMS ORDER NO. 2-26-18

The Board of Commissioners approved payment of County claims in the amount of \$62,611.03, \$114,140.38, \$65,003.05, \$9395.09 and \$44,300.20 for accounts payable.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson Food Stores #148 (see resolution no. 18-021).

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

The Board met today at 8:33 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Director of IT Greg Rast, Assistant Director of IT Eric Jensen, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following items: the landfill conversion took place this past weekend and everything went well with the transition. They are now working on service level agreements with Idaho Tower. His department is working with DSD and the Assessor's Office on an effort to share documents so that scanning is not being duplicated between the two offices. They are continuing to work on scanning efforts with the Records department, Indigent Services and the Parks department. The final GIS planning meeting with the Sheriff's Office will happen today and then they will be able to start building the new GIS infrastructure. Director Rast asked the Board about a request made by Indigent Services to have video conferencing set up in the meeting room so that hearings with inmates could be conducted that way instead of via telephone. The cost would be approximately \$3000 for the equipment and about 8-10 hours of labor for the facilities department but slightly less for the IT department. Director Rast indicated that Director Baker would also be in contact with the Sheriff's Office to see what kind of room they would need for this and that there would need to be a deputy able to run the equipment. Commissioner White does not recall having a conversation about this equipment and is not sure where the request has stemmed from. Commissioner Rule is fine with the system that is currently being used but understands if it is new progress and he will not get in the way of the new process. Commissioner White doesn't feel there is an urgency for the change but wonders if Indigent Services feels it would be beneficial for the Board. Commissioner Rule thought perhaps Indigent Services is requesting this for their office to be used for interviews. Director Rast said he would dig a little deeper and see if he can get some more clarification.

Director Navarro updated the Board on the following items: His department is starting repairs to gates at the fairgrounds; it is actually the city's fence but we are partnering with the city where the county will provide materials that are surplus from a previous project. They will be building 4 new gates that they will then weld and install. They recently met with Director Sinner and learned that she rents diesel powered light plants during the fair but Director Navarro and his staff will be installing new light stands over the next couple of weeks which will eliminate having to rent 3 of the light plants with a savings of \$5000. Ms. Sinner has also asked for the interior of the concession stand to be painted and a new heating and cooling system has been installed in the concession stand. They are also painting 150 swine pens. UPS bids are in for the Landfill so Director Navarro will work with Director Rast and Director Loper on that. Additionally, Director Loper has indicated that the majority of the power issues at the landfill have been resolved. Mr. Navarro said he has been working with Sam Laugheed to start the bid process for re-roofing of the DMV and jail annex which should be in front of the Board for consideration soon. They have received bids for the well project at Celebration Park, the low bid was \$44,000 so he has reached out to Director Schwend for her direction. Director Navarro and his staff will be starting the fencing at 14<sup>th</sup> and Chicago this week and they will be starting the IT oil suppression system within the next

couple of weeks. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR COURT INTERPRETER DUBRAVKA MARTINCIC

The Board met today at 9:04 a.m. for a legal staff update and to consider signing an independent contractor agreement for court interpreter Dubravka Martincic. Present were: Commissioners Pam White and Steve Rule, Clerk's Executive Assistant Taryn Peterson (left at 9:07 a.m.), Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Mike Porter said this is similar to independent contractor agreements that have been signed previously; it has been reviewed by legal and is ready for the Board's consideration. Ms. Peterson said Ms. Martincic was recruited from the Washington State Courts as they have such strict requirements to even be added to their roster. Ms. Martincic speaks Bosnian and there is currently a case in the system that requires this language. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for court interpreter Dubravka Martincic. Mr. Porter did not have any items for discussion at the legal staff update but Commissioner Rule wanted to keep the rezone of Hwy 20/26 in the front of everyone's minds. Mr. Porter said he would send an email to Mr. Goodsell and Mr. Wesley regarding the request. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Treasurer's January 2018 Tax Charge Adjustment by PIN in today's minutes.

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

The Board met today at 9:30 a.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: revenues are way up, she believes they are at 50% of their revenue budget and expenses are at about 30%. The CAPS implementation is set to go live on March 5<sup>th</sup> and they are currently in a testing phase along with Odyssey. They will be conducting interviews for the open Code Enforcement position next week and Captain Adams and Zach Wesley will be sitting in on the interviews. Ms. Nilsson has scheduled a meeting with Daniel Badger at the City of Nampa to discuss getting water and sewer to the county property at Hwy 20/26. Once she has that information she will bring it back to Board, Zach Wesley and Director Navarro. Commissioner Rule said that the county may be willing to donate a ¼ or ½ acre for a public well. She also brought to the Board's attention her concerns regarding a big box store being proposed in Meridian,

however, it is way beyond the COMPASS forecast for 2026. A discussion ensued regarding the impacts it could have on Canyon County if it's approved. Director Nilsson also let the Board know about House Bill 542 being proposed which will cause loss of local control on building codes in terms of what counties and cities will be able to adopt. The bill will require that they adopt what the state adopts and currently the state is a couple years behind the current codes. Ms. Nilsson feels part of the disagreement comes in with some builders and newer energy codes; some builders don't see the value in meeting those codes relative to the gain to the homeowner in terms of energy efficiency. Idaho is greatly varied in climate and snow loads among other things and if a locality wanted to customize their codes to their circumstances they wouldn't be able to. There are no immediate concerns for Canyon County but she wanted to bring it to the Board's attention. The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Director of Juvenile Detention Steve Jett, Assistant Director of Juvenile Detention Sean Brown, Juvenile Detention Officer William Phelps and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: He currently has two vacant positions and they are going to be starting the hiring process for those. Recently they had a mother bringing in a controlled substance for her child during visitation times which has caused them to reevaluate how they are doing things and make some changes to the visitation procedures. In March the International Law Enforcement Educators and Trainers Association conference will be taking place in St. Louis; this year the county will be paying for Tim Warner and Taha Bah to attend and the Juvenile Training Council will be paying for Sean Brown and Shawn Anderson to attend. The Rule of 80 bill has passed the House to give probation, detention and misdemeanor probation the Rule of 80 retirement; the cost to the county is minimal, most of the cost is on the employee. Director Jett sent an email out to all the counties that contract with the detention center letting them know that the rates will be going up from \$160/day to \$170/day. There was a garden donation from Zamzows recently and seeds have been ordered. They are doing an experiment in purchasing some smaller radios for Director Jett and the supervisors; the radios are much less expensive than the other radios and they can be set up by Mr. Jett. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:16 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Chief Juvenile Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen



Ross. Ms. Catalano updated the Board on the following items: the Juvenile Probation department is supervising 307 juveniles in the court system; there are 63 juveniles in the diversion program; 36 kids were committed to the Idaho Department of Juvenile Corrections; 470 UAs were done just last month. The probation officers combined made 659 contacts with juvenile offenders and had 18 kids on electronic monitors during the month of January. Ms. Catalano feels these numbers are so high just due to societal reasons and the system in general is being asked to parent kids. Each year she holds a "goal setting" meeting with her staff which is a 3 hour session where she brings in staff and they give her input on how the department is doing, what needs to be done differently and where they should be focusing based on what they see. In a future meeting she will share that information with the Board as to what they're seeing and how the issues are being addressed. Ms. Catalano said at her next meeting she will have a representative from the Idaho Department of Juvenile Correction with her to share the data and statistics they've collected from all the counties in the state. The Idaho Press-Tribune has been wanting to do a story on some of the programs that are available and have been promoted in the community the last few years so she will be meeting with a reporter tomorrow.

Mr. Breach updated the Board on the following items: In March there will be an audit done by the Idaho State Police on their NCICs (FBI criminal database) for the criminal histories. There was a walk-thru last week that went well although he suspects they may suggest some updated software. Director Breach has been asked to send one of his POs to Twin Falls County to assist in an LSI training. POST has agreed to cover the cost of travel including the hotel, meals, mileage etc. His question for the Board is if they are okay with the county covering the cost of the salary for 3 days for this employee. The Board said they would like to see Twin Falls County pay for the employee salary. Mr. Breach said he will speak with Twin Falls County about this and then report back to the Board. The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:02 a.m. to consider agenda items. Present were: Commissioners Pam White and Steve Rule, Treasurer Tracie Lloyd (left at 11:11 a.m.), Sr. Deputy Treasurer Tonya May (left at 11:11 a.m.), Deputy P.A. Brad Goodsell (left at 11:12 a.m.), Landfill Director David Loper, PIO Joe Decker (left at 11:07 a.m.) and Deputy Clerk Jenen Ross.

The agenda items were considered as follows:

***Consider signing a resolution to waive certain landfill fees for Canyon County residents on April 28, 2018:*** David Loper said this is the annual spring clean-up day which is always the 4<sup>th</sup> Saturday in April where county residents will be able to bring in a certain amount of waste at no charge. The advertised hours of the event are 8:00 a.m. to 5:30 p.m. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution to waive certain landfill fees for Canyon County residents on April 28, 2018 (see resolution no. 18-023).

***Consider signing a resolution authorizing payment of excess sale proceeds pursuant to Idaho code § 31-808:*** Brad Goodsell said the county is obligated to do something with the excess proceeds from the tax deed sale that took place in November. Proceeds are first offered to parties in interest to which there were five claims on two separate properties. The remaining funds will be sent to the State Treasurer as unclaimed property and anyone who feels they have claims to those funds can contact the State Treasurer. This resolution will authorize the payments of the claims to the parties in interest and authorize the remaining funds to be sent to the State Treasurer. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution authorizing payment of excess sale proceeds pursuant to Idaho Code §31-808 (see resolution no. 18-022).

***Monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction:*** Director Loper gave a review of tonnage numbers stating that waste amounts were up 40.53% for January and FY2018 is up 20% year to date. The Title V permit is almost complete; the EPA has a few more days for review but he anticipates a “permit hand-off meeting” with DEQ to be happening soon where they will explain all the conditions of the permit. Another groundwater sampling will be happening in March; these will be happening quarterly for a while in order to get good background data with the new pumps. Director Loper will continue working with Director Navarro on the office addition, they don’t have the full plans yet but have received some stats from the architect. The household hazardous waste event will happen on June 9<sup>th</sup> and will take place at the Idaho Center again this year. There has been some work done by Idaho Power on lines out by the landfill and all the transformers have been replaced, since that work has been completed they really have not had many issues. The recent IT connectivity project went very smooth. There is one landfill storm water pond that isn’t fenced in and tends to get used by people visiting the motorcycle park. They are working to get that pond fenced, however, it will take away one of the parking areas for the motorcycle park. He will work with Parks Director Schwend in order to create a new parking area and to rebuild the awnings. Director Loper has been working with Chad Schwend at Stericycle to accept hazardous waste from small businesses on a quarterly basis. The businesses would still have to pay for the disposal but there would be very minimal cost to the county. A discussion was had as to how to handle out of county waste; Director Loper has a couple ideas he is working thru. Commissioner Rule said he will support whatever Director Loper chooses to do but feels it is long past time for things to change. Director Loper will work with legal to create the ordinance and evaluate the fee schedule and bring them to the Board for approval. The meeting concluded at 11:36 a.m. An audio recording is on file in the Commissioners’ Office.

FEBRUARY 2018 TERM  
CALDWELL, IDAHO FEBRUARY 21, 2018

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

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mobile Mini in the amount of \$5947.95 for the Fleet department
- Motorola Solutions in the amount of \$14,139.63 for the Sheriff's Office

### EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(D) AND (F) TO DISCUSS IMMIGRATION DETAINER LITIGATION UPDATE (RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION)

The Board was scheduled to hold an Executive Session to discuss the immigration detainer litigation update. Commissioner White made a motion to go into Executive Session at 11:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending litigation. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, and Deputy Clerk Monica Reeves. The Executive Session concluded at 12:29 p.m. with no decision being called for in open session.

### FEBRUARY 2018 TERM CALDWELL, IDAHO FEBRUARY 22, 2018

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

### APPROVED CLAIMS ORDER NO. 3-9-18

The Board of Commissioners approved payment of County claims in the amount of \$15,334.77 for accounts payable.

### APPROVED CLAIMS ORDER NO. 2-22-18

The Board of Commissioners approved payment of County claims in the amount of \$829.50 for accounts payable.

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Stone Lumber in the amount of \$5570.55 for the Landfill
- Quality Electric in the amount of \$6570.00 for the Landfill
- Wall 2 Wall Floor Covering in the amount of \$2742.21 for the Facilities department

### CONSIDER SIGNING MEMORANDUM OF UNDERSTANDING REGARDING THE SHERIFF'S UNEMPLOYMENT INMATE RELEASE PROGRAM

The Board met today at 8:31 a.m. to consider signing the Memorandum of Understanding (MOU) between the Board of Commissioners and the Sheriff's Office regarding the Sheriff's unemployed inmate work release program. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Chief Deputy Sheriff Marv Dashiell, Landfill Director David Loper, Fleet Director Mark Tolman, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Commissioner Pam White arrived at 8:34 a.m. The document is an understanding between the Sheriff and the landfill and fleet departments about the use of unemployed inmate workers and how that should work and how the Sheriff's Office would be compensated for the labor and their efforts in getting the unemployed workers to the two county entities that need the work. The agreement calls for a transfer of funds from the enterprise fund to the justice fund to cover the cost of the inmate workers. Half of that appropriation each year will be based on the number of workers and the hours of work the previous year and then whatever that amount is will be divided up and half will go to the Sheriff to cover the cost of getting the workers to the site, providing them a commissary credit and good time for the time they've spent and the other 50% will be used to cover workers compensation insurance and so forth. It also makes sure that the liability for risk is appropriately assessed, it's still the County's issue but we are treating the unemployed work release inmates as if they are employed by the landfill or the shop such as performing cleanup work. Zach Wagoner explained how payments will be made from the current expense, justice, and enterprise funds. Chief Dashiell said the project provides a direct benefit to the fleet department because the inmate workers wash cars, sweep floors and pick up litter, and to the citizens for the work that is performed at the landfill. They had a couple of issues with some inmates that were walking away and the Sheriff became concerned about liabilities so they looked for ways to reduce liability and treat them more as an outside employee work release inmate. Directors Loper and Tolman spoke about how they view the program as a benefit to their respective departments. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the Memorandum of Understanding between the Board of Commissioners and the

Sheriff's Office regarding the Sheriff's unemployed inmate work release program. (See Agreement No. 18-021.) The meeting concluded at 8:42 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2018-416, 2018-418, 2018-446, 2018-442, 2018-380, 2018-445, 2018-557, 2018-447 and 2018-0443 upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue a cremation approval for case no. 2018-0575. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 8:54 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Brad Goodsell, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue denials for case nos. 2018-138 and 2018-133. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue an approval for case no. 2018-65 with a written decision to be issued within 30 days. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-119

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for Case No. 2018-119. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus, the applicant via telephone and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the case to March 22, 2018. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-120

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for Case No. 2018-120. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, the applicant, Courtney Kriss for St. Lukes, Attorney Mark Peterson for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and the second by Commissioner Rule the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-113

The Board met today at 9:29 a.m. to conduct a medical indigency hearing for Case No. 2018-113. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, the applicant, Amber Jones for St. Lukes, Attorney Mark Peterson for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to continue the case to March 22, 2018. The hearing concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-53

The Board met today at 10:06 a.m. to conduct a medical indigency hearing for Case No. 2018-53. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, the applicant, Julie Wood with Med Data for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-137

The Board met today at 10:11 a.m. to conduct a medical indigency hearing for Case No. 2018-137. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker, the applicant, the applicant's spouse, Courtney Kriss for St. Lukes, Attorney Mark Peterson for St. Lukes and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to deny the case but it died for lack of a second. Commissioner White made a motion for approval with a second by Commissioner Dale. The motion was

approved by a 2:1 vote with Commissioners White and Dale voting in favor and Commissioner Rule voting against. The hearing concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1708

The Board met today at 11:02 a.m. to conduct a medical indigency hearing for Case No. 2018-1708. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and the second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY MATTERS

The Board met today at 11:04 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Hearing Generalist Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to uphold the denials with written decisions to be issued within 30 days for case nos. 2018-111, 2018-56 and 2018-108. The meeting concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 23, 2018

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

No meetings were conducted today.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 26, 2018

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

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$3781.40 for the Information Technology department
- Barracuda in the amount of \$11,338.00 for the Information Technology department

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for City of Caldwell dba Purple Sage Golf Course (see resolution no. 18-025).

### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:33 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Commissioner Dale reported briefly on his meeting at the state capitol; JFAC funding was approved for a crisis center. Mr. Decker reported on the following communications issues: Sheriff Donahue asked him to review an op-ed piece regarding a bill that would require domestic violence abusers to turn over their guns; he is working on *Start by Believing* proclamation for the month of April; KBOI Channel 2 has some story ideas on the jail and the landfill; the Idaho Press-Tribune will interview Prosecutor Taylor on crime stats and trends from 2016-2017; and the *Idaho Day* proclamation will be considered on Wednesday with a celebration to occur on March 5 at the statehouse. Commissioner Dale reported on a meeting he attended last week with the City of Caldwell, rodeo board members, and fair board member Josh Sanders regarding the fair grounds. He referred to a rough sketch of the property and said the group decided to take the creek and run it diagonally with underground tiling. An amphitheater was proposed but most everybody said it wasn't needed so they are going to leave it as open space because they could get more use out of it. The rodeo board wanted to have temporary pens behind the football stadium and they were proposing permanent fencing but now there's an idea to move the fence out to the boundary by the Gabiola Fields. They are still working through things but they will discuss it with Diana Sinner. There are plans to have permanent restrooms on site. Brent Orton will have a cost estimate on tiling the drain and prepare another draft sketch of what was discussed. The city will do the engineering and the County will purchase the materials estimated to be around \$310,000. The Board briefly discussed the former fairgrounds property on Highway 20-26. The County is considering rezoning the land (commercial in the front and residential in the back) prior to selling it. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.



## CONSIDER SIGNING SOLICITATION OF BIDS FOR 2018 CANYON COUNTY RE-ROOFING PROJECTS: JAIL ANNEX AND DMV

The Board met today at 9:04 a.m. to consider signing the solicitation of bids for the 2018 Canyon County Re-Roofing Projects for the Jail Annex and DMV. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Director Navarro said as part of last year's budget session he discussed reroofing two buildings that are in desperate need: the 1948 jail annex and the DMV, both of which have outlived their useful life. He developed specifications for both projects. Sam Laugheed said because the amount is well within the amount that does not require us to go to bid they were able to identify three contractors we could actively solicit to provide us with bids. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the solicitation of bids. The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

## SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Soda Stop, Inc. dba Soda Stop (see resolution no. 18-024).

## ELECTED OFFICIALS MEETING

An elected officials' meeting took place in the public meeting room of the administration building this morning. The meeting was already in progress when Commissioner White and Deputy Clerk Monica Reeves arrived at 9:40 a.m. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Assessor Brian Stender arrived at 10:19 a.m. Topics of discussion included:

- Marsy's Law – It is a crime victims' rights bill that would expand victims' rights and formalize them in state constitutions. Sheriff Donahue said it has undergone numerous revisions this year and it has a lot of support. Clerk Yamamoto said it should have some language about penalties for making false accusations. Prosecutor Taylor said the Prosecutor's Office already provides outstanding services but it's possible he will have to request additional coordinators, but it will have a far greater impact on the smaller jurisdictions that don't have victims' services.
- Local option sales tax - Commissioner Dale said he's talked to numerous legislators about a bill that Sam Laugheed drafted on allowing local option for jails. Potentially, Brent Crane said he is in favor of allowing that to happen because we have utilized the property tax tool to its max and we need another tool. Although there is some support for it, there are two main people in the house who don't want to see this

happen and they seem to have the ability to block everything. Sheriff Donahue said regardless of who's blocking the idea it should be up to the voters, not up to one person. Clerk Yamamoto said he asked Mr. Laugheed to include not only jail construction, but courthouses because there is a county that has a pre-civil war courthouse and there are quite a few that are really lacking so his thought was it's a possibility it could be a statewide movement with all counties coming on board. Commissioner Dale said we need to figure out whether to put some sort of advisory vote on the May ballot because it could be a very useful tool for next year going to the legislators and saying we did an advisory vote and we asked the people if they would support funding a jail through a 30-year general obligation bond on property tax or would they support it through a 10-15 year local option sales tax. Sam Laugheed said the Board signed a Request for Information (RFI) earlier this month and he's hoping we can use the results and questions from that RFI to help refine what sort of advisory vote questions could be used. We'll need to talk with the elections staff about what the procedural mechanics are of getting an advisory vote on the ballot. With regard to strategy Clerk Yamamoto asked if we run a bond election and an advisory vote in conjunction with each other. Commissioner Dale said no, because one is asking an opinion and the other is asking for a decision and he's not in favor of putting a bond election on the ballot knowing it's going to fail. He'd like to do something that has a chance of success. Sheriff Donahue asked if that should be done in May or November. Mr. Laugheed doesn't believe there's a legal answer to that policy disagreement; a bond election is going to be a pre-requisite to anything that happens. Sheriff Donahue said at some point we have to put it out to the people to get their decision whether that's in May or November so we can incorporate that into the fact that we are exploring all options. Mr. Laugheed said including the local option tax discussion we are having with the legislators we are showing that the County is exhausting every potential option. Sheriff Donahue is comfortable doing it in May or November; knowing that we are facing a crisis in our jail situation and so the more immediate steps we can take the better off we are to further this process down the road. There was discussion about the difficulty in passing a bond given that other agencies are also seeking voter approval on bonds totaling \$750M. Mr. Laugheed said the County is looking for other perspectives and trying to show that we are looking at as wide a net as possible and narrowing down from there to a final bond to an advisory vote solution. Commissioner White said we have been saying the same thing for over 13 months with regard to the jail situation but we are not going to do something in May because we don't have all the information from the RFI, but she wants something on the ballot in November so that there's an anticipation that we are moving forward to take care of this societal problem. Sheriff Donahue said he can understand not doing it in May, but it has to be on the ballot in November. Commissioner Dale said November is the proper time, but we need to seriously consider an advisory vote in May so we know the attitude of the public to the methodology of funding this type of facility and whether they understand there is the need. We already own the land and we are not going backwards. There is a group that wants us to put the jail on the

former Van Buren school site but that would take millions of dollars in infrastructure work that would have to be done. Plus, city leadership is not going to reconsider putting a jail there. Sheriff Donahue said Commissioner White's concerns are valid but we have to deflect back to legal for guidance. Clerk Yamamoto believes the local option sales tax vehicle is the most equitable tax.

- Canyon County Crisis Center – Clerk Yamamoto said he supports the idea as long as we can get tied in with a hospital and get involuntary mental holds to be within that system. Last year the County paid out \$1.2M in involuntary mental holds and if some of that can be siphoned toward a crisis center it would be a better situation with better efficiency. Commissioner Dale said it's estimated we can divert 30% of the people who go in to involuntary holds from police responses to a crisis center and if you took 30% of that \$1.2M figure it would be over \$300,000 which is more than what we have committed to help fund this thing. He said the hospitals are supportive; Saint Alphonsus has committed to donate a building and St Luke's is involved with funding commitments as well.

Sheriff Donahue wants to reconvene in two weeks for a continued discussion regarding the jail. Clerk Yamamoto made a motion to adjourn the meeting; the motion was seconded by Prosecutor Taylor. The motion carried.

The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1) (D) AND (I):  
RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT  
COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING  
PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner White made a motion to go into Executive Session at 10:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Prosecutor Bryan Taylor, Carl Ericson and Rick Ferguson from ICRMP, Ray Wolfe and Brian Baughman from the Hartwell Corporation, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:16 a.m., but then a request was made to immediately return to Executive Session for a continuance of the discussion. Commissioner White made a motion to return to Executive Session at 11:17 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Prosecutor Bryan Taylor and Deputy Clerk

Monica Reeves. The Executive Session concluded at 12:10 p.m. with no decision being called for in open session.

#### FEBRUARY 2018 TERM

CALDWELL, IDAHO FEBRUARY 27, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$26,896.00 for the Fleet department
- Corwin Ford in the amount of \$45,000.00 for the Fleet department
- Paul C Buff in the amount of \$1376.83 for the Parks department
- R&H Wholesale Supply in the amount of \$5297.50 for the Parks department
- Overhead Door Company in the amount of \$7200.00 for the Parks department
- Platt Electrical Supply in the amount of \$2864.20 for the Facilities department
- Platt Electrical Supply in the amount of \$4691.64 for the Facilities department
- R&H Wholesale in the amount of \$2075.57 for the Information Technology department

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

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

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

The Board met today at 8:35 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: This is their busy time of the year getting vehicles built. He may need to look into hiring some temporary help in order to get all the installs completed if they start to fall behind. Two POs were presented to the Board for the purchase of CID vehicles which is budgeted thru the Sheriff's Office. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Marv Dashiell (left at 9:07 a.m.), Clerk's Executive Assistant Taryn Peterson (left at 9:10 a.m.), Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The agenda items were considered at follows:

***Consider signing a resolution authorizing the retirement of Canyon County Sheriff's Office K9 "Hash":*** Mike Porter said this resolution has been reviewed by legal and there are no issues. Chief Dashiell said Hash has been with the county for 5 years doing work in field services. Hash is about 7 years old and has been doing a great job but is just getting old. Hash's handler, Deputy Craig, has already obtained another dog that is crossed-trained for apprehension tracking and drug detection. Hash will be retired to Deputy Craig. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution authorizing the retirement of Canyon County Sheriff's Office K9 "Hash" (see resolution no. 18-026).

***Consider signing independent contractor agreement for court interpreter Pinkie Lwin:*** Taryn Peterson says Ms. Lwin speaks Karen and Burmese and will mostly be used as a back-up. However, if a case goes to trial both interpreters on the roster will need to be flown in. Mike Porter said the contract has been reviewed by legal and there are no issues, it is similar to contracts for interpreters that has been used in the past. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for court interpreter Pinkie Lwin (see agreement no. 18-022)

There were no items for discussion at the legal staff update. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:31 a.m. for a monthly meeting with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: They are still receiving a lot of positive feedback on the improvements that have been made to the fairgrounds and buildings. They received the first gas bill since installing the new heaters and saw a \$2000 savings. Ms. Sinner is continuing to work with Director Navarro to complete further updates including new lighting, partitions in the restrooms and having the swine pens rebuilt and painted. A 4H horse judging was hosted this past weekend and a ranch horse competition will be held in the next couple of weeks. The mainstage acts for all three nights of the fair have been confirmed and they are working on getting contracts signed; opening acts are continuing to

be worked on. Albertsons, Idaho Press-Tribune, Farm Bureau, College of Western Idaho, Project Filter, Radio Rancho and CSB/Spectra are all confirmed fair sponsors and they are continuing to negotiate with Sportsman Warehouse and Carl's Cycle Sales. They will be meeting with D&B Supply, Dennis Dillon, Title One Corp. and St. Alphonsus over the next couple weeks to discuss sponsorship. Zach Wesley conducted a workshop with the advisory board at their last meeting where they went thru the bylaws which will need some revising; the board members came with names for additional members and then they will also be advertising to fill the openings. Ms. Sinner would like to add some advisory committees that are volunteer based that would work with the advisory board in the hope of creating a structure for when there are openings on the board they can pull from those committee members in order to ease the transition. There has been a proposal by the extension staff regarding the 4H horse show, the 4H leaders have proposed to move the horse show to Birt's Arena in Nampa mostly due to having access to multiple arenas, warm-up areas and it will condense their show from four days to two. Traditionally the horse show is held a few days before the fair officially opens but doing it this way would move the horse show to the weekend before fair. Ms. Sinner believes this is a really good solution as it may bring more visitors being on the weekend and then she's been told 4H would stall their horses at the fairgrounds during fair. Ms. Sinner along with another staff member attended training on the ticketing system which she felt was very beneficial. Commissioner Dale asked Ms. Sinner to discuss some of the representations made by Jim Bower. There have been several meetings lately between the city, the county, the rodeo, the college and the fair to discuss ways to improve relationships and partnerships and ways to improve the facility to make it work for everyone. A discussion ensued regarding the changes the Caldwell Night Rodeo would like to make and the way it affects the other entities. Commissioner Dale suggested Ms. Sinner meet with Mayor Nancolas about this. Commissioner Rule said that Ms. Sinner is welcome to conduct any meetings between the entities in front of the Board so there is a record of the conversations. The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION PURSUANT TO IC 74-206(1)(B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS

Commissioner White made a motion to go into Executive Session at 1:17 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Public Defender Aaron Bazzoli, HR Generalist Demi Etheridge, and Deputy Clerk Monica Reeves. The Executive Session concluded at 1:20 p.m. with no decision being called for in open session.

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

The Board met today at 1:31 p.m. for a monthly meeting with the public defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli gave the Board a brief review of budget numbers; they've had a little bit of turnover and with that and due to salary changes he's tried to space out hiring in order to catch up some of the salary budget. The Office Manager interviews have been conducted and he anticipates hiring someone soon. Mr. Bazzoli gave a review of attorney active caseloads and the year-to-date numbers of cases that have been opened and closed and the number of new preliminary felony cases happening just this week. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

### RECEIVE FISCAL YEAR 2017 FINANCIAL AUDIT REPORT FROM EIDE BAILLY

The Board met today at 2:07 p.m. to receive the FY2017 financial audit from Eide Bailly. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Shawna Larson, Jody Daugherty and Morgan Brown from Eide Bailly, and Deputy Clerk Monica Reeves. Zach Wagoner said the Auditor's Office is responsible for the production of the comprehensive annual financial report and they have put a tremendous amount of energy and effort throughout the entire year to make sure the numbers are accurate and reliable. Eide Bailly's role is to test that accuracy and validity and they audit and review our work to make sure that what we are reporting is accurate and correct. It's important to have personnel in place that can generate these financial statements that way Eide Bailly can maintain their independent to audit, review and test what we are doing. Clerk Yamamoto said he is very proud of the audit department and the work they do.

Morgan Brown gave the audit presentation. With respect to the basic financial statements they are expressing an unmodified (clean) opinion which is the highest level of assurance they can render. On the required supplementary information they don't express any assurance over those financial statements as well as the budgetary comparisons for the general fund and special revenue fund. They look at the information for consistency purposes but they don't do the same amount of work as they'd do if they were auditing a number in the basic financial statements. Another objective is to plan the audit, they review the design of the internal controls and test control for implementation. They don't express an opinion on it but depending on the outcome of the test that could affect their planned audit procedures on the basic financial statement. If they find deficiencies or issues or problems this report would refer to findings and those findings would be included in the audit report. It does not refer to any issues or internal control findings – they didn't find anything as a result of those procedures. They test compliance with grants and contracts and we are required to do that for any material impact on the basic finance statement – they didn't see any issues.

(Commissioner Rule left at 2:15 p.m.)

Highlights from the review of the report were as follows:

- There is \$11.7M in unassigned funds and \$3.2M in capital outlay. Last year it was \$6M but we used \$3M for property tax relief so that left \$3.2M as assigned fund balance for a capital project. Commissioner Dale wants establish a specific jail construction fund that could be restricted for jail construction. Mr. Wagoner said we can look at doing that. Ms. Daugherty said in order to be restricted it has to be restricted by an outside party or enabling legislation; she doesn't know if a property tax levy would necessarily restrict it. Mr. Wagoner said we're talking about some very technical accounting terminology, but from their perspective internally they view it as limited for this specific purpose. He said we can work towards that.
- Mr. Wagoner said in considering our unassigned fund balance of \$11.7M, it's helpful to compare that to how much money was spent: \$25.5M. \$11M to \$25M is about 45%, which is above the 33% fund balance ratio we don't want to go below. Commissioner White asked if that is too high, but Mr. Wagoner said given the circumstances and the urgent pressing needs upon the County he believes the number is okay. They have worked that number down quite a bit over the past few years; The County should not stockpile cash to no end, there needs to be an appropriate level of fund balance – not too low or too high. Commissioner Dale asked if we can take put \$1M into the jail courthouse line item. Mr. Wagoner said we could structure that the budget. Commissioner White said the legislators want to connect property tax relief to a funding source and she asked if that could be part of the budget so that it's in plain sight that we're working toward it. Clerk Yamamoto said a lot of taxing entities figure out what they are allowed by levy to take and that's what they take, but in the Auditor's Office they figure out what the County needs – not what it can take. Since he has been in office the County has left \$61M on the table. Commissioner Dale said he would be building up some funds to assist in the construction of a jail. We have to bond in some fashion whether it's property tax or sales tax but in the meantime we should establish that and perhaps take our 3% and put it in the jail fund. Mr. Wagoner said the kicker is there would have to be a revenue source, there has to be some cash to fund that.
- It is noteworthy that Canyon County has no debt on its balance sheet.

No Board action was required or taken. The meeting concluded at 3:28 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2018 TERM  
CALDWELL, IDAHO FEBRUARY 28, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule



APPROVED CLAIMS ORDER NO. 1811

The Board of Commissioners approved payment of County claims in the amount of \$1,539,013.20 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- SBI Contracting Inc., in the amount of \$3575.00 for the Fair
- Hanson Janitorial Supply in the amount of \$2899.40 for the Sheriff's Office
- Wall 2 Wall Flooring in the amount of \$3728.90 for the Facilities department

CONSIDER SIGNING IDAHO DAY PROCLAMATION

The Board met today at 9:05 a.m. to consider signing the Idaho Day proclamation. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, and Deputy Clerk Monica Reeves. A former state representative asked the Board to recognize Idaho Day in Canyon County so Mr. Decker prepared a proclamation for the Board's consideration which proclaims March 4, 2018 as Idaho Day. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the proclamation. The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY MICHAEL FREER FOR APPROVAL OF A REZONE, CASE NO. PH2017-70

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Michael Freer to rezone 20.11 acres an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone. The subject property is located on the west side of Hartley Lane at the intersection of Flower Lane and Hartley Lane in Middleton. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jenn Almeida, Alan Mills, Shelly Fisher, Michael Freer, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property consists of 20.11 acres and is zoned agricultural, and the future land use is residential and it is located within Middleton's impact area. The applicant is requesting to rezone to "R-1" single family residential. There are 36 platted subdivisions within one mile for a total of 1,355 lots. The proposed designation would be commensurate with the average lot size within one mile. The area is transitioning from agricultural uses to residential as evidenced by the adjacent platted subdivisions and

the close proximity of the city limits. Canyon Highway District has no objection; Southwest District Health has indicated a subdivision engineering review will be required the results of which will dictate how many lots can be developed. The property is within a nitrate priority area and the developer will be required to adhere to any additional requirements that may be required. The request meets the requirements of the zoning ordinance and is harmonious with the comprehensive plan. The P&Z Commission recommend approval and staff has prepared Findings of Fact, Conclusions of Law and Order. Alan Mills stated the applicant has held neighborhood meetings and a follow up discussion; they found some issues but they will be resolved through the platting process. They are working with the neighbors to get a plan together that will work for both parties. The applicant has completed a nitrate priority study, level 1; it has been approved by Southwest District Health and they have set the density. They will follow up with a subdivision engineering review on each lot. Mr. Mills said the neighbors want this to be rural because it's rural to the north and the south. With regard to access, they have yet to get a determination whether the highway district will want a renaming of a different lane or whether it will continue to be called Flower Lane. The key point is how to access off Hartley Lane because the highway district wants it in the same location as Flower Lane but they'll have to do surveying to see how the alignment is. The issues will be addressed during the platting phase. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to close public testimony. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the rezone from "A" (Agricultural) to "R-1" (Single Family) and to approve the Findings of Fact, Conclusions of Law and Order. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the ordinance directing amendments to Canyon County Zoning Map for Case No. PH2017-70 (See Ordinance No. 18-007.) The hearing concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.

The minutes of the fiscal term of February 2018 were read and approved and found to be a proper record of the proceedings of the Board of Canyon County Commissioners, Canyon County Idaho. Dated this 19th day of April, 2018 and signed by Commissioners Tom Dale and Pam White. Attest: Chris Yamamoto, Clerk by J.Ross, Deputy Clerk

MARCH 2018 TERM  
CALDWELL, IDAHO MARCH 1, 2018

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Steve Rule, Customer Service Manager Robin Sneegas, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. Per the Clerk's statement of findings the following cases do not meet eligibility criteria for county assistance: 2018-450, 2018-381, 2018-0453, 2018-403, 2018-473, 2018-470, 2018-551, 2018-452, 2018-579, 2018-471, 2018-315, 2018-472 and 2018-451. Commissioner Rule made a motion to issue initial denials with written decisions to be issued within 30 days. The motion was seconded by Commissioner White and the Board voted unanimously to issue the initial denials. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue an approval for cremation on case no. 2018-607. Director Baker brought to the Board's attention case no. 2015-976 which is a case that was approved in November 2017. She has received a letter from the applicant asking for complete forgiveness of the debt. The applicant has not been deemed disabled by Social Security but his inability to work is based on his own opinion due to a back injury. The total outstanding amount is \$21,753.89 and no payments have been made. The applicant is asking for the entire amount be forgiven as he does not have any income to repay the debt. Ms. Baker's understanding is that the applicant is fully supported by his mother and any payments that would be made would come from her. Ms. Baker recommends that the debt could remain with a notation to the file that it not be sent to collections with the lien remaining or at least require some payments be made prior to full lien forgiveness. Currently the payment amount is set at \$25/month but indigent services can accept as little as \$5/month. Commissioner White said she is not inclined to forgive something like this when the applicant has not been deemed disabled. Commissioner Rule asked why this person has not been deemed disabled to which Ms. Baker said there is a lot of criteria that has to be met before Social Security will deem a person disabled. The Board would like to see the lien left in place but the file noted not to be pursued thru collections. Ms. Baker also said she would be in contact with the applicant offering the \$5 monthly payment option. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH GREG BULLOCK TO CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT WITH BULLOCK AND COMPANY REALTORS

The Board met today at 9:31 a.m. to consider signing an Independent Contractor Agreement with Bullock and Company Realtors. Present were: Commissioners Tom Dale, Pam White

and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Greg Bullock, and Deputy Clerk Monica Reeves. Mr. Wesley said before we get to the contract signing he has a couple of issues to discuss in Executive Session under 74-206(1) (d) and (f), attorney work product matters, document review, documents that would be exempt from public disclosure and some surrounding issues around those to discuss before we enter open session.

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

Commissioner White made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Greg Bullock, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:21 a.m.

While in open session Commissioner Dale said the Board discussed matters relating to Idaho Code Section 74-206(1)(d) and (f) and no votes were taken during the session. Mr. Wesley said there are three layers to the agreement. The first portion is the Canyon County Independent Contractor Agreement that goes through the terms, the rate which was 2% for Mr. Bullock and 3% for a broker, and the standard contract terms. It provides for an auction, but if the minimum bid is not secured then the County will reimburse up to \$2500 in marketing costs. If it does sell at auction then the broker will absorb those costs. There is a seller's representation agreement that mirrors the terms in our independent contractor agreement. The listing price is \$1.4 million although that number is not final at this point, it's just an interim number as we go through and evaluate. Commissioner Dale said he is not comfortable listing the property at \$1.4 million and asked if the number can be altered now. Mr. Bullock said he won't put it in the MLS until he's told to do so. The representation agreement will indicated the price is TBD – to be determined. Mr. Wesley said the representation agreement also provides that this will be a dual representation sale so that Mr. Bullock can represent the County as our agent and then if another agent at his firm wants to represent the buyer they can do that. There is also an agency disclosure form that needs to be signed. All documents will be attached to the independent contractor agreement. Upon the motion by Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the Canyon County Independent Contractor Agreement with Bullock and Company Relators for the sale of the Highway 20-26 Prescott Lane property. (See Agreement No. 18-023.) The meeting concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH BRIANNE MCCOY WITH THE IDAHO STATE PUBLIC DEFENSE COMMISSION

The Board met today at 10:30 a.m. with Brianne McCoy from the Idaho State Public Defense Commission (PDC). Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli, Brianne McCoy and Deputy Clerk Monica Reeves.

Ms. McCoy reported that as of March 31, 2018 there are four standards that the counties must be in compliance with:

1. Attorneys must have seven units of continuing legal education in indigent defense every year. The bar requires that attorneys get 30 units every three years and we're saying if you want to do public defense you need to have seven units a year. They want to make sure the people that are doing public defense are qualified.
2. There must be a private meeting space where the attorney can meet with the client, in private, away from the prosecutor. Canyon County has space, but maybe not enough. She said Mr. Bazzoli told her there are three rooms on the second floor of the courthouse where the attorneys can meet, and they have a private meeting space in their office and they are making another one. There's a safety/privacy balance with clients coming to your office and they are working on that and coming up with some good plans so she thinks Canyon County is fine on that standard.
3. Vertical representation where the client has the right to have the same attorney throughout the process and who is in control of their case at all the critical stages. The attorney should also be at all the hearings but sometimes that doesn't work out and someone has to substitute in and that's okay. It's not that the attorney must be there but they have the right to have the same attorney being in charge of their case. There's a little bit of problem with that right now, but it's not Mr. Bazzoli's fault. Because of Odyssey the district judge is not assigned until the "prelim" so it's difficult to do that but they're working on it so that should be resolved and in the meantime Mr. Bazzoli has come up with a plan to give the best possible solution. The PDC wants the counties to comply but they understand you can't just have miracles and so to not be in compliance it has to be willful noncompliance. If you're trying to be in compliance that's totally acceptable and so the plan Mr. Bazzoli has presented is fine.
4. Having attorneys are first appearances. Canyon County is doing that and is meeting all the standards at this point and working on improving the ones that we have some difficulty with.

In front of the legislature now are three new standards which, if approved, will require counties to be in compliance with by March of 2019. Two of them don't have a lot of impact on counties, but one would.

- Capital Defense Standards – The PDC tried to come up with a balancing act to have attorneys that are qualified to do death penalty cases. They want them to have a certain amount of training and experience but they didn't want it to be so high that there were no attorneys available in Idaho who could meet these qualifications and she thinks they have come up with a good plan. The new standards are likely but they have to go through legislative hearing and then they become effective May 1, 2018 and counties will have to be in compliance by March 31, 2019. Mr. Bazzoli said there is already this set of standards it's just being monitored by the Supreme Court now but it would shift over to the PDC.
- Oversight Enforcement – It gives the PDC the ability to enforce the standards.
- Use of investigators – This could have a financial impact on the counties because it would say attorneys should use investigators when it's appropriate. The culture among defense attorneys is they use investigators on felonies when it's appropriate, but not so much with misdemeanors. Mr. Bazzoli said they use investigators for juvenile CPA cases as well as misdemeanor and felony cases if the attorneys request it. Typically you see them serving subpoenas, interviewing victims, taking pictures of the scene, and mostly interviewing and reviewing case files. Ms. McCoy said it looks like Canyon County is doing a good job in that area.

The one that is in process right now would not be in effect until March of 2020 and it's the workload study and the workload standard. The numbers have not been submitted to the PDC yet. With the ACLU lawsuit Boise State had negotiated a subpoena that they would turn the report over to the ACLU at noon yesterday but they had not done it as of 7:00 p.m. last night. She said even when the report comes out they are not going to recommend a standard, they are going to give information and that information will be presented to the PDC and they will come up with a standard. She said the County's input is valuable and they want to know how it's going to impact us so they can go to the legislature and say we need this much money because this is what Canyon County said it's going to cost. She encouraged the Board to email input, come to the meetings, and testify in front of the legislature because it will have a lot more impact coming directly from a County Commissioner. Commissioner Dale asked if Ms. McCoy sees a trend that says we will have to hire five new attorneys to keep up with our new standards. Mr. Bazzoli doesn't think we're seeing that trend as of yet but there are a lot of factors that will impact it. He doesn't see where we are so far below a curve of standard that says we've got to hire all these people. The ABA standard was a number drawn out that says this is how many cases you can devote an amount of standard time to. What's the standard time? Ms. McCoy said maybe there will be different numbers for different counties, but doesn't know what's going to happen but encourages input. Commissioner White said it would have to be different numbers for different counties because crime numbers are so vastly different. Ms. McCoy said hopefully the cases will be weighed by difficulty and that they will consider the experience of the attorney. There are a lot of factors that could be put in and hopefully the PDC will consider that and come up with something that will reflect each county. It's her understanding the PDC would not find the County in

noncompliance unless it was willful so if you didn't have the money to hire another attorney it's important they show how much we need so they can go to the legislature and report on the amount we do need. The state is required to provide public defense and they have pushed it to the counties and the question is have they given enough money to do it? Commissioner Dale said the answer is no. Ms. McCoy said their job is to find out how much more money we need and then go to the legislature and they may not give us that much but we wouldn't be out of compliance because it wouldn't be willful. She wants to work with counties to find something that will work and help us get the funds we need.

She emailed the grant application yesterday and Mr. Bazzoli will be filling it out. It is due by May 1, 2018. The PDC wants more details: where the grant money has been spent and where we plan on spending it. Commissioner Dale said based on the rolling average we are pulling in bigger numbers every year so we should be eligible for a larger grant next year. Mr. Bazzoli said it was 15%, but the problem is they were pulling back into our contract time but that will end now that we're at the 4-year mark. Ms. McCoy needs to double check that. She said there was a 15% cap where we received 15% of our local share but that cap goes away this year so she doesn't know if they will replace it or put in a new cap. She's not sure how it's going to work out but that's something to be aware of, and she thinks it applies to next year's grants. Mr. Bazzoli said as for total volume they are not that much lower than Ada County as far as the shared number of cases that each attorney is handling. They have a 55-person staff, nearly double of what Canyon County has and his office is only handling 1,500 fewer cases.

Ms. McCoy said the PDC has ELF money (from the Extraordinary Litigation Fund) that can applied for in the event of an unusual case and when you need extra investigators or expert witnesses. They budgeted \$250,000 a year and have given out \$150,000 so far for this fiscal year. They are trying to get a rule changed so that if the attorney doesn't ask for funds the counties can ask for funds retroactively. They also have scholarship funds available if attorneys want to attend trainings outside of what the PDC offers for free. They co-sponsor the criminal defense lawyers' seminar that's held in Sun Valley in April, it's continuing legal education. It's a good deal. There's a lot of drinking going on up there which is not good, but that's out of our purview. I know I've heard Canyon County parties...

In closing Ms. McCoy said Canyon County is doing a great job. She is aware of the funding issues and said Mr. Bazzoli has worked really hard to create some of the resolutions. Commissioner Dale thanked Ms. McCoy for the information; no Board action was required or taken. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JESUS DEL HOYO FOR A MODIFICATION OF CONDITIONS OF APPROVAL AND TO CONSIDER SIGNING A MODIFIED DEVELOPMENT AGREEMENT, CASE NO. DA MOD-PH2018-7



The Board met today at 11:05 a.m. to conduct a public hearing to consider a request by Jesus Del Hoyo for a modification of conditions of approval and to consider signing a modified development agreement for Case No. DA MOD-PH2018-7. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Debbie Root, Jesus Del Hoyo, Patricia Del Hoyo, Elpidia Del Hoyo, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The Del Hoyos are requesting a modification of a development agreement that's attached to a conditional rezone. The modification is to remove the requirement for platting by removing one requested lot; instead of three lots they would have two lots with a building envelope on the large acreage to protect and preserve the agricultural land. It does not change the development agreement or the conditional rezone or the requirements; the conditions have been modified to reflect their request and staff is recommending approval. The Prosecutor's Office has reviewed the agreement and conditions and made a few modifications to the language repealing the original development agreement and replacing it with this one. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to approve the modification of the conditions for Case No. PH2018-7 and accept the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order, and to approve the signed development agreement. (See Agreement No. 18-024.) The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 2, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for John S. Nichols.

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

*Note for the record: As properly noticed the Board met today at 9:06 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and attorney-client communications. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Planner Daniel Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 a.m. with no decision being called for in open session.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER IN THE MATTER OF THE APPEAL REGARDING COPE SAND AND GRAVEL'S REQUEST FOR C.U.P. FOR A MINERAL EXTRACTION EXPANSION

The Board met today at 10:01 a.m. to consider Findings of Fact, Conclusions of Law, and Order (FCO's) in the matter of the appeal regarding Cope Sand and Gravel's request for a C.U.P. for a mineral extraction expansion, Case No. PH2017-52. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Zach Wesley said DSD staff, with review from the Prosecutor's Civil Division, has prepared the FCO's to reflect the majority decision of the Board at the February 15, 2018 deliberation. Commissioner Dale said the document reflects the essence of the conversations that were had in the discussion on this difficult matter and it has been very accurately portrayed and he appreciates the work that has gone into it. Commissioner Rule had several calls from various parties asking why he voted the way he did. He has an extensive history of leaning toward industry so when he voted against it he believes it caught many people off guard and he wants to go record as saying it was a very difficult decision. The one factor that pushed him to approve the appeal and deny the gravel extraction permit was the Nampa residential growth map that projects growth of residences around there, and developers who have already bought property around that area because they are planning on residential growth as dictated by Nampa, and by Canyon County as well. Commissioner White said her decision was based on the impact and compatibility and it had nothing to do with the business or practices of the business. It was one of the toughest decisions she has ever made. Commissioner Dale said it was a tough decision and he came down on the other side and it was a narrow deciding yay or nay on either one. It's good to have diverse opinions on these matters so that we get a good decision. He will stick with his vote but he supports the majority wholly. Commissioner White made a motion to sign the Findings of Fact, Conclusions of Law and Order in the matter of the appeal regarding Cope Sand and Gravel's request for a C.U.P. for a mineral extraction expansion. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor and Commissioner Dale voting against the motion. The motion carried by a two-to-one split vote. The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH JEANNE HOEK TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 10:32 a.m. to consider Jeanne Hoek's application for a hardship cancellation of property taxes. Present were: Commissioners Tom Dale, Pam White and

Steve Rule, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Jeanne Hoek via conference call, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. The application is seeking a tax reduction based on the loss associated with a flood that occurred in the Burnie Subdivision. Treasurer Lloyd calculated the tax based on 131 casualty loss days. The original value was \$172,700 but after factoring casualty loss on the dwelling it comes down to \$123,800 resulting in a tax reduction amount of \$653.15 which will be credited to the second half taxes. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to grant the hardship cancellation of property taxes. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 5, 2018

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

#### APPROVED CLAIMS ORDER NO. 3-9-18

The Board of Commissioners approved payment of County claims in the amount of \$111,127.55, \$186,065.88, \$167,021.48, \$114,902.60, \$87,131.25 and \$29,677.54 for accounts payable.

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: he is working on a story on the Canyon Bike Project with juvenile probation and KBOI 2, west Middle School is doing a giveaway on March 22 so he'll time it with that event; he is working on a proclamation for Child Abuse Awareness Month in April; television stations are looking to do stories on the tablets used in the jail that inmates can use to listen to music and text their family and friends; there is an issue with the monitor displays in the lobby but IT is working on it; he is working with the Sheriff's Office and IT to resolve the issue with the distorted pictures that are being display on the current arrest website. The meeting concluded at 8:38 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Assessor's 2017 Occupancy Assessed Value by Taxing District, 2017 Assessed Value by Category within District Supplemental Missed and Transient Property

and 2017 Missed Supplemental & Transient Assessed Value by Taxing District reports in today's minutes.

#### FILE IN MINUTES

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

#### PUBLIC HEARING – REQUEST FROM LEIGHTON, LLC, TO CHANGE A PRIVATE ROAD NAME FROM GOLDIE LANE TO TRIGGER RANCH LANE, CASE NO. RD2018-2

The Board met today at 9:33 a.m. to conduct a public hearing in the matter of a request by Leighton, LLC, to change a private road name from Goldie Lane to Trigger Ranch Lane, Case No. RD2018-2. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, Trace Leighton, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. All property owners having frontage on the road have signed the road name change application. The proposed road name change is in compliance with the Canyon County Addressing Ordinance. Staff did not receive any negative comments from agencies regarding the change nor were there any comments from the public. Staff recommends the Board approve the request for a private road name change to change the name of Goldie Lane to Trigger Ranch Lane. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion by Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the road name change. The hearing concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH HEIDI CALDWELL OF WESTERN IDAHO COMMUNITY ACTION PARTNERSHIP

The Board met today at 1:33 p.m. for a meeting with Heidi Caldwell of Western Idaho Community Action Partnership (WICAP). Present were: Commissioners Pam White and Steve Rule, Heidi Caldwell, Ella Dehoyos and Jackie German from WICAP and Deputy Clerk Jenen Ross. Commissioner Dale arrived at 1:43 p.m. Ms. Caldwell provided a handout reviewing their annual report for 2016. Ms. Dehoyos spoke about the food programs indicating that they are part of the USDA food program. Currently they are trying to expand into the more rural communities as a lot of their customers have a hard time making it into the WICAP office, especially during the winter. Right now they are talking with the president of the board at the senior center in Parma in the hopes of getting a food program in there. They are also speaking with organizations in Melba and Wilder on ways to get food distribution to those areas. Their goal is to meet a need that is not yet being met and not duplicating services offered by other organizations. Some of the other services they offer include energy assistance, homemaker services in some of the rural areas which provides someone to check in on high risk seniors and job services. Their goal is to help provide people

with resources or get them pointed in a direction to obtain the resource. They don't just assist seniors, they are a birth on up organization. They also offer the Early Head Start and Head Start programs. Right now they are working really hard to get pre-school into the schools, they are currently in four elementary schools in Caldwell. They also had a half year partnership with Caldwell School District; the school district was struggling to find someone to run the daycare program at Canyon Spring High School so at the beginning of this year they took over that program and they are finally getting to the point of the program being a success with about 8 students bringing their children to the daycare. They now have a classroom in Weiser School District and are looking at partnerships with Payette and Nampa School Districts. Right now they are inundated with crises for the energy assistance program as the moratorium is almost over and people are trying to figure out how they are going to pay their bill. Each year over \$1M goes into that program. Commissioner Rule asked how WICAP goes about finding the people they serve. Ms. Caldwell explained that WICAP has been around for a long time, 52 years; they depend a lot on word of mouth, and they do a lot of outreach thru the Head Start program in trying to reach the neediest areas, additionally there are a lot of partnerships and other agencies they work with that help spread the word of the work they're doing. A discussion ensued regarding the TANF Grant and the energy assistance program. A survey done this year by their customers, community members and staff members showed that there was a need for those wanting to obtain work or additional skills so they've worked to help people with their resumes and pre-computer skills to help build confidence for those things. The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 6, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Henry Claasen and Jeffrey Hamilton.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- DNA K-9 in the amount of \$9000.00 for the Sheriff's Office
- Curtis Blue Line in the amount of \$8910.00 for the Sheriff's Office

- Skyline Silversmiths, LLC in the amount of \$4350.00 for the Fair
- Pacific Steel & Recycling in the amount of \$14,810.70 for the Facilities department

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

The Board met today at 8:30 a.m. for a biweekly meeting with the Facilities Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Topics of discussion included the following:

- Bids for the fencing project at 14<sup>th</sup> Avenue and Chicago Street in Caldwell - A contractor estimated it would cost \$70,000 to construct a fence so Director Navarro obtained bids for materials only at a cost of \$14,000. If the labor is done in-house he believes the project can be capped at \$20,000 resulting in a savings of \$50,000.
- Fairgrounds/O'Connor Field House – The Fair Director rents very expensive telescoping lights for the fairgrounds and they have eliminated three of them by doing LED arrays and he would like to put one at the corner of the charolais barn but the city is in the process of upgrading lights on the back of the O'Connor Field House with large LED's and they have agreed to turn one and face it back toward the ticket booth at gate 1 so we don't have to put one on the back of the barn. However, the city is having a hard time getting their electrician to do the work so they have offered to supply all the materials if we help install the lights. Director Navarro said his electrician and apprentice have the time (1 day) and the city will loan us a lift from the street division. Commissioner Dale has no problem with this. Director Navarro said at a recent meeting with the fair director, the city, and C of I officials they discussed doing some cleanup on the barn with the city offering to provide the materials if we provide the manpower to do painting and electrical work. He said the work can be done with the SILD and maintenance work force, which is something they have done before and documented it with an MOU. The Board has questions about the city not performing work on their structure and concerns with liability issues so the matter will be discussed with legal counsel. Commissioner White asked why the County does not own the barn if we are the heavy user. Director Navarro said the city does not want to sell or deed the structure to us.
- Tiling the Wilson Drain on the fairgrounds – The City of Caldwell is going to tile the Wilson Drain and they discovered a 24-inch sewer main that's buried 20 feet deep running adjacent to the drain so it makes it nearly impossible to move without having to spend millions to relocate the sewer so the plan is to tile it in place and cover it. No structures can be built on top of it. Brent Orton took a snapshot of the footprint of our existing building and it shows the structure can fit there outside of the sewer line

and outside of the drain. The County's portion of the project will cost roughly \$250,000. There have been discussions about doing a design for the building this year so that the drawings will be ready when we break ground next year at the same time the tiling project is completed so that both projects will be available for the fair in 2019. Director Navarro has discussed it with Sam Laugheed and he suggested the issue be discussed in a legal staff update this morning at 9:00.

- The jail annex and DMV roofing projects walkthrough is scheduled for today.

The meeting concluded at 8:44 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Director Navarro left at 9:26 a.m. The Executive Session concluded at 9:38 a.m. with no decision being called for in open session.

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

The Board met today at 9:45 a.m. for a monthly meeting with the Human Resources Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Director Baumgart reported on the #MeToo sexual harassment training she attended. She will work with the Prosecutor's Office on climate control survey for employees to make sure employees understand they can report sexual harassment, when to report it, and who they can report it to. A separate survey will be done for supervisors. It has been suggested that the County remove a sentence in its policy that says if you report something that is untrue you can be disciplined for it; the intent is to create a culture where everybody can come forward if they feel they need to. Discussion ensued about the importance of

awareness and making sure employees have adequate training and they are willing to report if they need to, but, there is also the concern of false accusations ruining lives. Director Baumgart said last year they did quite a few trainings but she wants to find out where we're missing points in the training. She wants to say "It's okay to talk about it, we're not going to retaliate against anyone", she wants to build that part up in the training. With regard to the wellness survey, she received 292 responses and will meet with Blue Cross to go over the peak program so she can present it to the Board next month. 41 employees indicated they want to play an active role in participating in and helping plan wellness activities. She is working on the Board's department administrators' performance evaluation surveys. The Board thanked Director Baumgart for the assistance she recently provided to the ambulance district. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:02 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a biweekly meeting with the IT Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Assistant Director of IT Eric Jensen, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Rast wants to use \$10,800 of the equity pay his department received last October. At the beginning of FY2018 he allocated \$6,750 to staff but he would now like to put the equity adjustments towards 10 employees who've put efforts into the CAPS project as well as other projects including security efforts. The CAPS program is the Canyon Application Processing System project for DSD that will replace their Accela program and will result in an annual savings of \$11,000. To date staff has 4040 hours into that program. \$1,800 of the \$10,800 will go towards on-call pay for the network architect through the rest of the fiscal year in order to comply with FLSA as well as the IT on-call policy. Commissioner White asked if the work is outside of what the employees were hired to do. Director Rast said the employees are going above and beyond the expectations, for example, one person worked 97 project hours last week (above and beyond his daily duties) and similar hours were reported in the preceding weeks. Commissioner Dale asked if we can expect that situation to vastly diminish once CAPS goes live. Director Rast said when we go live with CAPS it will stabilize back to where it should be. Commissioner Rule supports the request to use the equity pay. Commissioner White has no problem with the proposal, but as we go forward we need to look at the IT budget and discuss how to fix this so that we are ahead of the game. Director Rast said this is a position that needs merit pay because they are putting in extra time; it's an exception, it's a huge project with a deadline and he doesn't think it will set a standard by any means of being an HR issue. Zach Wagoner said we have a very good compensation plan and we do a good job of recognizing our employees but business ebbs and flows and he feels this is a great use of the 1% equity pay because it was given to offices/departments to use at their discretion based on situations, circumstances, merit, extra ordinary performances. It is well within what was approved for FY2018 and if the Board approves it will be added on to a paycheck as part of the regular payroll process. (Mr. Wagoner left at 10:23 a.m.) Department updates: They



went live with OnBase which replaces DSD's paperclip and papervision products. When CAPS goes live it will complete the solution of receipting, permits, code enforcement, etc. Director Rast praised his staff for coming up with a solution to improve the state's queuing system at DMV. It was a huge win and is one of the many spectacular things that are happening in IT right now. Eric Jensen said the strides being made in the department are because of Director Rast's vision and his ability to direct employees. The meeting concluded at 10:32 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

#### MEETING WITH VALLEY REGIONAL TRANSIT TO PRESENT NEW SIX YEAR CAPITAL AND SERVICE PLAN CALLED VALLEYCONNECT 2.0

The Board met today at 1:33 p.m. with Valley Regional Transit to present their new six year capital and service plan called ValleyConnect 2.0. Present were: Commissioners Tom Dale and Pam White, Rhonda Jalbert from Valley Regional Transit and Deputy Clerk Jenen Ross. Ms. Jalbert explained that Valley Regional Transit is the regional public transit authority for Ada and Canyon counties and by state statute they are mandated to coordinate all of the public transit for both counties. It is not just fixed-route transportation or the access busses but also sidewalks and bikes; additionally, they are doing a lot of community transportation by working with St. Al's and St. Luke's providing rides for wellness. Being the regional public transit authority they are required to put together a short range public transportation plan. COMPASS creates the long-range plan and based off that they have created ValleyConnect 2.0 looking for the gap and at what they need to do in order to make Communities in Motion happen. ValleyConnect will include all modes of transportation but they plan to focus on fixed-route first and are looking for public input and education.

*A discussion was had regarding funding and Ms. Jalbert explained the following points:*

- They are a regional governmental authority but they have no taxing authority, there is no dedicated funding source and they operate at the pleasure of Canyon County, Nampa and Caldwell.
- VRT is the designated recipient for federal funding in Ada and Canyon counties for federal transit funds. ITD does get federal transit funds but they are rural funds, which can be used in Canyon County.
- VRT is not a subsidy. In Canyon County they get just enough money to operate the system which means the replacement of busses is based on the CNG rebate at the end of the year and advertising dollars from the sides of busses and they can use that for local match.
- \$190,000 is the CNG rebate plus another \$50,000 match for total of \$240,000 annually.
- Nampa did not provide an increase last year and the city of Star will probably not be giving VRT their annual appropriation. These shortages affect the region, not just the individual city.

- They have reached out to ITD and asked them about construction mitigation efforts and to fund the operation of an additional bus during peak times in the morning and evening but they have declined.
- Currently they are looking for ways to have better access such as dedicated lanes and HOV lanes.

#### *Why ValleyConnect?*

- One bus can take the place of 19 vehicles substantially reducing congestion. All of the busses have free Wi-Fi.
- Transit currently costs our region \$15M and households are spending \$1.5B annually.
- Hope to increase the number of jobs and households with access to transit. They would like to increase the amount service hours by 4X. Right now about 100,000 hours of service are provided and by 2025 they would like to be at 400,000 hours of service with 9 frequent routes across the Treasure Valley at 15 minute service. Currently routes vary from 15 to 60 minutes depending on the area of the valley.
- It is believed that increasing the hours would increase ridership. If they can increase to 400,000 hours they could increase ridership to 10-12 million.
- On-time performance is currently being tracked via the tablets onboard the busses which will allow them to create a grid of frequent and reliable public transportation.
- The operation of the busses is outsourced, however, all the assets are owned by VRT.
- The goal is to get 20% of the population within a ¼ mile of frequent service.
- They are trying to increase efficiency by doubling the boarding's per hour from 12 to 24 and then have an 8 fold increase in the annual ridership.
- ValleyConnect is a short-range plan, it's a 6 year plan and Communities in Motion is anywhere from 20-30 years. In designing ValleyConnect they have reviewed all the local comprehensive plans. They did have a stakeholders group in place to receive input and to make sure their plan is working in the local communities.
- Currently the fixed-route operation costs about \$10M and provides 100,000 hours of service at an estimated capital cost of \$15M. The intermediate goal is \$98M in capital costs with 200,000 hours of service and \$191M for the growth goal with 400,000 hours of service annually. Right now capital monies are being spent on bus expansion, maintenance facilities and technology. With the intermediate and growth plans they would also include corridor improvements, passenger amenities and park and rides.

#### The 5 Network Design Principles VRT uses are:

- Freedom of movement for everybody. The need is to be forward thinking and prioritize actions that increase overall public mobility
- Setting performance measures and how they'll reach those goals
- Maximize ridership
- Encourage long-term ridership growth and partnership collaboration
- Provide access to transit service across the region

Ms. Jalbert reviewed maps of the current public transportation network, growth scenario, premium corridors, secondary & express corridors and how each of those would provide more service to more people in larger areas. Their 'Ride Between the Lines' moto includes how to extend the reach, improve mobility in low-density or poor performing areas and community transportation such as with Metro Community Services and area senior programs. The final draft of ValleyConnect was presented to their Board of Directors in January and they are currently working on their public outreach and education, the final plan will be presented to the entire Board in April. A copy of the PowerPoint presentation Ms. Jalbert reviewed is on file with this day's minute entry. The meeting concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Dale made a motion to go into Executive Session at 2:32 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Nampa Economic Development Director Beth Ineck, Representatives from Project Build, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:24 p.m. with no decision being called for in open session.

MARCH 2018 TERM  
CALDWELL, IDAHO MARCH 7, 2018

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

No meetings were conducted today.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/12/18 for a bridal social.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Waxie Sanitary Supply in the amount of \$2435.05 for the Parks department

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

The Board approved a salary rate request and/or key & security access request form for Larry O'Dell, Lori Berry, Vickie Berry and Javier Guizar.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 8, 2018

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- D&B Supply in the amount of \$42,460.00 for the Fair

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker, Sr. Administrative Specialist Jamie Miller and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-611, 2018-474, 2018-476, 2018-497, 2018-491, 2018-490, 2018-489, 2018-631, 2018-475, 2018-604, 2018-612, 2018-606, 2018-477, 2018-500 and 2018-492. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial approvals with

written decisions to be issued within 30 days on the following cases: 2018-130, 2017-1667, 2017-1609 and 2018-17. Commissioner White made a motion to continue case nos. 2018-237 and 2018-51 to May 3, 2018. The motion was seconded by Commissioner Rule and the Board voted unanimously to continue the cases as read into the record. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to place case no. 2017-1564 in suspension. The hospital has submitted a withdrawal on the following cases: 2018-250, 2018-284, 2018-192 and 2018-99. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final denials on the cases as read into the record. Commissioner White made a motion to amend the initial decision on case no. 2017-1263. The motion was seconded by Commissioner Rule and the Board voted unanimously to amend the initial decision. The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-164

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-164. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to May 3, 2018. The hearing concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-131

The Board met today at 9:12 a.m. to conduct a medical indigency hearing for case no. 2018-131. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for West Valley Medical Center, Karen Thurber for West Valley Medical Center, the applicant, the applicant's mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1697

The Board met today at 9:52 a.m. to conduct a medical indigency hearing for case no. 2017-1697. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus, the applicant, the applicant's brother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to June 28, 2018. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-40

The Board met today at 10:05 a.m. to conduct a medical indigency hearing for case no. 2018-40. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1230

The Board met today at 10:20 a.m. to conduct a medical indigency hearing for case no. 2017-1230. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 10:25 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Sr. Administrative Specialist Jamie Miller and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared for the following cases: 2018-261, 2017-1037, 2017-1115, 2017-1201, 2017-1629, 2018-93, 2018-45, 2017-1561 and 2018-142. Upon the motion by Commissioner White and second by Commissioner Rule

the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY MS & MB FARMS, LLC (BLUE BARN PRODUCE) FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT, CASE NO. PH2017-42 & 43

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by MS & MB Farms, LLC (Blue Barn Produce) for a comprehensive plan map amendment and conditional rezone with development agreement, Case No. PH2017-42 & 43. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, DSD Director Tricia Nilsson, Bobbi Bicandi, other interested citizens, and Deputy Clerk Monica Reeves. MS & MB Farms, LLC (Blue Barn Produce) is requesting a conditional rezone of Parcel R34600, approximately 7 acres from "A" (Agricultural) to "CR-C2" (Conditionally Rezoned Service Commercial.) The request includes a Comprehensive Plan Map Amendment from "Agricultural" to "Commercial." Also requested is approval of a development agreement which would restrict the uses on site to not allow for special event facilities. The subject property is located at 16356 Highway 20-26 in Caldwell, in the SE ¼ of Section 08, T4N, R3W, BM. Kyle McCormick gave the oral staff report. The subject property is involved in an active code enforcement case and to bring the property into compliance they will have to obtain this land use approval as well as a building permit for the existing barn on the property. The commercial zoning would not be out of character with the area, it is currently a mix of agricultural, industrial, and commercial in nature with other industrial uses. The conditions in the development agreement were mainly placed on the applicant due to traffic concerns from the Idaho Transportation Department (ITD). As a part of the building permit process they would be required to obtain all required approach permits from ITD at which time they would look at the concerns they have and they would also need to improve it to commercial approach standards. The applicants have worked with the county engineer to complete a traffic analysis at which time they sent in their sales data to see if it would trip any requirements for left or right hand turn lanes. The engineer's determination showed that there were eight days from the time they were open from April to October where it tripped the threshold for a left hand turn lane. The applicant is still required to apply for an approach permit, but going forward to ITD with that data will help them obtain the permit. Staff has revised some conditions to satisfy some of those concerns such as placing a time limit on when they are required to apply for the building permit. They originally had the condition that prior to commencement of the commercial use the applicant must apply for the change of occupancy permit for the existing barn on the subject property. It was revised that to state the applicant shall apply for and be approved for the change of occupancy permit for the existing barn on the subject property. The applicant shall apply for that change within 90 days. Some of the conditions on the development agreement were that they provide the approach permit with their building permit application when they are ready to submit for that. No special event facilities will be allowed on the property. Conditions were placed to not allow for any additional structures for retail use although bathrooms will be a permitted

use. The retail use of the property is limited from April 1<sup>st</sup> to November 1<sup>st</sup> of each year. The P&Z commission recommended approval and staff is also recommending approval. Commissioner Rule asked why the operation is restricted from April to November. Director Nilsson said they have worked with ITD and the applicant to limit the activity to what's there today. ITD has concerns about them closing access to Highway 20-26 and developing new accesses, which would be significant costs to the applicant so they limited it to their current operating season for that purpose - to make the current use compliant with the zoning ordinance but in a way that doesn't trigger other infrastructure improvements that ITD would require. The Commissioners expressed their frustration with the requirements and restrictions that ITD is imposing on the applicants who are operating their agricultural business in an agricultural area. Director Nilsson said the area was added to Caldwell's impact area last year and so they thought this property should get to its intended use with the city and that would be commercial with no restrictions versus a conditional use where you are constantly bound to conditions, but they ran into the buzz saw with ITD. In order to maintain the speed on Highway 20-26 it would require things like deceleration lanes and such because of the commercial zone so that's why they kept the box the same as it works today. She hopes the business grows and they can do their access to be compliant with the state rules and have a good understanding of what that will take. Bobbi Bicandi testified about her efforts with the lengthy application process with the County and ITD. She said the cost of the turn lane into their facility is immense and although she would like to host an event outside of the stated timeframe at this point she just wants to make sure she will be able to open the business on April 1<sup>st</sup> and continue to work with ITD because there's no guarantee they will give her anything after the County approves this anyhow. Director Nilsson said the applicants have to get an approach permit from ITD to get the change of occupancy and so if that language is not in the agreement or they choose not to do it ITD might put conditions on the approach permit that would kill everything. This is not the ideal situation but it's probably the best we could get at this point. Again, the Commissioners spoke about how troubling it is that ITD is limiting this business when Canyon County wants to encourage and strengthen agricultural activities. Director Nilsson said after this gets approved staff wants to revisit how an agricultural approach is defined with ITD and examine our own zoning ordinance to see if we can increase the 400 square feet to some larger size without triggering unnecessary requirements on agricultural uses. Unfortunately a one size fits all doesn't really work for agricultural businesses, it's commercial whether it's a 7-11 store or Blue Barn Produce and so she also wants to talk to the county engineer about this as well. They are working with COMPASS to do a specific Canyon County trip generation rates for wineries and such because they get in the buzz saw as well; we just don't have good data so we're trying to work with COMPASS to create that and do traffic counts. She appreciates Ms. Bicandi's patience and willingness to come up with different ways of measuring traffic. ITD would have had her do a traffic study which would be incredibly expensive so using the flexibility in the County's fee schedule staff had the county engineer use her sales data because we wanted to demonstrate to ITD that the intensity of the use would be under those thresholds for turn lanes. They have put in extra effort to minimize this but it's still not a great situation. Commissioner Rule would like staff to work on the ordinance and make it so things are reviewed on an application basis rather than a square footage basis. Commissioner Dale said it points out a weakness in our ordinance that we need to change. He wants to send a strongly worded letter of support to ITD to allow this access



as needed for their operation to support agriculture in Canyon County. Director Nilsson will prepare the letter. Ms. Bicandi said the width of their entrance is 3-4 too wide for ITD's rules, but the gates are wide because that's what it takes to get their farm equipment through the gates. They pull off the highway into the parking lot in the evening so their equipment is not in the fields. Also, they installed a black top approach from Blue Barn back to the highway because they noticed cars were spinning out when they left the property. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule made a motion to approve the comprehensive plan map change. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the resolution amending the comprehensive plan map from "Agricultural" to "Commercial". (See Resolution No. 18-027.) Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the rezone and the development agreement, and the ordinance directing amendments to the zoning map. (See Agreement No. 18-025 and Ordinance No. 18-008.) The hearing concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:12 p.m. to consider various new property tax exemption applications and renewing various exemptions under Idaho Code sections: 63-602B, 63-602C, 63-602D, 63-602E, 63-602W, 63-602GG, 63-602P, and 50-2014. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner and Deputy Clerk Jenen Ross. Ms. Loutzenhiser said there are 576 parcels in the county that qualify for these exemptions and she has received back 402 applications so far. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to approve 208 applications under Idaho Code 63-602B. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the following: 86 applications under Idaho Code 63-602C, 88 applications under Idaho Code 63-602E, 15 applications under Idaho Code 63-602GG, 5 applications under Idaho Code 50-2014. A spreadsheet is included with this day's minutes listing the specific parcels being exempted. After a brief recess the Board went back on the record at 2:47 p.m. to consider the following exemptions:

***Idaho Code 63-602E***

***Educational Personal Property Tax Exemption***

Great America Financial Services Corp. – PIN 60724000 0

Wells Fargo Vendor Financial – PIN 64806475 0

Wells Fargo Vendor Financial – PIN 61643740 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to remove the exemptions on the PINs as read into the record.

***Idaho Code 63-602E***

***Educational Property Tax Exemption***

College of Idaho – PIN 00838000 0

College of Idaho – PIN 03954000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to deny the exemptions on the PINs as read into the record.

***Idaho Code 63-602B***

***Religious Property Tax Exemption***

West Valley Baptist Church – PIN 14990002 0

Upon the motion by Rule and second by Commissioner White the Board voted unanimously to grant the full exemption on the PIN as read into the record.

***Idaho Code 63-602B***

***Religious Property Tax Exemption***

International Church of the Four Square Gospel – PIN 13611000 0

Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to partially remove the exemption on the PIN as read into the record.

***Idaho Code 63-602B***

***Religious Property Tax Exemption***

Karcher Church of the Nazarene - PIN 31408000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to grant a partial exemption on the PIN as read into the record.

***Idaho Code 63-602B***

***Religious Property Tax Exemption***

Bethel Church - PIN 02748000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to remove an additional 10% exemption on the PIN as read into the record.

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

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 9, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

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

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

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Sheriff Marv Dashiell (left at 9:13 a.m.), Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter (left at 9:13 a.m.), Deputy P.A. Zach Wesley (left at 9:16 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing a resolution authorizing the retirement of K9 "Andy":*** Mike Porter said "Andy" is being retired due to health issues. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution authorizing the retirement of K9 "Andy" (see resolution no. 18-028).

***Consider signing Addendum No. 1 to Canyon County FY2018 Jail Finance and Construction Research Request for Information:*** Sam Laugheed said the county received requests for clarification on March 1 with one coming in after the deadline. This addendum answers questions that were received as part of the RFI process. One of the questions was in regards to whether the responses would be kept confidential but due to several considerations about the transparency of the process trade secrets can be kept confidential but the entire response package cannot be held confidential from public inspection. There was a request for studies or reports related to the site and with the help of Director Navarro and Commissioner Staff several documents were able to be produced as part of the addendum. There were also several questions about credit rating and outstanding debt to which Mr. Laugheed worked with the Controller and Clerk to obtain the answers. Commissioner Rule asked if this addendum alludes to the fact that the jail will be built at the Pond Ln. site. Mr. Laugheed stated that Core Civic asked for the report related to the Pond Ln. site as the DLR Group's report was focused entirely on this property, but that nothing says anything will be built at that location. Commissioner Rule also asked about a proposed plan at this point. Mr. Laugheed said the DLR report culminated in the production of a concept design that was designed to fit the unique parcel shape at Pond Ln. Commissioner Dale said that a suggestion has been made to him that perhaps the jail could be built bigger and then contract with ICE for the extra spaces as a revenue source to pay for the jail. Chief Dashiell said the need is what the county needs to look to first before we try to develop a revenue source by contracting beds when we don't have enough beds to fit our own needs.

He does not believe it is beneficial to plan to rent beds out to another entity. Mr. Laugheed stated he believes DLR recommended against that strategy. The addendum will be issued today, the information packages will be due on March 19<sup>th</sup> then there will be a review process of those submissions. There is no contract or expenditure of funds associated with this process. The attachments referenced in the addendum can be obtained electronically. Commissioner White made a motion to sign addendum no. 1 to Canyon County FY2018 Jail Finance and Construction Research Request for Information. The motion was seconded by Commissioner Dale. Commissioner Rule is opposed. The motion carried in a 2-to-1 split vote with Commissioner Rule being the dissenting vote.

Zach Wesley presented to the Board a letter to Zions First National Bank in regards to the certificate of insurance on the administration building. This is a process that happens annually. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the letter to Zions First National Bank (a copy of this letter is on file with this day's minute entry).

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

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

Commissioner White made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:30 a.m. with no decision being called for in open session.

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

MARCH 2018 TERM  
CALDWELL, IDAHO MARCH 12, 2018

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

#### APPROVED CLAIMS ORDER NO. 3-15-18

The Board of Commissioners approved payment of County claims in the amount of \$10,552.72 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 3-13-18

The Board of Commissioners approved payment of County claims in the amount of \$33,526.24 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$2,577.16 for the Information Technology department

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: an election will be held tomorrow for school bonds and levies; Channel 2 will do a story on the lack of female beds and female work release; there are some outlets looking to do another story on the Telmate tablets that are used in the jail; he will prepare talking points for the upcoming KBOI radio interview; April is Child Abuse Prevention Awareness month so there will be some events held; been working with Ross Garvin on the bike project and is assisting with media story for the bike giveaway that will take place on March 22 at West Middle School; and he will make some updates to the website. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

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

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

The Board met today at 9:36 a.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction. Present were:

Commissioners Tom Dale, Pam White and Steve Rule, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: They are currently 45% ahead on revenue budget. Simplot will have a large permit coming in soon that will need a variance for height. Commissioner Dale asked Ms. Nilsson if she had heard anything on Treasure Valley Renewables; she said the last she heard is that they were still working on a financing issue. After the hearing last week regarding Blue Barn Produce Director Nilsson drafted a letter to ITD expressing the need for better tools that accurately reflect what is happening with the smaller ag businesses in the area. A discussion was had regarding platting requirements. Ms. Nilsson explained that as the summer approaches they are preparing for a very busy season; one inspector has given notice with his last day being March 23 so Eddie Alvarez will be moving into that inspector position and they will be recruiting for a plan reviewer. Ms. Nilsson is working on two new positions for next year's budget - a front counter plan reviewer and a planner with ½ their time spent working with the smaller cities in the hope that those cities would pay part of that persons salary. She plans to speak with some of those city leaders in April. Commissioner White asked about hiring contractors instead of full-time employees but Director Nilsson said there is a need for consistency amongst the industry. Commissioner Rule expressed his concerns regarding having a shared employee with the cities. He worries about the division of time and believes the DSD department will need a full-time employee in the end. Commissioner Dale suggested looking at having a full-time employee and then develop a fee structure for services as needed. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING TO CONSIDER AN APPEAL OF CASE NO. PH2017-36 REGARDING A CONDITIONAL USE PERMIT FOR RAY & KEITH STILWELL

The Board met today at 10:30 a.m. to conduct a public hearing to consider an appeal of Case No. PH2017-36 regarding a Conditional Use Permit (C.U.P.) for Ray and Keith Stilwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Keith Schade, Simon Vander Woude, Tim Wright, other interested citizens, and Deputy Clerk Monica Reeves. The applicants, Ray and Keith Stilwell, are appealing the decision by the P&Z Commission regarding the denial of a Conditional Use Permit to operate and maintain a Recreational Vehicle (RV) Park Parcel R29039010. The use includes eight RV sites and eight future RV sites. The subject property is approximately 3.17 acres and zoned "A" (Agricultural) and is located at 4959 Kuna Road. Dan Lister gave the oral staff report. The appeal letter states the applicants have been working with agencies, such as DEQ, the Nampa Highway District, and Southwest District Health, and have shown the use is adequate for the site. The subject property is a 3.17 acre parcel resulting from a legal division in 1981; it's had multiple code enforcement complaints mostly between 2004 and 2015 regarding the multiple RVs on site. They cleaned them up and applied for this permit and since then they have added another 10 on the site without any approved permits. In addition to the RVs there is a single family dwelling that's been there since the 1930's as well as three manufactured homes (legal nonconforming) since the 1970's. In addition to these violations they also have violations with the Idaho State Department of Building Safety for illegal plumbing and electrical. Southwest District Health notified staff that there is a

septic failure on site due to an older septic system failing based on illegal uses (drainage into it). Existing services are not adequate to support the proposed density of the RV park which should be near a city sewer and waste and have the adequate systems to sustain this type of use. Potential impacts related to the use, water, wastewater, and property management have not be adequately addressed therefore the use may have some health, safety and welfare impacts. Exhibit #24 shows the pictures taken on January 3, 2018 and at the time staff counted 10 RVs on site. During the P&Z Commission hearing the applicants admitted to bringing more RVs on site without the approval of the C.U.P. Mr. Lister said when you think of an RV park as described in the zoning ordinance it states a parcel of land designed and intended for the use of recreational vehicles for a fee as temporary living quarters for recreation and vacation purposes, but this case doesn't seem like it's going to be used for that, it's going to be used for a living situation. Water and wastewater are not there to sustain such a use and the applicants are having trouble showing evidence that they can have that on the site. They have two wells and staff is unsure if one is legal, according to DEQ they need to require a public drinking water system. They have to have 15 units or 25 persons and based on what they have now which is 10 on site illegally and 4 additional units for a total of 14, they are possibly over the 25 persons. The applicants do not have the water rights for that type use, however, they are going through the application process with the Department of Water Resources to obtain it but they don't know if it will be approved. Southwest District Health reviewed the site and they are opposed to it without getting some information regarding how the septic system is going to be constructed. Based on the use depicted they are requiring a large soil absorption system which needs engineering and planning and so far we don't have any of that. Staff believes the P&Z Commission decision was correct and they are recommending denial of the appeal. Keith Schade testified on behalf of the applicants. He submitted a plot plan depicting where the units are located and he referred to the project design including their efforts in working with Southwest District Health. There are plans to have an engineered septic field. He spoke about the system that has failed and their plans for a new tank(s), depending on the engineer's recommendation. There will be a leach field and an engineered mound system. If their current system fails there is another area north of the house that could be used for another re-engineered system if the soil density requires it. Mr. Schade spoke about their plans to use lights to illuminate the entrances to the park. He said that neither the highway district nor ITD have any objections to the proposal. There is an old milk barn on the property that needs to be torn down before it falls. Plans for the space include a 1200 square foot office building that will include a dayroom, a laundry facility, and offices. There will be ADA compliant restrooms on the property. Mr. Schade said he has not spoken with Tim Wright from Southwest District Health regarding the tank proposals for the new septic system, but he has been in communication with a plumber about their proposed public drinking water system. Commissioner White asked what the project timeframe is. Mr. Schade said everything will be done in two years. It will be a three phase project with the first phase being the septic system and the engineered drain field, electrical and roads. The tenants will have to be moved to the front row once the final inspection is done and they have the occupancy for the first row. The second phase will be the design of the common area and the third phase will be the new office building. The estimated cost on the redesigned park is between \$300,000 and \$350,000. Mr. Schade believes the park has been there since the late 1960's, and the Stilwells have had owned it since April of 2017. Simon Vander Woude said the RV park was

denied in October but the applicants have not only continued to operate the park but they have expanded it as well. It needs to be shut down until it can be brought into compliance. He said the property had a home and two mobile homes which they have turned into an RV park and it's disgraceful that this kind of activity is going on in violation of County ordinances and requirements. The applicants have no business running an RV park in this area; it's a total disregard for law and County authority. Tim Wright said he outlined everything in a letter and he doesn't want to rehash it again (SWDH letter Exhibit #26). In his professional opinion he doesn't believe they have the space to do what the IDAPA rules require them to do. They have a lot of steps to go through in order to obtain approval. The permit they are currently under is a replacement for the two 2-bedroom mobile homes, and that's all it will support. As for the engineered mound that was referenced, Mr. Wright said he hasn't received the engineering on it but it must meet the standards and it has to be under an engineer. There's another lengthy process they are looking to go through if it is a commercial facility and that may require them to go through a nutrient pathogen study that will indicate whether they have to lower the nitrate count in the proposed flow of the wastewater so as not to impact the water wells. There are currently two wells, but one is undocumented. There are public water issues. Mr. Wright doesn't believe they have enough space to do what is required, but he said the department will entertain anything as long as they can meet the provisions of what he has outlined in his letter. No rebuttal comments were offered. Upon the motion of Commissioner White and the second by Rule the Board voted unanimously to close the public hearing. Commissioner White said she sees the effort in the drawings that Mr. Schade presented but she believes the park needs to go away. If they want an RV park it needs to meet all requirements. She does not support the continued operation of the RV park. Commissioner Rule said the parcel has a history of violations related to multiple RVs being inhabited on the property and currently it's in violation and the proposed plans do not completely remedy that. He needs to see an engineer's stamped plan before he would move forward on it. He cannot support the request. Commissioner Rule made a motion to deny the appeal. The motion was seconded by Commissioner White. Commissioner Dale said when he thinks of an RV park as defined in our ordinance it is temporary and it's for people passing through doing recreational things. It's not for a permanent mobile home quasi RV park permanent site for people to live on, that requires a different set of stipulations. There is no evidence that drinking water will be protected. In light of the history of violations with a seemingly disregard to correct the violations he is not inclined to vote in favor of the appeal or allow the RV park to continue. Also, there is a health and safety factor out there that's just waiting for something to happen and he think it should be cleaned up and then move forward if it's appropriate for that type of use. The motion to deny carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law and Order on March 19, 2018 at 9:30 a.m. The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

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



The Board met today at 1:30 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Administrative District Judge Susan Wiebe, Trial Court Administrator Doug Tyler and Deputy Clerk Jenen Ross. Mr. Tyler let the Board know that Gem, Payette, Washington and Adams counties will be going live with Odyssey on April 9<sup>th</sup> which means the system will be down on Friday April 6<sup>th</sup> in preparation for that. In anticipation of being offline they will keep the schedule light and only handling emergent matters on the 6<sup>th</sup>; court will not be held that day. Commissioner Dale asked if the realignment of priority of payments had been addressed yet. Mr. Tyler said it was on the Senate for the 3<sup>rd</sup> reading today but the meeting was adjourned to 3:30 p.m. If the Senate passes it, the misdemeanor probation payments will move to number 3 on the priority of payments. Judge Wiebe is still trying to work out her schedule but at this point she has set aside Monday afternoons to be in Canyon County and the Prosecutor's Office and Public Defender are in contact via email with any issues. Mr. Tyler said that John Klauer recently left for a position with the FBI but that Wes [Musser] will be taking over that position. They will have one of their part-time people step up to full-time and then a Sheriff's part-time person will come over to help cover. Judge Wiebe and Mr. Tyler said the courtroom situations are all working out well. Commissioner Dale asked what the responsibilities are of the Administrative District Judge; Judge Wiebe explained that her largest responsibility is court management but not necessarily how a judge runs his or her courtroom. Commissioner White expressed her appreciation of the work the courts are doing in regards to the jail situation, Judge Wiebe said she is well aware of the issues and realizes there is no easy fix. There was a discussion about changes that could take place at pre-trial and how it could affect the county and jail. Judge Wiebe also mentioned that once there is a sign off from the governor the crisis center will be a go. The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 13, 2018

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

#### APPROVED CLAIMS ORDER NO. 3-13-18

The Board of Commissioners approved payment of County claims in the amount of \$13,348.00 for accounts payable.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING RESOLUTION FOR THE DESTRUCTION OF INDIGENT FILES 2018

The Board met today at 9:01 a.m. for a legal staff update and to consider signing a resolution for the destruction of indigent files 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Zach Wesley said Director Baker has worked with the Board's staff to collect files that have been closed for decades. This resolution includes a paragraph that will allow those records to be transferred to Ms. Baker under the Clerk as the medical indigence director to classify those and then either retain or destroy them according to the resolution. Board files to be retained will be transferred to Director Baker to be maintained in the current management system. A list of the files to be moved to Indigent Services is included with this resolution. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution for the destruction of indigent files 2018 (see resolution no. 18-029). There were no items for discussion at the legal staff update. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 14, 2018

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

#### APPROVED CLAIMS ORDER NO. 1812

The Board of Commissioners approved payment of County claims in the amount of \$1,623,241.86 for a County payroll.

#### APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$149,774.74 and \$109,112.55 for accounts payable.

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

The Board approved a salary rate request and/or key & security access request form for Eduardo Alvarez, Cassandra Jo Lamb and Thomas Moore.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for East Cleveland Beverage & Tackle, LLC dba East Cleveland Beverage (see resolution no. 18-030).

**LEGAL STAFF UPDATE AND OPEN BIDS FOR 2018 CANYON COUNTY RE-ROOFING PROJECTS FOR JAIL ANNEX AND DEPARTMENT OF MOTOR VEHICLES**

The Board met today at 10:02 a.m. for a legal staff update and to open bids for the 2018 Canyon County re-roofing projects for the Jail Annex and Department of Motor Vehicles. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro (left at 10:05 a.m.) and Deputy Clerk Jenen Ross. Director Navarro said it was budgeted this year to re-roof the DMV building and the jail annex. There were three companies that were invited to bid the projects and all three did attend the walk thru. There are currently only two bids to be opened but Director Navarro will reach out to the third company to see if they have a bid to submit. Sam Laugheed explained that the statute requires the county to get three bids and if we receive less than three a record will need to be created to show the effort that was made to obtain the three. Additionally, these bids will need to be validated against the requirements in general. Mr. Laugheed recommends opening the bids, looking at the bid forms to see what the numbers are and then he and Mr. Navarro will validate them. The bids were as follows:

***Upson Company***

Bid amount for the Jail Annex: \$189,800

Bid amount for the DMV: \$127,600

***JB's Roofing***

Bid amount for the Jail Annex: \$59,917

Bid amount for the DMV: \$92,143

Director Navarro indicated that the budget is more reflective of the bid by JB's Roofing. Mr. Laugheed said there is a presumption in favor of the apparent low bid but since only two bids were received instead of three and due to the significant differences he would like to discuss further with Mr. Navarro what the options and potential exposure could be. Mr. Laugheed expects to be back in front of the Board in the next few days with additional information.

As part of the legal staff update Commissioner Dale asked about giving DSD the authority to issue refunds up to a certain amount without having to come before the Board. Mr. Laugheed said he will need to speak with Director Nilsson but believes it may be something set in the ordinance that would need to be amended. Mr. Laugheed said he will check with Mr. Wesley to see what kind of conversations he may have had with Ms. Nilsson.

Mr. Laugheed said he has a letter prepared to Rick Ferguson as a response to a letter that was recently received from ICRMP; the other elected officials will also be copied on this response. Once the response letter is sent on behalf of the county there will be a meeting set with the other elected officials to discuss what happens next which could be a matter

discussed in executive session at the next elected officials meeting in a couple of weeks. Commissioner Dale asked if the letter received from ICRMP is considered a public record to which Mr. Laugheed confirmed it is.

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY BAKER LAND MANAGEMENT, LLC, FOR A CONDITIONAL REZONE FOR CASE NO. CR-PH2017-41

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Baker Land Management, LLC, for a conditional rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial). Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Zach Wesley, Todd Lakey, Dorena Schrader, David Baker, Scott Baker, Reese Verner, Terry Michaelson, Linda Hambleton, Richard and Sherry Kersting, Kathy Purvis, David Ward, Diana Stanford, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The Bakers are requesting to conditionally rezone a 25.37 acre parcel from agricultural to service commercial. The applicants have not provided a specific land use for the property. The C2 zoning allows for uses that may not be compatible with adjacent and nearby residential development due to noise, traffic, industrial appearance, lighting, smell, etc. The P&Z Commission recommended the case be denied. The property currently contains one shop residence, an accessory structure that is not a permitted structure and significant personal storage of equipment, trailers, cars etc. There is also a small hog farm on the property. Approximately 16 acres of the subject property are in agricultural crop production. The neighbors and other property owners in the surrounding area received a flyer stating 6,000 hogs are soon coming to the property. The application does not allow for an animal facility to be established, the property is also not sufficient in size to have an allowed use that exceeds 500 hogs. Staff sent clarification of the ordinance allowance to all property owners within a mile radius of the subject property. The existing hog farm is clearly a concern for individuals in the area but this application is not about addressing a hog farm. There are currently no municipal water or sewer services available in the area. The uses in the C2 zone may require significant infrastructure improvements to mitigate traffic impacts and water waste treatment concerns. The property is within a nitrate priority area and all development will have to meet the requirements of the health department. Infrastructure impacts are a concern, specifically the impacts to water systems, traffic and sewage treatment. The surrounding areas are comprised of agricultural properties, residential developments and commercial development approximately ¼ mile to the north at Lake Shore Dr. and Highway 45. The Nampa City impact area extends to the north side of Lake Shore Drive but does not include the subject property at Deer Flat Road. The property is identified on the Canyon County Future Land Use Map as commercial but this area is identified as agricultural on the Nampa City Future Land Use Map. Staff originally recommended denial of the rezone because the intended uses are not identified and findings for compatibility infrastructure cannot be made. The applicant then proposed to work with the County to identify a potential path forward and requested that the application for rezone be changed to a conditional rezone

with a development agreement and they worked with staff to identify land uses that are designated as allowed uses in the land use matrix in the C2 zone, meaning that there would be no further review other than the requirement of the building permit for that development without the proposed development agreement conditions. This could have significant impacts to adjacent land uses and/or infrastructure including roadways, water, waste water, and other environmental concerns including lighting, noise, dust, etc. They have provided a potential means of managing the compatibility and infrastructure concerns through a site design review process that will require a director's decision and notification to the agencies and property owners within 300 feet. Conditions can be placed through the director's decision but they cannot be placed in a straight rezone. Staff is very cautiously recommending approval of the proposed rezone as conditioned by the development agreement and use of the director decision for the identified allowed uses in Exhibit 1, Attachment A.

Todd Lakey gave testimony on behalf of this clients stating they started out as a straight rezone based on the comprehensive plan, but based on the input they received from the neighbors and staff they changed their application to a conditional rezone with a development agreement that included some specific conditions to address the concerns of the neighbors as well as the concern staff had which would allow for additional public input and director decision regarding buffering and mitigation and the infrastructure needs. He said the P&Z Commission decision wasn't unanimous and the commissioner who spoke most in opposition to the project stated that he felt the property should not be designated as commercial in the comprehensive plan, but that is inappropriate. The comprehensive plan designates what it is, it's not the P&Z Commission's discretion to say it should be something different, that's the decision of the County Commissioners when adopting the comprehensive plan. This is an area that is designated and planned for commercial use, it has long standing historic commercial uses and it was designated because of the historic commercial uses in the area and it's also in recognition that it's an appropriate place particularly for ag related commercial uses. The application for commercial zoning is consistent with the comprehensive plan and it doesn't change the essential character of the area. There are some additional protections in the development agreement to deal with potential compatibility issues that provide an additional process for the director to review the application and whether it provides sufficient mitigation and buffering and the infrastructure needs. The comprehensive plan talks about designating suitable areas for commercial, industrial and residential and those designations need to be utilized and protected and provide that opportunity for businesses to come to Canyon County in those designated areas. When a business is looking at Canyon County they are looking for land that's already zoned and entitled, they don't want to have to go through the risk of an entitlement process. Mr. Lakey referred to other commercial uses in the area which he said demonstrates the historic nature of the commercial uses as well as the consistent and occurring commercial growth that's occurred. They have agricultural uses but with the commercial designation agricultural use is no longer the priority, the priority is for development into commercial use so they're not really looking at evaluating the quality of the agricultural ground but with that said it's a fairly small piece that has the less viable ground running through the middle of it so it's not a prime piece of ground for raising crops.

The applicants have taken additional steps in the development agreement to assure compatibility and mitigation.

Commissioner Rule asked Mr. Lakey for his thoughts on the anonymous flyer that was sent to neighbors about plans for a 6,000 hog farm operation. Mr. Lakey questioned whether that number is accurate, he also said they are not requesting a hog farm. Commissioner Rule said the property has had numerous code violations and the applicants have a history of saying they'll do things and not following through with it. The County revoked their permit due to non-compliance of conditions and so with that history why would the applicants comply with these new conditions. Mr. Lakey said there was a code enforcement issue that was pursued by the County but the court ultimately found there wasn't a violation, and, there aren't any violations out there currently. It's an agricultural zone so there are things that are used in an agricultural operation. The applicants want to find a commercial developer to purchase it and then they will no longer be involved with the property. He said the development agreement says they will follow the administrative review process, and so there will be an administrator level review which provides notice to the public and a comment period and then the director will make a decision and if those folks don't like the decision they have the opportunity to appeal to the Board of Commissioners. Commissioner White had questions about the plans for the property and types of uses the applicant is considering. Mr. Lakey said there has been some discussion but he doesn't know how serious the buyer was with some type of potential, but it looked like a commercial warehouse facility but there isn't a specific user or purchaser in place at this point. This is to zone it for commercial in advance so businesses that want to locate here have entitled property to look at.

Scott Baker stated the land is not good for growing crops due to the hard pan; he has hay on it but it doesn't produce enough revenue to cover the \$3,500 in annual taxes. He's raised hogs for four years and he's had good success with it and he'd like to buy another piece of ground to sustain a larger hog farm. He said neighbors have concerns about the hog farm smell and he told them when the rezone happens the hog farm will go to a new location. He had no knowledge about the anonymous letter that was sent to neighbors. He said a neighbor has stated that he (Mr. Baker) dumped human waste on the property but that never happened, it was a grease trap composting project code violation. Commissioner Rule asked Mr. Baker to identify the various items that are on the property. Mr. Baker said he had multiple cars and heavy duty trucks on the property but he's been slowly getting rid of things; he estimates there are 12 vehicles on the property. There is also a park area, landscaping, and a hog facility.

David Baker said they have been before the Board with questionable results in the past. Five years ago they asked for commercial zoning and staff and the P&Z Commission recommended approval and with a full Board of three two voted for approval with conditions and one voted against it and the case was tabled for that purpose. He said one month later, with no objections from neighbors, the Board met with only two Commissioners voting, one for and one against, with Mr. Rule casting the dissenting vote single handedly killing their request, time and money. Four months ago he drove 11 hours to attend the Board's hearing but was notified that only two Commissioners would be present, this time Mr. Rule was absent. He asked for the hearing to proceed but after several people showed up they were informed that Mr. Rule wanted the hearing rescheduled. For the hearing that was rescheduled to January they were informed that only two Commissioners would be present,

one being Mr. Rule who wanted to proceed with the hearing. Mr. Baker finds it suspect that Mr. Rule was happy to have a hearing where his vote can kill their project but not a hearing of two Commissioners where he's not present. He said they have worked hard with staff to have proper C2 zoning with limitations in place to protect the neighbors and they felt it would be better to get the proper zoning because with the current agricultural zoning it forces them to have a hog farm because the land isn't good for crops. They never intended for their actions to be interpreted as threats nor are they making threats against anyone. Going forward they expect to defend themselves with attorneys, the media, or any other tools necessary to protect their names and property rights. They wish to have commercial zoning and sell the property thus moving their hog farm farther away from people. Commissioner White asked if the hog farm will be leaving the property. Mr. Baker said they would prefer to move where land is cheaper and with the commercial zoning he believes this land will be worth more.

Dorena Schrader said she has been trying to learn more about the applicant's request but she finds it strange that the focus is on the hog farm threats. She sees no reason why the property shouldn't be rezoned to a commercial zone.

David Ward testified that he came to today's hearing because he received one of the flyers about the hog operations and it raised his interest. He said it doesn't look like the property is being used for agriculture. He wants to know what the allowed uses are so that he can make a judgement and he wants to make sure his property retains its value and that his quality of life is undisturbed.

Reese Verner stated he owns 32 acres adjacent to the Baker property and it's his hope that something can be done to make the development of the property compatible with the agricultural residential use of the adjacent properties. The development agreement calls for berming between his property and the Baker property which is good and if everything is in compliance with a properly drafted development agreement it would be in the best interest of everybody out there, but the question is whether it's going to be done and who's going to make sure it's done. He said perhaps the Board should consider C1 neighborhood commercial zoning for the portion of the property that abuts the adjacent residential property rather than C2 zoning for the entire parcel. Mr. Verner hopes that the Board's decision is in the best interests of the neighborhood and that there are specific requirements and that the property is developed with the full intent of the agreement.

Terry Michaelson testified that he has lived in the area for 40 years and he was surprised to hear testimony that the ground's not suitable for farming because that's what it was used for before the Bakers purchased it. He said the idea that the Bakers have never done anything that could be construed as a threat is just hogwash. Two days before the previous hearing Reese Verner received a letter from Mr. Lakey that said they would pursue legal remedies for damages resulting from false statements regarding the dumping of waste, and in his opinion that sounds like a threat. Mr. Michaelson responded with a letter to Mr. Lakey that included a certified letter from 2007 that was sent to Scott Baker and Western State Dewatering, Inc., the company that was dumping waste on the property. The information included a transcript of the response that Mr. Michaelson received from the president of the company saying "we're sorry, we'll immediately clean the stuff up" and a memo about Scott

Baker saying the waste would be cleaned up. He said if the property is used for a nursery or something compatible and if the County makes sure the conditions are enforced he will not oppose it, but, if it's a strip bar, for example, with noise, lights and traffic and all of those problems he will fight it.

Linda Hambleton said the anonymous letter about the hog farm has raised a lot of red flags and it seems as if the applicants only have it because they didn't get their request approved and that's concerning; she is opposed to the request.

Richard Kersting wants more information about what is going on. He asked if it is usual practice for the Board to decide a zoning matter without actually knowing what will be placed on the property. Commissioner Dale said the Board doesn't always know exactly what's going into an area before it's zoned, but that's why the County has a chart that says what uses are allowed in those areas. The charts are developed so that they can identify compatible uses to the surrounding areas for orderly growth. Commissioner Rule said oftentimes this is the format but there are also times when the applicants are more specific and have a plan. In this case there is a history with the property and it's sort of "broadcast" zoning and it makes him nervous because of what's happened over the past several years. If there was a plan it'd be a lot easier to consider but that's not what we have here. Mr. Kersting said that makes it difficult for the neighbors; they have lived in the area long enough and close enough to the project to be very concerned about what can happen to their investment.

Kathy Purvis said her concerns deal with setting a precedence to eliminate the agricultural land, and the strong arm tactics she believes the applicants have used. The prior owner, Gary Krajnik, used to grow crops but when Scott Baker bought the property he scraped the topsoil off and made a berm out of it so of course it's not going to grow anything. She said the residents are afraid to go to meetings and testify because they've been intimidated and threatened. She spoke about how a crop duster did a "flyby" and she felt like it was specific to her because spoke up at a meeting, and, she found it odd that when she was approached about selling her land the person asked if her well was encased. Apparently there is a gas and oil well in the area that has been capped. On the evening of March 2<sup>nd</sup> there was a big boom and the roof on her house shook and the dogs went wild, and then the next night there was another boom and the whole house shook and it felt like it was coming from underground. Ms. Purvis is concerned about the potential to strong arm the neighbors and push them off their land.

Diana Stanford testified that no one is trying to prevent the Baker brothers from selling their property; they bought it as agricultural land, they can sell it as agricultural land. They told the previous owner they were going to build a nursery but it never came to be. She believes this is a ploy by a group of people that want to buy up the land and profit from it by turning it into subdivisions and selling the lots to other people. Ms. Stanford also spoke about her concern regarding water rights. She said there's a lot more involved in this but it all comes down to the same thing, the Baker brothers can sell their property at any time but it should stay zoned as agricultural according to the comprehensive plan.

The Board took a brief recess at 3:05 p.m. and resumed the hearing at 3:10 p.m.



Todd Lakey offered rebuttal testimony. The property is designated for commercial in the comprehensive plan and it's been that way for at least 20 years so the precedent is already there. He said there's been history with the property and a bomb was thrown in regard to the hogwash letter but this isn't about popularity or personalities, this should be about land use and the land use is designated as commercial and the area is growing out there, particularly with the commercial development that's related to agriculture. The conditional rezone and development agreement put additional scrutiny and requirements and gives opportunities for public input. With regard to the letter that Mr. Michaelson referenced, he said that was a professional demand letter and his request was simply to be accurate in regards to statements about the dumping of human waste on the property. That has not occurred, what was put on the property back in 2012 was composting and it wasn't managed correctly and it stopped; his request letter was simply to be factually accurate. This is an area that's used as and designated as commercial and this is an appropriate application that's different than the standard rezone with the terms of the development agreement to help address the concerns.

Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Rule said there was testimony that this is not farm ground but the exhibits indicate it is prime farm ground and there is farming all around the area. He has a sensitivity to this case because of the past history associated with the property, and he is aware of the violations and complaints that have been filed and it's a problem for him. He believes that when David Baker made the comment a few years ago that they would turn the property into a hog farm if their request was not approved it was a threat then and he believes it's a threat today. Commissioner White said the property is zoned agricultural and it is not within a city impact area, it's designated agricultural on Nampa's future land use map. The property is actually only designated commercial on the 2020 Canyon County Comprehensive Plan, it is not commercial, it's designated to be that on the comprehensive plan. She struggles with doing a blanket rezone and it bothers her that the applicant has not specified an intended use. In response Commissioner White's questions about "policing" the property and enforcing conditions, Director Nilsson said all properties are governed to be in compliance with the zoning ordinance and that's where code enforcement comes in but a development agreement has restrictions on how the property is used. In this case she thinks if we have a commercial zoning and a commercial developer they're going to come in and meet with staff before they do anything and staff will say "what's your use? The development agreement says this use is allowed or it's conditional or it's subject to a director review." Commissioner White said there was testimony that if the rezone is granted the hog farm will leave this location and she likes that because it addresses some of the concerns of the neighborhood. Commissioner Dale said there's a lot of evidence to weigh on both sides of this issue and although he doesn't have the long history that Commissioner Rule does he is aware of the documentation and he's trying to just look at the facts. He appreciates the clarification that this is about a land use issue and he appreciates the testimony from the neighbors but he does not believe there's a conspiracy to buy up all the land and turn it into houses. Furthermore, he's a pilot and familiar with crop dusting and if someone was purposely flying over a house to try to scare people they would lose their license in a heartbeat, so he doesn't believe that's being used by anybody as a scare tactic given how restrictive pilot licenses are. It's a highly regulated business. With regard

to the booms that Ms. Purvis heard he has no idea what it would be but he doesn't believe it's a part of a conspiracy to turn it all into oil wells. He said the neighbors have legitimate concerns but they are separate from what the Board is considering. Going north from Lake Shore there's commercial development that extends out and it's the same area that is designated commercial on the comprehensive plan map and he believes at some point this will be designated commercial. It was testified that the intent is to sell the ground for what it's designated to be, which is commercial, and he can't begrudge that fact. This is not a water rights issue, this is a land use issue and although he is not familiar with the water rights argument he can't believe that people who've lived there for 30 years do not have water rights. Commissioner Dale is leaning towards saying this is going to be commercial and that the sale of the land would solve a lot of the conflicts and so if there is a way to tighten up the development agreement he would be in favor of it, but it would take some discussion and negotiation. Commissioner Rule said the enforcement doesn't exist and given the history with this property he has concerns. He made a motion to deny the conditional rezone request for Case No. CRPH2017-41. Commissioner White seconded the motion noting that a previous approval was granted but then the permit was revoked due to non-compliance with conditions of approval. Commissioner Dale said he will vote in favor of the motion but he wants it noted for the record that we need to provide findings and facts stating what the applicant can do to obtain approval. Ms. Root said perhaps the applicant could come back with a dual request for a different zoning on that one portion as Commissioner Rule suggested and to find a buyer or developer who wants to put a particular use on the property. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to deny. The motion carried unanimously. The Findings of Fact, Conclusions of Law and Order will be prepared and brought before the Board on March 29, 2018 at 10:00 a.m. The hearing concluded at 3:45 p.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 15, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Mary Bybee, Joseph Dorn, Timothy Syreen, Nathan Cutler and Paige Gabiola-Reedy.

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

The Minutes of the Fiscal Term of January 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho.

Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:58 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2018-506, 2018-504, 2018-510, 2018-676, 2018-677, 2018-505, 2018-507 and 2018-647 upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. Case nos. 2018-517 and 2018-499 meet the criteria for county assistance. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to approve the cases as read into the record with a written decision to be issued within 30 days. The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING 2018 CANYON COUNTY COURTHOUSE PAINTING PROJECT INVITATION FOR BIDS

The Board met today at 9:01 a.m. for a legal staff update and to consider signing the 2018 Canyon County Courthouse Painting Project Invitation for Bids. Present were: Commissioners Tom Dale and Pam White, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Director Navarro said that the courthouse has needed to be painted for several years. The second and third floors of the building are joined with what are called 'double Ts' which are deteriorated in several places allowing insects and bats among other things into the building. Due to the deterioration the building will first be properly prepped with repairs made to the joints prior to painting. Additionally, there are some windows that need to be property sealed to avoid leakage before the painting is done. Along with repairs to the building there is some soffit repair to be done and Director Navarro believes it will also be possible to paint the backside of the jail annex which is the back of the courtyard. The county may supply the materials on this project as they are able to be purchased without the sales tax and the county has several contract suppliers where we may be able to get a better price vs. a contractor purchasing it. The budget for this project is approximately \$450,000 and Director Navarro hopes to have the painting done in the spring/summer. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the 2018 Canyon County Courthouse Painting Project Invitation for Bids.

Zach Wesley and Director Navarro said a third bid for the jail annex and DMV re-roofing project was received approximately 3 hours past the deadline. The county chose to accept the bid which helps with the three bid requirement. Commissioner White asked about the large price difference between the two bids that were opened yesterday. Director Navarro has reached out the JB's Roofing who explained that their bid was lower because there is some material that can be reused instead of replaced as the other bids indicated. Additionally, the bid from Upson Company used a higher end product that was not requested by the county making their bid outside the scope of work. Zach Wesley has indicated that a letter has been prepared letting all three contractors know that JB's Roofing will be awarded the contract with a separate letter being prepared for JB's Roofing. Work is anticipated to begin between May and June with the painting portion to begin later in the summer. Director Navarro would like to see the painting happen in the evenings to avoid over spraying cars. All vehicles that are here afterhours will be notified of the painting and moved around as needed. Mr. Wesley also let the Board know that he did receive the letter for reconsideration from Borton-Lakey regarding Cope Sand and Gravel. Once he has a chance to review the letter he will come back to the Board with more information but did indicate that the county has 60 days to respond. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING FINAL PLAT FOR STANCIU SUBDIVISION

The Board met today at 10:33 a.m. to consider the final plat for Stanciu Subdivision, Case No. PH2015-55. Present were: Commissioners Tom Dale and Pam White, TJ Wellard, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Stanciu Subdivision. The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 16, 2018

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

No meetings were conducted today.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 19, 2018

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grizzly Sports in the amount of \$14,964.00 for the Fleet department
- Grizzly Sports in the amount of \$15,764.00 for the Fleet department
- Caxton Printers in the amount of \$26,293.39 for the Trial Court Administrator

#### APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$74,230.97, \$14,859.00 and \$78,843.24 for accounts payable.

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:36 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND OPEN SUBMISSIONS FOR CANYON COUNTY FY2018 JAIL FINANCE AND CONSTRUCTION RESEARCH REQUEST FOR INFORMATION

The Board met today at 9:03 a.m. for a legal staff update and to open submissions for the Canyon County FY2018 Jail Finance and Construction research request for information. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Sheriff Kieran Donahue (left at 9:11 a.m.), Chief Deputy Sheriff Marv Dashiell (left at 9:11 a.m.), Jail Captain Daren Ward (left at 9:11 a.m.), Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Sam Laugheed said this was the request for information that was

initially signed in February, with questions and clarifications in March and today is the day submissions were due. There was also a public records request that was received asking for the content of the submissions. The initial response to that request will refer back to the addendum that was signed recently regarding the confidentiality of that information; once the submissions are reviewed for confidentiality and any trade secrets a full response will be issued.

Submissions were received from the following companies:

**Piper Jaffray**

101 S. Capital Blvd.

Suite 603

Boise, ID 83702

Received March 19, 2018 at 8:28 a.m.

**Hunt Development Group, LLC**

4401 N. Mesa

El Paso, TX 79902

Received March 16, 2018

**The Molasky Group of Companies**

100 N. City Parkway

Suite 1700

Las Vegas, NV 89106

Received March 14, 2018 at 10:25 a.m.

**CoreCivic, Inc.**

10 Burton Hills Blvd.

Nashville, TN 37215

Received March 16, 2018 at 9:03 a.m.

Mr. Laugheed said that all the packages will be gone thru and the information distributed as necessary to start the review process. Once the submissions have been reviewed he anticipates having an open meeting with the Board and the other stakeholders to discuss the response packages and where to go next.

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and communicate with legal counsel regarding pending/imminently likely litigation. The executive session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners

Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Steve Rule and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:25 a.m. with no decision being called for in open session.

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

#### CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR RAY AND KEITH STILWELL'S C.U.P. APPEAL

The Board met today at 9:31 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order for Ray and Keith Stilwell's appeal for a conditional use permit to operate a recreational vehicle (RV) park at 4959 Kuna Road. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Board denied the appeal on March 12, 2018. Zach Wesley has reviewed the document and said it is consistent with the Board's decision. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order for Case No. PH2017-36. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

#### CANVASS ELECTION

The Board canvassed the March 13, 2018 Election results today which are on file with this day's minute entry.

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

The Board met today at 10:33 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman presented the Board with a couple non-qualified commuter vehicle authorization forms to be signed which will allow the users to be taxed for use. Several titles were presented for the chairman's signature which will allow the vehicles to be put up for auction. The fencing project is continuing to move forward with some of the electrical being done today. The meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. for a monthly meeting with the Parks Director to discuss general issues, set policy and give direction and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Nicki Schwend, Facilities Director Paul Navarro (left at 1:49 p.m.), Chief Deputy P.A. Sam Laugheed (left at 1:49 p.m.), Deputy P.A. Zach Wesley (left at 1:49 p.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing host site agreement for Celebration Park between Canyon County and Lori Berry:*** Ms. Berry will live in her camp trailer at the park behind the visitor's center. This agreement lines out the relationship between the county and Ms. Berry and clarifies the difference between her park host duties and park employee responsibilities. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the host site agreement for Celebration Park between Canyon County and Lori Berry (see agreement no. 18-026).

***Celebration Park well project procurement update:*** Director Navarro said this is a complicated system as it is a DEQ public well water system. Six businesses were invited to submit bids, 3 attended the walk-thru and 2 submitted bids. There are several challenges with this project including working with both the EPA and DEQ and the soil conditions are not ideal for well drilling. Currently the county DSD holds the building permit which is going on year 6; once the well is completed they will be able to close the building and sheetrock it to finally receive the certificate of occupancy. The lowest bid received was \$44,000 which is approximately \$4000 more than the grant amounts that have been awarded for this project. Director Schwend said they did have a grant that was BLM money and ITD grant money for \$40,000. A discussion was had about Ms. Schwend's budget and where this project would come in. Sam Laugheed said since this bid amount is under \$50,000 there would be no issues with the procurement process. The next step would be to have the contract drawn up with the change order issues and scope of work to be addressed in that. Mr. Laugheed's understanding is that Ms. Schwend has the money in her budget and the Controller understands the purpose of the project and is willing to do what he needs to do to facilitate it. If the contract is awarded, the company would be able to start in late May or early June with the project taking 2-3 weeks to complete.

*Ms. Schwend continued with her regular meeting updating the Board on the following items:*

***Staffing:*** Currently at full staff for interpretive specialists and seasonal parks techs.

***Overhead metal bay doors:*** The doors are being installed this week.

***Keyless locks:*** Director Navarro has these on order.

***Storage container:*** Director Schwend has been working with Director Tolman on purchasing a couple of these containers, unfortunately, they have skyrocketed in price due to a shortage of availability.



**Lake Lowell fishing dock:** A new, longer fishing gangway needs to be purchased as the current one is too short and it has to be moved several times a week. With the well project going over budget this year Ms. Schwend will wait until next fiscal year to budget for this.

**Historic Preservation plan and public meeting:** The online survey results were just submitted to Preservation Solutions. The second public meeting will be held the end of May. Director Schwend and her staff have also attended a number of outside meeting including the Canyon County Historical Society Annual meeting, a Greenleaf City Council meeting, a Return of the Boise Valley People tribal meeting and a meeting of the Shoshone Bannock tribe.

**Scanner and camera equipment:** Most of the equipment has been purchased with funds from Idaho State Historical Society Community Enhancement Grant. They have worked with the IT department to find the best equipment for what they are working to accomplish.

**Meeting with the Deer Flat National Wildlife Refuge:** They are exploring the option of pressure padded gates so that if someone gets locked in after hours they can get out without having to call or someone having to come let them out.

**Gun Range:** Landfill staff arranged a tour all around the landfill, gun range and all the county facilities on that piece of property in order to better understand the challenges. At the next meeting they plan to talk about a budget and will be in contact with the PA's office regarding signage that can be put up. They are also looking at having guest speakers to talk about small improvements that can be made with minimal cost.

**GEAS Grant Award:** Canyon County Parks was awarded a \$400 grant from the Golden Eagle Audubon Society which will be used to purchase owl pellet dissection kits as part of the Winter Desert Ecology field trip.

**Donation from Dr. Plew:** Upon his retirement Dr. Plew has offered to donate a large portion of his professional library including books, journals, articles, files and reports to the Canyon Crossroads Museum.

**Indian Creek Plaza:** The boulders being donated from Celebration Park will be moved to the Indian Creek Plaza this week. They have already been checked multiple times for petroglyphs but they will be checked again before they are moved.

The meeting concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 20, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3-23-18

The Board of Commissioners approved payment of County claims in the amount of \$483.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$18,522.52, \$39,708.31, \$58,428.86, \$63,882.43, \$44,999.98, \$12,030.01 and \$63,925.16 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Staats in the amount of \$4988.76 for the Fair

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 4/7/2018 for a wedding reception.

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

The Board met today at 8:34 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross.

**Director Navarro updated the Board on the following items:**

*Fairgrounds:* The interior of the concession stand is being remodeled.

*Landfill:* The UPS system is being installed. Three UPS systems were installed, one at each scale house and one at the server rack. The ones at the scale houses are online and functioning but the one at the server will need to be done after hours. Additionally, with the work that has been done by Idaho Power it seems as though most of the issues have been

resolved in regards to the outages they were experiencing. The UPS system will allow about 32 minutes of runtime in the event of a power failure which means that credit cards can still be run and they will be able to let people in and out of the landfill.

*Fleet fence:* Maintenance staff has started on the fence at 14<sup>th</sup> and Chicago.

*Security master plan:* The 256-page plan arrived yesterday so it is now being reviewed by the committee. They met yesterday and have some recommendations which will be headed to the Board soon.

*NW Valuations:* Recently evaluated all the buildings for ICRMP for replacement value.

*Capital projects:* There are several project in the works including the roofs at the DMV and Jail and the well at Celebration Park, contracts will be headed to the Board soon for those projects, the Courthouse exterior paint project is out for bid and the generator for DMV is scheduled to be here April 12<sup>th</sup> and installed shortly thereafter.

**Director Rast updated the Board on the following items:**

*Landfill:* Director Loper is happy with the new connection, they have not been down once and thruput is good.

*DSD:* Recently went live with their new software; they are now using CAPS 100% at this point. Accela is no longer being used with the data conversion taking place this past weekend. The old servers will be repurposed.

*GIS rebuild/restructure:* All parties involved in this project have now signed off and they are able to start this project; IT anticipates it should be done in about 45 days.

*Scanning:* Director Rast provided a breakdown of the return on investment for the new scanning position that was added this year. There are still several years of scanning remaining to be done. Next fiscal year a second position may be requested as long as it can sustain paying for itself, however, we're not quite at that point yet.

*Lake Lowell internet service:* With the switch over to microwave connectivity and the internet service being cancelled there will an approximate \$7000 cost savings.

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

**LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS**

The Board met today at 9:04 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach

Wesley, HR Director Sue Baumgart (left at 9:13 a.m.), Controller Zach Wagoner (left at 9:13 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing Blue Cross of Idaho Wellness Program agreement:*** Director Baumgart said she's met with both the Controller and the PA's Office to review the wellness program and both are very supportive of the Peak Program which is \$60/month for all county employees and includes 2 challenges with incentives provided by Blue Cross. She proposes to roll out the program by May 1<sup>st</sup> since the hydration challenge will start in June. There is an additional incentive in May to those who sign up on the portal to track their wellness. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the Blue Cross of Idaho Wellness Program agreement (see agreement no. 18-027).

***Consider signing fee waiver resolution for Canyon Highway District:*** This is a resolution to waive a \$70 fee for a floodplain development permit at Hartley Gulch. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the fee waiver resolution for Canyon Highway District (see resolution no. 18-031).

There were no items for discussion at the legal staff update. The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:04 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: Highlights from the 'End of Academy Student Evaluations' were provided to the Board. The ILEETA conference is happening this week, 4 staff members are attending the conference this year. The Rule of 80 was recently in front of the state legislature where it was approved in the house committee and house along with the senate committee but failed on the floor of the senate. Director Jett has been meeting with Commissioners from the other counties that contract with the Juvenile Detention Center to let them know the contract rate will be going from \$160/day to \$170.00/day. The average daily cost is approximately \$175/day but due to the convenience of Canyon County having the detention center and the other counties having additional costs in transportation and such Mr. Jett feels the \$170 daily rate is fair. Candy Martilla has retired but it has been worked out for her to return on a part-time basis to run the horse program. There are currently three open positions but Director Jett believes they have good candidates that they will be meeting with next week. Taga Bah has started his weight-loss program and had about 20 people in his lunch hour fitness class recently. The meeting concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:15 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Joe Langan and Brenda Garrett from the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross. Director Breach updated the Board on the following items: The office closure on April 6<sup>th</sup> has been worked out with everyone's hours being balanced out for that week. They have been experiencing some computer issues lately in regard to speed with any of their programs that are internet based. In working with IT they've discovered that many of the computers are old and just don't have enough memory. A temporary solution for the desktops has been worked out but they are continuing to have issues with the laptops. They are scheduled to be replaced in the next budget year and are looking for ways to get thru until then. New schedules have been worked on for the PO's to ensure enough evening hours are being worked. There is one vacant PO position that has been posted. An LSIR training is planned for the DUI court coordinator so that she can start doing LSI screenings on DUI court applicants which will take a lot of weight off Director Breach's DUI court PO in having to do all those screenings. The Supreme Court has communicated their next wave of go-live dates and requested that Canyon County employees go out to the other counties to help them with their work but Mr. Breach has let them know that we won't be doing that. The county's position is that we aren't going to use Canyon County taxpayer dollars for work to be done in other counties. Additionally, some of the counties getting ready to go-live contract with companies to provide probation services so we'd essentially be doing the work for a private company.

Chief Probation Officer Catalano updated the Board on the following items: She too is experiencing issues with their laptop computers, she is looking to replace a couple computers and is able to use state funding to do that. Mr. Langan provided a review of the Canyon County Annual Juvenile Justice Report giving statistics of the following areas: juvenile arrests, juvenile petition filing, offenses listed on petition, intakes and releases, average age at point of intake, demographics of who is coming into juvenile probation, community service hours performed, restitution collected for victims, successful completion of probation, juveniles that recidivated, one day snapshot of juveniles on probation, juveniles in IDJC custody and number of commits; percentage of State funding to county budget, breakdown of funds received from JCA, tobacco & cigarette tax, lottery and SUDS. A copy of this report is on file with this day's minutes.

Commissioner Dale asked about the priority of payments. Director Breach believes that cost of supervision was moved up to number 3, however, we will still see a deficit from last year. Ms. Catalano said one frustration she's had with the Odyssey system is that there doesn't seem to be any way to track payments of restitution. She has made the Supreme Court aware of the issue as her department needs to know when juveniles owe so that it can be enforced. She has worked with the Controller who has been able to produce a report that shows the total amount paid but doesn't give a clear picture of who owes, when they're making

payments or if her department's efforts are making any difference. The meeting concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 21, 2018

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Horsewood's to be used 3/24/18 for a wedding.

No meetings were conducted today.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 22, 2018

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

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

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0656, 2018-0532, 2018-0642, 2018-0570, 2018-0558, 2018-0536, 2018-0539, 2018-0530, 2018-

0534, 2018-0569, 2018-0637, 2018-0688, 2018-0652, 2018-0537, 2018-0535, 2018-0567 and 2018-0553. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve case no. 2018-0707 for cremation with a written decision to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to place case no. 2018-0655 in suspension. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

### INDIGENT MATTERS

The Board met today at 8:54 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases meet the criteria for county assistance: 2018-200, 2018-113 and 2018-119 upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final approvals on the cases as read into the record. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve case no. 2016-1683. The following cases have been pulled from suspension and meet all the eligibility requirements for county assistance: 2015-1298 and 2016-130, upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final approval on the cases as read into the record with written decisions to be issued within 30 days. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to continue case no. 2018-249 to May 31, 2018. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-170

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-170. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Courtney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-90

The Board met today at 9:22 a.m. to conduct a medical indigency hearing for case no. 2018-90. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Ashley Hesteness for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Commissioner White made a motion to approve the case with Commissioner Dale seconding the motion. The motion carried in a 2-to-1 split vote with Commissioner Rule being the dissenting vote. The hearing concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-245

The Board met today at 10:12 a.m. to conduct a medical indigency hearing for case no. 2018-245. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:15 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared on the following cases: 2018-140, 2018-157, 2018-207, 2018-135, 2018-146, 2018-224 and 2018-230 upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final denials on the cases as read into the record with written decisions to be issued within 30 days. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 23, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):



- Grainger in the amount of \$4784.73 for the Facilities department
- Overhead Door Company in the amount of \$3850.00 for the Facilities department

LEGAL STAFF UPDATE AND CONSIDER SIGNING REIMBURSEMENT/CLOSE OUT REPORT FOR MATCH FUNDS OF THE IDAHO DEPARTMENT OF PARKS AND RECREATION GRANT #WW18-3-141

The Board met today at 9:01 a.m. for a legal staff update and to consider signing the reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation Grant #WW18-3-141. Present were: Commissioners Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Lt. Ben Keyes and Deputy Clerk Jenen Ross.

***Consider signing reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation grant #WW18-3-141:*** Lt. Keyes said the boat is at the county shop being fitted for lights and radio, etc. This is the reimbursement from the state parks department for the grant that was received in the amount of \$62,750. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation grant #WW18-3-141.

There were no items for discussion at the legal staff update. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM  
CALDWELL, IDAHO MARCH 26, 2018

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

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communication issues: The auto licensing department will be closed next Wednesday for training; notice has been posted in the office and on the website and Mr. Decker will inform the media. He has a few things to do for Start by Believing and Child Abuse Prevention and Awareness Month; he filmed some new election training videos for the Elections Office and will have the finished product to staff by Friday; he will attend a planning meeting for the

law enforcement memorial ceremony; working on the landfill free day on April 28; April 9-13 is the United Way Book Drive and they would like to place a bin in the front of courthouse and administration building; reviewed the rotation schedule for the KBOI radio interview. There was a discussion regarding whether to have weekly staff meetings and it was decided that the staff meetings will now be held biweekly with the idea that there will be a more in-depth review of the calendar to look beyond the day-to-day appointments. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING SPRING 2018 CANYON COUNTY LANDFILL OFFICE ADDITION SOLICITATION OF BIDS

The Board met today at 9:05 a.m. for a legal staff update and to consider signing the Spring 2018 Canyon County Landfill Office Addition Solicitation of Bids. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross.

***Consider signing Spring 2018 Canyon County Landfill office addition solicitation of bids:*** Brad Goodsell explained that the Facilities department will be doing a lot of the work on this project and that Director Loper has already done a lot of the ground prep-work. The solicitation is for the contractor to do everything but certain things that are listed that will be handled by the facilities staff. This solicitation will be sent to five contractors Director Navarro felt were well qualified for the project. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Spring 2018 Canyon County Landfill office addition solicitation of bids.

Commissioner Rule spoke about a letter that he received yesterday from Paul Braun regarding the objection to a dairy farm in Middleton. Mr. Goodsell said he would provide the letter to Zach Wesley to ensure it was received by DSD.

The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### ELECTED OFFICIALS' MEETING

The Board met today at 9:32 a.m. for an elected officials' meeting. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Coroner Vicki DeGeus-Morris, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Assessor Brian Stender, Sheriff Kieran Donahue, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Prosecutor Taylor chaired today's meeting:

- **Request from public to speak at elected officials' meetings:** Chris Boguslawski inquired about attending this meeting regarding his ideas for software. It was the

consensus of the group that this is not the forum for such a request and the person should contact the IT Director as it appears to be a sales call.

- **Office updates:** Treasurer Lloyd reported that the interest rates are up therefore the County is receiving a little more interest income. Commissioner White said staff is scheduling budget meetings so if anyone has a conflict please let the Board's scheduler know. Coroner DeGeus-Morris said they have been able to assist Owyhee County by conducting a couple of autopsies for them. Her office is seeing a lot of opioid overdoses, practically every other case, and their toxicology bills are outrageous. Discussion ensued about how the media are not portraying the opioid crisis as a problem in our area and there needs to be a public awareness campaign about this serious issue. Sam Laugheed said there is an item related to Executive Session on this topic and the discussion is informative enough that we can pull into it. In February the Clerks and Boards of Commissioners throughout the state were contacted by Dan Chadwick who's working as an attorney with the law firm of Crueger Dickinson, and his email suggested that on behalf of the law firm he's looking for counties who are interested in being part of a litigation against opioid manufacturers and distributors. The lawsuits are happening nationally and the initial letter from Mr. Chadwick suggested the counties needed to make a decision in early March because the federal cases are being consolidated in northern Ohio, but, the March deadline has abated a little bit. We were also contacted by former Idaho Supreme Court Justice Jim Jones who is working with another group of law firms some of which are associated with national firms who are also involved in the opioid litigation. Both groups have approached to see if we would be interested in joining in this litigation. The proposals are very similar; it's a contingent fee basis. The Chadwick group would take 25% of any settlement the County got and the Jones group would take 20%. Mr. Laugheed said he reviewed the register of action in the federal case and the first 91 pages are the lawyers who are participating. They want to do it locally, start in state court and then it's possible it would get moved to federal court. The question is whether the Board wants to join on to one of these lawsuits. It would require a resolution from the Board and an attorney fee agreement with one of the law firms, and it would require choosing between the different proposals. The Prosecutor doesn't have the resources to pursue this kind of litigation but would be involved in reviewing the pleadings and representing the County but basically they'd be signing over the County's legal representation to one of these firms on this issues. There wouldn't be any direct dollars upfront but there would be resource expenditures because the group will have to figure out how to quantify the damages associated in Canyon County and that would require resources from the Clerk to figure out how many medical indigency cases are related, as well as resources from the Sheriff to figure out how much training time and deputy time is spent dealing with opioids, and resources from the Coroner and then trying to quantify it. The defendants are the Big Pharma companies. One of the main objectives he's see to this litigation is what kind of regulation or policy change can be achieved through

litigation. They draw comparisons to the Big Tobacco litigation and how that led to some regulation and to some financial benefit to states that never trickled down to the county level and he believes that's why the counties are so involved this time. Generally he would recommend against being on the sharp edge of anything, but there is a time component especially if we are interested in the federal litigation. The judge is taking a very unique approach and he's trying to streamline and push to settlement. They could have a smaller trial called Bellwether trials in the east to see if they can calculate the damages before a class goes forward. Commissioner White asked if by joining the litigation it could be seen as a deterrent. Sheriff Donahue believes it would and any effort to slowdown the onslaught would be helpful. Opioids are being stolen from bathrooms and traded on the black market. It's a matter of oversupply and black market organizations with the cartels that are trafficking them via clandestine labs that are producing pills by the millions. Prosecutor Taylor said it goes back to the point of public awareness, and what is the economic impact on the state, especially a county. He would like to invite Mr. Chadwick and former Chief Justice Jones to meet with the Board to make pitches and get an informational gathering aspect. Clerk Yamamoto questioned what will be fixed by this lawsuit. The tobacco litigation didn't fix anything, but it cost the end users a dollar a pack. Another point to consider is how this will impact someone's ability to get pain pills when they need them. He is totally opposed to joining the litigation because it's a rat hole that will go nowhere. Sheriff Donahue doesn't disagree but said it'd be interesting to hear what both groups have to say and it would be beneficial to have a public discussion about it. Commissioner Dale wants the groups to identify what's to be gained? Is it to get money out of Big Pharma or bring attention to the need to get some regulatory changes? What are the anticipated outcomes? Prosecutor Taylor said we are not committing to anything other than a presentation; if it's only about money then the elected officials need to have that conversation and ask whether it's worth it. Sheriff Donahue made a motion to invite both groups to make informational presentations and take into account that the County wants to be cautious in its approach. The motion was seconded by Commissioner Dale. There was no opposition. The motion carried. Brian Stender reported that the Assessor's Office is three months into the property tax reduction program (circuit breaker), and they are in the initial phase of value studies; values are still on the rise in Canyon County. Clerk Yamamoto said given the unavailability of some elected officials there are a total of four weeks (two in June and two in July) where we won't be able to have budget meetings and so that's going to make for a crowded timeline to get through the budget process. This summer they will switch from ADP to Paylocity; the advantages are: they can do more reports without having to do them by hand; their timeline is better than ADP's timeline so that makes it easier on everybody, particularly the Sheriff's Office; their online timecards look better and simpler than what we're currently doing. The cost is the same, perhaps a little less. He reported that overall Odyssey is good although the financial side has been a struggle, in fact, the County's revenues have dropped by 50% because of problems with priority payments and it's likely the County will have to

subsidize the misdemeanor probation department. Some of the issues won't be fixed until the entire state is rolled out, which is two years from now. The primary election will be held on May 15. The test ballots (all 3,048 of them) have been delivered and staff will fill in the bubbles by hand and run them through the tabulators to ensure they are working correctly. The Clerk reported that the language access for the County is getting bigger and bigger, but they have a very shallow pool of interpreters to draw from which is due to applicants finding it difficult to pass the certification test. With some of the immigration issues they're seeing it's going to get more difficult and a lot more expensive. Commissioner Dale asked for an update on the Request for Information (RFI) for the jail construction and finance project. Mr. Laugheed and Sheriff Donahue said they need more time to go over the proposals, but they are expecting to meet with the Board and the other stakeholders to discuss it. Commissioner White said there was value in the proposals and she's glad the County did an RFI because we are doing our due diligence on a funding option for construction. Sheriff Donahue agreed and said he's finding that people are not opposed to the 1% local option sales tax but unfortunately the legislative body failed to act on that this year and it's disappointing that our local delegation didn't act on it. The idea has value but the legislators need to be involved. Commissioner White spoke about the offers of support she's had from citizens for the sales tax proposal and she wants to know if this group of elected officials will support the 1% local option sales tax to fund construction of a new Canyon County jail. The petition doesn't have anything to do with a potential initiative, it is outreach and education. Commissioner Dale asked that the language be clarified so that petitioners understand we're just asking the legislature for permission to ask the voters if they want to do this. Sheriff Donahue made a motion to support the petition that Commissioner White had prepared for wide distribution and use by all elected officials. The motion was seconded by Clerk Yamamoto. The motion carried.

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

Commissioner Dale made a motion to go into Executive Session at 10:36 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Coroner Vicki DeGeus-Morris, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Assessor Brian Stender, Sheriff Kieran Donahue, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:33 a.m. with no decision being called for in open session.

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

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 27, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1523.00 for the Information Technology department

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

The Board met today at 1:33 p.m. for a monthly meeting with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Public Defender Aaron Bazzoli, Assistant Public Defender Scott James and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: Budget to date; for the most part all the budget lines are on par. There are a couple of investigators attending a four day conference right now and in April eight attorneys will be attending the Idaho Association of Criminal Defense Lawyers conference in Sun Valley. Review of attorney active caseloads; 165 active child protective cases, 1426 active felonies, 517 juveniles, 2031 misdemeanors. Breakdown of clearance rates for February and March of 2018. Mr. Bazzoli recently attended the PDC meeting where some of the new rules were discussed. He's reviewed them and with the exception of the contract aspect we're in compliance. He spoke with Mike Porter today who confirmed the PA's Office is continuing to work on the contract portion for conflict attorneys. Mr. Bazzoli is continuing to work on his indigent defense grant and hopes to have it to the Board by mid-April. The person he had hired for his open office manager position changed her mind so he will keep that position but underfund it with another LSS III (Legal Support Secretary III) which will come in at about \$48K vs. \$65K for the office manager position. Within the office they are going to create lead support staff but not have an office manager per se and Mr. Bazzoli will continue to maintain the lion-share of those duties. Leads will work on supervising, training and invoicing while he works on budgeting. It is believed that the office will work more efficiently by redesigning some roles. The meeting concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:01 p.m. for a monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: February waste amounts were up 3.64% and FY2018 is up 15% over last year. The Title V Permit has been issued and the hand off meeting will take place April 24<sup>th</sup>, once that happens a request will be made to delete the consent agreement that is currently in place. There will be some annual fees and reporting along with inspections that will be required. Ground water sampling was done in early March, it was the second round of sampling done with the new pumps. They've been working with consultants on some of the data they've received back and what to do with it. For FY2019 they are planning to do more work towards the expansion as far as doing some core drilling and sampling. Ideally, he'd like to make the expansion as big as possible and has been working with Tetra Tech to move the site certification line about 500 feet to the west which will substantially increase the airspace and the volume by possibly 40%. Director Loper has been working with Director Navarro and Brad Goodsell on the office expansion. Within the last month the connectivity project has been completed and the landfill is now fully connected to the county and is no longer using a 3<sup>rd</sup> party vendor. Additionally, they also now have some back-up batteries but since Idaho Power has put in the new line they haven't had near as many issues and things seem to be more stable. He will still budget for a generator in FY2019 but he doesn't anticipate many problems even with irrigation season coming up. Landfill 'Free Day' will take place on April 28<sup>th</sup> and the Household Hazardous Waste day will take place June 9<sup>th</sup> at the Idaho Center, notices about the hazardous waste day will be included with tax notices. Director Loper will meet with Brad Goodsell to start the discussion on fees; his plan is to start with a focus on the special waste fees such as concrete and bio-waste which take more attention. He would also like to possibly institute a non-secured/non-covered load fee. The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

**MARCH 2018 TERM**

**CALDWELL, IDAHO MARCH 28, 2018**

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

**APPROVED CLAIMS ORDER NO. 1813**

The Board of Commissioners approved payment of County claims in the amount of \$1,560,310.21 for a County payroll.

#### APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$63,056.50, \$52,787.68 and \$110,358.35 for accounts payable.

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

*Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:16 a.m. with no decision being called for in open session.

#### MEETING WITH TINA WILSON TO DISCUSS WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT CURRENT EVENTS

The Board met today at 1:33 p.m. for a meeting with Tina Wilson to discuss the Western Alliance for Economic Development current events. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Controller Zach Wagoner, HR Director Sue Baumgart, DSD Director Tricia Nilsson, Tina Wilson, Executive Director of WAED, Parma Mayor Nathan Leigh, Dave Lincoln, Golden Gate Highway District, Clerk Lee Belt from the City of Greenleaf and Deputy Clerk Jenen Ross. Chief Deputy Assessor Joe Cox arrived at 1:35 p.m. Tina Wilson said that at the Board of Directors meeting on March 19<sup>th</sup> Commissioner Aberasturi from Owyhee County informed the Board that at the end of the fiscal year they are withdrawing their support from the Western Alliance for Economic Development (WAED). He explained they are rewriting their comprehensive plan and in surveying their citizens learned that 90% of the responses said they wanted no further economic development, no new business and no new people moving into Owyhee County. The Board of Commissioners for Owyhee County in listening to their citizens said they would pull out of WAED. Currently, Owyhee County holds the MOU with the Department of Commerce for the Economic Development Professional Grant that comes in annually; the award this year is \$30K. Additionally, they provide \$7000 in financial support to the WAED as well as in-kind services of administrating all of the WAED finances. They are the fiscal agent which means



they receive all monies and write all checks for payments. Ms. Wilson is an employee of Owyhee County and receives full benefits thru their employee program including healthcare and PERSI as well as her cell phone is part of their plan and she holds a county credit card to cover the day to day expenses such as gas, all of which are paid thru the WAED. In her conversation with Commissioner Aberasturi he indicated that he thought an appropriate time to do a transition would be sometime in late summer, at the latest September 1<sup>st</sup>. The grant year for the Department of Commerce goes from July 1<sup>st</sup> to June 30<sup>th</sup> and those funds are available during that time frame. It's a Rural Economic Development Grant program and Ms. Wilson confirmed with Jerry Miller at the Department of Commerce that with Owyhee County pulling out of WAED Canyon County would still be eligible to make the application for the Economic Development Rural Professionals Grant program. The grant program application opens the first week of April with the application due mid-May. Any funds coming out of that grant would be available on July 1<sup>st</sup> and transitioning between July 1<sup>st</sup> and September 1<sup>st</sup> would work best. Ms. Wilson explained that at this time funding for WAED comes from Owyhee County, Canyon County and the cities of Parma, Notus, Greenleaf and Wilder. Cities pay in at \$1.50 per citizen based on the 2010 census population counts. Monies for this fiscal year have already been given to Owyhee County and are paid out in two installments of \$15K each and can only be used for salaries and benefits. All other monies that go for the benefit of the WAED are fundraised by the WAED. Commissioner Dale said the bottom line we're talking about here is a transition and he sees Canyon County taking over becoming the fiscal agent with Owyhee County choosing to withdraw from the WAED; he feels it would be similar to the way the SAUSA program is administered. Mr. Goodsell said he is not familiar with the SAUSA program but he asked HR Director Sue Baumgart and Controller Zach Wagoner to the meeting to help address some of the HR and accounting questions. Mr. Wagoner stated that from an accounting standpoint when you bring on a full-time employee every cost needs to be shown including salary, benefits, health insurance and PERSI and upon the review of the WAED budget it appears there is a widening gap between revenue in and cash out and employee cost never stay static, they always increase thus possibly leaving Canyon County to make up some of those shortages. He also stated that the county could be the fiscal agent only, receiving in a lump sum and paying out a lump sum but that would make Ms. Wilson essentially an independent contractor. Ms. Wilson has also been approached about perhaps working with Gem County in a collaborative effort but she would prefer to stay working in Canyon County as this is where she has formed relationships and she is familiar with the communities and businesses here. There was discussion as to if there is a different way to model the WAED and perhaps it's time looking at restructuring the model. Commissioner Dale really does not want to see the WAED dissolved, he believes there is great value in the buy-in from the individual cities and communities although he would like to see more entities, as far as additional cities, business or even highway districts, become involved to help make up some of the shortfall left from Owyhee County or that each of the 14 entities already involved will have to budget the additional funds to make up the \$7000. Mr. Belt wanted to express that the City of Greenleaf very much believes in this program and are trying, as a smaller community within the county, to do their part; instead of being at the \$1.50 per capita they're at almost \$1.90 and two of the city council members decided to take their small businesses and joined the WAED last year. As a community, the City of Greenleaf is very supportive of this program and do see it as one of those situations where a rising tide raises all boats. Even though they may not see a business directly in

Greenleaf they have seen activity in the area around them and they believe that has happened because of the WAED and they see that indirect benefit on their community. The WAED Board's understanding is that the state really doesn't want to work with the organization or the cities so they feel this is something that really falls to the county to help with as far as the Economic Development Professional Grant from the Department of Commerce goes. Ms. Wilson said that in order to write the grant application she needs to be able to define what the fiscal arrangement will be for the new grant period starting July 1<sup>st</sup>. Mr. Goodsell asked Ms. Wilson to send him all the documents she has in regards to the agreement with Owyhee County; once he receives those and is able to review them he suggests having an executive session with the key players to talk about any legal risks and then the Board can move forward with a decision with the goal of having a decision by the next WAED Board meeting on April 17<sup>th</sup>. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2018 TERM

CALDWELL, IDAHO MARCH 29, 2018

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$16,290.00 for the Facilities department

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0584, 2018-0523, 2018-0566, 2018-0636, 2018-0574, 2018-0588, 2018-0740, 2018-0573, 2018-0587, 2018-0521, 2018-0520, 2018-0608, 2018-0572, 2018-0531, 2018-0586, 2018-0683 and 2018-0591. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Director Baker brought to the Board's attention case no. 2018-0744 for cremation.

The deceased passed away on March 16<sup>th</sup> and his sister provided an interview to Indigent Services. The deceased man lived with the sister and per her he didn't work. The only documents missing at this point are the debit/credit card statements, however, they are no longer able to get ahold of the sister. Ms. Baker has been in contact with Flahiff Funeral Chapel and they state they have not received any payment. She does not believe there are any real assets. In January the deceased was interviewed for another case and stated he worked but there was no proof of that. His sister said he was not working that is why he was living with her. Director Baker believes this case meets the criteria for approval. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the cremation for case no. 2018-0744. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR COURT INTERPRETER HAMED FARHAD

The Board met today at 9:04 a.m. for a legal staff update and to consider signing an independent contractor agreement for court interpreter Hamed Farhad. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Clerk's Executive Assistant Taryn Peterson and Deputy Clerk Jenen Ross.

***Consider signing independent contractor agreement for court interpreter Hamed Farhad:*** Mr. Farhad speaks Pashto, Dari and Farsi and understands Urdu and Tajiki. He currently works for the Orange County courthouse in California but is available when we need him. There is a case happening right now where he has been scheduled during his lunch hour at Orange County. The \$75/hour rate is slightly higher due to the rarity of the languages. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for court interpreter Hamed Farhad (see agreement no. 18-028).

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

#### RESCHEDULE THE SIGNING OF THE CONSIDER THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR BAKER LAND MANAGEMENT, LLC

The Board met today at 10:01 a.m. to consider the Findings of Fact, Conclusions of Law and Order for Baker Land Management, LLC, Case No. CR-PH2017-41. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The Board held a public hearing on March 14, 2018 and denied the requested conditional rezone. Staff advised that the Prosecutor's Office needs more time to review the document. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to reschedule the matter to April 5, 2018 at 2:30 p.m. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TINA WILSON OF WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT  
TO DISCUSS TRI APPLICATION AND SUPPORT LETTER

The Board met today at 10:34 a.m. with Tina Wilson from the Western Alliance for Economic Development (WAED) to discuss a Tax Reimbursement Incentive (TRI) application and support letter for Project Green. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Tina Wilson, Deputy P.A. Brad Goodsell, a representative from Project Green, and Deputy Clerk Monica Reeves. Ms. Wilson said the Board signed a letter of support for the project a year ago but she has some updated proprietary and confidential information she would like to discuss with the Board in Executive Session. Mr. Goodsell said there is updated confidential information that's part of preliminary discussions with an entity that we are in competition with other governmental entities for obtaining their investment in Canyon County so it would be appropriate to go into Executive Session to discuss it.

EXECUTIVE SESSION – CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING  
MATTERS OF TRADE OR COMMERCE

Commissioner White made a motion to go into Executive Session at 10:35 a.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Tina Wilson, Executive Director of the Western Alliance for Economic Development, Deputy P.A. Brad Goodsell, a representative from Project Green, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:01 a.m. with no decision being called for in open session.

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

**MARCH 2018 TERM**

**CALDWELL, IDAHO MARCH 30, 2018**

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

APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$46,635.35 and \$64,750.78 for accounts payable.

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Oracle in the amount of \$4000.00 for the Information Technology department

### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Allen Shoff, Controller Zach Wagoner, Assistant TCA Benita Miller and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing addendum to memorandum of understanding for Canyon County DUI Court:*** Mike Porter said this addendum has been reviewed by legal and serves to update names, target groups and criteria for getting into DUI court. Benita Miller said the main change is the admin order pro tems Judge Orr who has been presiding over the DUI court since 2010 and will now start accepting felonies into that court, previously it's been just misdemeanors. Upon the motion by Commissioner White and second by Commissioner Rule the Board authorized the chairman to sign the addendum.

**Consider signing a resolution authorizing the destruction of certain Auditor records:** Allen Shoff said these records include county claims and taxing district statements dated 2012 and older which are classified as semi-permanent. Zach Wagoner said they will only be destroying the paper records but that they will maintain the electronic records. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the destruction of certain Auditor records (see resolution no. 18-032).

There were no items for discussion at the legal staff update. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

### FILE IN MINUTES

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

THE MINUTES OF THE FISCAL TERM OF MARCH 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. DATED this 8<sup>th</sup> day of May 2018. Signed by Commissioners Steven J. Rule and Tom Dale. Attest: Chris Yamamoto, Clerk by J.Ross, Deputy Clerk

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 2, 2018

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

APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$48,098.67 for accounts payable.

LEGAL STAFF AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Mike Porter, Deputy P.A. Erica Kallin, Staff from Advocates Against Family Violence and Deputy Clerk Jenen Ross. The agenda items were considered at follows:

***Consider signing Sexual Assault Awareness month proclamation:*** Commissioner Dale read the proclamation into the record. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Sexual Assault Awareness month proclamation.

***Consider signing Child Abuse Prevention & Awareness Month proclamation:*** Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the Child Abuse Prevention & Awareness Month proclamation.

Erica Kallin spoke about Child Abuse and Awareness month and the activities that will be held surrounding that.

***Consider signing Start By Believing Day proclamation:*** Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Start By Believing Day proclamation. Chief Dashiell spoke about the Start By Believing campaign and what it means to start by believing.

***Consider signing notice of sole source procurement with Motorola for base consoles for use at the Canyon County Sheriff's Dispatch Center:*** Mike Porter said about a year and half ago there was a significant upgrade done to the dispatch center where a sole source procurement with Motorola was used for various reasons. This is another phase in the updating of obsolete equipment to which sole source will be used again. This has gone thru a competitive bidding process, these particular consoles require a maintenance service agreement and it would be cost prohibitive to have two vendors for two different pieces of

equipment. Also, these particular units integrate well with other first responders in the community where there have been issues before in using different pieces of equipment. Upon the motion by Commissioner Rule and second by Commissioner White to Board voted unanimously to sign the notice of sole source procurement with Motorola for base consoles for use at the Canyon County Sheriff's Dispatch Center.

There were no items for discussion at the legal staff update. The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 3, 2018

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

#### APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$14,000.64 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- City of Caldwell in the amount of \$17,871.42 for the Information Technology department
- Charm-Tex in the amount of \$6397.14 for the Sheriff's Office
- OnBase/Hyland in the amount of \$3000.00 for the Information Technology department
- Business Interiors of Idaho in the amount of \$3802.40 for the Court Clerks

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 4/21/18 for a wedding.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE



The Board approved an Alcoholic Beverage License for Pantera Market & Mexican Restaurant #2 LLC dba Pantera Market #2. See resolution no. 18-033.

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

The Board met today at 8:31 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Assistant IT Director Eric Jensen, Project Manager Shawn Adamson and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following items: They have been having a small issue transferring calls between the old Nortel system in the Sheriff's Office and the Skype system. So far only one issue has been reported but they are working with a vendor to help work thru this issue. The end goal is to eventually have the entire Nortel system replaced. The county website has been updated to comply with the Title VI Act and can now be changed over to Spanish; the public website, employee portal and both the fair and family court services websites have all been updated to include the English/Spanish toggle. Commissioner White asked if once the animal shelter website is updated if this would be able to be done on that site too. Director Rast said it could be done similarly to the way the family court services website where they pay to have it done. Commissioner White believes it could help in adoptions as there is a large Spanish speaking population in Canyon County. There will be a couple of purchase orders coming down in the next couple of weeks – one for about \$58,000 and one for about \$61,000 both are for print shop equipment. The cost of paper is going up 5% which will be about \$3000 a year for the county. Director Rast is planning to make a bulk buy this summer to offset that cost. Commissioner Rule asked about going paperless, Director Rast anticipates that we are still 8-10 years away from being completely paperless. It was recently discovered when the IT department cancelled the contract with Accela that the maintenance hadn't been paid since 2016 so Mr. Rast presented the Board with one last PO to pay the balance due. There are 44 communication rooms that need to be cleaned up; they have started with one as a pilot and since it went well they will continue to work thru the remaining. The work will be done afterhours as it will take some systems offline temporarily. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:32 a.m. for a monthly meeting with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items: Department Administrator surveys went out yesterday. They are working on putting together fliers to promote the wellness plan that will start May 1<sup>st</sup>. Ms. Baumgart is exploring some additional options for leadership training. She has reached out to other counties and cities to see what they've done and has received some good references. She has also met with IT to discuss

evaluations and to find out what other offices and departments are using this year, OnBase or their current process. She is continuing to work on the employee manual. Her department is working on an SOP so a consistent message is being passed to employees. Commissioner Dale asked if she's had any discussions regarding personnel needs for next year. Ms. Baumgart said she has heard from some directors and she knows some of them are meeting with Controller Wagoner to discuss their budgets but she has not had a lot of requests for new employees. The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a monthly meeting with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: They have two dog agility trials and an equestrian drill team clinic scheduled this month. The swine pens have all been repaired and painted with a layout painted on the concrete so set-up this year should go fairly quickly. Entertainment for the smaller stages has all been booked and there is just one more opening act to be booked for the mainstage which she is hoping to have done this week. They are scheduled to announce the concert series on April 12<sup>th</sup>. Entertainment for Sunday is still being worked on; so far they've secured a Latino horse drill team group, a mariachi group and a drum group but they are still working on the headliner event for the evening entertainment. So far there is \$50,000 in confirmed sponsorship which is 63% of budget and they are currently in negotiation for another \$50,000. There are five previous sponsors that have increased their sponsorship and a total of four new sponsors this year. Dennis Dillon has been approached for sponsorship this year and have discussed doing a Jeep display at the fair. Additionally, they are looking at a partnership with Dennis Dillon RV which can also be used at the fair and would increase the in-kind sponsorship. Food and commercial vendor applications were due in March and are being reviewed right now; there will be 24 food vendors and 60 commercial vendors. The College of Idaho parking lots have been reserved for use during the fair. Ms. Sinner is also working with Brent Orton on layouts for all the parking areas that are not paved and with the City of Caldwell to possibly close 22<sup>nd</sup> Street during the fair. Commissioner Dale asked if there had been any more progress with the CAD layout for the buildings and grounds, Ms. Sinner said she has worked with Director Navarro on that but that it needs to be reworked a little. However, she has done some measuring and has a new plan for the layout for the building. A discussion was had regarding 4H regulations and the guidelines for showing and/or selling at both the Canyon County Fair and the Western Idaho State Fair. Commissioner Dale would like to see some sort of policy statement saying that Canyon County Fair is going to serve Canyon County residents first and then if there is space available we would accommodate Ada County residents. Commissioner Rule asked if Ms. Sinner had heard anything from the college or rodeo regarding any plans that could disrupt the fair operation. Ms. Sinner said she has met with Brent Orton on the layout of the pens and has let him know that they need to be able to park back there so he is helping

facilitate that. The meeting concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH CHARLES AND JOANN HOMAN TO CONSIDER A CASUALTY LOSS APPLICATION

The Board met today at 11:03 a.m. to consider a casualty loss application for Charles and Joann Homan who are residents of the Burnie Subdivision. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Treasurer Tracie Lloyd, Charles and Joann Homan, and Deputy Clerk Monica Reeves. Their home was damaged by flood waters resulting in them being out of their home for 139 days; they are asking for their taxes in the amount of \$311.23 be forgiven. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to cancel taxes in the amount of \$311.23 for Charles and Joann Homan. The amount will be applied as a credit towards the second half of their taxes. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH JANICE JORDAN TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 11:05 a.m. to discuss Janice Jordan's application for a hardship cancellation of property taxes. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Treasurer Tracie Lloyd, Janice Jordan, John Jordan, and Deputy Clerk Monica Reeves. Ms. Jordan has taxes that are owing for 2014, 2015 and 2016, and her taxes for 2017 were forgiven as part of the circuit breaker/property tax reduction program. The Treasurer's Office is starting the pending issue of tax deed on the 2014 taxes which has a remaining amount of \$744.40 which includes penalty and interest. John Jordan lives with his mother who has Alzheimer's and due to a disability he is unable to work. He receives \$500 in a disability payment but will inquire with the social security office to see if he's eligible to receive larger amount. When his father passed away the family income was reduced by two-thirds which is why they have struggled to pay the taxes. Following questions from the Commissioners about Mr. Jordan's ability to work, as well as a review of their financial information and the appearance that their budget includes some discretionary items such as a cell phone and cable television, it was decided that the Board will meet with the Jordans again on June 8. At that meeting they will be expected to show how they have reduced expenses, including the cancellation of Direct TV, and made three payments of \$50 each month. No decision was reached today. The meeting concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH CITY OF CALDWELL TO DISCUSS THE WILSON DRAIN PROPERTY AT THE CALDWELL FAIRGROUNDS

The Board met today at 1:37 p.m. with the City of Caldwell to discuss the Wilson Drain property at the Caldwell fairgrounds. Present were: Commissioners Tom Dale, Pam White

and Steve Rule, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Facilities Director Paul Navarro, Caldwell Public Works Director Brent Orton, and Deputy Clerk Monica Reeves. Rob McDonald from the City of Caldwell arrived at 1:48 p.m. Brent Orton said at the last meeting they determined to relocate the Wilson Drain on a diagonal line pretty close to in place, and as part of the plans the drafter removed the amphitheater but in talking to Director Diana Sinner that's not desirable. The city's crew is fully scheduled but the work can be scheduled next year as part of a 2-3 month project that will be worked around the fair with help from Director Sinner. They will try to dig adjacent to the existing facility so that will leave live water on one side and they'll be working and piping on the other side; they are still working on how to address the portion that goes under Stock Trail Road. Commissioner Rule said there's a grade difference of 4 or 5 feet and it should be brought down to a uniform grade in order to open up more square footage. Mr. Orton said that is part of the plan but it will require approval from the city council. There is a sewer line that affects where we can put the tiling of the drain so they want to get as close as possible because it minimizes the impact on the buildable space. They have access to the dirt pile that's left over from the College of Idaho library project which can be used to fill the old channel. Commissioner Dale said Director Sinner has talked about having concerts on the back side of the new building and it's sort of conducive to have a slope so you're looking up at the performers. Director Sinner said there are some options regarding concert venue, but the main things they need are access and privacy. One option is near the railroad tracks but of course there is the concern with noise. They'd like to make the area as flexible as possible so they can pick a space that works best and if doesn't work they can change it.

Commissioner Dale said Mayor Nancolas indicated that when we get ready to construct a building up there he is on board with deeding that land to the County. Mr. Orton said the Mayor has told him that as well, and he also wants a public use deed restriction in case it ever became desirable to move it so that it doesn't create an area of private ownership in the middle of an event area. Mr. Orton said in considering the balance of economy and longevity they are looking at 10 gauge poly coated galvanized pipe which is estimated to cost around \$310,000, and there would be three or four irrigation boxes at a cost of \$10,000 each. We should put a contingency on it because the construction market has been wildly unpredictable. The city could possibly do the work, or hire it out, this summer but the disadvantage is we don't yet have the permits. We'll need a consent to use agreement with the Bureau of Reclamation and a 404 permit from the Army Corps of Engineers and because of the minutiae to get through next summer would be a good target. Mr. Orton asked if the County is willing to pay for the pipe if the city provides the material and labor. It's not the only way to go, it's just an idea and when we get to that point we can take the proposal to the city council. Commissioner Rule said the sale of former fairgrounds property located on Highway 20-26 would be an excellent source of funding for the tiling project. Commissioner Dale said we need to sell the land before we spend the money on materials. Rob McDonald said he's uncertain how long the permit approval process will take but there's no reason why the city can't put the plans together and submit the paperwork to start the process. Commissioner Rule said that will give the County time to get the property rezoned and put it on the market, and Commissioner Dale said he's on board with moving ahead with this; there won't be any money spent other than staff's time. Zach Wesley doesn't have any immediate concerns, but said there could be delays in working with the agencies so aiming for next year seems appropriate and will allow us to get organized on the funding aspect and

make sure we can get it passed and come back and working the details of a funding MOU. Commissioner White wants to make sure we memorialize it in writing where the responsibility and payments lie. Commissioner Dale said a realistic timeline is the summer of 2019 because we'll have specific plans for the building and we'll know how much money we have. With regard to the MOU for the charolais barn, Mr. Wesley said he will have draft documents ready next week. If there is agreement the city council could consider it at their next meeting. Commissioner White asked what the status is for the proposed athletic building. Mr. Orton said the timing of the practice tent is unknown, but it won't be this year. Director Sinner said that area will be used mainly for a VIP area for parking for concerts. Director Navarro asked if we need to shore up parking on the softball fields. Mr. Orton said all of that, with the exception of Wolfe Field, is for use by the fair, rodeo, and college. City staff can lay out parking and create a model in drafting software and come out with a GPS survey instrument and mark the spaces. The next step is the MOU for the charolais barn and then city staff will work on the design and get the permitting processes started. Director Navarro asked what amount should be set aside in the budget. Mr. Orton said with the volatility of the construction market we should plan for a 30% contingency. Commissioner Dale asked if we should pre-purchase the materials since we know the market is going up. Mr. Orton said that could work provided we can find a place to store everything. Commissioner Rule said until the fair property sells we won't have the capital to do it so let's see how this progresses and we can make decisions as time goes by. If the work is bid during the fall the chances that general contractors would be stacking up work for the next spring would increase the chances of the project being slightly over budget versus 30% over the budget number. Mr. Orton said the city's labor is not skilled in a way that they can pour those boxes so they'll have to contract that work. The meeting concluded at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 4, 2018

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

#### APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of (\$409.58), \$33,372.70, \$130,619.46, \$102,061.31 for accounts payable.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING PROJECT GREEN LETTER

The Board met today at 9:03 a.m. for a legal staff update and to consider signing a letter for Project Green. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad

Goodsell and Deputy Clerk Jenen Ross. Brad Goodsell said this is the 2<sup>nd</sup> letter of support for Project Green, the 1<sup>st</sup> was issued about a year ago but this letter will renew the support and references the county ordinance that wasn't in place a year ago when the first letter was signed. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the letter. A request was made to have staff reach out to Commissioner White for approval to use her signature stamp on the letter which was granted. A copy of the letter is on file with this day's minute entry. A discussion was had about an email that was received from a county resident regarding a property located on old Hwy 30. Director Navarro went out to the property and reported back to Mr. Goodsell what he found. There is no county property in this area and due to the nature of the dispute about the easement it's really an issue between the highway district and the property owners. Commissioners Rule and Dale agreed this is a private property matter and asked Mr. Goodsell to draft a letter to be sent on the Board's behalf. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 5, 2018

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet eligibility requirements for county assistance: 2018-0634, 2018-0615, 2018-0623, 2018-0625, 2018-0609, 2018-0701, 2018-0638, 2018-0571, 2018-0635, 2018-0610, 2018-0776, 2018-0622 and 2018-0618. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve case no. 2018-0769 for cremation. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 8:51 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue a final denial on case no. 2018-255 with a written decision to be issued within 30 days. Case nos. 2018-320 and 2018-91 meet the criteria for county assistance. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final approvals on the cases as read into the record with written decisions to be issued within 30 days. Case nos. 2015-950 and 2015-1565 have been pulled from suspension and now meet the criteria for county assistance. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final approvals on the cases as read into the record with written decisions to be issued within 30 days. Commissioner White made a motion to continue case no. 2018-300 to May 31, 2018. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-262 AND 2018-477

The Board met today at 9:04 a.m. to conduct a medical indigency hearing for case nos. 2018-262 and 2018-477. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Julie Wood with Med Data for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to deny case no. 2018-262. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to deny case no. 2018-477. The hearing concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-258

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for case no. 2018-258. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to May 3, 2018. The hearing concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-185

The Board met today at 9:09 a.m. to conduct a medical indigency hearing for case no. 2018-185. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to May 3, 2018. The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-448

The Board met today at 9:13 a.m. to conduct a medical indigency hearing for case no. 2018-448. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Courtney Kriss for St. Luke's, the applicant, the applicant's spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to May 17, 2018. The hearing concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-313

The Board met today at 9:33 a.m. to conduct a medical indigency hearing for case no. 2018-313. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Courtney Kriss for St. Luke's, the applicant, the applicant's spouse, the applicant's daughter, Interpreter Maria Mabutt and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to May 31, 2018. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:59 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, Deputy P.A. Allen Shoff, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Upon the motion by



Commissioner Rule and second by Commissioner White the Board voted unanimously to issue a final denial on case no. 2018-264 with a written decision to be issued within 30 days. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 a.m. to conduct a medical indigency hearing for case no. 2018-208. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for West Valley Medical Center, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Andrew Lacayo for West Valley Medical Center, the applicant, Interpreter Maria Mabutt and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to May 31, 2018. The hearing concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE

The Board met today at 11:00 a.m. for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, HR Director Sue Baumgart, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Brad Goodsell presented a response letter to the Brown's regarding property located at Old Highway 30. Director Navarro went out to visit with the Brown's and take some pictures and it is clear this is private dispute between the property owners, neighbors and the highway district. The county does not own any of this property and the letter that has been prepared states that this appears to be a private matter. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the letter; a copy will be emailed to the Brown's along with a hard copy being mailed (a copy of the letter is on file with this day's minute entry).

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 11:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in

favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell, HR Director Sue Baumgart, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:04 p.m. with no decision being called for in open session.

The meeting concluded at 12:05 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### MEETING WITH KARLY CANTRELL TO DISCUSS POSSIBLE REMODELING AND FUNDRAISING/CAPITAL CAMPAIGN FOR WEST VALLEY HUMANE SOCIETY

The Board met today 1:33 p.m. for a meeting with Karly Cantrell to discuss possible remodeling and fundraising/capital campaign for the West Valley Humane Society (WVHS). Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director Karly Cantrell, Teri Lutner from WVHS, and Deputy Clerk Monica Reeves. Paul Navarro said Director Cantrell would like to spend some money on repairs at the shelter, including a project that involves the canvas tent structure on three kennels. The canvas is 17 years old and it has a 20-25 year lifespan. He reached out to Rick Bugatsch who was the lead architect in 2001 and he reviewed the blueprints and determined we could take off the canvas domes and put up new roofs using steel stud walls, and they talked about improving the heating and air conditioning as well. Cost estimates are around \$480,000 to change those three structures to a full metal, plywood, or stucco enclosure with a slanted standing roof. Another option is to replace the canvas and buy another canvas structure. Commissioner Dale asked for clarification on the misunderstanding concerning the shelter's budget amount. Zach Wagoner said for FY2018 \$200,000 was budgeted for shelter operations and \$50,000 was budgeted in a line item in Director Navarro's budget for maintenance. (In previous years \$100,000 had been budgeted for maintenance, although that was not the case for FY2018.) Director Cantrell said the signed contract lists \$100,000 for maintenance. Zach Wesley said the maintenance fund is at the discretion of the County and ultimately we are responsible for the general upkeep and maintenance of the building and the County will do what's necessary for that. Director Navarro's budget includes \$50,000 for those purposes; it is not for improvements, alterations, or additions to the building as those things have to be cleared through the Board. Clerk Yamamoto said the County budgeted what the shelter asked for. Director Cantrell said last year she agreed to \$200,000 for operations and \$100,000 for maintenance but the discrepancy seems to be in the County only budgeting \$50,000. Zach Wesley said there was a budget meeting with the Board that Director Cantrell attended and that's where the \$50,000 amount came from. *(Note for the record: On May 2, 2017 the shelter requested the maintenance fund be reduced from \$100,000 to \$50,000 for FY2018.)* The County's position is that the maintenance budget is at our discretion and if there are maintenance needs on the building we'll take care of them but it's not a budgetary fund to spend down, it's for actual routine maintenance of the building. Director Cantrell

understands that but suggested we look at taking what money the County allots for maintenance and what they haven't used can be rolled over into a savings account for maintenance for the bigger construction plans. There are three years left on the canvases and it would be disastrous if something happened and we ended up losing a roofing system and trying to scramble to patch it. Commissioner Dale said perhaps we should go to \$300,000 for FY2019, with \$100,000 for maintenance and capital improvements. Director Navarro said we've only spent around \$7,000 of the \$50,000. For FY2019 we could set aside monies for architectural and engineering fees (\$40,000) so we can get it designed and out for bid and know how much it will cost so we can plan for FY2020. He spoke of the maintenance work that has been done as well as other requests, such as adding a foyer to the front of the building. Mr. Wagoner said we did budget \$50,000 for building maintenance so if there are items we can take care of this fiscal year we should do it. Director Navarro agrees and he will shore up some numbers for the architectural fees. Director Cantrell reviewed a long list of the shelter's accomplishments in 2017 (The complete list is on file with this day's minute entry.) In 2016 the shelter took in 5,747 animals, last year they took in 7,778 animals. Year to date they have adopted 980 animals from the shelter; last year from that same time frame the adoption number was 694. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR BAKER LAND MANAGEMENT, LLC, CASE NO. CR-PH2017-41

The Board met today at 2:32 p.m. to consider Findings of Fact, Conclusions of Law and Order (FCOs) for Baker Land Management, LLC, Case No. CR-PH2017-41. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Deb Root, and Deputy Clerk Monica Reeves. The hearing was held on March 14, 2018 where the Board denied the request for a conditional rezone. The FCOs were scheduled to be signed on March 29, 2018, however, additional time was needed to prepare/review the document. Deb Root said staff prepared the FCOs based on the Board's decision, and the Prosecutor's Office reviewed and made modifications and what we have today is reflective of the Board's decision to deny the conditional rezone based on the lack of a plan and being able to actually present findings in favor. Zach Wesley said most of the responses fit with the decision that there wasn't enough substantial information to answer the standards of review questions for conditional zoning amendments. The first question is does it fit with the comprehensive plan and the Board's response was yes, generally it did, at some point it would be potential commercial property, but when we get into the project details you have to answer if it is compatible with surrounding land uses, would it negatively affect the character of the area, does it have sufficient sewer, water drainage, irrigation and utility services, would public street improvements be required, is there legal access for the use, are public facilities available (schools, law enforcement, fire, emergency) and the answer to all those questions is there is not enough information available. The Board has to include action steps the applicant can take to obtain approval: Demonstrate that the specific identified use or uses can meet these requirements; and the proposal will have to come back with more details, meaning there can't be a secondary Director's review process built into the development agreement; the tools that are available in the zoning ordinance have to be

used. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the FCOs for Baker Land Management, Case No. CR-PH2017-41. The meeting concluded at 2:36 p.m. An audio recording is on file in the Commissioners' Office.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 6, 2018

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

No meetings were conducted.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 9, 2018

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 4/14/18 for a wedding.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- United Micro in the amount of \$3129.71 for the Information Technology department
- Caldwell Glass in the amount of \$1164.47 for the Facilities department
- Northwest Service Technologies in the amount of \$10,380.00 for the Facilities department

#### CONSIDER SIGNING APRIL 9, 2018 AGENDA ITEMS

The Board met today at 9:00 a.m. to consider signing the April 9, 2018 agenda items. Present were: Commissioners Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed,

Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Landfill Director David Loper, Mary Hoffman from the Courts, Lisa Power from Elections, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Consider signing 2018 Canyon County Re-Roofing Projects Contract with JB's Roofing*** – Sam Laugheed said at the time the bids came in there was an unusual circumstance that requires us to maintain a record. A solicitation for bids went out on February 26, 2018, and two bids came in, a third bid was late because of an administrative problem although it was not the low bid. The low bid was timely received; there is no legal reason not to move forward. This is for the DMV and jail annex and the projects are well within the budget. The start date for the jail annex project will be in April and the start date for the DMV project will be in June. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the 2018 Canyon County Re-Roofing Projects Contract. (See Agreement No. 18-031.)

***Consider signing a resolution designating polling places for the May 15, 2018 Election*** – Mike Porter said earlier this year they talked about precincts and polling locations and the Board thought it would be helpful to have a resolution that adopted the precincts used in the primary and general elections. Today's resolution codifies where we're at with the different polling locations for this upcoming midterm election cycle. Lisa Power said the only change is to Precinct 29 which went from Lake Ridge Elementary to Union High School, and if approved, staff will notify voters by postcard at the end of this week. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the resolution. (See Resolution No. 18-034.)

***Consider signing Notice of Sole Source Procurement - Stericycle Environmental Solutions, Inc., Hazardous Waste Disposal*** – Brad Goodsell said the notice is related to the landfill's hazardous waste collection date and they want to use Stericycle Environmental for the same reasons that we have in previous years. The notice makes the public aware that the Board will consider signing the agreement on May 2, 2018 at 9:00 a.m. The event will be held on June 9 and they will partner with the Idaho Center. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the notice of sole source procurement.

***Consider signing Nampa Civic Center license agreement between Global Spectrum and Canyon County*** – The Civic Center is making available one of their rooms for a courts training event for a rental fee of \$374, which will come out of the courts' training budget. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the agreement between Global Spectrum and Canyon County. (See Agreement No. 18-029.)

***Consider signing settlement agreement between Canyon County and Amanda Frailey*** - Zach Wesley presented a settlement agreement which is with an employee in the Sheriff's Office. There was a windstorm in September at Justice Park where a tree branch fell and damaged an employee's vehicle. He worked with Paul Navarro, Zach Wagoner and Mark Tolman after a tort claim was tendered and they determined paying the employee directly based on the estimates provided would be cheaper than our ICRMP deductible. The repair total is \$1,700. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the settlement agreement with Amanda Frailey. (See Agreement No. 18-030.)

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

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

The Board met today at 9:30 a.m. for a monthly meeting with the Development Services Department Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Director Nilsson reported on the following items: City of Star Proposed Comprehensive Plan; Budget and permit update – they're at 83% of their revenue fiscal year to date; CAPS implementation (tracking software) occurred on March 19 and the transition has been smooth with a few tweaks; COMPASS agenda - there's a TIP amendment for ITD to do a hydraulic study of the US 95 bridge and Lt. Schorzman is trying to get funding for inundation mapping of the flood plain, it's a \$10,000-\$15,000 study so she asked ITD if they could do that as part of their scope for the hydraulic study but she's still waiting to hear back on it. The Cities of Wilder, Parma, Notus and Greenleaf are interested in having some kind of planning or code enforcement assistance from the County next year so Director Nilsson will meet with them and see what they need in terms of hours. She is going to request a new planner position in her FY19 budget. They have started the discussion with the Sheriff's Office about getting citation authority for the code enforcement officer, and the PA's Office will figure out if/how that can happen. DSD used to do this for Owyhee County but it was phased out when they hired a building inspector. DSD staff will conduct a neighborhood meeting on April 30 regarding the comprehensive plan change/rezone for the Highway 20-26 property in Nampa (the former fairgrounds property). The first step is the neighborhood meeting, and then the P&Z Commission hearing in June with the Board's hearing likely in July. Director Nilsson had an item for Executive Session regarding the City of Star proposed comprehensive plan the Board went into Executive Session as follows:

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

Commissioner Rule made a motion to go into Executive Session at 9:41 a.m. pursuant to Idaho Code, Section 74-206(1) (f) 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 with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

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

#### QUARTERLY MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:00 a.m. for a monthly meeting with the County Agent to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White and Steve Rule, County Agent Jerry Neufeld, 4-H Extension Educator Carrie Johnson, Family Consumer Sciences Extension Educator Jackie Amende, and Deputy Clerk Monica Reeves. Jerry Neufeld reported on department activity and research projects that will take place out in the field. The livestock educator vacancy closes April 22 and he's hoping to have it filled soon. Jackie Amende gave an update on the family consumer sciences program and the projects she's been working on, and Carrie Johnson reported on the projects she has been involved with. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:24 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

#### MONTHLY MEETING WITH WEED CONTROL SUPERINTENDENT AND GOPHER DISTRICT DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:30 a.m. for a monthly meeting with the Weed Control Superintendent and Gopher District Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Director AJ Mondor, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Mondor said there is an urgent need to double fill a position temporarily within the department due to an employee who is on leave, and the Controller said it can be done for four months and 29 days. There is sufficient cash available, however, we may need to reopen the budget at the end of the fiscal year. Commissioners Rule and White approve of the request and directed Director Mondor to continue working with HR and the Auditor's Office. Department updates included the following: the department has been working on ground sterilant and doing a lot of bare ground work; he's been working with the Idaho Department of Lands on their reclamation of gravel pits by looking at controlling the weeds; he's been working to repair the relationship between Canyon County and Idaho Department of Fish & Game. He said Fish & Game is doing what they can with the limited funds they have but they limited staff and a budget of \$600 to control weeds on 1600 acres so he is going help out by trying to get funds to pay for weed removal and treatment on the habitat areas they're in charge of. He has

worked with the Parks Department on getting a UTV safety course. The owl box project is going well, although it is difficult to get the boxes cleaned out each year so he's talked with an ornithologist at BSU about it and will try to find someone to sponsor a grad student or PhD student to work on the project. Commissioner Rule suggested he talk to the PA's Office to see if there's a liability issue with having students clean out the boxes; if it's okay he would support the County budgeting funds to cover the fuel costs for the person to travel to the boxes. The meeting concluded at 10:44 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. for a monthly meeting with the Administrative District Judge and the Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White and Steve Rule, Administrative District Judge Susan Wiebe, Trial Court Administrator Doug Tyler, and Deputy Clerk Monica Reeves. TCA Tyler said the other four counties in the district will go live with Odyssey today, and he expressed his appreciation to the employees in the Clerk's Office who have assisted the other counties. The courts have submitted their state budget request for FY2020. There may be a murder trial from the second district that will be tried in Canyon County. This will be the third trial of the 1970's case; it's been reversed on appeal twice. If it is tried here the second district should pay for the costs involved, although it will involve Canyon County jurors. The meeting concluded at 1:39 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

#### MONTHLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION; AND TO APPROVE THE GEORGE NOURSE GUN RANGE COMMUNITY ADVISORY BOARD BY-LAWS

The Board met today at 2:01 p.m. for a monthly meeting with the Parks Director to discuss general issues, set policy and give direction, and to consider approving the George Nourse Gun Range Community Advisory Board By-Laws. Present were: Commissioners Pam White and Steve Rule, Parks Director Nicki Schwend, Deputy P.A. Jim Cornwell, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Director Schwend said the gun range advisory board had its first official meeting in October; by-laws have been drafted and reviewed and are ready for the Board's consideration. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the gun range community advisory board by-laws. (Note – a draft copy is on file; the Board was not required to sign the bylaws). Mr. Porter and Mr. Cornwell left at 2:04 p.m. Director Schwend's report included the following topics: Mission statement for the gun range advisory board; Preservation Plan Update and Tribes; Historic Preservation Commission; Northwest Anthropological Conference held on March 28-31, 2018; May is Idaho Archaeology & Historic Preservation Month; 2018 Desert Studies Institute; Partnerships with Idaho Fish and Game (assisting temporarily with checking on restrooms); Staffing and



Fieldtrips; and a draft Event inquiries and Application form. The meeting concluded at 2:29 p.m. An audio recording of the meeting is on file in the Commissioners' Office

CONSIDER SIGNING ADDENDUM NO. 1 TO SPRING 2018 CANYON COUNTY LANDFILL OFFICE ADDITION PROJECT

The Board met today at 2:32 p.m. to consider signing Addendum No. 1 to the Spring 2018 Canyon County Landfill Office Addition Project. Present were: Commissioners Pam White and Steve Rule, Facilities Director Paul Navarro, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Last week there was a mandatory walkthrough and Friday was the deadline for objections or questions. We received no objections but this morning we learned there were some questions that necessitated an addendum. Mr. Goodsell said in order to keep on schedule we need to sign the addendum today because the Board will be gone the rest of the week and bids are due next Tuesday; media has not asked for notice of this and we believe there would be economic harm to the County if we didn't remain on schedule so he asked the Board to amend the agenda to formally add the addendum and to consider signing the addendum. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to amend the agenda to include this language: Consider signing Addendum No. 1 to the Spring 2018 Landfill Office Additional Project. Director Navarro reviewed the clarifications as follows: landscaping will be done in-house with the SILD program; an accordion door will be removed; and they will repurpose four vinyl windows. Commissioner Rule made a motion to sign Addendum No. 1 to the Spring 2018 Canyon County Landfill Office Addition Project. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 10, 2018

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

No meetings were conducted.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 11, 2018

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

CONSIDER SIGNING ADDENDUM NO. 1 TO 2018 CANYON COUNTY COURTHOUSE  
CONSTRUCTION AND PAINTING PROJECT

No quorum was present at the scheduled meeting time to consider signing addendum no. 1 to the 2018 Canyon County Courthouse Construction and Painting Project. Present were: Commissioner Steve Rule, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Sam Laugheed went on the record to state that a notice will be posted to the website stating no quorum was present and that addendum no. 1 wasn't signed; potential bidders will be notified that the calendar of events will be reset and the addendum will be signed at a later date when a quorum can be assembled. The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 12, 2018

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

No meetings were conducted.

APPROVED CLAIMS ORDER NO. 1814

The Board of Commissioners approved payment of County claims in the amount of \$1,611,853.24 for a County payroll.

APPROVED CLAIMS ORDER NO. 4-16-18

The Board of Commissioners approved payment of County claims in the amount of \$24,182.44 for accounts payable.

APPROVED CLAIMS ORDER NO. 4-25-18

The Board of Commissioners approved payment of County claims in the amount of \$460,464.39 and \$17,614.09 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ExecuTrain in the amount of \$1500.00 for the Information Technology department
- ExecuTrain in the amount of \$1500.00 for the Information Technology department
- HP, Inc. in the amount of \$1071.16 for the Information Technology department
- Salt Lake Wholesale Sports in the amount of \$41,737.84 for the Sheriff's Office
- OEC in the amount of \$3203.61 for the Prosecuting Attorney's Office
- Caldwell Glass in the amount of \$12,151.99 for the Facilities department

APRIL 2018 TERM

CALDWELL, IDAHO APRIL 13, 2018

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

No meetings were conducted.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$7953.83 for the Solid Waste department
- Prime Construction & Asphalt in the amount of \$3721.08 for the Facilities department
- Prime Construction & Asphalt in the amount of \$37,938.90 for the Facilities department
- Prime Construction & Asphalt in the amount of \$3540.00 for the Facilities department
- Prime Construction & Asphalt in the amount of \$4758.90 for the Facilities department

APRIL 2018 TERM

CALDWELL, IDAHO APRIL 16, 2018

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

#### APPROVED CLAIMS ORDER NO. 4-16-18

The Board of Commissioners approved payment of County claims in the amount of \$4000.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 4-25-18

The Board of Commissioners approved payment of County claims in the amount of \$134,280.39, \$45,207.26, \$16,288.61 and \$19,779.38 for accounts payable.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Terry W. Dice dba Tiny's Lounge, Caldwell Bowl, Inc. dba Caldwell Bowl, Inc. and Debbie Finch dba 1918 Lounge (see resolution no. 18-036).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Stinker Stores, Inc. dba Stinker Store #41, Stinker Store #44, Stinker Store #48, Stinker Store #60, Stinker Store #75, Stinker Store #82, Stinker Store #108 and Stinker Store #113 (see resolution no. 18-037).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JP Thailand Express, LLC dba JP Thailand Express, JLC 2 Inc. dba Idaho Pizza Company, JLC Corporation dba Idaho Pizza Company and TWC Inc. dba Greenhurst Chevron (see resolution no. 18-038).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Idaho Bowling Corporation dba Nampa Bowl (see resolution no. 18-035).

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Pam White, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed the upcoming schedule with staff. Mr. Decker reported on the following communication items: The super hero march was held on Saturday where approximately 200 people marched from the courthouse to the Caldwell Police Department to bring awareness to child abuse; he will attend the emergency operations center staff training on Wednesday, and he will sit in on call taker interviews; the landfill spring cleanup event will be held in two weeks; an upcoming boating safety class has been scheduled; he has been assisting with election training; Ryan Holbert reached out to him regarding Virgil Wood's request to do a community initiative in Caldwell honoring Dr. Martin Luther King, Jr. Because the event is

more aligned with the city's mission it was decided that Mr. Decker will encourage Mr. Holbert to work with city officials, and possibly the College of Idaho and/or Northwest Nazarene University. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 8:59 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Allen Shoff, Facilities Director Paul Navarro left at 9:05 a.m., Clerk's Executive Administrator Taryn Peterson left at 9:03 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing independent contractor agreement for court interpreter Mark Conta:*** Mike Porter said this item will need to be continued to a later date in order to allow some additional time for the contract to be further vetted.

***Consider signing independent contractor agreement with court interpreter Stephen Njoroge:*** Allen Shoff explained Mr. Njoroge works with Ada County courts and has been interpreting for about 10 years. He lives in Caldwell and says he is available anytime. Mr. Njoroge speaks Swahili but there is no certification for this language. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement with court interpreter Stephen Njoroge (see agreement no. 18-032).

***Consider signing Addendum No. 1 to 2018 Canyon County Courthouse painting project:*** Sam Laugheed said this addendum answers the questions that were received and answered by Director Navarro; this addendum also resets the calendar and cleans up some ministerial oversight – the notice was signed but the invitation for bids was not actually signed. Upon on motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign addendum no. 1 to the 2018 Canyon County Courthouse painting project.

A discussion was had regarding an email that was received regarding the jail construction research project. Sam Laugheed said a letter will be sent out stating that the Board intends to have a meeting with other key stakeholders in the future and that the RFI responses will help inform that discussion. The next step will be a meeting to happen in the spring and Mr. Laugheed hopes to have a draft to the Board, Sheriff, and other EO's who are interested to have that workshop about the process moving forward and the conclusions that have been drawn and what happens next.

***Consider signing purchase agreement with Motorola for base consoles for use at the Canyon County Sheriff's Office dispatch center:*** Mike Porter requested that this meeting be continued as 2 weeks' notice needs to be given for sole source procurement; this will be rescheduled to a date sometime after April 19<sup>th</sup>.

The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Treasurer's tax charge adjustments by PIN for March 2018 in today's minutes.

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

Commissioner Dale made a motion to go into Executive Session at 9:36 a.m. pursuant to Idaho Code, Section 74-206(1) (e). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Chief Deputy Assessor Joe Cox, City of Nampa Economic Development Director Beth Ineck, City of Caldwell Economic Development Director Steve Fultz, representatives from Project Widget and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:13 a.m. with no decision being called for in open session.

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

The Board met today at 10:33 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: the fencing of the open lot at 14<sup>th</sup> and Chicago is continuing to come along and the Facilities crew is doing a great job to get that completed. They are getting closer to getting the builds completed and so far haven't had to bring in any part-time help. He is working with the offices and departments on their requests for replacement vehicles and moving vehicles around to different areas. The meeting concluded at 10:42 a.m. An audio recording is in file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 17, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$4358.54 for the Information Technology department
- BOE in the amount of \$8198.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 4-25-18

The Board of Commissioners approved payment of County claims in the amount of \$43,060.41 for accounts payable.

OPEN BIDS FOR SPRING 2018 CANYON COUNTY LANDFILL OFFICE ADDITION PROJECT SOLICITATION OF BIDS

The Board met today at 9:08 a.m. to open bids for the Spring 2018 Canyon County Landfill Office Addition Project solicitation of bids. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, Landfill Director David Loper and Deputy Clerk Jenen Ross.

The following bids were received for this project:

**JP2 Construction, LLC**

Bid amount: \$66,100

**HASCO**

Bid amount: \$66,000

Brad Goodsell said the county is generally required to accept the lowest bid provided the bids comply with the requirements of the solicitation so both bids will need to be reviewed to make sure they meet the requirements. The statute generally requires there be three bids, however, the Board can proceed with less than three bids if it's impossible or impractical to obtain three bids. This solicitation was sent out to six contractors of which only three attended the mandatory walk-thru. Director Navarro said that this building is more like a home in that it's stick-built with wood frame construction, not traditional commercial materials and that the industry is very busy right now. The contract will lay out the start date and the approximate time the project will take. He believes these contractors are prepared to start immediately, however, there will be some prep time for building permits and finalized drawings. He doesn't anticipate it taking more than 60 days and it needs to be completed by September 30<sup>th</sup> to end the fiscal year. The project is budgeted at \$100,000, the

\$66,000 bids are not the total amount, there will be some additional costs but they hope to come in at about \$80,000 – \$85,000. Director Loper has already done the ground prep for this building and the facilities department will take care of the electrical issues that will need to be addressed, heating and cooling, interior painting and carpentry. Commissioner Dale believes the county has done its due diligence in trying to obtain 3 bids and made a motion to award the project to the lowest responsible bidder after review of both bids, the motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:16 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINAL PLAT FOR ALBION ACRES SUBDIVISION NO. 1, CASE NO. SD-PH2016-72

The Board met today at 9:31 a.m. to consider the final plat for Albion Acres Subdivision No. 1, Case No. SD-PH2016-72. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Deb Root, Tim Sickles, and Deputy Clerk Monica Reeves. Deb Root said the project complies with the state requirements for platting, and the Canyon Highway District and Southwest District Health are satisfied. Staff is recommending approval but notes the only outstanding item is that the irrigation system needs to be certified before a certificate of occupancy is issued. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Albion Acres Subdivision. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioner's Office.

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

The Board met at 10:01 a.m. today for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Deputy Administrator Sean Brown, Training Officer Shawn Anderson and Deputy Clerk Jenen Ross. Director Jett is out of the office today so Sean Brown and Shawn Anderson updated the Board on the following items: They currently have 38 in custody today. The numbers seem to fluctuate between 35 and 45 with the weekend being higher. The yearly inspection was conducted recently; some of the comments they received were about how well written their reports are (which are used to help make standards better), how clean and orderly the facility is and they were impressed with how the youth are educated. This year two representatives from Bonner County toured the facility with the inspection group; they are looking for ideas for their facility and wanted to see how Canyon County is doing things. Last year there were 14 'use of force' incidents which is pretty good. They were out of compliance with staff ratios 4 of the 10 days they were evaluated so they are working to get that corrected; 3 new employees will be starting soon and they are planning to ask for 2 additional staff during budget time. The facilities department recently helped them complete a project to improve their facility that didn't have to wait until the new fiscal year and they really appreciate the job that Director Navarro and his team do. First aid and CPR training are taking place this week, PREA is also happening right now. Four staff members just returned from ILEETA training; there are some policies



they will be changing in order to meet standards especially in regards to use of force. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:14 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Director of Misdemeanor Probation Jeff Breach, Juvenile Probation Project Coordinator Mike Davidson and Deputy Clerk Jenen Ross. Director Breach updated the Board on the following items: They will be conducting interviews this Friday for their vacant PO position; they had 60 applicants and will be interviewing the top 11. The cost of supervision revenues have been better the past couple of months; this seems to be a direct correlation to tax season. He is continuing to work on his budget; as part of the FY2019 budget request they will look to replace all of their computers. All of the laptops will be replaced with desktops and then they will purchase one laptop for the PO's to take to court. Community service was really busy last month, ending with approximately 257 people in the program. They have been working with the Auditor's office on the workers compensation/insurance audit from the state. Last month 77% of their cases closed successfully.

Chief Probation Officer Elda Catalano is out of the office so Mike Davidson provided the following update to the Board: The First Tee/Second Chance Golf is getting ready to start again; it will take place 2 Fridays in May and then every Friday in June. They are continuing to coordinate the kickball tournament for this year and working to collect donations, supplies and get partnerships in place. The tournament will happen on August 25<sup>th</sup> at Griffiths Park. For their summer program they've partnered with 4H, the U of I Extension, they try to get the kids right at the end of school and work with them once a week for about 7 weeks teaching them skills such as finances, cooking, auto care, gardening, personal care and internet safety among other things. The bike project is still going well, Ross Garvin says he's given bikes to every school district in Canyon County. The GED tutoring partnership with CWI is continuing to grow. Mr. Davidson has been teaching the Victim Impact class each month and partnering with Ada County to share ideas. They have also been making a push on internet and social media safety training for both students and parents; Caldwell PD came in last month during spring break to conduct a training and Mr. Davidson is training to be able to run the summer program. They are collecting books for the United Way book drive to be donated to the detention center. Girls Empowered, which is a training and support group for girls, meets here regularly and they are looking to start a boys group here. The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 18, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hanson Janitorial in the amount of \$12,884.00 for the Sheriff's Office
- HP, Inc. in the amount of \$2283.00 for the Information Technology department

#### APPROVED CLAIMS ORDER NO. 4-25-18

The Board of Commissioners approved payment of County claims in the amount of \$16,312.51, \$34,908.08, \$91,245.34 and \$70,407.44 for accounts payable.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, HR Director Sue Baumgart, Facilities Director Paul Navarro left at 9:05 a.m., DSD Planner Jennifer Almeida left at 9:10 a.m., DSD Planner Kyle McCormick left at 9:10 a.m., Parks Director Nicki Schwend left at 9:05 a.m., Controller Zach Wagoner arrived at 9:03 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing independent contractor agreement for Crossroads Museum new well and public water system with Down Right Drilling & Pump, Inc.:*** SPF Water Engineering developed specs and helped with getting some responsive bids with the overall price coming in at \$44,080. Director Schwend has met with the Clerk and Controller and they agree the funds are available for this project. Sam Laugheed said we have received the signed contract based on the standard template along with the performance and payment bonds. There is no legal reason not to move forward with this project and Director Navarro added that this will be the catalyst to move forward with the other work that needs to happen at the museum. The timeline states that they would start on July 2<sup>nd</sup> and it is believed that it will be a 4 week project but there will need to be further clarification. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement for Crossroads Museum new well and public water system with Down Right Drilling & Pump, Inc. (see agreement no. 18-033).

***Consider signing application for hardship waiver of county fees for Aleksandr & Lidiya Sheremet:*** Kyle McCormick explained this is part of a code enforcement issue; there was a report of four manufactured homes that seem to be occupied on the property. The

application fee is \$550 for a temporary use permit to allow manufactured homes to be lived in for a period not to exceed 90 days. After some calculations of noticing costs and staff time the Development Services department said that a \$100 fee would be sufficient to cover the costs. The 90 day temporary use permit will allow for the people living in the RV's to find new places to live. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the application for hardship waiver of county fees for Aleksandr & Lidiya Sheremet. At the time of this meeting there was no resolution prepared so this will be brought to the Board at a later time.

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

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

Commissioner White made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

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

MEETING WITH MICHAEL AND LORI HARDIN RE: CONSIDER CASUALTY LOSS APPLICATION UNDER IC 63-711 (CANCELLATION OF TAXES); AND BOARD OF EQUALIZATION: CONSIDER APPLICATION FOR CASUALTY LOSS UNDER 63-602X (CANCELLATION OF VALUE)

The Board of Commissioners, also sitting as a Board of Equalization, met today at 10:04 a.m. to consider: 1) a casualty loss application under Idaho Code, Section 63-711 (cancellation of taxes), and 2) an application for casualty loss under Idaho Code 63-602X (cancellation of value) for Michael and Lori Hardin. Present were: Commissioners Tom Dale and Pam White, Deputy PA. Brad Goodsell, Treasurer Tracie Lloyd, Admin. Property Appraiser Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, Lori Hardin, and Deputy Clerk Monica Reeves. Tracie Lloyd said the 2017 taxes are to be considered by the Board of Commissioners as a hardship for casualty loss, and the 2018 taxes will be considered by the Board of Equalization. The application pertains to a property in the Burnie Subdivision where the owners were out of the house for 140 days. The value attributed to those days was \$56,000, and the amount to be cancelled due to casualty loss hardship is \$747.99. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to grant the hardship in the amount of \$747.99. The amount will be credit to

the second half taxes. With regard to the exemption, Greg Himes said they took occupancy on March 7, 2018 and the exemption calculation is based on the time they were out of the house. The new improved value for 2018 is \$131,520, plus the land value for a total of \$171,020. He recommends setting the 17.8% quotient to the 2018 improved value (not land) exemption on the assessed value of the structure. Upon the motion of Commissioner Dale and the second by Commissioner White the Board voted unanimously to grant the 17.8% exemption on the assessed value of the structure. The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 19, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mike Kane Carpentry in the amount of \$2849.00 for the Facilities department
- Pacific Steel & Recycling in the amount of \$2277.76 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 4-25-18

The Board of Commissioners approved payment of County claims in the amount of \$57,316.18, \$60,118.68 and \$6937.24 for accounts payable.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 5/5/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 4/28/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Jalapeno's Mexican Restaurant to be used 5/19/18 for a fundraiser.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Pantera Market, LLC dba Pantera Market; Albertson's LLC dba Albertson's #1602, Albertson's #176, Albertson's #166 and Albertson's #103; Mongolian BBQ, B-Way/Nampa dba Mongolian BBQ; Cloudcroft Inc. dba River Bend Golf Course (see resolution no. 18-041).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for George Fletcher, Inc. dba Melba Valley Market; Linda S. Barr dba Pete's; Franklin United, Inc. dba United Oil; Pilot Travel Centers LLC dba Pilot Travel Center #638 (see resolution no. 18-079).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for DGN, Inc. dba The Dutch Goose Nampa; JTT Enterprises dba Dutch Goose; Apple Idaho, LLC dba Applebee's Neighborhood Grill & Bar (see resolution no. 18-039).

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Chipotle Mexican Grill of Kansas, LLD dba Chipotle Mexican Grill #2508 (see resolution no. 18-040).

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

The Minutes of the Fiscal Term of February 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 9:05 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwall,

Deputy P.A. Zach Wesley, Customer Service Specialist Robin Sneegas, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0648, 2018-0662, 2018-0513, 2018-0794, 2018-0714, 2018-0668, 2018-0716, 2018-0646, 2018-0661, 2018-0645, 2018-0664, 2018-0660, 2018-0654, 2018-0651, 2018-0810, 2018-0667, 2018-0770, 2018-0673, 2018-0671, 2018-0679, 2018-0665, 2018-0663, 2018-0555, 2018-0787, 2018-0674, 2018-0640, 2018-0659, 2018-0658, 2018-0771, 2018-0501, 2018-0568, 2018-0681 and 2018-0715. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-260

The Board met today at 9:09 a.m. to conduct a medical indigency hearing for case no. 2018-260. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Julie Wood with Med Data for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to place the case in suspension. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-315

The Board met today at 9:12 a.m. to conduct a medical indigency hearing for case no. 2018-315. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Julie Wood with Med Data for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue the case to May 17, 2018. The hearing concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 9:14 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Pam White, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue denials for case nos. 2018-315 and 2018-257 with written decisions to be issued within 30 days. Commissioner White made a motion to continue case no. 2018-330 to May 17, 2018. The motion was seconded by

Commissioner Dale and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to continue case no. 2018-280 to June 14, 2018. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue final denials on case nos. 2018-319 and 2018-297 with written decisions to be issued within 30 days. The meeting concluded at 9:16 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION – PERSONNEL MATTERS

*Note for the record: As properly noticed the Board met today at 10:05 a.m. for a legal staff update. A request was made to go into Executive Session to discuss personnel matters. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Clerk Chris Yamamoto, Executive Assistant Taryn Peterson, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:58 a.m. with no decision being called for in open session.

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

The Board met today at 1:33 p.m. to consider various new property tax exemption applications and renewing various exemptions under codes: 63-602B, 63-602C, 63-602D, 63-602E, 63-602W, 63-602GG, 63-602P, 50-2014 and 63-602X. Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Appraiser Greg Himes and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

##### **63-602W – Exemption for Site Improvements Associated with Land**

- Sienna Hills No. 5 – 2017050649
- Sienna Hills No. 6 – 2018001475
- Cumberland No. 4 – 2017056424
- Britannia Heights LLC – 2017009352

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

##### **63-602D – Certain Hospitals**

- St. Lukes Regional Medical Center – 64941492 0
- Idaho Elks Hearing and Balance Center – 64941482 0
- St. Lukes Idaho Cardiology Associates – 64941483 0

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

#### **63-602D – Certain Hospitals**

- St. Alphonsus Medical Center Nampa Inc. – 31099010 0
- St. Alphonsus Medical Center Nampa Inc. – 31096000 0
- St. Alphonsus Medical Center Nampa Inc. – 31099000 0
- St. Alphonsus Medical Center Nampa Inc. – 31100000 0
- St. Alphonsus Medical Center – 31112010 0
- St. Alphonsus Medical Center Nampa Inc. – 31098000 0

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

#### **63-602D – Certain Hospitals**

- Mercy Physician Dallan Woods – 64937540 0

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

#### **63-602D – Certain Hospitals**

- St. Alphonsus Medical Center Nampa Inc. – 08015504 0
- St. Alphonsus Medical Center Nampa Inc. – 09488000 0
- St. Alphonsus Medical Center Nampa Inc. – 11769000 0
- St. Alphonsus Medical Center Nampa Inc. – 11776000 0
- St. Alphonsus Physician Services Inc. – 623891000 0
- Mercy Physician Cardiology – 64937538 0
- SAMG Nampa OB/GYN – 64940655 0
- General Surgery Nampa – 64940656 0
- Pulmonary and Sleep Nampa – 64940657 0
- St. Alphonsus Regional Medical Center STARS – 64940734 0

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

#### **63-602C – Fraternal, Benevolent or Charitable LLC's**

- Salvation Army – 32548178 0

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



**63-602C – Fraternal, Benevolent or Charitable LLC’s**

- Lifeways Inc. – 35790115 0
- Lifeways Inc. – 11905200 0

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

**63-602C – Fraternal, Benevolent or Charitable LLC’s**

- Mission Aviation Fellowship – 31730000 0
- Mission Aviation Fellowship - 22891000 0

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

**63-602C – Fraternal, Benevolent or Charitable LLC’s**

- Corp of Presiding Bishop of Jesus Christ of LDS (Deseret Industries) – 27333105 0

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

**63-602C – Fraternal, Benevolent or Charitable LLC’s**

- Corp of Presiding Bishop of Jesus Christ of LDS – 27333109 0

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

**63-602C – Fraternal, Benevolent or Charitable LLC’s**

- Living Independence Network Corp (LINC) – 01788000 0

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

**63-602B – Religious Property Tax Exemption**

- Sunnyridge Assembly of God – 32273000 0

Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously for no change in the exemption.

**63-602B – Religious Property Tax Exemption**

- Involve Church Inc. – 13490010 0

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

**63-602B – Religious Property Tax Exemption**

- Roman Catholic Diocese of Boise – 16238000 0

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

### **63-602E – Personal Property for School or Educational Purposes**

- Xerox Financial Services LLC – 64941112 0
- Xerox Financial Services LLC – 64941113 0

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

### **63-602E – Personal Property for School or Educational Purposes**

- Building Hope Iowa Avenue LLC – 32121000 0

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

### **63-602B – Religious LLC's, Corporation or Societies**

- Corp of Presiding Bishop – Church of Jesus Christ of LDS

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

Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously for no change in exemption status on the following properties:

### **50-2014 – Urban Renewal Property Tax**

Urban Renewal Agency of the City of Caldwell – 35294000 0; Urban Renewal Agency of the City of Caldwell – 04573000 0; Urban Renewal Agency of the City of Caldwell – 04574000 0; Urban Renewal Agency of the City of Caldwell Idaho – 04649010 0; Urban Renewal Agency of Caldwell City – 14895138 0; Urban Renewal Agency of the City of Caldwell Idaho – 35300015 0; Urban Renewal Agency of the City of Caldwell Idaho – 35300016 0; Urban Renewal Agency of the City of Caldwell Idaho – 35287013 0; Urban Renewal Agency of the City of Caldwell Idaho – 35301012 0; Caldwell East Urban Renewal Agency – 35287102 0; Urban Renewal Agency of Caldwell City – 04556000 0; Urban Renewal Agency of Caldwell City – 04557000 0; Urban Renewal Agency of Caldwell City – 04558000 0; Urban Renewal Agency of Caldwell City – 04559000 0; Urban Renewal Agency of Caldwell City – 04561000 0; Urban Renewal Agency of the City of Caldwell Idaho – 35300000 0.

### **63-302B – Religious Property Tax**

Calvary Chapel of Nampa Inc. – 23112000 0; Church of God of Prophecy Regional Office Inc. – 05096000 0; Melba Friends Church Limited – 17544000 0; Melba Friends Church Ltd. – 17537000 0; Community Baptist Church of Melba Inc. – 17535000 0; Calvary Chapel of Nampa – 23113000 0; Calvary Chapel of Nampa Inc. – 23118000 0; Calvary Chapel Nampa Inc. – 31394000 0; Calvary Chapel Nampa Inc. – 31395000 0; Mennonite Church (Lakeview Bible Church Inc.) – 16034010 0; Lakeview Bible Church Inc. – 32096000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 38686011A0; Corp of Presiding Bishop of Jesus Christ of LDS – 34513011 0; Corp of Presiding Bishop Church of Jesus Christ of LDS – 34443011A0; Corp of Presiding Bishop of the Church of Jesus Christ of LDS – 34366201 0; Corp of Presiding

Bishop – 34356011 0; Corp of Presiding Bishop of Jesus Christ of LDS – 34349100 0; Corp of Presiding Bishop of the Church of Jesus Christ of LDS – 34324000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33912000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33483000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33472000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33409000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33408000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33401000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33400010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33395010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 33388000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 32900101 0; Corp of Presiding Bishop of Jesus Christ of LDS – 32566010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 32558010 029336013; Corp of Presiding Bishop of Jesus Christ of LDS – 32419253 0; Corp of Presiding Bishop of Jesus Christ of LDS – 32400000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 32041010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 31065000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 30666011 0; Corp of Presiding Bishop of Jesus Christ of LDS – 29729000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 29411100 0; Corp of Presiding Bishop of Jesus Christ of LDS – 29336013A0; Corp of Presiding Bishop of Jesus Christ of LDS – 29179000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 28688000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 25279011 0; Corp of Presiding Bishop of Jesus Christ of LDS – 25279010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 25279000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 24709010 0; Corp of Presiding Bishop of Jesus Christ of LDS – 23934019; Corp of Presiding Bishop of Jesus Christ of LDS – 20157000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 20155000 0; First Baptist Church of Middleton – 17769000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 19148000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 16195000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 16101000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 14926000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 14096000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 08988000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 04152000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 04100010A0; Corp of Presiding Bishop of Jesus Christ of LDS – 01379000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 01369000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 01368000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 01367000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 00632000 0; Corp of Presiding Bishop of Jesus Christ of LDS – 00631000 0; Iglesia Misionera Pentecostes Inc. – 02092000 0; Iglesia Misionera Pentecostes Inc. – 02091000 0; Iglesia Misionera Pentecostes Inc. – 02090011 0; Bible Pentecostal Church Inc. – 13443000 0; Bible Pentecostal Church Inc. – 13441000 0; Bible Pentecostal Church Inc. – 13439000 0; First Christian Church – 15439000 0; First Christian Church – 15437000 0; First Christian Church – 15441000 0; First Christian Church – 15436000 0; Lake Shore Drive Baptist Church Nampa – 29578012 0; Fargo Community Church – 37169000 0; Roman Catholic Diocese of Boise (Our Lady of the Valley Catholic Church) – 05176000 0; Fargo Community Church – 75203000 0; Church of God Apostolic of ID – 01577000 0; First Baptist Church of Roswell – 38996000 0; Fairview Church of the Nazarene Inc. – 14303000 0; Fairview Church of the Nazarene – 14327000 0; Fairview Church of the Nazarene Inc. – 14302000 0; Fairview

Church of the Nazarene – 14301000 0; Fairview Church of the Nazarene – 14329000 0; First Baptist Church of Middleton – 17779000 0; First Baptist Church of Middleton – 18469000 0.

### **63-602C Charitable Personal Property Tax**

Deseret Industries – 64941254 0; Fleet Reserve Assoc. Brach 382 – 14820000 0; Fleet Reserve Assoc. Branch 382 – 14822000 0; VFW Post 11065 – 19896000 0; Idaho Youth Ranch – 01147500 0; Idaho Youth Ranch – 01147501 0; Idaho Youth Ranch – 37781011 0; Idaho Youth Ranch – 37785000 0; Idaho Youth Ranch – 61111024 0; Idaho Youth Ranch – 61111027 0; Idaho Development Housing – 03087756 0; Idaho Development Housing – 03087681 0; Idaho Development Housing – 03087757 0; Idaho Development Housing – 03087669 0; Idaho Development Housing – 03087670 0; Idaho Development Housing – 03087675 0; Idaho Development Housing – 03087682 0; Idaho Youth Ranch – 61111015 0; Idaho Youth Ranch – 61111026 0; Idaho Development Housing – 03087754 0; Idaho Development Housing – 03087676 0; Grand Lodge of ID IOOF Inc. – 0180100 0; Caldwell Odd Fellow Lodge #10 – 35141010 0; Lizard Butte Easter Sunrise – 33612000 0; American Legion Loren M. Trotter Post 35 – 04769000 0; Mt. Moriah Lodge 39 A F AM Inc. – 04699000 0; Theta PSI House Corp. – 00201000 0.

### **63-602D – Hospital Personal Property Tax**

NHP Wound Hyperbaric – 64940654 0; NHP Urgent Care – 64940653 0; NHP OCC Med – 64940652 0; NHP Stars – 64940651 0; St. Alphonsus Physician Service Inc. – 64932721 0; Nampa Health Plaza Family Medicine – 64937541 0; Birkeland Maternity Center & Heart Care Center – 64941099 0; NHP Emergency Room – 64940645 0; St. Alphonsus Physician Services Inc. – 64935408 0; St. Alphonsus Medical Center Nampa Inc. – 31084000 0; St. Lukes Regional Medical Center Ltd. – 30995011 0; Mountain State Tumor Inst. – 61111025 0; St. Lukes Regional Medical Center – 64940186 0; St. Lukes Family Medicine – 64940184 0; St. Lukes Family Medicine – 64940185 0; St. Lukes Breast Cancer Detection Center – 64940243 0; Mountain States Tumor Inst. – 11766000 0.

### **63-602E – School or Educational Purposes**

Thomas Jefferson Charter School Inc. – 35287105 0; Leaf Capital Funding LLC – 64939358 0; Leaf Capital Funding – 64939357 0; Xerox Financial Services – 64940608 0; Mailfinance Inc. – 64935344 0; Mailfinance Inc. – 64935345 0; Everbank Commercial Finance – 64936374 0; Everbank Commercial Finance – 64941106 0.

### **63-602P – Pollution Control**

Packaging Corporation of America – 62222119 0; Fleetwood Homes Inc. – 62222120 0; JR Simplot Company Nampa Plant – 62222121 0; JBS USA LLC – 62222122 0; Crookham Co. – 62222123 0; Darigold Inc. – 62222124 0; HM Clause Inc. – 62222126 0; S&W Seed Co. – 62222132 0; Sorrento Lactalis Inc. – 62222135X0; CTI/SSI Food Services Inc. – 62222137 0; JR Simplot Co. – 62222141 0; JR Simplot Co. – 62222147 0; Amalgamated Sugar Co. LLC – 62222153 0; Hydroblend Inc. – 62222158 0; Great American Snacks Inc. – 62222162 0; Micron Technology Inc. – 62222165 0; JR Simplot Company (Ethanol Plant) – 62222167 0;

JR Simplot Idaho Plant – 62222173 0; JR Simplot Waste Water Treatment – 62222174 0; Materne North America Corp. – 62222175 0; Mother Earth Brew Co. – 62222186 0.

The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 20, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$58,031.00 for the Information Technology department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Chicago Connection, LLC dba Chicago Connection (2 locations) (see resolution no. 18-042).

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Roots and Company, LLC dba Roots and Company; Vern's Lounge, LLC dba Vern's Lounge; Texas Roadhouse Holdings, LLC dba Texas Roadhouse (see resolution no. 18-043).

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Pam White, Chief Probation Officer Elda Catalano, Project Coordinator Mike Davidson, Clerk's Executive Assistant Taryn Peterson left at 9:03 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, IT Director Greg Rast left at 9:11 a.m., Business Manager Caitlin Pendell left at 9:11 a.m., Operations Manager Don Dutton left at 9:11 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing independent contractor agreement with court interpreter Najiba Rahmani:*** Mr. Rahmani speaks Pashto, Dari and Farsi and is a certified US Courts Interpreter. This contract is the same as others that have been used. Ms. Peterson said there is a pending Pashtu case right now and the other interpreter who speaks Pashto is not available. Most interpreters appear telephonically unless there is a trial or the judge requests they be here in person. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement with court interpreter Najiba Rahmani (see resolution no. 18-034).

***Consider signing purchase order for Duplo 646 rotary tool slitter/cutter/creaser for the Canyon County Print Shop:*** Allen Shoff said this will be continued to May 16, 2018. It was thought that we'd be able to proceed under the Federal GSA purchasing, however, this particular piece of equipment is not available thru that purchasing option and will have to be done as a sole source procurement. This is a very specialized piece of equipment and only available thru one supplier. The notice of sole source procurement will be considered next week.

***Consider signing purchase order for a D136CP large capacity copier for the Canyon County Print Shop:*** Allen Shoff presented a purchase order and an equipment placement form to be signed. Canyon County is part of a larger purchasing agreement which is how this piece of equipment will be purchased. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the purchase order for a D136CP large capacity copier. Commissioner White made a motion to sign the equipment placement form. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-037).

***Consider signing Canyon County Information Technology Services agreement with West Valley Humane Society:*** Director Rast said the previous agreement with the animal shelter expired September 30, 2017 so this agreement includes new verbiage to renew the contract. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Canyon County Information Technology Services agreement with West Valley Humane Society (see agreement no. 18-036).

***Consider signing agreement with United Way of Treasure Valley Inc. for Truancy Prevention Month "Kickball Tournament" Community Event:*** Zach Wesley explained this agreement is a fiscal sponsorship for the Truancy Prevention Month Kickball Tournament. This is a partnership with the United Way, as a 501(c)(3), where they will open an account and can accept donations for the event. The United Way will handle all the money management, holds the account and then upon the county's request will make disbursements for the expenses of the event. Any remaining funds will go into the United Way Community Fund at the end of their fiscal year. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the agreement with the United Way of Treasure Valley Inc. for the Truancy Prevention Month Kickball Tournament Community Event (see agreement no. 18-035).

There were no items for discussion at the legal staff update. The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

#### 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.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 23, 2018

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

No meetings were conducted.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 24, 2018

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

No meetings were conducted.

#### APRIL 2018 TERM

CALDWELL, IDAHO APRIL 25, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Mykel Schuler and Allison Butler.

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall in the amount of \$9900.00 for the Facilities department
- Sunshine Window Cleaning in the amount of \$2655.00 for the Facilities department
- Vortex in the amount of \$1500.04 for the Sheriff's Office
- Mobile Mini Accounts Receivable in the amount of \$3564.00 for the Parks department

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 6/16/18 for a wedding.

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 5/12/18 for a wedding.

### OPEN BIDS FOR 2018 CANYON COUNTY COURTHOUSE PAINTING PROJECT

No quorum was present at the scheduled meeting time to open the bids for the 2018 Canyon County Courthouse Painting Project. Present were: Commissioner Pam White, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, a representative from ESI and Deputy Clerk Jenen Ross. Sam Laugheed went on the record to state that one bid was received for this project and that a meeting is agendized for Friday, April 27, 2018 to consider awarding the contract. The following bid was received:

#### **Engineered Structures**

Received April 25, 2018 at 8:38 a.m.

Bid amount: \$444,596

Director Navarro along with Mr. Laugheed will review the bid that was received and come back to the Board at 9:00 a.m. on Friday to complete this record and take any appropriate action at that time. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

### **APRIL 2018 TERM**

**CALDWELL, IDAHO APRIL 26, 2018**

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



Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Right! Systems Inc. in the amount of \$5071.70 for the Information Technology department
- Cable Wholesale in the amount of \$1255.00 for the Information Technology department

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

The Board approved a salary rate request and/or key & security access request form for Samantha Mena and Sonia Juarez.

APPROVED CLAIMS ORDER NO. 1815

The Board of Commissioners approved payment of County claims in the amount of \$1,548,770.54 for a County payroll.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Intermountain Food Stores, Inc dba Franklin Junction; AH Schade, Inc. dba Gem Stop #016, Gem Stop #32, Gem Stop #8, Gem Stop #11, Gem Stop #15, Gem Stop #009, Gem Stop #20 and Gem Stop #10. See resolution no. 18-049.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Rusty Canteen, LLC dba The Rusty Canteen; Wing Nutz Nampa, LLC dba Wing Nutz; Stewart & Christensen, LLC dba Stewart's Bar & Grill; Nampa Lodge #1389 BPOE, Inc. dba Nampa Elks Lodge #1389. See resolution no. 18-048.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Beatriz Sandoval dba LaCopa; Don Ulmer dba Airport Inn; Firehouse Sports Pub & Pizza, LLC dba Firehouse Sports Pub; Fun and Ann Yee dba Orphan Annies; Fraternal Order of Eagles dba 2103 Aerie. See resolution no. 18-047.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Kebob, LLC dba Tobacco Connection #22, Tobacco Connection #16, Tobacco Connection #6, Tobacco Connection #1 and Tobacco Connection #12; HFO, LLC dba Big Smoke #115 and Big Smoke #113; Intermountain Food Stores, Inc. dba M&W Markets #6. See resolution no. 18-046.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Canton Café, Inc. dba Canton Café; La Botana, LLC dba La Botana. See resolution no. 18-045.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Kammi Reynolds dba Chaparral Sports Bar & Grill; New Big Smoke, LLC dba Big Smoke #109 and Big Smoke #102; Krung Thai Restaurant, LLC dba Krung Thai Restaurant; Fred Meyer Stores, Inc. dba Fred Meyer #226; K Mart Corporation dba Big K-Mart #3189; Costco Wholesale Corporation dba Costco Wholesale #734; Kebob, LLC dba Tobacco Connection #32 and Tobacco Connection #23. See resolution no. 18-044.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:53 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0741, 2018-0739, 2018-726, 2018-856, 2018-825, 2018-742, 2018-617, 2018-864, 2018-732, 2018-723 and 2018-729. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND EMPLOYMENT RECORDS EXEMPT FROM PUBLIC DISCLOSURE

*Note for the record: As properly noticed the Board met today at 9:06 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and employment records exempt from public disclosure. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Zach Wesley, HR Generalist Jennifer Allen, IT Director Greg Rast and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:16 a.m. with no decision being called for in open session.

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

The Board met today at 10:07 a.m. for a monthly meeting with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Mike Porter left at 10:25 a.m., Public Defender Aaron Bazzoli, Assistant Public Defender Scott James and Deputy Clerk Jenen Ross. A discussion was had regarding the conflict attorney contracts. In a meeting that was had yesterday, there was discussion about how to control costs with conflict attorneys as it has been an issue in the past. Mr. Bazzoli and his team have agreed to take direct control and responsibility of the attorneys and billings, meaning he will be reviewing each invoice, meet with attorneys and is willing to move cases around should costs start to exceed expectations. The language in the contract will state that Mr. Bazzoli, as the Public Defender, has the discretion to assign cases and he'll exercise that discretion in considering costs and similar matters. Mike Porter explained that the Public Defense Commission (PDC) was created by the state in large response to pressure from the ACLU and others to address the issue of public defense but it was created without adequate funding and is now trying to assert oversight over the counties. As this continues to move forward it will be something that is closely watched since the state is not paying the county dollar for dollar for the work done by the Public Defender's office but they want to dictate how the job is done. The county will always follow the law and incorporate best practices with the idea that that authority exists but there needs to be a discussion about how much authority the PDC has to tell the county what they can put in their contracts or how the Public Defender can do his job. Mr. Bazzoli feels that the conflict attorney contract clearly lays out the responsibilities under the PDC guidelines and that if conflict attorneys are not fulfilling their obligations it could mean no longer being assigned to cases. Mr. Bazzoli gave a brief review of the budget stating that they are at 56% of budget at this point in the year. They going thru the application process for the Capital Crimes Defense Fund which will reimburse \$50,000 to \$70,000 in attorney and expert fees due to the Cabrerra case; the application is due in May. The rough draft of the PDC grant is due May 1<sup>st</sup> and Mr. Bazzoli has been working with the Controller to gather some numbers. At this time it appears that the grant amount is for \$479,000 but he is unsure if he is able to change that number or if it is predetermined by the PDC. The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

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

*A request was made to go into Executive Session to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations, pursuant to Idaho Code § 74-206(1)(E). The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:32 a.m. pursuant to Idaho Code, Section 74-206(1) (e). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, Tina Wilson with WAED, Deputy P.A. Brad Goodsell, DSD Director Tricia Nilsson, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:46 a.m. with no decision being called for in open session.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 27, 2018

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

APPROVED CLAIMS ORDER NO. 5-10-18

The Board of Commissioners approved payment of County claims in the amount of \$97,009.57, \$43,688.46 and \$87,181.91 for accounts payable.

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

The Board approved a salary rate request and/or key & security access request form for R. Mark Ottens.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michaels Pub & Grill to be used 5/5/18 for a wedding.

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$9395.00 for the Information Technology department
- BOE in the amount of \$9395.00 for the Assessor's Office
- Motorola Solutions in the amount of \$67,014.20 for the Sheriff's Office

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mi Tierra, Inc. dba Mi Tierra; La Ranchera Nampa, Inc. dba La Ranchera Nampa. See resolution no. 18-050.

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JFL Vond, LLC dba Super C. See resolution no. 18-051.

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Smoky Mountain Pizza & Pasta Nampa, LLC dba Smoky Mountain Pizzeria Grill; Jalapeno's Bar & Grill, LLC dba Jalapeno's Mexican Restaurant; Rick's Kitchen, Inc. dba The 102 Bar; City of Nampa dba Ridgecrest Golf Club; Brick 29, LLC dba Brick 29. See resolution no. 18-052.

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Owyhee Motor Sales, Inc. dba Owyhee Motor Sales, Inc.; Nampa Gusher, LLC dba Nampa Gusher; Thrifty Payless, Inc. dba Rite Aid #5409; Muniz Family Grocers, Inc. dba Grocery Outlet of Caldwell; Tacos El Rey, LLC dba Tacos El Rey Restaurant #5; City of Caldwell dba Fairview Golf Course; City of Caldwell dba Purple Sage Golf Course. See resolution no. 18-053.

### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed left at 9:10 a.m., Deputy P.A. Mike Porter left at 9:10 a.m., Deputy P.A. Allen Shoff, Facilities Director Paul Navarro left at 9:05 a.m., Chief Deputy Sheriff Marv Dashiell left at

9:09 a.m., IT Director Greg Rast, Business Manager Caitlin Pendell and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing notice of award for 2018 Canyon County Courthouse painting project:***

Paul Navarro stated that only one bid, from ESI, was received on this project and he would like to do a little more due diligence. He has a few ideas he'd like to bring back to the Board but needs a little more time to finalize them. There is an opportunity for some of the work to be done by the facilities team. Mr. Navarro may speak with ESI to see if he can negotiate what they could do and what could be done by maintenance staff. There are three parts to this project – replacing the soffits, which is a carpentry project, all the sealants and the double T's and then the actual painting. The Board is okay with holding on this project for the time being.

***Consider signing purchase agreement with Motorola for base consoles for use at Canyon County Sheriff's Office Dispatch Center:***

This is a continuation of the upgrades that were started last year, at that time 10 consoles, 5 base consolettes (base radios) and a server were upgraded thru Motorola. This project was done as sole source due to complications of using two different providers because the integration of the equipment can be problematic. E911 funds will be used to purchase the 10 remaining consolettes that were not replaced last year. Mike Porter stated that proper notice was given of the sole source procurement and no objections were received. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the purchase agreement with Motorola for base consoles for use at Canyon County Sheriff's Office Dispatch Center (a copy of the purchase order and quote are on file with this day's minute entry).

***Consider signing Declaration and Notice of Sole Source Procurement for Duplo 646 rotary tool splitter/cutter/creaser for the Canyon County Print Shop:***

Allen Shoff explained we are intending to proceed using sole source procurement because there are no other vendors in the state of Idaho who provide this piece of technology. After the sole source procurement is properly noticed the PO will be brought to the Board to be considered on May 18<sup>th</sup> if no objections are received. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the declaration and notice of sole source procurement for the Duplo 646 rotary tool splitter/cutter/creaser for the Canyon County Print Shop.

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

This agreement is agendized for May 1, 2018.

As part of the legal staff update Commissioner Dale said at the Board meeting yesterday there was some discussion about the opioid crisis and the legal action that may be taking place. So far Blaine County is the only county he's heard that has taken any action in engaging with a firm to represent them. The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH CHADWICK AND ASSOCIATES, PLLC AND ERIN DICKINSON TO DISCUSS THE OPIOID CRISIS

The Board met today at 9:33 a.m. for a meeting with Dan Chadwick and Associates, PLLC and Erin Dickinson to discuss the opioid crisis. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Dan Chadwick, Michelle Chadwick, Erin Dickinson with the law firm of Crueger Dickinson, Chief Civil Deputy P.A. Sam Laugheed, Controller Zach Wagoner, Coroner Vicki DeGeus-Morris, Sheriff Kieran Donahue, Assessor Brian Stender, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Dan Chadwick said two years ago at the NACo conference they talked about the opioid crisis and last year the state association had a conference where the issue became front and center. Erin Dickinson and a colleague made a presentation to the state association executives to talk about litigation and asked whether the state association or the counties would be interested in joining in the litigation. As of right now there are nine confirmed counties that have signed with Crueger Dickinson with two more to join for a total of 11, plus two more counties that have signed on with another law firm to join the litigation. They want to know if Canyon County is interested in also joining the litigation. It affects law enforcement, indigent, jail, and the Coroner. There's an opportunity for Canyon County to join the litigation and recover some of those costs long term. Mr. Chadwick is not involved in the litigation, he's just trying to get everybody connected.

Erin Dickinson gave an overview of where they are and where they come from in the litigation. Her team consists of three firms: Crueger Dickinson; the law firm of Simmons, Hanley and Conroy; and the firm of von Briesen & Roper who's served as the general counsel for the counties in Wisconsin and is also representing counties around the U.S. To date they represent over 225 counties in this litigation in 19 different states. This started when the counties in her home state wanted them to take a look at it because they had been burned in the tobacco litigation by the state when none of the money flowed back to them in the settlement of that litigation. Paul Hanley's firm litigated 5,000 individual cases against the main manufacturing defendant, Purdue Pharma in the 2003-2007 timeframe and found some really awful information about how these drugs were falsely marketed as non-addictive to the medical community at large and how they poured hundreds of millions of dollars into changing the medical community's perception. At the time of those cases the epidemic hadn't quite hit counties in the way we now see it. In the 2014-2016 timeframe local governments started to reach out to legal to see if anything could be done about it and that's how their team came together. To date there are 500+ counties that have brought suit around the U.S. As of last December all cases in the federal court system are now in one location in the northern district of Ohio. The judge that was assigned expects the cases to resolve nationally in 2018 and if that can't happen they will start trying them in 2019. The court appointed a group of lawyers to lead the litigation and both Mr. Hanley and Ms. Dickinson are in that group, there are 23 of them who sit on the plaintiff's executive committee. That group of lawyers will be the only lawyers in federal court. The first cases will go to trial in March of 2019 in Ohio, with her firm and the Hanley firm taking the lead on the Purdue Pharma case which is really the main manufacturing defendant. There are also distributors being sued. There is no deadline to file suit but if Canyon County wants to consider joining it needs to do it somewhat soon.

**This is not a class-action lawsuit.** Each county has their individual case that if it were not consolidated then this process would proceed forward. On the federal side it's consolidated for purposes of efficiency in the sense of we don't need to put together 3000 cases to have the same case against the manufacturers so they will all proceed under our direction, guidance and the lawyers of this team in the federal court. It's not likely Canyon County would be able to keep the case in the state court because it does not have a local defendant, distributor or manufacturer. Even if we filed in state court we'd end up in federal court. If we stay in state court we proceed in an individual case in state court and we'd have to expend time, effort and resources on our own.

**How do we document damages?** They will have a series of expert economists that will create a damages model for the entire U.S. and it will start with very high level stats. Any model will include things that have happened in the past, but if the cases resolve or even if they go to trial, a large component of it will be funding programs to abate the crisis in the future. The court has ordered a high level fact sheet with stats on overdose deaths, narcan administrations, stats on jails, imprisonments and drug court.

**How are the manufacturers and distributors more liable than the doctors who, for example, prescribe a 3-month supply of oxycodone for someone who has a broken arm and needs it for five days?** Ms. Dickinson said the medical community needs to be educated, and she referred to an article in *The New Yorker* about Purdue Pharma and the way they marketed the original set of these drugs and the spark that ignited this fire. Pharmaceutical marketing was started over OxyContin at Purdue Pharma. They decided to change a long standing perception in the medical community that these drugs were not safe and they had evidence that it was addictive and not efficacious to treat long term pain and they decided to market it that way anyway and they poured hundreds of millions of dollars into a system where the medical community was the deceived audience. It was a designed marketing campaign to which the five defendants all contributed.

**What is the ultimate goal?** To get those who created this to pay for fixing it going forward. The funding to fix this problem will cost millions of dollars in terms of education (the medical community needs to be re-educated, the public needs to be educated); and treatment and prevention of further addiction.

What will it cost the County to join the litigation? The firms are working on a contingent fee basis and Crueger Dickinson will take a 25% contingent fee if we win, if they recover something for us. The County will not pay the law firm, and they will never look to the County for a dollar if they lose the case. They bear all the costs of the litigation. They think the cases will be successful and they think it's an investment worth having and so the cost to the County is time to spend interfacing with on our damages. County officials will have to talk to them about how it is affecting us it won't be a matter of having employees pulling boxes. It will be a two year process at most, with the first case being tried 10 months from now. Because of that structure there will be a meaningful effort to resolve the case in 10 months. If the case is won, there will likely be multi-year payments with payment to the attorneys.

Vicki DeGeus-Morris said they know by looking at the pill bottles which doctors are overmedicating and they've been working with the DEA and cities on that issue, but the problem is made worse when people "doc shop" and they get more pills but they're not taking them because the street value is \$10-\$50 a pill. How do you police the stockpiling of pills? Ms. Dickinson said when the prescribing gets harder people switch to heroin because



it's cheaper and easier to get. This is a problem that is going to be catastrophic to fix, there is no easy solution so they are suggesting to do something and to get funds to address it. They have experts working on where we put those funds and how to fix it.

Michele Chadwick, who serves on the Idaho State Board of Medicine, said when you see a physician that you believe is overprescribing they should report that person to the board of medicine. A presentation will be made this summer to the Coroners' Association to let them know what the process looks like. There are a number of legislative changes that with the funds that can be realized through this lawsuit we'll be able to make some nationwide changes. The goal is to help you and your citizens recoup what you spent in the past and what we are up against.

Sheriff Donahue said the other prong of that is the black market and the Mexican cartels and their partners in Asia who have clandestine labs sending out pills by the millions and putting them on the streets and that distribution is bigger than any pharmaceutical company. America does not understand the enormity of what it's facing. Ms. Dickinson agreed and said criminal justice will be one of the focuses. She said it's a thing to consider letting them fight on Canyon County's behalf to try to get some dollars back into the system. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS GIS PRINT EQUIPMENT FOR PURCHASE

The Board met today at 11:30 a.m. to discuss GIS print equipment for purchase. Present were: Commissioners Pam White and Steve Rule, Assessor Brian Stender, IT Director Greg Rast, and Deputy Clerk Monica Reeves. There are two purchase orders for consideration today for Boise Office Equipment (BOE); one for the IT Department and one for the Assessor's Office for a 44" wide format printer MFP in the amount of \$9,395 each. With the separation of the mapping duties they're looking at getting identical pieces, one for IT and one for the Assessor's Office. Greg Rast said part of the GIS effort between the Assessor, DSD, IT and the Sheriff's Office involves plotter equipment (big printers) for maps that are utilized by several departments and now that IT is administering the system they'll be doing their own printing to alleviate some of the stress on the plotter equipment the Assessor uses. One of the plotters went down and the cost for repair is \$3,000 but they'd rather put the money toward new equipment. Director Rast said he didn't budget for this purchase but he had money set aside for a remodel of the print shop that he will use for this expense. Assessor Stender spoke about the equipment in his office that ranges from 5-15 years old and how he'd prefer to spend money toward a new unit rather than paying \$3,000 to repair one that's 10-years-old. Commissioners Rule and White approved both purchase orders for the IT Department and the Assessor's Office. The meeting concluded at 11:36 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2018 TERM  
CALDWELL, IDAHO APRIL 30, 2018

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

Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/28/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/26/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/19/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/16/18 for an open house.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/12/18 for a wedding.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for March 2018 and quarterly report for January thru March 2018 in today's minutes.

FILE IN MINUTES

The Board filed the Sheriff's uncollectible delinquent personal property taxes for 2017 in today's minutes.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. Commissioner Dale reported on possible options for a crisis center: Saint Alphonsus has offered a site located across from the old Mercy Hospital but it's not a good building; and this summer the CCOA/Metro Community Services organization will move out of its facility on Kimball Avenue and that facility has been suggested as a possible location. There are plans to see if St. Luke's could donate some land located at Sky Park and then see if Saint Alphonsus could help with construction costs. We have \$1.7M a year from the state that's targeted for operations and we have a one-time start-up of \$200,000 for retrofitting and construction. Currently there are agreements with Nampa and Caldwell and the other counties in the health district to help fund a crisis center with Canyon County and the two cities paying the lion's share as the biggest users. Commissioner Rule believes it's a good program but is cautious about the downstream costs when funds are given to create organizations and the County taxpayers end up picking it up after a few years. Commissioner Dale said Nikki Zogg is working with Blue Cross and a couple of other big insurance payers to be funding sources. The Board reviewed the upcoming budget schedule for outside agencies that will be presenting, one of which is RSVP, and Joe Decker informed the Board that we haven't had an RSVP volunteer at the information desk for over a year. He then reported on the following communications issues: KBOI Channel 2 is doing a profile of the landfill and a story on the inmate work release program; the landfill is going to expand and take away the southernmost parking area at Jubilee Park which is the one of the most used areas down there, and it's also a runoff overflow storm water drain from the landfill so it gets muddy and the heavy equipment has to pull trucks and trailers out so they're going to fence off that parking lot. Parks Director Nicki Schwend wants to meet with the Idaho Parks Department to make sure the current OHV training facility will work for the parking and if not Director Loper has agreed to build an additional parking lot. Five kids in the juvenile detention center have been selected for an anthology event on May 9 so he will work on a press release for that. Channel 2 wants to do a story on the Telmate tablets that are used in the jail facility. Early voting is open through May 11. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

*Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter and records exempt from public disclosure. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:10 a.m. with no decision being called for in open session.

CONSIDER SIGNING A RESOLUTION TO ISSUE A REFUND TO JOHN AND CYNTHIA CARPENTER FOR A SHORT PLAT APPLICATION; CASE # SD-PH2018-14

The Board met today at 9:32 a.m. to consider signing a resolution to issue a refund to John and Cynthia Carpenter for a short plat application, case no. SD-PH20108-14. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson explained that Mr. Carpenter had applied for a conditional rezone and short plat but upon further research they found that he did not actually need to plat as originally thought. Upon the motion by Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution to issue a refund to John and Cynthia Carpenter (see resolution no. 18-054). The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER SIGNING THE PUBLIC DEFENSE COMMISSION GRANT APPLICATION AND A RESOLUTION TO ADOPT THE CHANGES TO THE TITLE AND JOB DESCRIPTION OF ONE (1) POSITION IN THE PUBLIC DEFENDER'S DEPARTMENT

The Board met today at 10:02 a.m. to consider signing the Public Defense Commission grant application and a resolution to adopt the changes to the title and job description of one (1) position in the Public Defender's department. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Aaron Bazzoli, Demi Etheredge arrived at 10:03 a.m. and Deputy Clerk Jenen Ross.

***Consider Signing The Public Defense Commission Grant Application:***

Mr. Bazzoli said in early April a rough draft of the grant application was sent to Brianne McCoy at the Public Defense Commission to which he received a lot of feedback and made all the suggested changes. The grant application amount for FY2019 is \$480,190.50 which is about \$30,000 more than last year. With the grant monies they will continue to fund employees that were previously hired, look at options for building two new meeting rooms within the office as well as offset some of the expenses for conflict counsel. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Public Defense Commission grant application (a copy of this application is on file with this day's minute entry).

***Consider Signing a Resolution to Adopt the Changes to the Title and Job Description of One (1) Position in the Public Defender's Department:*** Mr. Bazzoli said he was contacted by the IT Director letting him know that the title and job description being used was similar to a position in IT and that they may not attract the candidates they're really hoping for. With this information and help from the HR department they have revised the title and job description to better fit what they're looking for. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution to adopt the changes to the title and job description of one position in the Public Defender's department (see resolution no. 18-055).

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY MARK AND MABRY BRICE FOR A PRELIMINARY PLAT, IRRIGATION PLAN AND WAIVERS OF CURB, GUTTER, SIDEWALK AND LANDSCAPING FOR MABRY ESTATES SUBDIVISION, CASE NO. PH2017-18

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of a request by Mark and Mabry Brice for a preliminary plat, irrigation plan, and waivers of curb, gutter, sidewalks and landscaping for Mabry Estates Subdivision, Case No. PH2017-18. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Dan Lardie, Mabry Brice, Mary Brice, and Deputy Clerk Monica Reeves. Jenn Almeida gave the oral staff report. The subdivision contains three residential lots and one nonresidential lot and will utilize individual domestic wells and septic systems and the lots will be surface irrigated. The nonresidential lot will continue to be farmed. The property is located within the Nampa area of impact. The Nampa City Council approved the irrigation plan and deferred the installation of curbs, gutters and sidewalks. Keller and Associates has reviewed the plat and irrigation plan, and the applicant has made the suggested changes to the plat and the remaining notations, specifically 7 & 8, have been added as conditions of approval. The applicant has submitted an engineering report to Southwest District Health. The plat meets the Canyon County Zoning Ordinance requirements and Idaho Code, Section 31-3805 in regards to irrigation. Staff is recommending approval of the preliminary plat, irrigation plan, and requested waivers. Commissioner Rule asked for clarification on the letter for Keller and Associates in regards to the swales on the property. Ms. Almeida said they are looking for a plan for protecting the swales from disturbance as construction takes place on individual lots and they are looking for compliance with conditions prior to the Board's signature on the final plat. Dan Lardie testified that the street name has gone through the street naming process and because Luke was a duplicate, it will now be Sophie Place. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat, irrigation plan, and the deferment of waivers as approved by the City of Nampa for Case No. PH2017-18, as well as approve the Findings of Fact, Conclusions of Law, Conditions of Approval and Order. The hearing concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

MEET WITH THE LAW FIRM OF DEWSNUP KING OLSEN WOREL TO DISCUSS THE OPIOID CRISIS

The Board met today at 2:07 p.m. for a presentation by the law firm of Dewsnup King Olsen and Worel to discuss the opioid crisis. Present were: Commissioners Tom Dale and Steve Rule; Colin King from the law firm of Dewsnup King Olsen & Worel (Salt Lake City); Matthew McCune from the law firm of Magleby Cataxinos Greenwood (Salt Lake City); Ben Schwartzman and Kammie Cuneo from the law firm of Andersen Schwartzman Woodard and

Brailsford (Boise); Prosecutor Bryan Taylor; Sheriff Kieran Donahue; Clerk Chris Yamamoto; Assessor Brian Stender; PIO Joe Decker; Sid Freeman; Nicole Foy from the Idaho Press-Tribune; and Deputy Clerk Monica Reeves.

Matt McCune gave an introduction of his firm's background. In addition to the firms here today, they also have a national partner, the firm of Napoli Shkolnik from New York City. Commissioner Dale asked if Jim Jones is involved with this group. Mr. McCune said originally they were partnered with a Salt Lake City firm that also has an Idaho presence, Parsons, Bailey and Lattimer, and Jim Jones is of counsel with them and that's how they initially made some inroads into Idaho. It turns out Parsons Bailey had an attorney at their firm who had done some work on an unrelated matter for one of the principles of one of the pharmaceutical companies they are suing so they thought that was a big enough conflict and they decided to withdraw and that led this group to Ben Schwartzman's firm in Boise and they found him through Mr. Jones and others who spoke very highly of him and they partnered with him as their local Idaho contact. Locally, their coalition has sued on behalf of two counties in Utah and two counties in Idaho and a number of other Utah counties that are looking to come on board. He spoke of the vast experience of the firms involved and said their national partner, Napoli Shkolnik, represents counties and municipalities for over 100 suits they've filed so far. They are skilled at filing these cases in state court, which means you aren't going to need a full 100% jury verdict whereas in federal court you'll need all 12. They are also experts on the federal court side. There is multi-district litigation where all the federal cases have been consolidated into an Ohio federal court. Hunter Shkolnik, one of the partners, is on the MDL plaintiffs' executive committee so he's part of determining how the federal court cases is going to move forward. One of their cases, Cuyahoga County, Ohio, is one of what's called the bellwether cases in the federal court cases and they're going to try those four cases early next year and one of them is our partner's case. Paul Napoli, the other partner, is a big part of the New York state cases that have been filed in state court. Whether Canyon County decides to go through the state court or through the MDL with federal court we will listen to you, work with you and decide what's best for Canyon County.

Ben Schwartzman spoke of his firm's background noting that they engage in high stakes litigation and that has historically involved cases such as this with tremendous national impact, high dollar values. They own the highest plaintiff's jury award ever in the history of Idaho, the Saint Alphonsus case. He worked on the tobacco litigation and the firm he worked in had the representation of 10 states, including Idaho. They have vast experience in confronting these types of very complex high informational quotient cases.

Colin King said they initially teamed with the firm of Crueger Dickinson but later decided against it because they wanted to be competitive with their fee in order to get as many cases as possible in Utah and the surrounding states but Crueger Dickinson opted to stay with their 25% fee. They suggest joining the lawsuit against Big Pharma and the distributors because it's the best way for the County to get the best chance at the most funds to repay the excess costs the County has incurred so far over and above the normal costs for treatment and addiction, social services, law enforcement and EMT services. There's an excess level to which opioids have caused a greater excess payment that's straining budgets for which the opioid manufacturers and distributors should help pay because they're the ones that created

this national health epidemic. The other major goal is to change the conduct of Big Pharma and help redirect what is happening with opioids. They are not saying opioids should be banned nor are they trying to stop the sale of opioids because they have a great helpful role; however, they were never approved for long term chronic pain because of their high addiction risk. The marketing departments are working to sell more and they've come up with a marketing strategy to pain management doctors, not just surgeons who are giving post-traumatic pain relief and it's created a market that is phenomenally successful and profitable for these companies but it's caused great damage. As more and more counties and cities join the litigation eventually the inertia will be too great for them to resist coming to a global settlement.

**Why can't the County join in later, and why can't they make a blanket where all counties receive the benefit?**

Mr. King said with Multi-District Litigation (MDL) where there are a number of players and if at some point there's a global settlement the judge will arrange and oversee a settlement and allocation but it will be only for those cases that are before him. He doesn't have the jurisdiction to spread it out to all counties, he can only adjudicate the cases that are actually filed. The cases they are filing in Utah are filed in state court and one of the reasons they are doing that is they didn't want to be in line in the federal MDL and wait for things to happen. They named the Utah pain doctors and because they are local that can keep them from being hauled off to federal, but that's not the case in Idaho. It may be more appropriate that Idaho join the MDL. Mr. Schwartzman said in addition to the right to participate in a global settlement, the character of participation is defined on whether you have your own lawsuit, so in one of these mass settlements it is rough justice but if you have your own case you have your own voice in how that metric gets determined. Mr. King said this is not a class-action lawsuit and you don't get to participate unless you file. In terms of timing of the filing, the main reason to do it sooner rather than later is the statute of limitations.

**What is the impact on Canyon County, and what type of data and legwork is required, and how many man hours is it going to cost us?**

Mr. McCune said Napoli Shkolnik has done this for 100+ counties and they have staff and experts that are dedicated to helping cull the data from the counties; they want the impact and the taxpayer money on the County's side to be minimal. They are fronting the expenses for the experts, the only expense and liability the County will have is the time it will take for staff to help them get the data so they can analyze it and determine the damages amount. Commissioner Dale asked why Big Pharma is culpable but not the physicians who write the prescriptions and put 90 pills in the hands of somebody who needs 10? Mr. McCune said there are couple reasons they aren't going after each doctor and it's economies of scale. They believe the doctors were duped along with the public to a large extent. It was pervasive and bad acts of the pharmaceutical companies in pushing the opioid products on the doctors and the public. They are where the ownership is and the bad acts were. Mr. King said there is a subset of bad doctors who have run this way beyond what is ethical and correct and some are outright criminal, to the extent they can be identified they will name them, but suing all the doctors has huge obstacles.

**What is the contingency fee?**

The contingency fee is 20% of the net recovery after payment of all costs. They will hold the County harmless. The fee agreement says they will front all the costs and pay themselves back at the end of the litigation assuming there is money to pay it back from. After the allocation of the costs they pay to themselves they would then calculate what the net is left over to Canyon County and they will take 20% of it as their fee. Mr. McCune said with the 20% net if \$1M is recovered and there are \$100,000 in expenses, their firm will take 20% of what's left which is only \$180,000 and Canyon County will get the rest. So it's a big difference in what the other firm which is still doing which is 25% gross. Mr. King said they would like to file the case by the end of May. Prosecutor Taylor said this will be discussed amongst the elected officials perhaps at their next meeting on May 21, but did note that it is the Board who, in consultation with the PA, will decide. Commissioner Rule said the Board cannot take action but it can ask the Prosecutor's Office to get the fees from both presenters and schedule a meeting. Mr. King said they would like to file it as soon as possible and take that to the other counties. Mr. McCune said they are very careful with the claims they pursue on behalf of the County and they don't want any claims that could blow back on a loser pays attorney fees for the other side. The meeting concluded at 3:11 p.m. An audio recording is on file in the Commissioners' Office.



THE MINUTES OF THE FISCAL TERM OF APRIL 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. DATED this 11<sup>th</sup> day of June 2018. Signed by Canyon County Board of Commissioners Steven J. Rule and Tom Dale. ATTEST: Chris Yamamoto, Clerk by Deputy Clerk J.Ross.

MAY 2018 TERM  
CALDWELL, IDAHO MAY 1, 2018

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

APPROVED CLAIMS ORDER NO. 5-10-18

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*A request was made to go into Executive Session to discuss a personnel matter, communicate with legal counsel regarding pending /imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 2, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

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

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

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:* Commissioner Rule made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Tina Wilson, Executive Director for WAED and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:35 a.m. with no decision being called for in open session.

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

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

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

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

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

MAY 2018 TERM  
CALDWELL, IDAHO MAY 3, 2018

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

#### APPROVED CATERING PERMIT

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-760, 2018-746, 2018-775, 2018-774, 2018-745, 2018-758, 2018-757, 2018-748, 2018-749, 2018-874, 2018-650, 2018-750, 2018-877, 2018-751, 2018-768, 2018-752, 2018-747, 2018-685, 2018-754, 2018-860, 2018-865 and 2018-762. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

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

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

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

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

#### CONSIDER INDIGENT MATTERS

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

#### CONSIDER INDIGENT MATTERS

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 4, 2018

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

No meeting were conducted.

MAY 2018 TERM

CALDWELL, IDAHO MAY 7, 2018

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

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

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

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

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

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



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

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

Commissioner Rule made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (e). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Steve Neighbors for Project Widget and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:20 a.m. at the conclusion of the executive session Commissioner Rule made a motion to sign the letter of support for Project Widget. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the support letter is on file with this day's minute entry.

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

FY2019 BUDGET MEETING FOR THE TREASURE VALLEY PARTNERSHIP

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

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

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

FY2019 BUDGET MEETING FOR THE IDAHO STATE ANIMAL DAMAGE CONTROL BOARD

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 8, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

The Minutes of the Fiscal Term of March 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 9, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CLAIMS ORDER NO. 1816

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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



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

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

#### FY2019 BUDGET MEETING FOR COMPASS

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

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

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

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

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

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

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

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

MAY 2018 TERM  
CALDWELL, IDAHO MAY 10, 2018

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

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

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

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

### FILE IN MINUTES

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

### FY2019 BUDGET MEETING FOR SOUTHWEST DISTRICT HEALTH

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

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

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

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

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

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

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

This year the organization is requesting \$1,008,280 in County funding, which is a \$34,057 increase over last year's amount of \$974,223. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 11:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 11:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:17 a.m. with no decision being called for in open session.

FY2019 BUDGET MEETING FOR CANYON COMMUNITY CLINIC

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

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 11, 2018

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

No meetings were conducted.

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

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

#### APPROVED CATERING PERMIT

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 14, 2018

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

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

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

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:33 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: He will be working in the Election's Office tomorrow evening to assist with the primary election; the law enforcement memorial ceremony will be held on May 18; his budget meeting is scheduled for May 18; and he has been working on a public meeting regarding a Brownsfield

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

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

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

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

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

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

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

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

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



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

#### FY2019 BUDGET MEETING FOR THE PARKS DEPARTMENT

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

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

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

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

#### FY2019 BUDGET MEETING FOR JUVENILE DETENTION

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

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

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

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

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

#### FY2019 BUDGET MEETING FOR THE PUBLIC DEFENDER

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

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

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

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

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

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

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

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

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

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

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

Commissioner Rule made a motion to go into Executive Session at 2:36 p.m. pursuant to Idaho Code, Section 74-206(1) (e). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell via conference call, Assessor Brian Sender, DSD Director Tricia Nilsson, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Tina Wilson, the Director of the Western Alliance for Economic Development, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:49 p.m. While in open session, Commissioner Dale said the Board discussed matters pertaining to Project Big, and Commissioner Rule said the Board has been working on a letter of support for a number of weeks and there is a deadline tomorrow so he made a motion to amend today's agenda to add the signing of the support letter in order to meet the deadline. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to authorize the Board to sign the letter, a copy of which is on file with this day's minute entry. The meeting concluded 2:50 p.m. An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

MAY 2018 TERM  
CALDWELL, IDAHO MAY 15, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

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

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

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

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

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

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

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

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



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

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

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

Commissioner Rule made a motion to go into Executive Session at 9:25 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Chief Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

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

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

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

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

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

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 16, 2018

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

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

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

FY2019 BUDGET MEETING FOR THE IT DEPARTMENT

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

Significant changes to the "B" Budget:

\$54,000 increase in service contracts

\$10,000 decrease in copier contracts

\$12,000 for construction of cabinetry storage

\$6,000 in internet

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

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

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

#### Projects:

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

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

\$75,000 for the virtual machine environment effort

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

\$65,000 for storage due to data growth

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

Extending fiber to the weed and pest department

\$12,000 for cabinetry and furniture

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

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

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

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

#### FY2019 BUDGET MEETING FOR THE FACILITIES DEPARTMENT

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

##### "A" Budget:

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

##### "B" Budget:

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



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

#### INDIGENT DECISIONS/CONTINUANCES

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

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

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

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

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

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

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 17, 2018

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 18, 2018

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

FY2019 BUDGET MEETINGS FOR THE PUBLIC INFORMATION OFFICER AND COUNTY AGENT

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

MAY 2018 TERM

CALDWELL, IDAHO MAY 21, 2018

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

APPROVED CLAIMS ORDER NO. 5-25-18

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

FILE IN MINUTES

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

##### Fair

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

##### Fair Building

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

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

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

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

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

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

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

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

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

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

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

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

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

Commissioner Rule made a motion to go into Executive Session at 9:14 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Commissioner Dale left the executive session at 9:28 a.m. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

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

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

The Board met today at 10:37 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman presented the Board with a commuter vehicle authorization which will allow the payroll department to tax usage of the vehicle. A copy of this authorization is on file with this day's minute entry. Director Tolman has temporarily suspended the unemployed inmate work release program in the shop pending legal direction as there have been issues with some of the inmate workers. The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

#### CANVASS ELECTION

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 22, 2018

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

No meetings were conducted.

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 23, 2018

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

No meetings were conducted.

#### MAY 2018 TERM



CALDWELL, IDAHO MAY 24, 2018

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

No meetings were conducted.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

MAY 2018 TERM

CALDWELL, IDAHO MAY 25, 2018

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

No meetings were conducted.

MAY 2018 TERM

CALDWELL, IDAHO MAY 29, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CLAIMS ORDER NO. 1817

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

Commissioner Rule made a motion to go into Executive Session at 8:35 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Prosecutor Bryan Taylor, Deputy P.A. Zach

Wesley, Clerk Chris Yamamoto, Director of Court Operations Denise Kennel and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:51 a.m. with no decision being called for in open session.

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

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

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

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

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

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

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

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

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

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

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

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

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

#### TOUR OF CANYON COUNTY JUVENILE DETENTION CENTER

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 30, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### APPROVED CATERING PERMIT

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

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

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



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

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

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

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

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

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

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

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

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

The following people testified in opposition:

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

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

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

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

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

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

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

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

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

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

#### MAY 2018 TERM

CALDWELL, IDAHO MAY 31, 2018

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

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

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

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

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

#### APPROVED CATERING PERMIT

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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



### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

### CONSIDER INDIGENT DECISIONS

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

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

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

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

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

#### CONSIDER INDIGENT DECISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### CONSIDER INDIGENT MATTERS

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

#### LEGAL STAFF UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 1, 2018

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

No meetings were conducted.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 4, 2018

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

APPROVED CLAIMS ORDER NO. 6/11/18

The Board of Commissioners approved payment of County claims in the amount of \$34,953.13, \$77,481.01, \$279,836.93 and \$20,389.01 for accounts payable.

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BI2 Technologies in the amount of \$10,718.01 for the Sheriff's Office
- Converge One in the amount of \$38,718.92 for the Information Technology department
- Amazon in the amount of \$1184.40 for the Information Technology department
- Netwrix in the amount of \$3955.00 for the Information Technology department
- Dell in the amount of \$3254.00 for the Information Technology department
- Dell in the amount of \$14,212.04 for the Information Technology department
- CDW-G in the amount of \$1470.00 for the Information Technology department
- WCP in the amount of \$23,100.00 for the Information Technology department



- HP, Inc. in the amount of \$2748.00 for the Information Technology department

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Orchard House Inc. dba The Orchard House; RSF Sunnyslope LLC dba Sunnyslope Market. See resolution no. 18-107.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Evra, Inc. dba Casa Mexico. See resolution no. 18-108.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Precept Brands LLC dba Ste. Chapelle Winery/Sawtooth Winery. See resolution no. 18-109.

#### CONTINUE THE SIGNING OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER IN THE MATTER OF THE REQUEST BY VIRGIL IOVU FOR A REZONE; AND CONSIDER SIGNING A RESOLUTION TO ISSUE A REFUND TO JOHN COTNER FOR BUILDING PERMIT FEES

The Board met today at 8:52 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order (FCO's) in the matter of a request by Virgil Iovu for a rezone, and to consider a resolution to issue a refund to John Cotner for building permit fees. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. On May 30, 2018 the Board held a hearing for Mr. Iovu's rezone request which was denied by Commissioners White and Dale and the signing of the FCO's was scheduled for today; however, Commissioner White is out of the office and is expected to be out for the next two weeks so Commissioner Rule made a motion to continue the signing of the FCO's to June 20, 2018 at 10:30 a.m. The motion was seconded by Commissioner Dale and carried unanimously. With regard to the refund resolution, Director Nilsson said the builder's client changed their house plans resulting in a smaller house and lower fee. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to sign the resolution to issue a refund to John Cotner for building permit fees in the amount of \$922.40. (See Resolution No. 18-106.) The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

## CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. to consider several agenda items. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy Sheriff Marv Dashiell, Lt. Dave Schorzman left at 9:10 a.m., Fair Director Diana Sinner left at 9:05 a.m., Deputy P.A. Allen Shoff, Deputy P.A. Zach Wesley, IT Director Greg Rast, IT Business Analyst Caitlin Pendell and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

### ***Consider signing 2018 Canyon County Fair entertainment agreements with the following:***

- Jackson Michelson (agreement no. 18-062)
- Norberto Herrera (agreement no. 18-066)
- Tejano Outlaw (agreement no. 18-069)
- Billie Madison aka Bubbie the Clown (agreement no. 18-063)
- Hypnotist Don Barnhart (agreement no. 18-067)
- Norma Lopez aka Pansy the Clown (agreement no. 18-070)
- Monique Michel Duarte Ballet Folkloric Mexico Lindo (agreement no. 18-068)
- Michel Duarte Dance Competition Coordinator (agreement no. 18-064)
- Parking lot agreement with Caldwell Bowl (agreement no. 18-065)
- Ryan Robinette (agreement no. 18-071)

Zach Wesley said most of the contracts are the standard contract with the exception of Jackson Michaelson who is an opening act for one of the mainstage artists. This contract has a lot of strikethroughs eliminating their indemnification and insurance clauses; they also have a standard rider that the county does not provide. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreements.

***Consider signing public safety radio network consolidated software upgrade agreement letter of interest to Ada County Board of County Commissioners:*** This is a letter of support for a regional plan for the maintenance agreement with Motorola. Ada County will hold the primary agreement and then other counties can enter into an agreement with Ada County which will offer a slight discount. Currently the county has three Motorola contracts but this one contract will consolidate those agreements. Ada County will conduct the negotiations and will sign a long term agreement and then the other counties that use the master site will contract with Ada County for both the master site and the service. This agreement should also help level out the cost for the software upgrades. A draft version of the contact has been reviewed and the Sheriff's office is comfortable with it. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the letter of interest to Ada County for the public safety radio network consolidated software upgrade agreement. A copy of the letter is on file with this day's minutes.

***Consider signing Amendment No. 1 to FY2017 Canyon County office devices support and maintenance agreement No. 17-061:*** This is a modification amendment to the BOE (Boise Office Equipment) agreement that was signed last year. It is being amended to add the Duplo 646 Rotary Cutter. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign amendment no. 1 for FY2017 Canyon County office devices support and maintenance agreement no. 17-061 (see agreement no. 18-061).

***Consider signing a resolution to increase the credit card prepaid expense account for the Solid Waste Department:*** This item was approved by the Board last month but it was not properly agendized so it is back on the agenda today for official action. Commissioner Rule made a motion to sign the resolution to increase the credit card prepaid expense account for the Solid Waste Department. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-076).

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

#### FY2019 BUDGET MEETING FOR THE ASSESSOR'S OFFICE

The Board met today at 10:01 a.m. for a budget meeting for the Assessor's Office. Present were: Commissioners Tom Dale and Steve Rule, Controller Zach Wagoner, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Assessor Stender reviewed the budget as follows:

##### **Motor vehicle budget changes:**

The postage line item has been reduced because most of the cost goes through the state. IT recommended the purchase of 15 new computers so the budget has been increased by \$16,000. They also recommended the replacement of the main printer as the maintenance contract is expiring. He has plans for a project to increase the efficiency with the computer stations, specifically a station that will be used solely for dealer titles. He does not yet have a final construction number but the facilities staff should be able to start the work in 2019. The DMV is fully staffed, no new positions are being requested.

##### **Reappraisal budget changes:**

The operating income line item will increase by \$60,000 because he will ask the IAC litigation fund for funding to cover the costs of an outside professional appraiser for the cases that have been taken to district court. There is an increase in the miscellaneous professional services line item which includes \$144,000 for the aerial flights performed by Eagle View, formerly known as Pictometry. The total cost is \$190,000 but other entities will share in the cost and so the Assessor's share is \$144,000. Canyon Highway District is going to contribute some revenue for that flight as well. The budget includes a new position request of \$90,000 for a data modeler type position that will focus on the track-style homes which will free up time for the other appraisers to work on the houses that are more customized and take a little more time. The copier contract has been increased to reflect the upgrade in the blotter system. The GIS supplies line item has been reduced since some fees are now in the service

contract line item. IT recommended they update some computer systems that are five years old and so he has budgeted \$18,000 for 15 new desktop computers, \$12,000 for 10 mobile computers, and \$3,000 for monitor replacements.

The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE CORONER'S OFFICE

The Board met today at 10:33 a.m. for a budget meeting for the Coroner's Office. Present were: Commissioners Tom Dale and Steve Rule, Controller Zach Wagoner, Coroner Vicki DeGeus-Morris, and Deputy Clerk Monica Reeves. Coroner DeGeus-Morris reviewed the budget as follows:

- Autopsy services were reduced from \$10,000 to \$5,000
- Copier contract has increased by \$1,000
- Cell phones were reduced by \$500
- Printing was increased to \$200
- She did not budget for meals and hotels because it's too soon to know what amount the new administration will request.
- Association dues were reduced to \$150 to cover IAC dues
- Gas and oil will remain the same
- She did not do anything with the airfare, education and training budget
- Office supplies will remain the same
- Uniforms were reduced to \$400 because she believes that amount will cover the costs
- Morgue supplies were reduced by \$1,000 because they have a good supplier and the prices are reasonable.

Commissioner Dale noted that the FY2019 budget is lower than the FY2018 budget, and Mr. Wagoner said the major cause of that is because in 2018 they budgeted \$36,000 for a new vehicle. Commissioners Rule and Dale decided to add \$2,000 to the budget for education, training and hotel just in case there's a conference the new Coroner wants to attend. Coroner DeGeus-Morris said a lot of training can be picked up locally thereby eliminating the need to travel out of state. The meeting concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

#### FISCAL YEAR 2019 BUDGET MEETING FOR THE SHERIFF'S OFFICE

The Board met today at 1:31 p.m. for the fiscal year 2019 budget meeting for the Sheriff's Office. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Sheriff's Financial Manager David Ivers, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv

Dashiell, Controller Zach Wagoner, Nicole Foy for the Idaho Press-Tribune and Deputy Clerk Jenen Ross. The budget was reviewed as follows:

- Out of county housing has an increase of \$400K over last year

A discussion ensued regarding out of county bed space and the shortage of bed space across the state.

- Spillman has offered a five year maintenance package. The server and software need to be upgraded which is about \$120,000. The five year package contains a fixed rate annually for the maintenance contract of \$131,000. They anticipate about 65% of the funds coming from E911 and 35% coming from the Justice fund
- Ammunition: reduced to \$35K as they were able to purchase their replacement duty ammo this year and are on a two year cycle with duty ammo replacement
- Police vehicles: worked with fleet to determine the replacement recommendation; Fleet is recommending 9 marked patrol units, 3 transport vans, and 1 unmarked unit for investigations
- If we do add housing there would be an increase in meals, a small increase has been accounted for this year. CBM (the vendor that provides the meals in the jail) generally has a 2% increase yearly
- Cert supplies: replacement of vests
- Machinery: recommendation by IT to replace 2 printers and to purchase a key tracking system
- Education and training: certification processing
- Boating safety: temporary personnel
- CCNU: the miscellaneous professional services is for salary match

Zach Wagoner brought to the Board's attention that under revenue there is a new line item for the Landfill work-release program – this is money that is paid from the Enterprise fund to the Justice fund. The meeting concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 5, 2018

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

No meetings were conducted.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 6, 2018

PRESENT: Commissioner Tom Dale, Chairman – IACC Conference  
Commissioner Pam White – out of the office

Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 7, 2018

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

No meetings were conducted.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 8, 2018

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

No meetings were conducted.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Dramas LLC dba Bootleggers. See resolution no. 18-110.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 11, 2018

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

APPROVED CLAIMS ORDER NO. 1818

The Board of Commissioners approved payment of County claims in the amount of \$1,627,048.36 for a County payroll.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 6/30/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 6/16/18 for a movie night and dog show.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for McCain Pub to be used 6/13/18 for a SWDH employee event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 6/16/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Big Al's to be used 6/23/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michaels' Pub & Grill to be used 6/23/18 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Total Scale Service, Inc. in the amount of \$1726.00 for the Fair
- Markstaar in the amount of \$1477.81 for the Fair

- Henriksen Butler in the amount of \$2476.64 for the Development Services department
- Grainger in the amount of \$1649.00 for the Facilities department
- Matthew Bender & Co. in the amount of \$1344.00 for the Prosecuting Attorney's Office
- BOE in the amount of \$3526.00 for the Information Technology department
- Corwin Ford in the amount of \$57,368.00 for the Fleet department

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

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

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

The Minutes of the Fiscal Term of April 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 8:33 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, HR Director Sue Baumgart, Controller Zach Wagoner, Accountant Shawna Larson, IT Director Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing agreement with Silverhawk Aviation for 2018 Canyon County Fair helicopter rides:*** This is a regular fair contract to provide helicopter rides during the fair. Silverhawk Aviation will make a \$750 payment to the county plus 20% of their on-site revenue. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreement with Silverhawk Aviation (see agreement no. 18-072).

***Consider signing agreement with Paylocity Services:*** Mr. Laugheed has reviewed the contract and sees no legal reason not to sign it. Zach Wagoner said the county has been using ADP for the past 7 years but they are not happy with the customer service they've received lately. Paylocity is a full suite of products that provide payroll and human resource solutions.



Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreement with Paylocity Services (see agreement no. 18-073).

There were no items for discussion at the legal staff update. The meeting concluded at 8:39 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING RESOLUTION TO APPROVE A NEW POSITION FOR INFORMATION TECHNOLOGY AND COUNTY SECURITY

The Board met today at 9:03 a.m. to consider signing a resolution to approve a new position for Information Technology and County security. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto left at 9:08 a.m., Director of IT Greg Rast, HR Director Sue Baumgart, Assistant Director of IT Eric Jensen, IT Project Manager Shawn Adamson, IT Operations Manager Don Dutton and Deputy Clerk Jenen Ross. Director Rast said this is the position that has been discussed over the last year for security of the county. He was planning to ask for this position in FY2019 but was asked if it could be funded for the remainder of FY2018 and due to some vacancy savings he is able to fund the position at this time. Per Mr. Rast, the county is way behind on security and it really needs to be addressed. There is currently a person in the IT department who would fill this position and the position left vacant will be backfilled. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution approving an additional position of a Security Systems Administrator (see resolution no. 18-111) for the Information Technology department. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:16 a.m. to discuss the opioid crisis, specifically the possibility of going with the Crueger Dickinson law firm and joining the lawsuit they are involved with. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Commissioner Dale said Krista Baisch from Crueger Dickinson answered the question that we are not engaging in liability by going with them as far as liability or being responsible for costs if they don't win the court case. Clerk Yamamoto and Chief Dashiell both questioned what kind of information the law firm is expecting because their offices have no way of differentiating between prescription usage or illegal usage therefore making it difficult to provide any useful data. Commissioner Dale said their damage computation is based on national trending and modeling, it's not necessarily specific information from each county. Commissioner Rule said the state is compiling a large percentage of information that would represent all counties in the state. The state is not a party to this but they would be affected in such a way that they have the ability to compile information and submit data to that effect. Chief Dashiell said the Sheriff's Office does not currently track whether it's prescription or illegal and even down to the opioid aspect even legal prescriptions could be a portion of what is coming into play.

Another concern is that the information coming out of the jail in terms of medical records are not easily obtained or shared. He does not want this putting a burden on the office to where they have to start reporting, researching, and tracking information that really doesn't affect their ability to do their jobs. Commissioner Dale said the biggest concern is whether it will result in a lot of extra work for staff but he believes it's worthwhile to have a conversation with Crueger Dickinson again to find out what they will require from the Clerk and the Sheriff. Clerk Yamamoto questions whether we should proceed with the lawsuit and whether his office could provide any data that would be useful. Commissioner Dale wants to make sure it's not going to force the County into a position where the offices are required to provide information that's difficult to find and costs extra time because that's something we can't afford to do. However, if it's a formula based on a national trend and it won't cost anything then he'd probably be willing to vote for it. It was decided that Commissioner Dale will contact Ms. Baisch with Crueger Dickinson and try to get some of these questions answered. The meeting concluded at 9:31 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE PROSECUTOR'S OFFICE

The Board met today at 10:04 a.m. for a budget meeting for the Prosecutor's Office. Present were: Commissioners Tom Dale and Steve Rule, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Prosecutor Taylor reviewed the budget as follows:

The "A" Budget: He is requesting one part-time scanning position and two part-time legal interns. On June 7, 2018 there was an RFQ that was submitted to the City of Caldwell and if the Prosecutor's Office receives that contract it would add four positions that would be funded by the contract. There's one part-time position they are utilizing right now but with the additional duties they would likely be asking for one victim coordinator and so if they are awarded the contract they will ask for four positions, plus a fulltime position which would replace the current part-time position.

The "B" Budget: The fleet line item has been moved to the Prosecutor's budget. They have six fleet cars and over the next three years Director Tolman wants to change them out. The IT Director wants them to purchase more expensive computers but Prosecutor Taylor believes they can utilize less expensive computers, and so they are trying to decide if it comes from the Prosecutor's budget or the IT budget. It's a matter of moving it from one budget to another. Everything else in the budget is nearly identical to last year's budget. Commissioner Rule asked for information about the asset forfeiture line item. Prosecutor Taylor explained that it's the drug seizure money and it has to be in the designated asset forfeiture because the money can only be used for training and purchasing. Controller Wagoner said they're not sure exactly how the monies will be spent, whether for education or training, but when it gets spent they record it based on how it was actually used. It's more of a placeholder for the forfeiture monies that can only be used at the Prosecutor's discretion. Prosecutor Taylor said it's been \$30,000 for the past 10 years and that's the basic amount

although the amount they seize is slim, around \$2,000. It fluctuates up and down. Commissioner Rule said it's a strange way of budgeting. Controller Wagoner said the money has built up over the years and they have a spreadsheet to keep track of the money in and the money out. Prosecutor Taylor said at most they spend \$1,000 of it a year; they just have to have an account designated because state statute requires them to have it. There was discussion regarding expenses and revenues and the process to determine them. They will be adding roughly \$630,000 in revenue for the Nampa prosecution contract; they just don't have a final number today for the Nampa contract for 2019. The expenditures from the Nampa contract budget is somewhere around \$10,000 to \$20,000, the rest is for salaries and benefits. The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE TREASURER'S OFFICE

The Board met today at 10:35 a.m. for a budget meeting for the Treasurer's Office. Present were: Commissioners Tom Dale and Steve Rule, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Treasurer Lloyd said interest rates are up. The last year our total interest income was \$565,000 and to date it's \$536,000 and her goal is to exceed \$700,000 in interest income this year. She reviewed her budget as follows:

##### "A" Budget

Currently she doesn't have a chief deputy; they have taken the duties and segregated them out. She has requested some increases for some staff due to new tasks they have taken on and the overall efficiencies that have resulted. She is requesting 2.5% merit for a couple employees, who have taken on new and excelled at new responsibilities outside of their job descriptions. Commissioner Dale asked if that will go through a redefining of the job descriptions or does it fit with the discretionary fund we have. Controller Wagoner said one possibility could be in the compensation plan. Last year we included 1% of salaries for equity pay that was not a permanent part of somebody's salary, but in recognition for a job well done and for additional work. It was a one-time cash payment to recognize efforts. Treasurer Lloyd said that's where she would like to pull it from. She and Assessor Stender have discussed hiring a shared employee as both offices have certain times of the year where they are busy and they need an extra hand. They had hired a person and the shared position was available through the Assessor's budget. For FY2019 she is asking to fund one-third of that position. Controller Wagoner said it's currently a fulltime position in the Assessor's budget and there will be a decrease of this amount in his budget on that position. Treasurer Lloyd said if the new position request is approved, her requested \$5,000 amount for temporary help would go away because she would fill that fulltime position and share the employee. Commissioner Dale said it sounds like a good plan.

##### "B" Budget

There are no significant changes in the "B" Budget. In the miscellaneous professional services line item she is projecting a small increase due to increased numbers in properties.

Tax deed expenditures are up slightly. With regard to banking charges, they have always done earnings credits to offset our banking charges and in an increased interest environment they have to watch it closely because sometimes it's more beneficial to pay outright for those costs. Currently we are earning .75 for an earnings credit. We have to keep about \$9M in the account to cover banking charges and if she can reduce that amount and get a higher interest rate to offset those banking charges that's what she'll do. Loomis Fargo is requesting a 10.2% increase but she said told them no, however, she has included a small increase just in case she cannot negotiate something different.

The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2019 BUDGET MEETING FOR THE COMMISSIONERS' OFFICE

The Board met today at 10:48 a.m. for a budget meeting for the Commissioners' Office. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. The review was as follows:

##### Commissioners' budget:

Hotel reduced to \$5,000  
Airfare reduced to \$3,000  
Total "B" Budget: \$45,950

##### General, Tort and Misc. budgets:

Outside Auditor: \$52,000  
Miscellaneous Professional Services: \$5,000  
Fire Insurance Premium: \$40,000 (majority of ICRMP is paid from the Tort Fund)  
Treasure Valley Partnership \$5,918  
IAC dues \$21,000

Capital Crimes Defense Fund: Commissioner Dale said across the state there's been a large increase in murders so there will be quite a few capital crimes adjudicated in the next year. Controller Wagoner said we are going to receive some revenue from that fund this fiscal year and he thinks it makes sense from an accounting standpoint to put that activity in the indigent fund under public defense. The Board did not object.

VRT: Commissioner Dale said VRT is going to ask for increased funds to pay our share of the administrative costs that the City of Boise has been paying for the last several years. Commissioner Rule said until there's something in writing he will not raise a budget based on hearsay. Controller Wagoner said VRT requested \$36,340 for FY2019.

Chamber Dues: Commissioner Dale is in favor of continuing to pay the dues.

Community Development: Commissioner Rule said we haven't been utilizing the line item in a very particular way so he suggested it be reduced and move a couple thousand dollars into the Veterans budget and \$3,000 to \$4,000 into the Western Alliance for Economic Development (WAED) budget. Commissioner Dale agreed to reduce it to \$5,000. Clerk Yamamoto said in the past we added \$16,000 for the Veterans Services Officer and the Caldwell Veterans were receiving \$16,000 from the historical fund but now that the

construction has ended on their facility, that \$16,000 in historical preservation funding will go away. Commissioner Dale said now that they have a location they will see a lot more usage of the Veterans Service Officer. Clerk Yamamoto said most counties fund a VSO position, which would be substantially more than \$16,000 so he suggests we double that and make it \$32,000, which will not cover all the costs of a VSO, but it will go a long ways towards it. Commissioner Dale said he received an email from Tina Wilson from the WAED and she's had conversations with Gem County and they have given her a verbal agreement to pay some funds to WAED so she can provide services to them. Commissioner Rule said rather than Ms. Wilson asking for funds for training opportunities he suggests we provide \$4,000-\$5,000; he is not ready to support a VSO position at \$32,000, but he would support moving some of the community development funds to both of those. Commissioner Dale said if we reduce the community development line item to \$5,000 that will free up \$10,000 to move and if we gave WAED an extra \$3,000 they would be happy and we could give the Veterans an additional \$7,000. (\$30,650 for WAED and \$23,000 for the VSO position.) Commissioner Rule is not in agreement with funding the \$16,000 for the Veterans again, he is only in support of giving them an additional \$7,000. Controller Wagoner said the \$16,000 is to provide support for a position to work with Veterans and provide services. Commissioner Dale is in favor of keeping the \$16,000 and adding some to it.

Metro: \$125,000

Meals on Wheels: \$1500

RC&D: \$500

Soil Conservation District: They requested \$15,000 but in the past the County has given \$10,000. Commissioner Dale has no problem with providing \$15,000.

Miscellaneous Prof Services: \$1500

Reserves: \$500,000

Historical Society: Funding recommendations will be heard on June 18, 2018.

Tort Fund: This is for the majority of the ICRMP premium of which there is a slight increase. The County has been informed about an increase in our deductible from \$2500 to \$3500, which would save us about \$40,000 on the premium increase. We also have a reserve line item in here and we do have a dollar amount in here for any litigation fee. The Board decided to carry those numbers forward.

Health District: The funding request is \$1,008,280. Commissioner Rule said the budget description should include more detail rather than just the word "miscellaneous". Controller Wagoner said he can create a new line item and label it SWDH contribution.

Contingent revenues and expenditures: This is an amount set aside for any emergency type activity in the justice fund. Controller Wagoner asked if the Board wants to consider the \$250,000 reserves for the justice fund. Commissioner Dale said he does.

Animal Damage Control: The funding request is for \$2,000. Controller Wagoner recommends paying it from the pest control fund. Commissioners Rule and Dale agree.

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 1:34 p.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kelli George, Customer Service Manager Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0933, 2018-0996, 2018-0902, 2018-0906, 2018-0911, 2018-0927, 2018-0928, 2018-0791, 2018-0903, 2018-0895, 2018-0910, 2018-0900, 2018-0929, 2018-0918, 2018-0907, 2018-1029, 2018-0899 and 2018-0954 Commissioner Rule made a motion to uphold the denials as read into the record with written decisions to be issued within 30 days. The motion was second by Commissioner Dale and carried unanimously. The following cases were scheduled for June 14, 2018 but since the hearing date was vacated the following cases will be rescheduled to June 20, 2018 at 1:30 p.m.: 2018-523, 2018-625, 2018-588, 2018-491, 2018-490, 2018-280, 2018-587, 2018-571, 2018-652 and 2018-622. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted to continue the cases to the requested date. Case no. 2018-608 has met all eligibility criteria for approval after the initial denial. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue a final approval within 30 days. The meeting concluded at 1:38 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:38 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale and Steve Rule, Judge Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Wiebe let the Board know that she had written a response in regards to the magistrate secretaries being moved over to the Clerk. Commissioner Rule said he has not had a chance to read the letter. The implementation of that move was set for July but Judge Wiebe is hoping to have a little more time as they are meeting with the magistrates next month and her understanding is that Clerk Yamamoto said he would speak at that meeting about what he thought the change would do in terms of some efficiencies. Commissioner Dale's understanding is that there is a vacancy within the magistrate secretaries and the Clerk didn't want any confusion if there was a change. Judge Wiebe said she had a good discussion with Clerk Yamamoto recently and she believes a couple his concerns can be addressed thru their case management system which she included in the letter. Other points of discussion were that Payette, Washington and Gem counties are now live with Odyssey and that Judge DeMeyer will not stand for re-election so there will be a re-appointment in January and they anticipate Judge Grober in Owyhee County may be retiring soon. The meeting concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

#### FISCAL YEAR 2019 BUDGET MEETING FOR THE CLERK'S OFFICE

The Board met today at 2:00 p.m. for the Fiscal Year 2019 budget meeting for the Clerk's Office. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Court Operations Denise Kennel, Elections Supervisor

Cassie Whitney, Director of Indigent Services Yvonne Baker, Other Clerk's Office employees and Deputy Clerk Jenen Ross. The budgets were reviewed as follows:

#### Auditor's budget

- Includes a portion of the Clerk's salary which is split between the auditor division and consolidated elections
- No changes to the 'A' budget from the prior year
- Miscellaneous Professional Services: the payroll provider is paid from this line and tied directly to the number of employees on the payroll. Best projection is \$115K for actual costs
- Service Contract: this is for the general ledger accounting software and for a portion of the property tax software annual maintenance bill
- Hotels: a few dollars have been added as Mr. Wagoner may attend the annual Government Finance Officers Association conference
- Computer Equipment: IT has recommended replacement of five desktop computers
- Advertising: may need to pay to advertise for a specialized position in the Auditor's office

#### Clerk of the Court

- Overtime and Part-time budget lines: the overtime budget is being decreased to \$25,000 and the part-time budget increased to \$55,000
- No additional positions are being requested although they would like to reclassify and rename one position; Court System Analyst to Court System Administrator in order to more closely match a similar position in the Prosecuting Attorney's Office and the Public Defender's department
- Computer Equipment: three laptop computers
- Small Office Equipment: six printers and one bulk scanner
- Misc. Personal Services: \$160,000 for the scanning effort
- Interpreter Fees: moved from the Trial Court Administrator budget to the Clerk of the Courts in order to get a better handle on those fees

#### Elections & Consolidated Elections

(The state provides the county approx. \$350,000 for consolidated elections activity)

- Accessibility: added \$5,000 to both budgets
- Temporary: \$2,500 added to each budget to help with the larger elections
- Ballots: ordering extra ballots for the election this November
- Peasley Delivery: costs have gone up so the budget was increased

#### Recorder

- New Position: requesting one new position for a total of \$50,000 for salary and benefits

- Service Contracts: has been reduced to \$20,000 for Hellion for the annual Recording software maintenance agreement
- Postage: reduced to \$17,000
- Computer Equipment: \$10,000 based on the recommendations from IT to replace 10 desktop computers

#### Indigent Services

- Involuntary Commitment: increased to \$2.65M
- Salary Adjustment: reclassification of a Customer Service Specialist to possibly Senior Customer Service Specialist
- Slight increase to various lines such as document shredding, copier contract, they also added a furniture line item for the replacement of chairs and it has been recommended by IT to replace four new computers and a new copier; the new copier is \$8,000 and the four computers are \$5,100
- Subscription to a TLO report which will help with investigations and reimbursement accounts
- Advocates Against Family Violence and the Community Clinic have both been moved over to the indigent services budget

The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES FOR JANICE JORDAN

The Board met today at 3:04 p.m. to consider the application for hardship cancellation of property taxes for Janice Jordan. Present were: Commissioners Tom Dale and Steve Rule, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Janice Jordan, John Jordan, and Deputy Clerk Monica Reeves. Treasurer Lloyd reported that Ms. Jordan owes \$856.64 in outstanding costs. John Jordan said he has a potential buyer for a vehicle that he's hoping to sell for \$850, and, he expects to receive a raise in August and he'll be able to pay quite a bit per month which will be applied to the taxes. Treasurer Lloyd said Mr. Jordan indicated he was doing that several weeks ago. Commissioner Rule said if we go "down this path" and the money isn't there the Jordan's will be facing a perilous situation with their home. Mr. Jordan said he was working on the situation with the vehicle this morning but his heart condition makes him tired therefore cleaning the vehicle takes a while. Commissioner Dale said at the previous meeting it was pointed out that the Jordan's bank statements include cable television and other expenditures that could be reduced and he encouraged the Jordan's to make the payment of their taxes a priority because the County does not want to take their home. Commissioner Dale said we will wait to hear from Treasurer Lloyd on the payment situation. The meeting concluded at 3:13 p.m. An audio recording is on file in the Commissioners' Office.



## MEETING TO DISCUSS 2018 ASSESSED VALUES FOR CANYON COUNTY

The Board met today at 3:30 p.m. to discuss the 2018 assessed value for Canyon County. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Greg Himes gave a PowerPoint presentation which included slides with the following information:

- Forbes Magazine lists Boise Metropolitan Statistical Area (Treasure Valley) as the No. 1 place to live
- Average increases
- Sales volume and market information
- Slides showing annual percentage increase in gross assessed value for cities and rural and commercial/industrial categories
- Residential improved parcels = average sales price info
- Annual single family average sale price \*MLS data
- State tax Commission data on a 14-page report, (improved sales). Canyon County is at 96%, which is a statistical way of saying staff is doing a good job
- BOE comparable info- it's produced in ProVal and will have five comparable assessed properties
- Historic appeals numbers
- There are roughly 100,000 parcels and at the end of this the Assessor's Office will have made 1,000 contacts (just 1%) and out of that 1% if we only get 50 appeals that means they are doing a good job and are working with people. Of those 50 that file an appeal the Assessor believes they have the right value and they want the Board's support
- Numbers are similar to last year; 80% solve rate. Approximately 600 people contacted the Assessor's Office and as a result 90 appeal forms were given out, but to date only 9 appeals have been filed

There was a review of the upcoming hearing procedure. If the appellants do not present any data the Assessor is presumed to be correct. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 4:06 p.m. An audio recording is on file in the Commissioners' Office.

### **JUNE 2018 TERM**

**CALDWELL, IDAHO JUNE 12, 2018**

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

No meetings were conducted.

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

The Board approved a salary rate request and/or key & security access request form for Alyson Cooke, Cynthia Irma Avila and Nicole Hammett.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Los Mariachis Mexican Restaurant #2 to be used 7/6/18 for a wedding.

APPROVED CLAIMS ORDER NO. 6/15/18

The Board of Commissioners approved payment of County claims in the amount of \$172.50 for accounts payable.

APPROVED CLAIMS ORDER NO. 6/13/18

The Board of Commissioners approved payment of County claims in the amount of \$23,579.10 for accounts payable.

APPROVED CLAIMS ORDER NO. 6/25/18

The Board of Commissioners approved payment of County claims in the amount of \$125,941.10 and \$142,408.98 for accounts payable.

JUNE 2018 TERM

CALDWELL, IDAHO JUNE 13, 2018

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

No meetings were conducted.

JUNE 2018 TERM

CALDWELL, IDAHO JUNE 14, 2018

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

No meetings were conducted.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 15, 2018

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

No meetings were conducted.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 18, 2018

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

#### APPROVED CLAIMS ORDER NO. 6/18/18

The Board of Commissioners approved payment of County claims in the amount of \$518.94 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 6/25/18

The Board of Commissioners approved payment of County claims in the amount of \$61,338.22, \$241,456.72, \$134,432.84 and \$237,475.66 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$1188.00 for the Sheriff's Office

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

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

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The End Zone to be used 6/22/18 for a wedding.

### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. A conference call is scheduled for tomorrow at 11:00 a.m. regarding the opioid lawsuit but Commissioner Rule said he will not participate in the call because he stated his position three weeks ago and believes it would be advantageous to join the lawsuit. He said if the Board decides not to join the lawsuit that's okay too. Commissioner Dale said there has to be a vote by at least two Commissioners on whether to enter into a contract with the Crueger Dickinson law firm, but, before we get to the point of the actual signing of the contract it will have to be put on the Board's agenda. The Findings of Fact, Conclusions of Law and Order (FCOs) for the Virgil Iovu case are coming up on the schedule and it's a case where Commissioners White and Dale voted against the rezoning request, but Commissioner Rule voted in support of it. Commissioner White will not be here to sign the document, but Commissioner Rule said since the vote was already taken and he doesn't want to delay the process he will sign the FCOs so it can move forward. Commissioner Dale said it may be worthwhile to ask DSD if they've had a request for reconsideration on this case. Joe Decker reported on the following communications issues: Today marks the one year anniversary of the Bollinger case, and John Walsh is doing a new show for Investigation Discovery and he's interested in that case so when the Sheriff returns to office Mr. Decker will see if it's something he wants to do. The Press Tribune wants to do a story on Spanish speaking employees in the Sheriff's Office. KBOI Channel 2 wants to do another story on the Telmate tablets that are used in the jail so he will work with Captain Ward on getting that set up. The Parks Department is going to apply for a grant to rehabilitate a fishing dock at the upper dam of Lake Lowell so he created a survey monkey and a basic press release for it. Treasurer Lloyd asked him to prepare a press release on the second half property taxes being due on Wednesday. The meeting concluded at 8:45 a.m. An audio recording is on file in the Commissioners' Office.

## LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Mike Porter left at 9:12 a.m., Deputy P.A. Brad Goodsell, Chief Deputy Sheriff Marv Dashiell left at 9:12 a.m., Jail Captain Daren Ward left at 9:12 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing procurement of software maintenance, support and licenses of existing Spillman Technologies system or platform under I.C. § 67-2801-2803(15):*** Spillman is the records management system, computer aided dispatch system and jail management system. The Sheriff's Office has been using the system since 2002 and they are coming into end of life with the operating and storage system. The approximate cost to upgrade the system is \$30K; Spillman has offered for the county to purchase the service and licensing for next five years at a reduced cost which will save about \$200K - \$250K over the course of the five years. A portion of the cost will come from the E911 funding and the general fund/Justice fund. Chief Dashiell said the contract includes wording that it is contingent upon the FY2019 budget for this being approved but this is a way to get on their schedule for the new fiscal year. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the procurement of software maintenance, support and licenses of existing Spillman Technologies system or platform under I.C. § 67-2801-2803(15) (see agreement no. 18-074).

***Consider signing medical assistant practicum agreement with CWI:*** the college sends externs out in order to get their externship hours and a jail employee will be with the student to help train them. Captain Ward said one benefit of the program is that often once the student completes their hours they will come to work for the jail. Commissioner Rule asked about the liability, Mr. Porter said that he believes ICRMP will cover any work an extern does under the county policy. Commissioner Rule made a motion to sign the medical assistant practicum agreement with CWI. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-075).

## EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*A request was made to go into Executive Session to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:13 a.m. pursuant to Idaho Code, Section 74-206(1) (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:19 a.m. with no decision being called for in open session.

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

MONTHLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER RECOMMENDATIONS FOR THE HISTORIC PRESERVATION GRANT FUNDING FY2019

The Board met today at 9:33 a.m. for a monthly meeting with the Parks Director to discuss general issues, set policy and give direction and consider recommendations for the Historic Preservation Grant Funding FY2019. Present were: Commissioners Tom Dale and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross.

***Consider Recommendations for the Historic Preservation Grant Funding FY2019:***

Zach Wesley said the commission met a couple weeks ago to review the applications; there were a total of 9 applications received with 8 remaining, Caldwell Veterans withdrew their application as it didn't fit with 'historic preservation'. Mr. Wesley reviewed the applications and amounts; requests were received from Advocates Against Family Violence/Odd Fellows Lodge, Caldwell Historical Society, Caldwell Page Turners, Canyon County Historical Society, Friends of the Nampa Public Library, Historical Society of Middleton, History of Idaho Broadcasting Foundation and Melba Valley Historical Society, a copy of this list and the amounts requested and recommended is on file with this day's minute entry. There is some question about the request from History of Idaho Broadcasting Foundation, they are requesting funding for restoration of the historic KFXD neon building sign which used to be on the building but the Historic Preservation Commission would like more information on the commercial use of the building, a timeline for the museum to be open and the right to use the call letters as they seem to still be in use by an a.m. sports radio station. Commissioner Rule has concerns about restoring a neon sign for a station that is still somewhat active and he will not be able to support funding of this particular request. A discussion was had regarding the hours of some of the historical societies to be able to offer more accessibility to the public and there seems to be a shift to digitalizing more records as some of the current methods are outdated and no longer supported. Director Schwend said since a couple changes were made to the preliminary recommendations today it put us below what is typically funded and said there are a couple late applications that have asked to be considered. She anticipates having those recommendations at her meeting next month. Zach Wagoner clarified that the property tax levy is very fund specific and there is a specific levy for the historical society fund. He asked Ms. Schwend if we will end up close to last year at about \$90,000, to which she said if the additional two late applications are approved it will be close to that amount again this year. The Clerk and Controller requested receiving that information as soon as possible so it can be accounted for in the budget.

Director Schwend continued her meeting by updating the Board on the following items: They recently received another grant for the Canoe School; A check was received today for the Digital Archive Grant; 2018 Lake Lowell Field trips were a success; They have been working with the landfill staff and ID State Parks OHV Safety Course Training regarding accommodation of the landfill expansion; Sue Abbott visited to speak about the Idaho Oregon Snake River Water Trail; Steve Vreeland, who is an NRA Range Tech, will be meeting with the Gun Range Advisory Board on July 26<sup>th</sup>; A copy of the draft preservation plan was

provided to the Board; The drinking fountain at Celebration Park is only working at about 25% capacity, Director Schwend has received a quote from C.R. Higer Plumbing in the amount of \$12,661. She will continue to work with facilities to look for other solutions and perhaps get additional quotes. The Lake Lowell Marathon, Meridian Rendezvous, Melba Vintage Auto Fun Run and archaeology month events all took place recently; Shoshone-Bannock Tribal members filmed some of the petroglyphs with the BLM NCA; staff attended the Raptor Reminiscence luncheon and took part in the Raptor Fest at Indian Creek Winery and the Idaho Museum of Mining and Geology special needs event; There has been some vandalism of rocks that her staff has had to remove and a window was damaged by a football at the Lake Lowell office; There has been some flooding at Martin Landing; There have been some recurring issues with dogs getting into garbage cans at Celebration Park, so far no one has been able to catch the dogs and dog control has suggested trying to entice them with food in order to catch them as they won't come out again until they're caught. Director Schwend has instructed her staff not to do this as it is not what they're trained to do. Commissioner Dale suggested using live traps. The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY DON RICKER FOR A REZONE, CASE NO. PH2018-20

The Board met today at 10:14 a.m. to conduct a public hearing in the matter of a request by Don Ricker for a rezone, Case No. PH2018-20. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Kyle McCormick, and Deputy Clerk Monica Reeves. Mr. McCormick informed the Board that the applicant and property owner have decided to withdraw the application. The property changed ownership since the first meeting and the current owner does not wish to move forward with the rezone. No Board action was required. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY CINDY GRECO FOR A REZONE, CASE NO. RZ2018-2

The Board met today at 10:31 a.m. to conduct a public hearing in the matter of a request by Cindy Greco for a rezone, Case No. RZ2018-2. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Kyle McCormick, DSD Planner Jennifer Almeida, Cindy Greco, Rob Smith, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The applicant is requesting a rezone of the subject parcel R25677505B from Agricultural to Rural Residential which allows for a two acre minimum parcel size. On May 17, 2018 the P&Z Commission recommended approval of the rezone. The vacant parcel is 2.61 acres and was once part of a 10 acre parcel which was Lot 6 of Block 1 of the Red Fox Estates Subdivision. In 2004 the platted parcel was split, it was a nonconforming split into three different parcels and now the applicant is requesting to recognize that split through rezoning it from agricultural to rural residential. If approved the applicant will be required to gain approval of a short plat application. The parcel has a County future land use designation as residential. The parcel is located within Nampa's city impact area and Nampa's future land use map designates the parcel as low density residential. The majority of the surrounding area is

agricultural and rural residential use. There are 35 residential subdivisions within the vicinity. Two of which are on Red Fox Drive and recently approved for a rezone to rural residential. Comments were received from Nampa Highway District stating the applicant will need to gain an approach permit and work out the access location. Staff is recommending the Board approve the rezone request. Cindy Greco testified her father, Ray Dowding, was the developer of Red Fox Estates having purchased the land 35 years ago and his plan was to develop one acre lots surrounding a community equestrian center with barns and riding rings. The zoning at the time was one house per five acres but Mr. Dowding was ultimately allowed to sell smaller pieces as long as the overall density was within the zoning of one house per five acres, which is why some parcels are much smaller than others in Red Fox Estates. Ms. Greco said the economy at the time was in a recession and it was easier to sell the small parcels but it took a while to find buyers who wanted the larger parcels. With the costs associated with development her father did not make the money he'd hoped but he was able to build a second home on 5.6 acres. He ended up donating a five acre parcel to a church because he could no longer afford the property tax and couldn't find a buyer for it. When her father passed away she and her sister inherited the house and it took quite a while to sell it. The buyer didn't want to pay the listed price but he didn't care about having the whole 5.6 acres so Ms. Greco's real estate agent suggested a lot split and she worked it out with the buyer. That was 15 years ago; she said nothing about the lot split was illegal, it was nonconforming and now that the zoning has changed she can request a building permit for the lot because the minimum requirement has gone down from five acres to two acres. I was here last year when Paul Jones did something similar in the same neighborhood. She wants to find a buyer who wants to build one home on the property. Rob Smith, who lives on Red Fox Drive in Nampa, testified that when he bought his property in 2001 the area was agricultural in nature. In 2003 Ms. Greco tried to subdivide this but it was denied by Hearing Examiner Jerome Mapp who said 2.5 acre parcels would be injurious and detrimental to the character of the area. In 2008 there was a request to subdivide the 11 acres behind him into two lots but Hearing Examiner Donna West denied it saying two large plots would be injurious to the other members of the subdivision. In 2012 Paul Jones wanted to buy a lot and put one home on it, but in 2016 he changed his mind and wanted another home for his parents, but the property had already been rezoned to rural residential so he received a permit because there was already rural residential and the neighborhood decided not to oppose it because it was just for one additional building permit. Mr. Smith sees these improper splits as a way to get around past decisions. He said if the request is approved people need to know there's a lease line on the property that attaches to the adjoining house and in order to get irrigation water they will have to get an easement across private property. Commissioner Dale asked Mr. Smith if the existence of the additional house on the Jones property negatively impacted his property, and Mr. Smith said it has devalued his property by \$50,000 because it sits 10 feet from the property line and obstructs his view. Ms. Greco said she understands Mr. Smith's point of view because that house is close to him but her property is on the other side of him from another house and she will not block anybody's view. The head gate is on the neighbor's property but she spoke with Dennis Goff who serves as the water master and he said no one can prevent them from accessing their irrigation water. She granted an easement but it's only 13 feet along the edge so whoever buys the property will have access to the land but when Mr. Barr, who owns her father's old house, needs to service his septic tank he can access it for that purpose only. She said it may



diminish the value of her property slightly but it won't stop the new buyer from putting in a septic tank. Commissioner Rule asked why Ms. Greco didn't do a lot line adjustment on the split so that when somebody builds a fence or services the septic tank they aren't tearing up other people's property. Ms. Greco said she will leave that up to the new buyer. She said future buyers will know about it because it will be part of the disclosure statement; it's not an easement, it's an encumbrance and they only have the right to access that land to service the septic tank. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Rule believes the easement issue is going to be a problem in the future and he suggests today's hearing be continued to a future date until the applicant can either work out a lot line adjustment, or an easement, that's on both titles. He believes the request is appropriate for the area but he's not going to approve it until the issue with the septic and easement is cleared up. Jennifer Almeida said it's been noted through testimony that the applicant and the Board are aware this exists so when a short plat application is made staff would verify that the easement is shown and described and states what that easement is for. A potential buyer will get a copy of the final plat from the title company and that easement will be clearly shown and it will give the buyer the knowledge that the easement exists and what purpose it has. Commissioner Rule said that will take care of his concern. Commissioner Dale agrees with Commissioner Rule's comments; he said there's still significant agricultural activity in the area but he doesn't think the rezone will negatively impact other property. Upon the motion of Commissioner Rule and the second by Commissioner Dale the Board voted unanimously to approve the Cindy Greco rezone. Upon the motion of Commissioner Rule and the second by Commissioner Dale the Board voted unanimously to approve the Findings of Fact, Conclusions of Law, and Order as well as the ordinance amending the zoning map. (See Ordinance No. 18-014.) The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING TO CONSIDER A REQUEST BY DAWN SCHWAB FOR A REZONE, CASE NO. RZ2018-3

The Board met today at 11:02 a.m. to conduct a public hearing in the matter of a request by Dawn Schwab for a rezone from "A" (Agricultural) to "R-1" (Single Family Residential), Case No. RZ2018-3. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Kyle McCormick, DSD Planner Jennifer Almeida, Dawn Schwab, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The applicant is requesting a rezone which allows for a one acre minimum average lot size. The vacant parcel is located on Lewis Lane and is 4.82 acres and is considered an original parcel which means they are entitled to an administrative split into two residential parcels. With approval of a rezone to "R-1" they would be able to split the parcel into four parcels before a subdivision plat would be required. It has a designation of residential on the County's future land use plan. The majority of the surrounding area is farmland and rural residential; the parcel is located near five subdivisions. It's not considered prime farm ground. The parcel configuration would not adequately support agricultural uses and the rezone would allow it to be split for residential usage. The proposed rezone would not create an incompatible land use. Access will be reviewed by the Nampa Highway District prior to the submittal of the land division

application and will require a shared access point as well as meeting other private driveway and road standards. Nampa Highway District did comment on the application and determined the rezone and future division of the parcel would not create an impact to the existing road or future road network. Staff is recommending approval of the rezone request. Dawn Schwab testified she is requesting an extra split so that her mother can live on the property and her brother can live on the piece next to Ms. Schwab in order to help care for their mother. They will put in the required road on the west side and it will access all three properties with emergency vehicle turnaround. She said even though they are allowed to split the land into four parcels, they only want three buildable lots; her brother will live on one acre and she will have 1.92 acres and they will sell the 1.9 acre parcel. She has been in contact with Southwest District Health to do the septic testing for the permits and a surveyor is ready to do preliminary parcel lines. Mr. McCormick said if the rezone is approved it will require an administrative land division application at which time they will review the division to make sure it meets code. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve Case No. RZ2018-3 and approve the Findings of Fact, Conclusions of Law and Order and the changes to the ordinance map. (See Ordinance No. 18-015.) The hearing concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 19, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Inland Crane in the amount of \$7000.00 for the Facilities department
- AA Tronics in the amount of \$3850.00 for the Information Technology department
- CDW-G in the amount of \$2760.00 for the Information Technology department
- Plural Sight in the amount of \$12,064.00 for the Information Technology department

#### APPROVED CLAIMS ORDER NO. 6/25/18

The Board of Commissioners approved payment of County claims in the amount of \$28,905.43 and \$100,421.48 for accounts payable.

LEGAL STAFF UPDATE AND CONSIDER SIGNING AGREEMENT BETWEEN CANYON COUNTY SHERIFF'S OFFICE AND DEVELOPMENT SERVICES DEPARTMENT FOR THE PROVISION OF CODE ENFORCEMENT SERVICES

The Board met today at 9:01 a.m. for a legal staff update and to consider signing an agreement between Canyon County Sheriff's Office and the Development Services department for the provision of code enforcement services. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., Captain Bill Adams left at 9:14 a.m., DSD Director Tricia Nilsson, Code Enforcement Officer John Nichols left at 9:14 a.m. and Deputy Clerk Jenen Ross.

***Consider Signing Agreement between Canyon County Sheriff's Office and Development Services Department for the Provision of Code Enforcement Services:*** Zach Wesley explained that DSD and the Sheriff's Office have been working on a cooperative agreement to outline their roles and responsibilities in code enforcement services. Director Nilsson said that this will be an opportunity to help with the really hard cases that they know aren't going to comply by streamlining the process and giving Mr. Nichols limited citation authority. The Sheriff's Office participated in the interview and screening process to find a person who they felt would work well and that they trust to have the authority under the Sheriff to go out and take on the assignments. This agreement applies to just one code enforcement officer who will receive limited deputization which will allow them to issue a misdemeanor summons. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the agreement between Canyon County Sheriff's Office and the Development Services Department for the Provision of Code Enforcement Services (see agreement no. 18-076).

EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*A request was made to go into Executive Session to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

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

## FILE IN MINUTES

The Board filed the Treasurer's tax charge adjustment by PIN for May 2018 in today's minutes.

## MONTHLY MEETING WITH DIRECTOR OF HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER SIGNING A RESOLUTION TO ADOPT CHANGES TO THE JOB DESCRIPTION OF THE HUMAN RESOURCES INVESTIGATOR POSITION

The Board met today at 9:32 a.m. for a monthly meeting with the Director of Human Resource to discuss general issues, set policy and give direction and to consider signing a resolution to adopt changes to the job description of the Human Resources Investigator position. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, HR Director Sue Baumgart and Deputy Clerk Jenen Ross.

***Consider signing a resolution to adopt changes to the job description of the Human Resources Investigator position:*** Director Baumgart said she has been working with the PA's Office to revise the job description of the investigator position. They have made some changes to outline when the PA's Office would be responsible for the investigation and clarified what the job responsibilities are. She plans to post the position starting today and closing on July 3<sup>rd</sup> with interviews to be conducted the following week with participation from the PA and Sheriff's offices. Commissioner Rule made a motion to sign the resolution to adopt changes to the job description of the Human Resources investigator position. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-115).

Director Baumgart updated the Board on the following items: The wellness program is in full force with the hydration challenge starting soon. She is working on the department administrator evaluations and will schedule time to review those with the Board. She has met with several different consultants regarding leadership training and believes she has it narrowed to who would be the best for the department administrators. Met with Paylocity yesterday and the planned go-live will either be the middle of August or September depending on auditing's schedule. The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Director of Juvenile Detention Steve Jett, Deputy Director of Juvenile Detention Sean Brown, Juvenile Detention Officer Cynthia Avila, Juvenile Detention Officer Alyson Overton, Juvenile Detention Officer Taga Bah, participants of the fitness program and Deputy Clerk Jenen Ross. Director Jett introduced Cynthia Avila and

Alyson Overton, both are veterans and started work at the detention center yesterday. They are currently in training for approximately the next 3 months. Dawn Mathis has completed the application for the National School Lunch Program so funding for next year has been secured. Director Jett spoke about the fitness program and the challenge that takes place each year and the winners were recognized. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES

The Board met today at 10:30 a.m. for a meeting with the County Agent to discuss general issues. Present were: Commissioners Tom Dale and Steve Rule, County Agent Jerry Neufeld, 4-H Extension Educator Carrie Johnson and Deputy Clerk Jenen Ross. Jerry Neufeld updated the Board on the following items: Two new 4-H clover signs are being made right now and then will be installed on the building; they have filled their livestock educator position and she will be starting on July 2<sup>nd</sup>. Ms. Johnson updated the Board on the following: A 4-H horse camp recently took place in Cascade and a 4-H adventure camp will be happening soon; they are wrapping up 4-H enrollment; day camps are happening now and so far have had a really good turn out; the Fair aid started today so she is currently being trained; this year all 4-H entries must be done online and they are able to help anyone struggling with it as no paper applications are being accepted this year. Commissioner Dale asked if there has been any further discussion about Canyon County following 4-H state guidelines, Ms. Johnson said they are working on it but it's a long process with a lot to unravel as far as the agreements with 4-H, FFA, the Fair and the Extension office. Commissioner Rule thought perhaps a meeting with all the parties involved would be beneficial. The meeting concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 20, 2018

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

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

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

#### APPROVED CLAIMS ORDER NO. 1819

The Board of Commissioners approved payment of County claims in the amount of \$1,525,340.29 for a County payroll.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Johnstone Supply in the amount of \$1334.08 for the Facilities department
- Green/Shapiro Labs, UCSC in the amount of \$1759.44 for the Sheriff's Office

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

The Board met today at 8:50 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman reported that he is getting ready to auction about 9 old patrol cars; the inmate work project has been reinstated as of today; he will be putting out for a new service writer. He also informed the Board that as of September 21, 2018 Ford will no longer be taking orders for the 2019 utility vehicles. The problem being that Ford will be changing the design and the equipment that fits in the current design will not transfer to the new design. As of right now the Sheriff has requested several new vehicles in his budget. Commissioner Rule said he is not inclined to approve all the vehicles the Sheriff has requested. Commissioner Dale agreed that it would not be prudent to order new vehicles for a future budget year before the budget has been approved. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER APPROVING APPLICATION FOR COMMERCIAL FILMING PERMIT FOR BRUNEAU PICTURES

The Board met today at 9:04 a.m. to consider approving an application for a commercial filming permit for Bruneau Pictures. Present were: Commissioners Tom Dale and Steve Rule, Parks Director Nicki Schwend, Deputy P.A. Allen Shoff and Deputy Clerk Jenen Ross. Christian Lybrook of Bruneau Pictures would like to film a children's music video in Celebration Park. They are planning one day of filming, June 28, 2018, on Guffey Bridge amidst the boulders, near the bluffs and at a campsite. Director Schwend has made it clear with Mr. Lybrook what areas the county owns and that other entities should be contacted which Mr. Lybrook has done. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the application for a commercial filming permit for Bruneau Pictures (a copy of this permit is on file with this day's minute entry). The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:11 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Deputy Director of Misdemeanor Probation Lisa Sheehan, Juvenile Probation Project Coordinator Mike Davidson, Juvenile Probation Training Coordinator Amaia Vicandi-Bow and Deputy Clerk Jenen Ross. Lisa Sheehan attended the meeting for Director Breach to update the Board on the following items: They have a new PO who started this week; three PO's were able to attend the training for persons who have experienced trauma and will be sharing what they learned at the staff meeting this afternoon; two PO's attended the domestic violence training recently; one senior PO recently received her PRIMA certification; they are partnering with the cities of Nampa and Caldwell police departments to do home visits on high-risk offenders and gang offenders which will happen over a two night period; the community service program has been really busy, last month finished with 286 offenders in the program; the Supreme Court has said they are getting closer to the process of receiving money for the courtesy supervision cases so that they can be billed and collected from the other counties. Commissioner Dale wanted to make sure that we're keeping track of what is owed by the other counties. Ms. Sheehan said she believes it is something the Directors of Probation are trying to sort out as there are Canyon County offenders being supervised in other counties. Mike Davidson attended the meeting on behalf of Chief Probation Officer Catalano to update the Board on the following items: they are continuing to prepare for the 'Kicking Truancy' event on August 25<sup>th</sup>, they would like to have Joe Decker send out a county-wide email looking for volunteers for the event and items to be donated for use at the event. The Board is okay with a county-wide email being sent. The First Tee program has just a couple weeks left with the award ceremony happening on June 29, 2018; the GED program continues to do great along with the partnership with CWI; this is the second summer they've had a partnership with the U of I Extension 4-H office for the summer programs; they are continuing to conduct their victim impact classes, parenting seminars and diversion programs. The meeting concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER IN THE MATTER OF THE REQUEST BY VIRGIL IOVU FOR A REZONE

The Board met today at 10:31 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order (FCOs) in the matter of a request by Virgil Iovu for a rezone. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, other interested citizens, and Deputy Clerk Monica Reeves. Mr. Wesley said it's his understanding that in reviewing the FCOs members of the Board may have expressed to staff that they didn't support the conclusions as written in draft form and that there may be a need for taking additional evidence, reviewing additional matters, and maybe having another open session deliberation before the Board issues formal written findings and conclusions of law. He suggested the Board entertain a motion to

reopen the hearing and that the matter be set for another date and then staff can address the Board at that point. Commissioner Dale asked if he is recommending the Board reopen the hearing. Mr. Wesley said the recommendation is to reopen the record. Commissioner Dale said opening the meeting to have open deliberation is one thing, but to go to another public hearing that's another ball of wax. Mr. Wesley said we'll have to see where it goes. If it's just going to be additional deliberation and discussion of the findings he doesn't think we need to take additional public testimony, but if we're going to take additional evidence or review anything that's not already in the record then we will need to publish it as an additional public hearing and allow the applicant and the opponents to respond to whatever additional evidence the Board wants to take. Commissioner Rule said some of the findings do not reflect the Board's discussion and they needed to be re-written. Director Nilsson said there was communication from a Board member that the depiction of the site either was or was not sufficient to meet the compatibility finding so staff needs direction if the Board wants more visual evidence of the site to supplement the record, or, is the record sufficient to consider a reconsideration as part of the deliberation. Commissioner Dale said he had some questions but the ball was in the applicant's court to ask for a request for reconsideration and it's his understanding they have not done that. Director Nilsson said the applicant cannot request reconsideration until a written decision is issued. Commissioner Rule, who supported the applicant's rezone request at the May 30 hearing, said his position has not changed. Mr. Wesley said if the FCOs are sufficient for the Board they are ready to be signed. The applicant will have 14 days to request reconsideration and the Board will have 60 days to review the request and that could include taking additional evidence or having another hearing. Commissioner Rule asked staff to review the Board's earlier vote. Ms. Reeves reported that Commissioners White and Dale voted to deny the rezone request but Commissioner Rule was in favor of the applicant's request. Commissioner Rule said he is not changing his vote, he is approving the FCOs so the process can continue. Director Nilsson noted that if a Board member wanted to reconsider their vote than this would be reopening the record to add that. Commissioner Rule made a motion to approve the FCOs for Case No. PH2018-6. The motion was seconded by Commissioner Dale and carried unanimously. Director Nilsson said they will let the applicant know that they have to request reconsideration. The meeting concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION: CONSIDER APPLICATIONS FOR CASUALTY LOSS UNDER IDAHO CODE, SECTION 63-602X (CANCELATION OF VALUE) FOR JESSE PRATHER & JRP PROPERTIES, LLC; AND CHARLES & RUTH BUSKIRK

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:02 a.m. to consider applications for casualty loss under Idaho Code Section 63-602X (cancellation of value) for Jesse Prather for JRP Properties, and Charles and Ruth Buskirk. Present were: Commissioners Tom Dale and Steve Rule, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Ms. Loutzenhiser said both properties were damaged by fire; the Prathers lost a shop and the Buskirks lost their home and so the Assessor is recommending casualty loss exemption as follows:



- Prather, Parcel No. 36355011 0, a reduction using the quotient of .077
- Buskirk, Parcel No. 22786000 0, a reduction using the quotient of .32

Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to grant the casualty loss exemptions as recommended by the Assessor's Office. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Rule made a motion to go into Executive Session at 11:32 a.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Steve Fultz from the Caldwell Economic Development Council, Mayor Garret Nancolas, representatives from Project White and Deputy Clerk Monica Reeves. The Executive Session concluded at 12:00 p.m. with no decision being called for in open session.

CONSIDER INDIGENT DECISIONS

The Board met today at 1:31 p.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2018-949, 2018-991, 2018-941, 2018-969, 2018-970, 2018-945, 2018-897, 2018-987, 2018-967, 2018-947, 2018-1054, 2018-904, 2018-1024, 2018-958, 2018-1053, 2018-901, 2018-986, 2018-959, 2018-995, 2018-944 and 2018-948 Commissioner Rule made a motion to issue initial denials with written decisions within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue an approval with written decision within 30 days on case no. 2018-934.

Commissioner Rule made a motion to approve case no. 2018-1058 for cremation. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 1:33 p.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY MATTERS

The Board met today at 1:36 p.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Case nos. 2016-965 and 2017-617 have been pulled from suspension as they now meet all eligibility criteria for approval. Commissioner Rule made a motion to issue final written approvals within 30 days for the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously.

Case no. 2017-620 was remanded back from pre-lit for an amended final approval. Commissioner Rule made a motion to issue a final approval with a written decision within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-523

The Board met today at 1:39 p.m. to conduct a medical indigency hearing for case no. 2018-523. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to approve case no. 2018-523. The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-280

The Board met today at 1:44 p.m. to conduct a medical indigency hearing for case no. 2018-280. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Julie Wood with MedData for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to August 9, 2018. The hearing concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-587

The Board met today at 1:50 p.m. to conduct a medical indigency hearing for case no. 2018-587. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Julie Wood with MedData for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to July 12, 2018. The hearing concluded at 1:52 p.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY MATTERS

The Board met today at 1:53 p.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-625, 2018-491, 2018-490, 2018-571, 2018-652 and 2018-622. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue final denial with written decisions within 30 days on the cases as read into the record.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 21, 2018

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

No meetings were conducted.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 22, 2018

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

No meetings were conducted.

#### JUNE 2018 TERM

CALDWELL, IDAHO JUNE 25, 2018

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

APPROVED CLAIMS ORDER NO. 6/25/18

The Board of Commissioners approved payment of County claims in the amount of \$50.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 7/10/18

The Board of Commissioners approved payment of County claims in the amount of \$39,887.08 for accounts payable.

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

The Board approved a salary rate request and/or key & security access request form for Burt Merkley, Jairo Rodriguez, Ryan Cronrath and Kenneth Jack.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for CJTSAI LLC dba Tsai's Kitchen. See resolution no. 18-120.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for VSW LLC dba The Ranch. See resolution no. 18-121.

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Sheriff Marv Dashiell left at 9:09 a.m., Jail Captain Daren Ward left at 9:09 a.m., Juvenile Detention Director Steve Jett left at 9:12 a.m., Director of DSD Tricia Nilsson left at 9:04 a.m., Deputy P.A. Zach Wesley left at 9:12 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 9:09 a.m., Assessor Brian Stender arrived at 9:03 a.m., Chief Deputy Assessor Joe Cox arrived at 9:03 a.m. and Deputy Clerk Jenen Ross.

***Consider signing a resolution to issue a refund to Cindy Greiner, Treasure Valley Precast for an application to modify an existing development agreement; Case No. DA2018-0001:*** They were going to modify a development agreement but they've changed their mind, Director Nilsson said no staff time has been spent on it. See resolution no. 18-119.

***Consider signing a resolution to issue a refund to Diana Wallace for a land division and relocation of a building permit; Case No. AD2018-0061:*** The Wallaces applied for a division but after some research it was discovered that it wasn't necessary. See resolution no. 18-117.

***Consider signing a resolution to issue a refund to Jose Rodriguez for a rezone fee; Case No. PH2018-5:*** Mr. Rodriguez had a change of plans. See resolution no. 18-116.

***Consider signing a resolution to issue a refund to Ryan & Jennifer Hood for a rezone and development agreement; Case No. PH2017-80:*** After several months the Hoods decided not to go thru with their rezone. See resolution no. 18-118.

Commissioner Rule made a motion to approve the refunds to the parties as just read into the record by Director Nilsson. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing notice of intent to enter into personal services contract with Correctional Health Partners, LLC:*** Mike Porter said there was a recent departure of the medical professional providing physiological care and with this there is an immediate need to fill the opening. Correctional Health Partners, LLC provides contract services for this kind of care; annually it will be more money but there are limited options for this kind of health care. Chief Dashiell said it will be approximately \$45,000 more than the previous contract but they do provide more tele-medicine and their own insurance. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the notice of intent to enter into a personal services contract with Correctional Health Partners, LLC.

***Consider signing memorandum of agreement to support clinical services in juvenile detention facilities for 2019:*** Director Jett said this is the agreement that they enter into for clinical support services in the Juvenile Detention Center for the mental health clinician. The County is responsible for hiring the clinician and reporting to the state. This MOU is between the County and the State Department of Juvenile Corrections, the prior versions of this MOU had a third party being the Department of Health and Welfare but the state took that part out. This is something that is paid for by the state, Director Jett simply forwards the invoice onto the state once it's received. Upon the motion of Commissioner Rule and second by

Commissioner White the Board voted unanimously to sign the MOA to support clinical services in juvenile detention facilities for 2019 (see agreement no. 18-077).

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

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

Commissioner White made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session. At the conclusion of the executive session Commissioner Rule made a motion to continue the legal staff update to 10:30 a.m. today. The motion was seconded by Commissioner White and carried unanimously. This portion of the legal staff update concluded at 9:30 a.m.

At 10:31 a.m. the Board went back on the record for the continued legal staff update. Commissioner Rule made a motion to enter back into Executive Session pursuant to Idaho Code, Section 74-206(1) (c). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The meeting concluded at 10:59 a.m. An audio recording of the open portion of the meetings is on file in the Commissioners' Office.

**JUNE 2018 TERM**

**CALDWELL, IDAHO JUNE 26, 2018**

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

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Homestead Bar & Grill to be used 7/7/18 for a wedding.

### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR JOHN AND PAMELA DILBECK

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:07 a.m. to conduct a property tax assessment protest hearing for John and Pamela Dilbeck, Account No. 32709108 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Office Manager Karen DeLuna, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner, John and Pamela Dilbeck and Deputy Clerk Jenen Ross. The Dilbecks offered testimony in support of the protest application. Karen DeLuna and Brian Stender offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to grant the homeowners exemption. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR ABID KANUE

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:26 a.m. to conduct a property tax assessment protest hearing for Abid Kanue, Account No. 35129407 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Office Manager Karen DeLuna, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner, Abid Kanue and his wife and Deputy Clerk Jenen Ross. The Abids offered testimony in support of the protest application. Karen DeLuna and Brian Stender offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR GEOFFREY AND ALEENA HILL

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 Geoffrey and Aleena Hill, Account No. 31996174 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Office Manager Karen DeLuna, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner,

Aleena Hill and Deputy Clerk Jenen Ross. Aleena Hill offered testimony in support of the protest application. Karen DeLuna offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR WILLIAM DEAN AND DENA FINER-DEAN

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:32 p.m. to conduct a property tax assessment protest hearing for William Dean and Dena Finer-Dean, Account No. 20208504 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Roger Craig, Appraiser Katrina Ponce, Dena Finer-Dean, Bill Dean, Other Assessor Office staff and Deputy Clerk Jenen Ross. The Deans offered testimony in support of the protest application. Katrina Ponce and Roger Craig offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to close public testimony. Following testimony, Commissioner Rule made a motion to adjust the value to \$785,000 which was seconded by Commissioner White. After further discussion Commissioner Rule made an amended motion to adjust the value to \$766,344. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR JAMES BROWN

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:14 p.m. to conduct a property tax assessment protest hearing for James Brown, Account No. 30286000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Joe Cox explained that Mr. Brown notified the county that he was unable to attend the scheduled hearing due to a medical situation. Mr. Cox asked the Board to uphold the Assessor's value so that Mr. Brown can pursue further if he chooses. Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Rule and carried unanimously. The hearing concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 27, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White



Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mariscos La Perla LLC dba Mariscos La Perla; WW Ink LLC dba Rusty Canteen Bar. See resolution no. 18-122.

LEGAL STAFF UPDATE AND CONSIDER SIGNING THE ORDINANCE AND SUMMARY  
REPEALING AND REPLACING CHAPTER 2, ARTICLE 1, PUBLIC NUISANCES

The Board met today at 8:32 a.m. for a legal staff update and to consider signing the ordinance and summary repealing and replacing Chapter 2, Article 1, Public Nuisance. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson left at 8:49 a.m., Code Enforcement Officer John Nichols left at 8:49 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter arrived at 8:39 a.m. and left at 8:50 a.m. and Deputy Clerk Jenen Ross. Part of this ordinance will allow a certificate of non-compliance to be recorded so that when a title search is done or property changes hands an issue can be rectified at that point. In revising the ordinance they worked to make it consistent with some of the larger jurisdictions in the area. Zach Wesley reviewed the ordinance and some of the revisions that were made. Commissioner Rule had some questions about the 10 day timelines that are laid out. Director Nilsson said that is just a starting point and that they would work with someone trying to become compliant. Commissioner White made a motion to sign the summary of an ordinance repealing and replacing Chapter 2, Article 1, Public Nuisances. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the ordinance repealing and replacing Chapter 2, Article 1, Public Nuisances (see ordinance no. 18-016).

As part of the legal staff update Commissioner Dale asked about the county using impact fees for public safety which could be applied to capital projects such as the jail. He asked Mr. Wesley to gather some information on what it would take to go into an impact fee scenario for public safety reasons within the county. Mr. Wesley believes Sam Laugheed may have already done some research so he will speak with him and then get back to the Board to discuss further. Mike Porter let the Board know that on Friday Director Loper will be presenting an updated drug policy for the landfill. Mr. Porter nor Mr. Goodsell will be able to attend the meeting but wanted the Board to know that the policy has been reviewed by legal and they have no issues with it; it is consistent with the county policy and addresses some of the landfill-specific concerns.

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS  
THAT ARE EXEMPT FROM PUBLIC DISCLOSURE

*A request was made to go into Executive Session to discuss acquisition of an interest in real property and records that are exempt from public disclosure. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 8:51 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:00 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR ROYCE BEOUGHER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:06 a.m. to conduct a property tax assessment protest hearing for Royce Beougher, account nos. 30898010 0, 30917000 0 and 30898011 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Royce Beougher and Deputy Clerk Jenen Ross. Mr. Beougher offered testimony in support of the protest applications. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's values on all three accounts. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR SAMG NAMPA OB GYN, MERCY PHYSICIAN CARDIOLOGY AND GENERAL SURGERY NAMPA

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:31 a.m. to conduct a property tax assessment protest hearing for SAMG Nampa OB/GYN, Mercy Physician Cardiology and General Surgery Nampa, account nos. 64940656 0, 64937538 0 and 64940655 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Andrew Bahnson, Miguel Rosas-Muniz and Marcie Harper for St. Alphonsus, and Deputy Clerk Jenen Ross. Mr. Bahnson, Mr. Rosas-Muniz and Ms. Harper offered testimony in support of the protest applications. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's values on all three accounts. The motion was seconded by Commissioner Dale and carried in a 2-to-1 split vote with Commissioner White voting against the motion. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR SAINT ALPHONSUS MEDICAL CENTER NAMPA INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:42 a.m. to conduct a property tax assessment protest hearing for Saint Alphonsus Medical Center Nampa Inc., account no. 11776000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Marcie Harper for St. Alphonsus, Laurie Reynoldson for St. Alphonsus, Frank Lee for St. Alphonsus, Travis Leach for St. Alphonsus and Deputy Clerk Jenen Ross. Ms. Harper, Ms. Reynoldson, Mr. Lee and Mr. Leach offered testimony in support of the protest application. Darryl Speiser, Mike Cowan and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion continue the hearing to July 6, 2018 at 9:30 a.m. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR DAME BROTHERS CO. LLC

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 Dame Brothers Co. LLC, account no. 24489010 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, David Eastman for Dame Brothers Co. LLC, Elijah Watkins for Dame Brothers Co. LLC and Deputy Clerk Jenen Ross. Mr. Eastman and Mr. Watkins offered testimony in support of the protest application. Mike Cowan and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to grant a 20% increase on the improvements from what they were in 2017. The motion was seconded by Commissioner Rule and carried unanimously. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2018 TERM  
CALDWELL, IDAHO JUNE 28, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Miller Creek Associates in the amount of \$6415.00 for the Solid Waste department
- Zotto Corp – Manage Engine in the amount of \$10,795.00 for the Information Technology department
- Chem-Aqua in the amount of \$2301.12 for the Facilities department
- C&B Quality Trailer Works Inc. in the amount of \$11,015.00 for the Fleet department

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

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility requirements for county assistance: 2018-1004, 2018-1012, 2018-1006, 2018-1103, 2018-0985, 2018-0999, 2018-1002, 2018-1011, 2018-0997, 2018-0898, 2018-1013, 2018-1005, 2018-1014, 2018-1083 and 2018-1003. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions within 30 days.

Commissioner Rule made a motion to issue an approval for cremation on case no. 2018-1119. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 8:59 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

Commissioner Rule made a motion to continue case number 2018-640 to August 23, 2018. The motion was seconded by Commissioner White and carried unanimously.

Case nos. 2018-418 and 2018-771 have met all the eligibility criteria for county assistance. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously issued final approvals with written decisions within 30 days on the cases as read into the record

Commissioner Rule made a motion to issue denials on the following cases: 2018-646, 2018-810, 2018-663, 2018-586 and 2017-1596. Commissioner White seconded the motion and it carried unanimously.

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

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-618

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2018-618. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Julie Wood for St. Alphonsus, the applicant, the applicant's mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve case no. 2018-618. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-664

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for case no. 2018-664. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to August 23, 2018. The hearing concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 9:25 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2018-584, 2018-661, 2018-751, 2018-673 and 2018-683. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue written denials within 30 days. The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR STEVEN NIBLE

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:16 p.m. to conduct a property tax assessment protest hearing for Steven Nible, Account No. 14285535B0. Present were: Commissioners Tom Dale and Steve Rule, Appraiser Kyla Austin, Appraiser Barbara Wade, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes and Deputy Clerk Jenen Ross. Mr. Nible offered testimony in support of the protest application. Kyla Austin and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to adjust the total value to \$106,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR JARED SHARP

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:40 p.m. to conduct a property tax assessment protest hearing for Jared Sharp, Account No. 39371015 0. Present were: Commissioners Tom Dale and Steve Rule, Office Manager Karen DeLuna, Appraisal Supervisor Greg Himes, Jared Sharp, Whitley Reece and Deputy Clerk Jenen Ross. Mr. Sharp and Ms. Reece offered testimony in support of the protest application. Karen DeLuna offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR DAVID ERLEBACH

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:48 p.m. to conduct a property tax assessment protest hearing for David Erlebach, Account No. 30872114 0. Present were: Commissioners Tom Dale and Steve Rule, Appraiser Sam Stone, Appraiser Barbara Wade, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes, David Erlebach and Deputy Clerk Jenen Ross. Mr. Erlebach offered testimony in support of the protest application. Sam Stone and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to adjust the total value to \$725,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

## BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:16 p.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale and Steve Rule, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Ms. Loutzenhiser said William Augsburger, account no. 31488341 0 and Troy Wilson, account no. 15300675 0 both contacted the county to request that their valuations be upheld. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to uphold the Assessor's values. The meeting concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

## JUNE 2018 TERM

CALDWELL, IDAHO JUNE 29, 2018

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

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

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

## APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- COREMR in the amount of \$1200.00 for the Sheriff's Office
- HP, Inc. in the amount of \$4380.00 for the Information Technology department
- Carousel Industries in the amount of \$31,200.00 for the Information Technology department

## LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 8:31 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett 8:38 a.m., Juvenile Detention Officer Craig Olsen left at 8:38 a.m., Chief Probation Officer Elda Catalano left at 8:38 a.m., Project Coordinator Mike Davidson 8:38 a.m., Director of DSD Tricia Nilsson, Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Controller Zach Wagoner left at 8:42 a.m., PIO Joe Decker left at 8:38 a.m., Rob King with the Caldwell School District left at 8:38 a.m. and Deputy Clerk Jenen Ross.

***Consider signing Southwest Idaho Juvenile Detention Center agreement with PVTC for GED testing services:*** Director Jett said this agreement allows for GED testing within the Juvenile Detention Center, he is also hoping to be able to test some of the kids within Juvenile Probation who have completed the test prep. The cost is about \$20 per test but he doesn't anticipate is adding up to much the first year. Zach Wesley said the agreement is not is the typical form that the county would prefer but this has been a long time in the making and the risk is fairly minimal so legal is okay with the agreement. Commissioner Rule made a motion to sign the SWIDJDC agreement with PVTC for GED testing services. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-078).

***Consider signing memorandum of understanding between Canyon County and Minidoka County to assign Steve Jett to conduct PREA audit:*** Director Jett said this agreement will allow him to inspect the juvenile detention center in Minidoka County, Canyon County will then be reimbursed by Minidoka County. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the MOU between Canyon County and Minidoka County to assign Steve Jett to conduct the PREA audit (see agreement no. 18-079).

***Consider signing resolution authorizing Development Services Department fee refund:*** Director Nilsson said this resolution allows for the DSD Director to authorize refunds that are \$250 or less. Documentation of refunds will still be handled in the same fashion and checks will be cut thru auditing so there is a double check system still in place. Commissioner White made a motion to sign the resolution authorizing Development Services Department fee refund. The motion was seconded by Commissioner Dale. Commissioner Rule voted against the motion stating that he likes for the Board to review these items. The motion carried in a 2-to-1 split vote.

#### **EXECUTIVE SESSION – RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION**

*A request was made to go into Executive Session to discuss records that are exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 8:43 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Planner Jennifer Almeida, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:51 a.m.



At the conclusion of the executive session Zach Wesley said there is one administrative action to be taken. Director Nilsson had previously been authorized, on the county's behalf, to pursue a rezone and comprehensive plan map text and map changes in the north Nampa area where the 20/26 former fairgrounds property is located. P&Z held a hearing regarding this property last week and are set to adopt formal findings on July 19<sup>th</sup>. Planning and Zoning is going to recommend approval of the text amendment and denial of the map change and rezone. Ms. Nilsson is looking for some direction as to whether or not to proceed with the two actions where P&Z is going to recommend denial. Commissioner White made a motion that in regards to the actions that were denied by Planning and Zoning that this Board withdraw those as moving forward actions and proceed on with the other two. The motion was seconded by Commissioner Rule and carried unanimously.

The meeting concluded at 8:54 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### CONSIDER SIGNING FINAL PLAT FOR RIVERBEND RANCH SUBDIVISION; CASE NO. PH2015-53

The Board met today at 9:01 a.m. to consider signing a final plat for Riverbend Ranch Subdivision; Case No. PH2015-53. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Donna Wilson and Deputy Clerk Jenen Ross. Jennifer Almeida said this project has been going thru the platting phase for some time. Their engineer has submitted a certification of subdivision improvements and all improvements that were required have been completed which include asphalt roadways, swales are constructed and located outside of the right of way, lot grading and street sign installation. This project is utilizing individual wells for irrigation so there was not an irrigation system that was required to be constructed or certified. All conditions of the preliminary plat have been met. The plat has been reviewed and approved by the county engineer as well as approval of construction drawings that were submitted for this project. The Mylar has been reviewed and signed by all applicable agencies and staff is recommending for the Board to sign the final plat. Commissioner Rule made a motion to authorize the chairman to sign the final plat for Riverbend Ranch Subdivision. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:20 a.m. for a monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Solid Waste Director David Loper, HR Director Sue Baumgart and

Deputy Clerk Jenen Ross. Director Loper talked about the updated drug testing policy saying that it mostly refers to the current personnel manual, however, there are additional items that this departmental policy will cover including an employee acknowledgment to make sure all staff are aware of the personnel manual. It also addresses the DOT testing for CDL drivers in more detail and issues with prescription and OTC medication that sometimes occur. The Board is okay with this new policy. Director Loper continued his meeting with a review of tonnage numbers; in the month of May a little of 30K tons were received and for this fiscal year they are up 14% over the prior year. An independent contractor agreement is being worked on with Stericycle for next fiscal year. Instead of holding one annual household hazardous waste event they'd like to do quarterly collection. Director Loper has been working with Brad Goodsell on the fee for special waste and construction disposal and hopes to have that in front of the Board for discussion soon. Commissioner Rule asked if the Landfill was fully staffed at this point, Director Loper said the only position they have open is the caretaker position but in FY2019 he will budget for an additional fee collector position. The meeting concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR CALDWELL PROFESSIONAL CENTER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:39 a.m. to conduct a property tax assessment protest hearing for Caldwell Professional Center, account no. 01301000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Other Assessor's Office staff, Wayne Fuller and Leslee Smith for Caldwell Professional Center and Deputy Clerk Jenen Ross. Mr. Fuller and Ms. Smith offered testimony in support of the protest application. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to close public testimony. Following testimony, Commissioner Rule made a motion to adjust the total value to \$283,050. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 11:22 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR SELKIRK LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:22 a.m. to conduct a property tax assessment protest hearing for Selkirk LLC, account no. 62222130 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief

Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Other Assessor's Office staff, Richard Smith for Selkirk LLC and Deputy Clerk Jenen Ross. Mr. Smith offered testimony in support of the protest application. Dawn Houghton and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 11:50. An audio recording is on file in the Commissioners' Office.

#### CONSIDER BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:52 a.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Administrative Analyst Jennifer Loutzenhiser, Appraiser Darryl Speiser, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. Darryl Speiser offered testimony regarding account no. 34956000 0 for Rambo Sand Gravel Inc. He has adjusted the land value to \$433,880. Commissioner Rule made a motion to adjust the land value to \$433,880. The motion was seconded by Commissioner White and carried unanimously. Jennifer Loutzenhiser said that Quantum Lenders Trust, account no. 04567000 0, has been in contact with the county and requested that the Assessor's value be upheld. Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING AN OFFER TO PURCHASE PARCEL NUMBERS R04919000 0, R35090000 0, R04923000 0, R04926000 0, AND R04927000 0

The Board met today at 1:17 p.m. to consider signing an offer to purchase parcel numbers R04919000 0, R35090000 0, R04923000 0, R04926000 0, and R04927000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. This is the purchase and sale offer for Canyon Springs School; it will be an official and binding offer if it is accepted. The offer is for \$2M and includes a lease option for the school district to continue using it thru August 2019. Commissioner Rule said he supports this action. Director Navarro said the total acreage is about 4-5 acres. He said for the time being it may just need some cosmetic changes and could potentially house the Public Defender department which would allow elections to move to that vacated space and the vacated elections office could be used for alternative sentencing, SILD, or a security department if that were to come to fruition; it could also potentially be used for storage instead of continuing to lease storage spaces. Zach Wagoner said there is \$3M available in the current expense fund for capital projects which is where these monies will come from. Commissioner Rule made a motion to sign the offer to purchase parcel numbers R04919000

0, R35090000 0, R04923000 0, R04926000 0, and R04927000 0. Commissioner White seconded the motion which carried unanimously. The meeting concluded at 1:26 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR LEO TAYLOR

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a property tax assessment protest hearing for Leo Taylor, account no. 20343000 0 and 20344000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Leo Taylor and Deputy Clerk Jenen Ross. Mr. Taylor offered testimony in support of the protest application. Mike Cowan, Darryl Speiser and Brian Stender offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to close public testimony. The motion was seconded by Commissioner White and carried unanimously. Commissioner Rule then made a motion to uphold the Assessor's values on both accounts. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR JOHN BULLIS AND DESERT INVESTMENTS INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:52 p.m. to conduct a property tax assessment protest hearing for John Bullis and Desert Investment Inc., account nos. 35889010 0 and 35889000 0. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Appraiser Mike Cowan, Appraiser Darryl Speiser, Mike Huter and Deputy Clerk Jenen Ross. Mike Huter offered testimony in support of the protest applications. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's values. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JUNE 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. DATED this 16<sup>th</sup> day of August, 2018 by Canyon County Board of Commissioners Steven J. Rule, Tom Dale and Pam White. Attest: Chris Yamamoto, Clerk by J. Ross, Deputy Clerk.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 2, 2018

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Los Mariachis Mexican Restaurant #2 to be used 7/6/18 for a wedding.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$3121.23 for the Information Technology department
- CDW-G in the amount of \$1769.28 for the Information Technology department
- Caxton in the amount of \$4161.92 for the Prosecuting Attorney's Office

#### APPROVED CLAIMS ORDER NO. 7/10/18

The Board of Commissioners approved payment of County claims in the amount of \$60,660.49, \$61,486.54, \$136,494.24 and \$4907.00 for accounts payable.

#### CONSIDER SIGNING FINAL PLAT FOR ALBION ACRES SUBDIVISION NO. 2, CASE NO. SD2018-3

The Board met today at 9:19 a.m. to consider the final plat for Albion Acres Subdivision No. 2, Case No. SD2018-3. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Deb Root, other interested citizens, and Deputy Clerk Monica Reeves. Ms. Root reported that the required signatures are in place and the plat is ready for the Board's approval. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Albion Acres Subdivision No. 2, Case No. SD2018-3. The meeting concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING - TRACE LEIGHTON'S REQUEST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. CPR-PH2018-23 & 24

The Board met today at 9:31 a.m. to conduct a public hearing in the matter of a request by Trace Leighton for a comprehensive plan map amendment and rezone for Case No. CPR-PH2018-23 & 24. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Deb Root, Trace Leighton, and Deputy Clerk Monica Reeves. Deb Root gave the oral staff report. We are here to discuss a comprehensive plan future land use amendment from commercial to residential and from agricultural to residential for Trace Leighton. The property is partially identified as residential on the future land use map but there's a sliver of the property that's identified as commercial which has to be changed to residential and there's a portion of Parcel No. R34054 that is currently agricultural and the applicant is requesting to change the future land use map designation to residential for the purpose of developing the property into a large estate lot development. The property is currently being mined as a mineral extraction site that will leave three ponds that will be part of the design features of the proposed residential landscape if the request is approved. The property is located in an AE flood hazard area which does not preclude residential development, it just means they have to meet the FEMA requirements and special flood hazard requirements for the area. The property is located within the Middleton Impact Area and is located between Middleton and Star. It has access to State Highway 44 and on their preliminary plat they have set aside the requested road that will be a collector road for when it's extended. It's an area where there is some residential development with primarily agricultural and mineral extraction development right now; the city limits for both Middleton and Star are to the north and there is significant residential designation and some zoning for the residential development as well. The applicant is requesting to rezone all of the properties to rural residential, which is a two acre minimum average lot size, and their proposed lot sizes are larger than that for their development in the future. Agencies had no objections; the P&Z Commission recommended approval of the comprehensive plan map amendment and the rezone and staff is recommending approval of both. Trace Leighton testified that he is the landowner and has contracted with Idaho Materials and Construction who is mining the property. They had a five year permit which expires December 31, 2021, but according to the contract they are supposed to be done by December 31, 2019. At a meeting last week they indicated they are planning to be done mining and crushing a year from now and they need the last six months to remove the rest of the product. He will meet with Star West Gravel tomorrow for them to give Idaho Materials and Construction the go-ahead. As they are cleaning up and moving north to get out he wants to be able to start development and stubbing utilities. Ms. Root said it will be made clear on the plats that the gas pipeline exists. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the comprehensive plan amendment and the rezone as well as the Findings of Fact, Conclusions of Law and Order for Case Nos. CPR-PH2018-23 & 24. The approval includes the comprehensive plan and future land use map amendment from commercial to residential and from agricultural to residential as well as a rezone from agricultural to residential. The resolution and ordinance will be considered on July 6, 2018 at 8:30 a.m. The hearing concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - SAMUEL MCDOWELL'S REQUEST FOR A CONDITIONAL REZONE, CASE NO. PH2018-18

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Samuel McDowell for a conditional rezone for Case No. PH2018-18. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Samuel McDowell, Marcia Sorenson, other interested citizens, and Deputy Clerk Monica Reeves. Ms. Almeida said the property is zoned agricultural and the future land use designates the property as agriculture although a portion is designated as residential. It is not within an impact area or a flood zone and the applicant is requesting a conditional rezone and development agreement. The proposed conditional rezone is consistent with the existing land uses in the area and it is adjacent to a platted subdivision, Sandy Ridge Subdivision. There are nine platted subdivisions within one mile for a total of 136 lots and those lots have a 2.44 acre average lot size. The proposed two acre parcel would be similar to the variety of lot sizes that currently exist in the vicinity; the property contains primarily nonprime farmland soils. If approved the conditional rezone would not remove prime farmland out of production. Golden Gate Highway District has no objection to the conditional rezone, an approach permit would be required to be submitted with the application for a building permit on the proposed two acre parcel. No agency opposed the conditional rezone and no comments from the public were received. The P&Z Commission recommended approval of the request on May 17, 2018. The request meets standards of review for a conditional rezone and is also harmonious with the Canyon County Comprehensive Plan. Staff recommends approval of the project. Marcia Sorenson testified that she lives on Viking Lane which is a private lane. She has not been able to discern what two acres the applicant is looking at but the gossip around the neighborhood is that he wants to access the property through the Sorenson's private lane and that is concerning to her. Ms. Almeida stated the two acre parcel is not yet created simply because we are just considering the rezone of the parcel. There will be a two acre parcel created and the balance of the land will not have a building permit available. The two acre parcel is proposed to access on Fran Lane which is a public road. It would not utilize Viking Lane. The site plan shows the general location of the proposed two acre parcel and the access to Fran Lane would be through a driveway. Ms. Sorenson said she has no objection to the proposal. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close public testimony. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the conditional rezone for Samuel McDowell, Case No. PH2018-18 and adopt the Findings of Fact, Conclusions of Law, and Order. Ms. Almeida said the applicant is still in the process of obtaining a legal description for the land west of Fran Lane to include in the ordinance and development agreement and he needs a little more time to complete that. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to continue the ordinance and development agreement to July 26, 2018 at 11:00 a.m. The hearing concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER MATTERS REGARDING THE FAIR



The Board met today at 10:32 a.m. for a legal staff update and to consider matters regarding the fair. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Fair Director Diana Sinner left at 10:38 a.m. and Deputy Clerk Jenen Ross.

**Consider Fair Entertainment Contracts:**

Zach Wesley said these entertainment agreements are in the standard form. Commissioner White made a motion to sign the agreements with Murray Hatfield – Magician (agreement no. 18-081), The Band Toro (agreement no. 18-083), The Band Movil (agreement no. 18-082) and Pura Vida Orquesta and Mario Sandoval (agreement no. 18-084). The motion was seconded by Commissioner Dale and carried unanimously.

**Amended Resolution for Petty Cash Account Funds for Fair 2018:**

Zach Wesley explained that the prior petty cash resolution referenced the Bulls and Broncs event which has now been removed. For most of the year the petty cash will remain at the regular \$2000 but will be increased for the week of fair to accommodate the gate change fund, the beer booth change fund and then for cash awards and contests. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the amended resolution approving the petty cash account for the fair (see resolution no. 18-124).

As part of the legal staff update Brad Goodsell said he received a message from Commissioner Rule regarding a piece of property that is jointly owned by the county and the highway district where the weed control office is located. An email was received last week in regards to this matter which will be forwarded to Mr. Goodsell so additional information can be obtained for a meeting at a future date.

The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

**CONSIDER BOARD OF EQUALIZATION MATTERS**

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale and Pam White, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Mr. Cox stated that both Admiral Beverage Corporation – Nampa and Walmart Real Estate Business Trust have been in contact with the county and have requested their values be upheld. Commissioner White made a motion to uphold the value for Admiral Beverage, account no. 62222166 0. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to uphold the Assessor's value for Walmart, account nos. 32497010 0 and 32275000 0. The meeting concluded at 1:35 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR CTI-SSI FOOD SERVICES LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:35 p.m. to conduct a property tax assessment protest hearing for CTI-SSI Food Services LLC, Account No. 36764010 0. Present were: Commissioners Tom Dale and Pam White, Chief Deputy Assessor Joe Cox, Appraiser Mike Cowan, Administrative Analyst Jennifer Loutzenhiser, Other Assessor's Office staff, David Smith and Deputy Clerk Jenen Ross. Mr. Smith offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 3, 2018

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

APPROVED CLAIMS ORDER NO. 7/10/18

The Board of Commissioners approved payment of County claims in the amount of \$276,381.83, \$134,729.38, \$76,067.49 and \$6092.23 for accounts payable.

APPROVED CLAIMS ORDER NO. 1820

The Board of Commissioners approved payment of County claims in the amount of \$1,588,948.58 for a County payroll.

LEGAL STAFF UPDATE

The Board met today at 8:54 a.m. for a legal staff update and to consider action item. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell left at 8:58 a.m., Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider signing notice of sole source procurement - Stericycle Environmental Solutions, Inc. for periodic hazardous waste disposal:*** Once considered the agreement will allow for quarterly household hazardous waste events instead of the yearly event in order to make them smaller and more manageable. It will also provide for periodic pick-up of hazardous waste brought to the landfill. The reason for sole source is it is believed that Stericycle is the only company with a local presence and has the resources to adequately preform these services; most costs under the contract will be pass-thru costs for the disposal of hazardous waste. Additionally, under this contract Stericycle has agreed that the county will pay no more than Ada County pays for similar services and in some instances will pay less. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the notice of sole source procurement with Stericycle Environmental Solutions, Inc. for periodic hazardous waste disposal. The Board will consider the contract on July 23<sup>rd</sup> at 10:30 a.m.

As part of the legal staff update Zach Wesley presented a letter of support and commitment for the US 20/26, I-84 to Middleton Rd. project. COMPASS and ITD have already done a substantial amount of work on this project and this will be the final phase. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the letter (a copy of this letter is on file with this day's minute entry).

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

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR LONNIE WINTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:02 a.m. to conduct a property tax assessment protest hearing for Lonnie Winters, account no. 36386000 0. Present were: Commissioners Tom Dale and Pam White, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Holly Hopkins, Appraiser Roger Craig, Other Assessor's Office staff, Lonnie and Bonnie Winters and Deputy Clerk Jenen Ross. Mr. and Mrs. Winters offered testimony in support of the protest application. Holly Hopkins and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:25 a.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale and

Pam White, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to uphold the Assessor's values on the following: account no. 32906114 0 for Dan McConnell, account no. 24368000 0 for U-Save Storage, LLC and account no. 07540500 0 for City Development Inc. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR THE PACE FAMILY TRUST

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a property tax assessment protest hearing for the Pace Family Trust, account no. 16430000 0. Present were: Commissioners Tom Dale and Pam White, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Kathy Kinney, Appraiser Barbara Wade, Other Assessor's Office staff, Tim Pace and Deputy Clerk Jenen Ross. Tim Pace offered testimony in support of the protest application. Kathy Kinney and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:55 p.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR RENDENA ROBERTS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:55 p.m. to conduct a property tax assessment protest hearing for Rendena Roberts, account no. 35421000 0. Present were: Commissioners Tom Dale and Pam White, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Ken Waters, Appraiser Barbara Wade, Other Assessor's Office staff, Rendena Roberts and Deputy Clerk Jenen Ross. Rendena Roberts offered testimony in support of the protest application. Ken Waters, Barbara Wade and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to continue the hearing to July 6, 2018 at 9:30 a.m. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR WALTER BRANDT

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:12 p.m. to conduct a property tax assessment protest hearing for Walter Brandt, account no. 11141000 0. Present were: Commissioners Tom Dale and Pam White, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Kevin Sorenson, Other Assessor's Office staff, Walter Brandt and Deputy Clerk Jenen Ross. Walter Brandt offered testimony in support of the protest application. Kevin Sorenson offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to uphold the Assessor's value. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 2:29 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 5, 2018

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Indigent Customer Service Specialist Robin Sneegas, and Deputy Clerk Monica Reeves. The following cases do not meet the eligibility criteria for county assistance: 2018-1018, 2018-1016, 2018-1142, 2018-1137, 2018-1136, 2018-1045, 2018-1030, 2018-1032, 2018-1015, 2018-1089, 2018-1046, and 2018-1019. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to issue a written denial on the cases read into the record within the next 30 days. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Destination Caldwell Inc. dba Destination Caldwell. See resolution no. 18-125.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR RICHARD ANDERSON/FAMILY LTD. PARTNERSHIP

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:01 a.m. to conduct a property tax assessment protest hearing for Richard Anderson, Family LTD Partnership, Account No. 04755000 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Speiser, Administrative Analyst Jennifer Loutzenhiser, Dick Anderson, and Deputy Clerk Monica Reeves. Mr. Anderson offered testimony in support of the protest application. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to adjust the value to \$1,500,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR GLEN GWENDOLYN BARNEY TRUST/STEVEN BARNEY

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:31 a.m. to conduct a property tax assessment protest hearing for Glen Gwendolyn Barney Trust/Steven Barney, Account No. 32440000 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Speiser, Administrative Analyst Jennifer Loutzenhiser, Steven Barney and Deputy Clerk Monica Reeves. Mr. Barney offered testimony in support of the protest application. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to adjust the value to \$1,136,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR RCG-NAMPA, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:54 a.m. to conduct a property tax assessment protest hearing for RCG-Nampa, LLC, Account No. 30498012A0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Speiser, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing but they did provide a packet of information to the Assessor's Office. Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR RSA AVANTI LOGAN, LLC; SORRENTO LACTALIS, INC.; AND TWIN ISLANDS, LLC (REPUBLIC STORAGE):

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 RSA Vanti Logan, LLC, Account No. 01452000 0; Sorrento Lactalis, Inc. Account No. 30424000 0; and Twin Islands, LLC (Republic Storage), Account Nos. 04082000 0, 35336000 0, 08520503 0, 08520504 0, and 31223011 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Speiser, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The applicants did not appear for the hearings. Commissioner Rule made a motion to uphold the Assessor's value for RSA Avanti Logan, LLC. The motion was seconded by Commissioner Dale and carried unanimously. Note for the record: There was an appeal filed by National Health Investors, Inc., but Mr. Speiser said he had a discussion with them and they said they would not appear therefore he recommends the case be dismissed. Commissioner Dale said a motion is not required for that. With regard to the appeals filed by Sorrento Lactalis, and Republic Storage/Twin Islands, LLC, Ms. Loutzenhiser said both companies have requested their values be upheld. Commissioner Dale asked staff to explain what Sorrento Lactalis was looking at given the \$30M difference between their assessed value and their requested value. Mike Cowan said the company hired an appraisal that showed it was going to be \$27M. It's been taken to the board of tax appeals and they agreed with Mr. Cowan's appraisal so it's now moving on to District Court. Commissioner Rule made a motion to uphold the Assessor's value for Sorrento Lactalis and Twin Islands, LLC, which will enable them to take the cases to the board of tax appeals or finish the District Court actions being taken at this time. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR GLAR INDUSTRIES

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:34 p.m. to conduct a property tax assessment protest hearing for GLAR Industries, account nos. 36109102 0, 36109101 0, 36109100 0, 36109103 0, 36109106 0, 36109107 0, 36109108 0, 36109114 0, 36109116 0, 36109117 0, 36109120 0, 36109123 0, 36109124 0, 36109125 0, 36109127 0, 36109128 0, 36109130 0, 36109131 0 and 36109134 0. Present were: Commissioners Tom Dale and Steve Rule, Appraisal Supervisor Greg Himes, Appraiser Roger Craig, Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Ed Pretty and Deputy Clerk Jenen Ross. Ed Pretty offered testimony in support of the protest applications. Brian Stender, Greg Himes and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to offer a 90% exemption but the motion failed for lack of a second. After a brief recess the Board went back on the record and Commissioner Rule made a subsequent motion to uphold the Assessor's value.

The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:28 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 6, 2018

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

CONSIDER RESOLUTION AND ORDINANCE AMENDMENT IN THE MATTER OF TRACE LEIGHTON'S REQUEST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NOS. CPR-PH2018-23 & 24

The Board met today at 8:34 a.m. to consider a resolution and ordinance amendment in the matter of Trace Leighton's request for a comprehensive plan map amendment and rezone, Case Nos. CPR-PH2018-23 & 24. Present were: Commissioners Tom Dale and Steve Rule, DSD Planner Deb Root, and Deputy Clerk Monica Reeves. On July 2, 2018 Commissioners White and Dale approved Mr. Leighton's request for a comprehensive plan map amendment and rezone, but the ordinance and resolution were continued to today's date to allow time for the applicant to ensure that legal description for the meets and bounds were correct, which have since been verified. Ms. Root said today the Board is scheduled to consider the resolution for a comprehensive plan future land use map amendment from commercial to residential and from agricultural to residential as well as the ordinance directing amendments to the zoning map to rezone properties from agricultural to residential for the Leighton properties. The subject property is located outside of Star, currently under mineral extraction permit adjacent to the Star West Gravel Pit on what used to be Goldie Lane. Currently Idaho Materials and Construction is mining this property and they are just preparing for residential development. Commissioner Rule said he did not participate in the underlying hearing so it's going to be hard for him to act on this and so it was decided that the matter will be continued to July 9, 2018 at 11:00 a.m. when Commissioners White and Dale can consider the documents. The meeting concluded at 8:39 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A.



Zach Wesley, Controller Zach Wagoner, Deputy P.A. Brad Goodsell left at 9:20 a.m., PIO Joe Decker, Lt. Ben Keyes, Assessor Brian Stender left at 9:20 a.m., Chris Mauler, Gary Glenn and Lisa DeBlasio for Gayle Manufacturing left at 9:20 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing resolution granting Gayle Manufacturing Co., Inc. a tax exemption pursuant to Idaho Code § 63-602NN:*** Brad Goodsell said this tax exemption is consistent with discussions the Board has previously had with Gayle Manufacturing, Idaho Code § 63-602NN and the county ordinance. This resolution will grant a 75% exemption beginning this year and ending in 2022 subject to all the normal conditions the ordinance provides. Pursuant to the statute a notice was sent to all the taxing districts but no one appeared today. Gayle Manufacturing is moving their entire operation from California to Idaho with the exception of the sales force, they anticipate the move to be complete within the next couple of weeks. Mr. Glenn read a statement about Gayle Manufacturing and what it provides and how it will benefit Canyon County. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution granting Gayle Manufacturing Co., Inc. a tax exemption pursuant to Idaho Code § 63-602NN (see resolution no. 18-126).

***Consider signing Idaho Department of Parks and Recreation Grant Agreement Form for Project New Marine Tow Vehicle:*** This is a grant of \$28,884 from the Idaho Department of Parks and Recreation with a funding match of \$9629 from the county for a total of \$38,513. This grant will be used to replace Lt. Keyes truck which is used to pull the large Sheriff's Office boats. Sam Laugheed said the agreement lays out how the grant funds are to be spent and how it will be documented. There is no legal reason not to move forward. Commissioner Rule made a motion to sign the Idaho Department of Parks and Recreation Grant agreement form for project 'New Marine Tow Vehicle' (see agreement no. 18-085). The motion was seconded by Commissioner Dale and carried unanimously.

***Consider Designating Records Custodian:*** Sam Laugheed explained the Board should be receiving letters from their fellow Elected Official's affirming that they (or their deputies) are the custodian of records. Additionally, a letter has been executed the Board's Department Administrator's explaining that they are the custodians of their records. Mr. Laugheed believes the main purpose of this change is to let the public know that record requests will be handled appropriately and handed off to the correct department as necessary.

As part of the legal staff update Zach Wesley spoke about the notice of public auction for the 20-26 property. The county has been working with realtor Greg Bullock to go over terms for the auction in order to have those outlined in the public notice. This notice will meet the legal requirements to start the auction process although Mr. Bullock will handle the bulk of the marketing and the actual procedure of the auction. The notice would set the minimum bid at \$1.6M for both properties which is the approximate purchase price and then Mr. Bullock has recommended holding the auction for the individual lots and then putting those bids on hold and auctioning both properties as a single lot. Mr. Bullock would then like to select the bid that is most favorable to the county of those two procedures. Mr. Wesley believes Mr. Bullock intends this to be an open bid/traditional auction. Commissioner Rule wants to make sure

any money from the sale of the properties be earmarked for future fair development, Commissioner Dale agrees this money needs to stay in fair funding. The legal notice will be on the Board's agenda for consideration on July 19<sup>th</sup> and published in the Idaho Press-Tribune on July 23<sup>rd</sup> (actual publication date will be Tuesday, July 24<sup>th</sup>). The auction will take place on August 14<sup>th</sup> in the Commissioners' meeting room.

The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR RCG-NAMPA LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:36 a.m. to conduct a property tax assessment protest hearing for RCG-Nampa LLC, account nos. 30498000 0, 30498010 0, 30498011 0, 30498012 0, 30501010 0, 30503000 0, 30503010 0, 30503011 0, 30503013 0, 30504000 0, 30504012 0, 31086100 0, 31086107 0 and 31087011 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Darryl Speiser, Appraiser Mike Cowan, Appraiser Barbara Wade, Appraiser Kevin Sorenson, Rick Smith for RCG-Nampa LLC and Deputy Clerk Jenen Ross. Rick Smith offered testimony in support of the protest applications. Joe Cox and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value of \$25,816,580. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

#### BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR PC PARKVIEW

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:37 a.m. to conduct a property tax assessment protest hearing for PC Parkview, account nos. 05530501 0, 05530504 0, 05530506 0, 05530509 0, 05530511 0, 05530512 0, 05530515 0 and 05530517 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Darryl Speiser, Appraiser Mike Cowan, Appraiser Barbara Wade, Appraiser Kevin Sorenson, System Analyst Steve Onofrei, Matt Selling for PC Parkview and Deputy Clerk Jenen Ross. Matt Selling offered testimony in support of the protest applications. Kevin Sorenson, Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to uphold the Assessor's value on each account. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR SAINT ALPHONSUS MEDICAL CENTER NAMPA INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:00 a.m. to conduct a property tax assessment protest hearing for Saint Alphonsus Medical Center Nampa Inc., account no.11776000 0. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Appraiser Darryl Speiser, Appraiser Mike Cowan, Appraiser Barbara Wade, Appraiser Kevin Sorenson, System Analyst Steve Onofrei, Frank Lee, Marcie Harper, Ross Caulm and Michael Ballantyne for St. Alphonsus and Deputy Clerk Jenen Ross. Frank Lee and Michael Ballantyne offered testimony in support of the protest application. Darryl Speiser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Rule made a motion to adjust the value to \$11,690,000. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 11:51 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:52 a.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Appraiser Mike Cowan, Appraisal Supervisor Greg Himes, Appraiser Barbara Wade, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Jennifer Loutzenhiser explained that account no. 35421000 0 for Rendena Roberts was continued from earlier in the week. The appraiser was able to tour the property and the Assessor's Office is recommending an adjustment to \$141,100. Commissioner Rule made a motion to adjust the value as recommended. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Rule made a motion to sign the Assessor Adjustments to 2018 Certified Values - #1. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 11:56 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 9, 2018

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

APPROVED CLAIMS ORDER NO. 7/25/18

The Board of Commissioners approved payment of County claims in the amount of \$48,410.86 for accounts payable.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub and Grill to be used 7/21/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 7/13/18 for a wedding.

#### MONTHLY MEETING WITH THE WEED AND GOPHER CONTROL SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:32 a.m. for a monthly meeting with the Weed and Gopher Control Superintendent to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Steve Rule, Weed and Gopher Control Superintendent AJ Mondor, and Deputy Clerk Monica Reeves. The following topics were discussed:

- Director Mondor was approached by the Canyon Highway District about building a new shop for chemical storage on the property they share with the Weed Control Department. It will not interfere with the department's operations but there is some concern for future ownership issues and how it would affect the department. It was decided that the Board will meet with the highway district commissioners to hear more about their proposal.
- The County owns a six-acre parcel north of Simplot Boulevard that was acquired by tax deed and Director Mondor believes it would be an ideal location for a public park. The Board wants to hear more about the proposal so a meeting will be scheduled with Parks Director Nicki Schwend for further discussion.
- The department is now using tablets with mobile hot spots which will be more cost efficient than having a data plan for each tablet.
- He requested two seasonal positions and one fulltime position. He spoke of a temporary employee who is doing an excellent job and how he would like to give him a raise and hire him fulltime if possible. Commissioner Rule said he felt strongly about the additional position for a couple years now but it's been denied.

- He sent an email to the Prosecutor's Office about the new trespass law to see how it will affect the department.

The meeting concluded at 8:54 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

The Board met today at 9:31 a.m. for a monthly meeting with the Development Services Department Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. The following topics were discussed:

- Budget and permit update - Department revenue is up significantly, they budgeted \$1.2 million and are currently at \$1.6 million. Commissioner Rule suggested the money be put into a building line item for future capital projects rather than let the Clerk disperse it throughout the budget. Commissioner Dale said that's a great idea. He asked if it's an indication that the fees are too high. Director Nilsson said that is not the case; other work is 30-40% higher and they are able to get through the smaller permits faster. There is good diversity with the permits. She said the upcoming Simplot project could result in \$800,000 in fee revenue.
- Personnel update – She saw the need to supplement staff and has talked to Controller Wagoner about the very large Simplot permit that will entail a tremendous amount of work. She put some funds in the professional consultant budget, and the department may contract with a mechanical inspector since it will be a daily task to be at Simplot to get the inspections done. There's a lot of structural racking, a cold storage building, robots, cars, and tracks. There will be a lot of mechanical work with the freezer component and a low oxygen fire safety system. In next year's budget she has added two employees. She has a vacant Planner II position and is having a hard time filling it so it may need to be under-filled as a Planner I. Staff is busy but they're keeping up although it is hard on them.
- Code enforcement abatement process/certificate of noncompliance – They have been holding off on it but there are several cases she wants to take through the process. Perhaps they can be batched in groups of hearings.

The items discussed were general in nature and did not require Board action. The meeting concluded at 9:46 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING RE: A REQUEST BY TYLER HESS/HESS PROPERTIES, LLC FOR A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION AND DRAINAGE PLAN; CASE NO. PH2017-75

The Board went on the record today at 10:02 a.m. to reschedule the hearing in the matter of a request by Tyler Hess/Hess Properties, LLC, for approval of a preliminary plat, final plat, and irrigation and drainage plan. Present were: Commissioners Tom Dale and Steve Rule, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing to August 16, 2018 at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY BEN NEWBY FOR APPROVAL OF A PRELIMINARY PLAT, IRRIGATION & DRAINAGE PLAN, AND FINAL PLAT FOR NEWBY SUBDIVISION

The Board met today at 10:32 a.m. to conduct a public hearing to consider a request by Ben Newby for approval of a preliminary plat, irrigation and drainage plan, and final plat for Newby Subdivision, Case No. SD-PH2018-4. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, William Mason, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The subject property is conditionally rezoned to rural residential and is subject to a development agreement and the proposed development is in substantial compliance with the conditions of approval of that agreement. The applicant is proposing a two-lot subdivision, one lot is going to be a residential three-acre lot while the remaining acreage is a seven-acre agricultural only lot with no available permits. Irrigation water is available to the property from the Wilder Irrigation District and the property will be irrigated as it has been historically with some modification to the current pipe system. The concerns from the Idaho Transportation Department and Golden Gate Highway District have been addressed. Access shall be taken at the existing approach to state highway 55 and access to the adjacent subdivision roads on the north shall be blocked and not used by new residential development on the Newby property. The P&Z commission recommended approval on May 3, 2018, and staff is recommending approval as well. Upon the motion of Commissioner Dale and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat and irrigation and drainage plan as well as authorize the chairman to sign the final plat. The hearing concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION AND ORDINANCE AMENDMENT IN THE MATTER OF TRACE LEIGHTON'S REQUEST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE

The Board met today at 11:03 a.m. to consider a resolution and ordinance amendment in the matter of a request by Trace Leighton for a comprehensive plan map amendment and rezone Case Nos. CPR-PH2018-23 & 24. Present were: Commissioners Tom Dale and Steve Rule, Commissioner Pam White via conference call, DSD Director Tricia Nilsson left at 11:05 a.m., other interested citizens, and Deputy Clerk Monica Reeves. The hearing was held on July 2, and Commissioners White and Dale approved the comprehensive plan map amendment and rezone, but the ordinance and resolution were continued to July 6, 2018 to allow time for the applicant to ensure that the legal description for the meets and bounds were correct. On July 6, Commissioners Rule and Dale continued the matter to today's date so that Commissioner White could participate since Commissioner Rule was not present for the underlying hearing. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the resolution and ordinance in the matter of Trace Leighton's request. (See Resolution No. 18-127 and Ordinance No. 18-017.) The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH SHERIFF TO DISCUSS CANYON COUNTY JAIL -- TEMPORARY HOUSING FOR FEMALE INMATES/POD 3 RETROFIT, AND LONG-TERM STRATEGY/DLR REPORT

The Board met today at 11:05 a.m. for a meeting with the Sheriff to discuss the Canyon County Jail -- Temporary Housing for Female Inmates/Pod 3 Retrofit, and Long-Term Strategy/DLR report. Present were: Commissioners Tom Dale and Steve Rule, Commissioner Pam White via conference call, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Lt. Andy Kiehl, Clerk Chris Yamamoto, Controller Zach Wagoner, Cassie Whitney, Kathy Alder, Leslie Van Beek, El Jay Waite, Hubert Osborne, Larry Olmsted, Nicole Foy from the Idaho Press, other interested citizens, and Deputy Clerk Monica Reeves. This discussion on the proposed action items was as follows:

***Temporary housing (Trailers/Containers system) - Consider authorizing permit application development and contract negotiation, give direction regarding timeframe for action, and related preliminary matters.***

Sheriff Donahue spoke about the jail housing crisis situation and how they are housing 30-40 people a day outside of the county, which is difficult not only in terms of cost but also the lack of available bed space. Fortunately other counties have been accommodating but we are at a breaking point; when there isn't any outside housing they have to overpopulate the special management units in the jail and somewhat overpopulate the existing units. The Sheriff's Association lobbied to increase the cost for the reimbursement of daily housing of state inmates and they were successful in raising it from \$45 a day to \$55 a day for the first 7 days of housing and up to \$75 for any day following that 7 days which is going to make bed space even more of a premium throughout the state. The counties who've been accommodating us are going to be hard pressed to convince their taxpayers and commissioners to stay at a \$60 rental rate when the market is \$75 a day and in order for us to compete we'll likely have to pay \$75 a day to rent bed space to outside counties to house

our inmates. The Sheriff sent personnel to Green County, Missouri to look at the temporary housing units and they believe the system has great promise and will be a temporary fix for an ongoing problem by relieving pressure on the jail by temporarily housing females which would allow them to modify the existing female units we have in Pod 3 in the Dale Haile Jail to accommodate more male, medium to high risk security inmates. There will be a cost but it does not outweigh the potential cost and litigation by not acting. Clerk Yamamoto said last Friday he sent the Board some bullet points on his thoughts about the system in Missouri. The 477-bed jail is continually over capacity and a greater concern is the lack of beds in certain classifications. Within the law enforcement and courts systems all reasonable efforts have been employed to keep people out of jail but at this point we have gone beyond releasing the best of the best, to the best of the worst, to inmates that should not be released at all. The solution to this problem is a new jail with a proper amount of beds and proper classifications but this requires the taxpayers to pass a bond and/or legislatively provide a local tax option, but that's a tall hill to climb and even if we attain that funding we are a minimum of three years or more out from that point, therefore, a short-term fix is necessitated. ADS - All Detainment Solutions - appears to be the best option we've seen so far. They are semitrailers configured to be welded together on site; the interior is all stainless steel with most of utilities accessed from built-in doors that are on the outside. They took a close look at it and found it to be a good system. He, along with Captain Ward and Controller Zach Wagoner, went to Green County to see the integrity of the structure, talk to the jailers, and determine the viability of the manufacturer and work the best deal that we could. ADS appears to be very well capitalized and so he has a good comfort level with the company. The original price quote has been extended to the end of July. Construction costs have gone up and it seems steel prices may continue to rise. There are some built-in savings due to the fact they get their trailers from Great Dane, and they placed a large order of these trailers at a very favorable price and so they are able to maintain the original quote until the end of July and then it will increase by an additional \$3.5M. The units would provide 122 female beds and would be placed adjacent to the existing jail on Chicago Street. Option 3 of the ADS options includes delivery, fence, ramp, and desks. This is a seven year lease with a buyout. The lease itself is nearly \$1.5M and the buyout is \$1.9M. The total lease and buyout is \$12.2M. The buyout is optional, we can walk away after seven years and that price is \$10.3M. He and the Controller put some numbers together using a \$1.5M lease and budgeted increase of \$500,000 in additional staff and operational costs which puts the cost at \$2M. The out-of-county housing costs, with year over year actuals from 2017 to date have gone up 444%, and the estimation for out-of-county housing in 2019 is \$1M and it will continue to go up with the state raising the outside bed payments to \$75. If you take the 122 proposed beds at \$75 a day that's \$9,150 per day multiplied over one year that is \$3.3M versus \$2M for a self-contained facility with little to no prisoner transport liability and expense. At present Canyon County is in a first position as far as an order with ADS but if we wait much longer there is a possibility others will get in and our order will be delayed. There's considerable interest from other jurisdictions, including a county in Colorado that's looking at this system as a full blown prison with over 800 beds. Sheriff Donahue said they will only have to utilize three employees to operate the system which makes it more affordable and appealing. Commissioner Rule asked if he is suggesting that we order the trailers and then try to get permits to build them. Sheriff Donahue said we need to see what ADS will allow us to do in terms of placing an order but we shouldn't get ahead of ourselves; it'd be in the best



interest to meet with the City of Caldwell and see what they will require. Commissioner Rule expressed concern with the tariffs that are coming and how it will impact the order, also, he doesn't see how it would be completed by the end of July. He is opposed to this concept. In the past he suggested using the unused space in the juvenile detention center but was told it would take too much manpower, but now we're hearing it only takes 3 employees to run a 122-bed facility. If work release was moved from the Dale Haile Jail it would open beds for whatever classification you have over there. He had a concept for a brick and mortar 192-bed facility with a plan to add on 200 more beds, which was an affordable concept. He doesn't think this is the right path and he cannot support it. Commissioner White believes ADS wants a contract, or something in writing, by the end of July that indicates we are moving forward with this as a temporary option and she believes that's doable. Sam Laugheed said it might be important to note that the Board isn't being asked to make any final decisions today, but there are a number of preliminary matters that need to be accomplished in order to reach that sort of final decision and given the nature of the project they thought it was best to have those preliminary decisions made on the record, such as the timeframe; authorizing the Facilities and DSD staff to work on permitting with the city; and authorizing contract negotiations so we can talk about potential raw material riders and non-appropriation clauses. Commissioner Dale said nobody likes to think about spending a lot of money on housing inmates, but it's an undeniable fact that with increased growth comes increased crime and we have to prepare for it. We are in a crisis situation with jail space and we know we will be spending at least \$1M in out-of-county housing this next year, assuming we can even find it, and that type of an arrangement of transporting inmates long distances and bringing them back and forth for court dates creates a great deal of risk and expense. We are considering moving forward with a plan that would add 120 temporary jail beds in a pod system set up on county property. It's a short-term solution to the crisis we face every day in finding bed space and without this we will continue to see dollars go out of county for rental space. Approving this plan will give the Sheriff a little bit of breathing room while we continue to work on the long-term solution for our jail needs. It's temporary; a permanent solution is a new jail. He made a motion to immediately begin the process of seeking the proper permits from the City of Caldwell and to instruct county attorneys and other related people who need to be involved in the discussion to begin the process of contract negotiations for the temporary jail pods. Commissioner White seconded the motion. Commissioner Rule asked if we are moving forward without filling up the cells in juvenile detention. Commissioner Dale said they toured the juvenile facility and there is some space that's not being utilized and then he asked the Sheriff to comment on that. Sheriff Donahue said even though there's bed space in the juvenile center it's like having space in our own jail. We have some available for low/minimum security inmates, but we don't have space for the high security, high risk inmates, and that's the bed space we're really in need of and that's not necessarily going to be accommodated by the juvenile detention center. It's more of a refit. You cannot house adult inmates next to juvenile inmates and you cannot have that interaction through the walls or in close proximity. There are many factors at that level of regulation that we cannot overcome. Commissioner Rule said Director Jett said we could block the entrances and put up the fence to separate it. Sheriff Donahue said with all due respect Director Jett does not operate an adult detention center, and the logistics of trying to do that are not nearly as accommodating as what we've seen here. Commissioner Rule said he's talking about work release, a completely different classification. Sheriff Donahue said if

we simply talked about work release and where it's being housed today we'd have to retrofit that open dormitory to gain any medium to high security aspect and that would cause further expense for 35 beds, and we'd have an expense of retrofitting it for high security and we haven't even entertained the thought of what that would cost. Commissioner Rule said it looked to be a couple hundred thousand dollars at most which is a lot better than a \$1M a year expense. His concern is the voters will see the stainless steel cells as a long-term fix. Sheriff Donahue said he doesn't disagree on that point but he said it's a short-term issue and at this point he is not in favor of purchasing those units. Having the lease option to buy is a good alternative but at this point he would rather lease than buy. The public understands the crisis we are in and we're shortchanging them in believing that they won't understand this is a short-term fix. It's a stop gap measure; it's not ideal in terms of what any of us wanted but these are the cards that have been dealt and it's the best possibility at the best price he has seen in both the operational side and the financial side of it. Clerk Yamamoto said Carter Goble Lee made the suggestion that it was a possibility that the juvenile center could be utilized as a jail and he thought that was a good idea to get us through in a pinch, but he and the Controller spent a day with Director Jett and jail staff and at the end of that day they decided it was not a viable option partly because it couldn't pass jail standards. Commissioner Dale said there is a motion and a second to authorize staff to move forward with beginning a process of seeking permitting. He is totally opposed to spending money on this contract without having permits first. The action also instructs county attorneys to move forward with negotiations on what a contract would look like and be inclusive of the types of things that Mr. Laugheed mentioned. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote.

The next portion of the discussion was focused on the long-term vision and plan, specifically: ***Long-term strategy (New Jail proposal) – Consider giving direction regarding potential bond election (timeframe for action, identification of site and bed count) and authorization to re-engage under existing contract with DLR for revised cost estimate/procurement of bond counsel/public outreach, preparation of a RFQ for Construction Manager/General Contractor, and related preliminary matters.***

Commissioner Dale said we have been in discussions for a long time and been aware of the shortage of jail space for 15-20 years and the Sheriff is doing a good job managing a jail that was poorly designed and is woefully inadequate and undersized. There have been three bond attempts over the years. Our efforts at formulating a solution to this ongoing problem resulted with contracting with the DLR Group to conduct a strategic needs analysis last year. The roadmap included a rigorous selection process that ended up with DLR as the best group to meet our needs. We received that report last fall and it's created much debate over the last few months, most of which centers around the projected cost of a new jail. We have explored options and the locations that have been brought forward and he appreciates those who've made the effort to study this issue and bring ideas and options to our attention. We have come to a place where we either need to move ahead or admit we don't know what we're doing. We have a plan that's been brought forward and we need to take the next steps to move towards something we can take to the public as far as a plan to meet the jail space needs into the future. We need a long-term solution. Sheriff Donahue said DLR was selected by the County to develop and report on the long-term jail needs and it was done through a very rigorous process guided by the PA's Office. The study took place with substantial input

from all the primary stakeholders, specifically the Sheriff's Office and it took months and months of detailed information. There will always be a need for dormitory style beds, but the greater need is for the higher security. The County has done an exemplary job in alternative sentencing and after a decade of pioneering that we are truly the role model for the state but that system has outgrown itself. Currently we have anywhere from 600-750 people who are walking the streets under alternative sentencing programs where are least 300, on a daily basis, do not meet our risk analysis for being out on the those streets because we don't have any room in the jail and that is an important part of the DLR study. It was done through scientific methodology and it's hard to dispute the fact that these are the needs. DLR was contracted to do a study, they produced the results and said here's what it is, and here is where you will be into the future and here are some options you can explore by a brick and mortar building under this type of design based on what your needs are for this specific area. They entered in the construction costs and trends in the northwest based on their expertise and so he's asking the Board to consider accepting once and for all the DLR study on the parameters of what it was based under. There's no question the study closely examined our needs and by accepting that study on its value we can move forward. Commissioner Rule said he voted against the study because he didn't think it was needed because there are people at the county who know how many beds we need. After DLR recommended a cost of \$200M for 1100 beds we found multiple jails of similar size that were built for \$30M-\$40M less, also DLR's study also included \$1.5M in artwork. He believes it's an inflated study that should not be used and instead we should use our own common sense in this courthouse. He said the Sheriff sent a letter that states we should run a bond and if it fails we should petition for a judicial mandate to build the \$200M jail, but he does not agree with that philosophy, instead we need to get behind the philosophy of building a \$30M to \$60M facility, something the taxpayers will accept. Commissioner White said we are talking about the study and the judicial mandate was not part of how this conversation started. The people paid for the DLR study and it's defensible because of the methodology that was used by a professional company. At a public meeting DLR was leaned on a little bit and they removed \$30M from the price because of some changes in a program room and different things and now this will give us an opportunity to have a face-to-face meeting and work on some hard numbers. DLR needs to make this right and we need to complete this and get it done and if we move forward on a new jail it should be a 50-100 year facility, it shouldn't be a patch-up or a patch-on type of thing. We have the property and through this study we know what we need. Commissioner White then asked if a motion would be appropriate. Mr. Laugheed said the DLR report has evolved since its written iteration including after the meeting where they'd knocked off a certain amount for various programming and the number changed. He doesn't think we can recommend that the Board adopt the report as a blanket acceptance so he'd recommend the Board break it down into more discreet categories by having motions about the site moving forward, about the bed count moving forward, and about the estimated price moving forward.

Commissioner White made a motion to accept DLR's recommended bed count of 1044 as mentioned in their study. The motion was seconded by Commissioner Dale. Commissioner Rule said the public hasn't been given a proper opportunity to weigh in on this and at the last meeting the chairman shut down people who wanted to comment on it. He said the motion is premature until we have an opportunity to conduct town hall meetings and give the public a chance to weigh in. Commissioner Dale said there is no plan written down that he's seen

that says immediately upon a failure of a bond we go to a judge and say “overrule”. That is a last ditch effort and down the road somewhere that could happen but that’s certainly not in his plans as the best way to go. Commissioner Rule said he made that point based on Sheriff Donahue’s letter. Commissioner Dale said it could be a long run down there but that’s not in his plans at all. As for the number of beds, a lot of people ask if that will be enough for the next 20-30 years and others have talked about what number we need. If we count the 122 beds and the tent we will have 477 beds available and if you take away the tent which will outlive its life expectancy in another 3-4 years we’ll be down to 352 beds available. Currently there are 600-700 people on pre-trial release and alternative sentencing out of which 250-300 should be in jail so if we built a jail of 700-800 beds it would immediately be at capacity on the day it opened and that’s extremely shortsighted and a poor use of tax dollars to build something you know is not going to be utilized into the future without having to go out for more offsite beds. DLR is one of the leading firms in the nation and internationally and while there are areas for discussion and differences of opinion on what types of amenities ought to go into a new jail those are things that can be discussed down the road once we say our target is 1044. This action does not say we are accepting the design, it does not say we are accepting the suggested dollar amount, it says let’s move forward with this target goal of providing 1044 beds which should take us out to the next 20+ years. It is not committing to a dollar figure at all at this point. Commissioner Dale said he has advocated for public involvement but we’ve not had the opportunity yet because we’ve been running in circles about what the number is. A number was established by experts and we’re at the point where we need to accept DLR’s number so we can engage in discussion about the amenities within that facility that could bring the cost down considerably. Commissioner White said a jail study was done in 2006 which recommended 1300 beds by the year 2019. She’s not convinced 1055 is sufficient. She said the public needs to weigh in but we need to accept something we’ve paid for so we can get some movement going and our accomplishing something doesn’t silence the people. She wants to accept the 1044 beds. Commissioner Rule said HOK discredited DLR’s study saying our current needs are a little over 700 beds. DLR was wrong on the cost by \$30M-\$40M. He doesn’t know what the thoughts were on the 2006 study that recommended 1300 beds but the bottom line is the taxpayers said no and so we have to get our heads wrapped around doing something the taxpayers will pay for because they’re not going to pay for a \$200M bond for 1044 or 1055 beds. Let’s get real and start talking about something the taxpayers will support. Commissioner White said her “get real” right now is she has no idea what the people will do and she has to make a decision that is best for the county and for public safety. The people paid for the DLR study and she’s not going to thumb her nose at the money they paid. There are implications with our jail situation and insurance liabilities and she does not want to gamble with the taxpayers’ money on those types of situations so we have to start somewhere and by saying 1044 beds we can continue moving forward to accomplish something for public safety. Commissioner Rule said the public spoke loud and clear when they turned down three bonds in the amount of \$50M-\$70M and they didn’t weigh in on a \$250,000 study, they weighed in with votes saying don’t tax us to that level. Sheriff Donahue said just because the public voted it down three times doesn’t fix the problem. We are in crisis. The DLR study is a conceptual drawing, the program rooms were put into the study because that’s what society wants, they want to slow down and reduce recidivism. Program rooms are something that’s a standard in the industry and he doesn’t know if the county can get away from them in a brick and mortar

building. Commissioner Dale said he takes the long-term view of things and look at what it will cost if we continue with what we have. We looked at building an additional jail next to what we have but the ongoing costs in personnel and operational costs has to be considered. In today's jail design standard you can have a facility of this size contained in one location and it's extremely more efficient. He said when he ran for office four years ago he said any plan for a new jail which does not get us out of the current jail is shortsighted and it means we have to build a new jail. He said HOK said they could build a 1000 bed facility for \$130M-\$170M but that's still to be determined. We need to move forward and accept the number of beds as the number we're moving forward with for design and discussion with the public. Commissioner Rule said it's been pointed out in multiple studies that we need 700 beds and he then made a motion that instead of proposing a \$200M cost we move forward with a plan of 400 beds. He believes it would meet the needs and criteria and might get it passed, but anything over 1000 beds is a waste of energy. The substitute motion died for lack of a second. Commissioner Dale said if we did that we'd have to double our personnel costs which over the period of 10-20 years would more than pay for the cost of building the jail the right size and doing it right the first time. Mr. Laugheed said before the Board votes on the motion a little more context could be appropriate. He doesn't think any of the motions are final, they are preliminary to guide work that will be brought back to the Board to make a final decision. When talking about bed space and the site, the final decision would have to do with approving bond language if the Board were to decide to go out for a bond election and so having a motion to accept the DLR conclusion of 1044 beds doesn't mean we are locked in on that number, it's the direction that your staff, and Sheriff's Office and legal can use to move forward to present final decisions to the Board. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote.

Commissioner Dale said it's been pointed out that we have not officially accepted the Pond Lane property as the desired and number one site for the new jail construction. Commissioner White said she was involved in that process and there was a committee that included herself, Rick Youngblood, Jerry Hess, the Melba School District Superintendent, and various citizens and they pulled together 7 or 8 sites and looked at them to find out why they would not work for a potential new jail site and the Highway 20-26 area was the site they selected because it was off the freeway and it made it convenient. Since then Caldwell has put the infrastructure in and she believes it would be a huge mistake to buy something else. She made a motion accept the site located at Highway 20-26 and Pond Lane. The motion was seconded by Commissioner Dale. Commissioner Rule strongly objected and said there hasn't been a chance for discussion before a motion was made. He said after previous bond attempts failed people complained about the location and there were indications the bond would have passed if the site had been closer to the existing jail. He believes the transportation costs associated with this site have been slipped under the carpet and he won't support the motion. Sheriff Donahue said the site is the ideal location and it's indisputable. In terms of transportation it's approximately three miles from the courthouse to the location and it's a shorter distance than Ada County travels to transport their inmates from their jail to the courthouse. He doesn't see the location as a hardship nor a great expense. He sees a greater expense and hardship in transporting inmates to Adams County, Owyhee County, etc. Commissioner Dale said we have evaluated sites in this approximate location and it was suggested we move forward with the Van Buren site and purchase the

properties around it, which would cost around \$12M and then add to that the cost of tearing down all those structures to be able to access the site. Additionally, you'd have to add in the cost of relocating water and sewer lines and anything else that's underground and the cost becomes exorbitant. He has had numerous conversations with the city officials who've said that's not their long-term plan for this area, they do not want a jail built here. He believes the study that went into this site several years ago is valid. We own it free and clear, the water and sewer lines are there and it is appropriately located and is the correct location we should move forward with in our plans. Regarding the comment about not having a discussion, he said Roberts Rules of Order are very clear that the discussion on a motion has to occur after the motion and second have been made and that's what we're doing here. We are following those rules that are very clear, there's been nothing done out of order. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote. Commissioner White made a motion for staff to contact DLR and request an estimated updated project cost for July of 2018. The motion was seconded by Commissioner Dale. It was decided that jail staff will make the initial contact with DLR. Mr. Laugheed said he worked with the Sheriff last week on what today's agenda language would look like in order to have the sort of action items required by statute that could give the Sheriff's Office and legal and/or departments some direction to bring final decisions to the Board and so the agenda is for this direction regarding a potential bond election which would include the timeframe for action, the identification of the site, the bed count, and the second part is to re-engage under the existing contract with DLR for a revised cost estimate and so that's the current motion. The other sections that could be discussed would be procurement of bond counsel and re-engagement under the existing DLR contract for the public outreach component. There are a number of specific motions that go to a bigger picture aimed at potentially bringing to the Board a decision about bond language and contracts and things like that. Commissioner Rule said if we're going to take this action we should try to keep it realistic, to get a cost analysis for July of 2018 doesn't make any sense since you're not even to bond. It will take a year or 18 months to get through this whole process with financing, bonding, etc., if it passes. You might as well do a projected cost for 2020 or 2021 when you would actually do the construction. Commissioner Dale said the motion on the floor would be to direct staff to engage with DLR to ask for an updated cost analysis. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion. The motion carried unanimously.

Commissioner Dale believes that cost analysis may be influenced by the fact that we have gone out for a Request for Information (RFI) and there are a number of entities beyond DLR that are interested in this project and willing to provide information and so that may have an influence on the number we get. Sheriff Donahue asked for confirmation that his office will be contacting DLR to request the new estimate currently into 2019-2020, and more realistic in terms of present day costs since their last rough estimate of \$170M. Mr. Laugheed said that's what he understood. The reason it would come from the Sheriff's Office is because the jail commander has a better relationship with the people on the ground at DLR who are doing the work and if staff reaches out and says we need to re-engage under the contract Mr. Laugheed will be happy to follow up. He said if the Board is potentially looking to have development of bond language, the other action item is for the timeframe. The next available bond election date will be in November and the work that would need to be done in advance

of that would include retention of bond counsel and so if the Board wants to have a motion on the timeframe that would give additional direction. Commissioner Dale asked if our window of opportunity is gone for November, but Mr. Laugheed said there was a public outreach component in the original contract with DLR and they had spoken with the Board about a proposed plan for that outreach and educational process. It seems like DLR emphasized a big push in the final two months, and he believes bond language has to be approved 60 days out so technically we are still within the time it could happen if that's the Board's direction and if we get moving with bond counsel and get moving with the outreach and the other components. Commissioner Dale wants to get it on the November ballot with some sort of bond but the likelihood of that succeeding is difficult. Our best option for financing a project of this size would be to go to the legislature and ask them to give us the local option authority for tax. We could pay for a jail of this size in five years and save \$70M in interest costs and that makes a lot more sense than property tax. He is optimistic that we could see some sort of local option authority given in this next legislative session. If we are able to meet the timelines for a bond on the ballot in November and should that not pass then the next opportunity is to go the legislature and say we have exhausted all means available to us presently for funding a project of this nature and we need some other financial tools and please give us some opportunity to reduce the load the property taxes and help out with the local option sales tax. In order to make that strong push in the next session it'd be beneficial to have a bond in November. Mr. Laugheed said the kind of motion that would facilitate that kind of progress and would address the other things on the agenda would be a motion to authorize progress towards a November bond election, which would cover us bringing a bond counsel contract to the Board, cover the re-engagement on the outreach, and it would cover preparation of an RFQ for a construction manager/general contractor which is a downstream step aimed at the cost savings. That motion would give sufficient direction to make progress to come back to the Board for final decisions. Clerk Yamamoto said if you want a bond to pass in November it's too late. He questioned if the idea is to go forward knowing it won't pass and using that as a lever with the legislature. He will not support a \$200M jail; he doesn't know what number he would support, but as far as judicial confirmation, he doesn't see it happening and if that did happen people would be angry. Commissioner Dale said the possibility of that is slimmer than the possibility of getting local option sales tax through the legislature. He doesn't think we have a judge that would make that kind of ruling. He then made a motion to authorize staff to work to make progress on a potential November bond election. The motion was seconded by Commissioner White. Commissioner Rule asked if that includes hiring bond counsel and Mr. Laugheed said it would not, it would authorize us to work with DLR to find bond counsel. Commissioner Dale said the answer he is looking for is whether it's possible to have that election in November. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote.

The meeting concluded at 12:40 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:46 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Steve Rule, Administrative District Judge Susan Wiebe, Trial Court Administrator Doug Tyler, Clerk Chris Yamamoto, and Deputy Clerk Monica Reeves. While waiting for Commissioner Rule to arrive Judge Wiebe reviewed a list of the names under consideration for Judge Klein's position. The Magistrate Commission will meet the end of August to fill the position. Today's discussion centered on the issue of supervision of the magistrate secretaries. Judge Wiebe said the Board and Clerk Yamamoto signed a letter indicating they want to move the magistrate secretaries under the auspices of the Clerk and as she understands it one of the reasons is due to scheduling issues and how he has more manpower so that if a secretary is away on vacation he could have someone else step in, but she hasn't found that to be an issue. A bigger issue is the relationship between the secretaries and the magistrates. The secretaries are in a specialized position that requires a level of understanding and cooperation with that judge and she doesn't think it's a good idea to change the way they have been doing it. She said they tried it at the juvenile justice center but one of the judges has gone through four clerks in three years and so turnover is a concern. It is a blended position for the Courts and the Clerk and statutorily under her Administrative District Judge position she is charged with supervising the clerks of the District Courts in the discharge of clerical functions so whether they are under the auspices of the Clerk she is still in charge of the way they are scheduled. Judge Wiebe said it seems like we are doing shuffling where it doesn't need to be done and in the end she will be directing the clerks anyway. Commissioner Dale asked why Canyon County is the only county doing it this way. Judge Wiebe said she doesn't know why it started here or what prompted having secretaries but they do have a unique function in Canyon County and they provide a better output than a lot of the other the counties because they are the ones who can schedule things and have the time to talk to the attorneys. Clerk Yamamoto said the Odyssey program has pointed out some things and beyond that it's the language access for interpreters, and we have a Board that felt like the County should have more control over the people we're paying rather than the state and that was a big driver as to the decision. He does not have a problem with the current secretaries, but he said one of the problems is that a little too often there's to be only one magistrate secretary here on Fridays and if he has supervision authority he will have secretaries here and backup will be provided.

Commissioner Dale asked what operational or efficiency differences would result from having dedicated secretaries or from going to the model of having it fall under the Clerk of the Court. Doug Tyler said he doesn't agree that Friday is often a day where we are down to one secretary. He also said nearly every visiting judge has expressed support for the current setup. The secretaries spend a lot of time scheduling trials and special hearings where they have to make 8-12 phone calls to get attorneys scheduled on the right day for the judge and the clerks at the front desk used to do some of that but it ate up all of their time and so the efficiency was that we didn't have people saying the court date wasn't good for them. Mr. Tyler said the clerks and the secretaries have had a good working relationship. Clerk Yamamoto said there would be some built-in efficiencies in that they won't be adding people, they will utilize what they have and they will have a lot of backup. Commissioner Rule said he agrees with Clerk Yamamoto's philosophy and said he does not like shared employee



situations because he has been through a tremendous failure with a shared employee between the Courts and the County. Commissioner Dale said he has no doubt the secretaries and clerks are doing a great job but one of the prime considerations is trying to get rid of the conflicts due to the basic structure of shared employees because there are conflicts that continually seem to come up. It seems odd that Canyon County assumes all of the personnel responsibility as well as payment and benefits and yet we have no oversight or supervisory role. Judge Wiebe said she's not aware of any issues with the magistrate secretaries in terms of a shared employee problem. Clerk Yamamoto said he sees problems but he's not going to delineate it because he doesn't want to create a problem. Mr. Tyler said he sat in on a number of meetings Judge Wiebe had with the judges and what he understood is that the judges would like to talk to the Clerk about specifically what the changes are and what differences it will make operationally, and believes they are receptive to having a productive discussion. Clerk Yamamoto said he can do that, and then he asked if the Board's decision is on hold. Commissioner Dale said the Board hasn't made a decision and Commissioner Rule said he's fully supportive of it but we should check with legal counsel. Commissioner Dale wants to discuss it more with Judge Wiebe and move cautiously. Clerk Yamamoto said he believes the Board's letter took official action. Commissioner Rule said we need to check with legal counsel and see if the letter is the appropriate action and we'll move from there. Judge Wiebe said the letter states *"We intend to do this as of July 2 absent your objection, in which case we will be happy to meet."* She was objecting and she didn't think a decision had been made. Commissioner Dale said that's how he read it too and since there was an objection we have to hold off and re-evaluate. The meeting concluded at 2:07 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – CONSIDER APPLICATION FOR CASUALTY LOSS UNDER IDAHO CODE §63-602XX (CANCELLATION OF VALUE) FOR JC WATSON COMPANY; AND CONSIDER FINAL RECOMMENDATIONS FROM COUNTY ASSESSOR

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:08 p.m. to consider an application for casualty loss under Idaho Code §63-602XX (cancellation of value) for JC Watson Company, and to consider final recommendations from the County Assessor. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Assessor Stender said an onion fire storage facility caught fire Thursday night and he was able to make contact with Jon Watson of JC Watson Company and they filled out the paperwork for a casualty loss exemption. It will be prorated from the day it happened to the end of the year. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to grant the exemption for Parcel No. 19315000 0 with a quotient of .507%. Assessor Stender said the exemption is just for the real property. They may have some forklifts and a fan inside the structure but once things settle down they may come back before the Board. Also, he stated there is a nearby house that suffered water damaged as a result of the efforts to try to contain the fire so that may come before the Board as well. Having no further business to consider for the Assessor's Office Commissioner Rule made a motion to close the Board of Equalization for 2018. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 2:12 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

**JULY 2018 TERM**

**CALDWELL, IDAHO JULY 10, 2018**

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

No meetings were conducted.

**JULY 2018 TERM**

**CALDWELL, IDAHO JULY 11, 2018**

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

No meetings were conducted.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 12, 2018

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

APPROVED CLAIMS ORDER NO. 7/12/18

The Board of Commissioners approved payment of County claims in the amount of \$3296.57 for accounts payable.

APPROVED CLAIMS ORDER NO. 7/11/18

The Board of Commissioners approved payment of County claims in the amount of \$4395.90 for accounts payable.

APPROVED CLAIMS ORDER NO. 7/25/18

The Board of Commissioners approved payment of County claims in the amount of \$155,197.18 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell in the amount of \$25,011.32 for the Information Technology department
- Northwest Service Technologies in the amount of \$2950.00 for the Facilities department
- Pathway Connect in the amount of \$1065.00 for the Facilities department
- Teds Electronics in the amount of \$2779.13 for the Sheriff's Office

CONSIDER INDIGENT DECISIONS

The Board met today at 9:01 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Leslie Van Beek and Deputy Clerk Monica

Reeves. The following cases do not meet the eligibility criteria for county assistance: 2018-1051, 2018-1047, 2018-1055, 2018-1059, 2018-1056, 2018-1052, 2018-1044, and 2018-1048. Upon the motion of Commissioner Rule and second by Commissioner White, the Board voted unanimously to issue initial denials within 30 days. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve Case No. 2018-1184. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-774

The Board met today at 9:07 a.m. to conduct a medical indigency hearing for Case No. 2018-774. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood from Saint Alphonsus, Interpreter Grace Arroyo, the applicant and her granddaughter, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to September 6, 2018 at 8:45 a.m. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-666

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for Case No. 2018-666. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood from Saint Alphonsus, the applicant and his friend, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to August 9, 2018. The hearing concluded at 9:22 a.m., but at staff's request the Board went back on the record at 9:24 a.m. to amend the hearing date. Commissioner Rule amended his motion to continue the case to December 27, 2018. The amended motion was seconded by Commissioner White and carried unanimously. An audio recording is on file in the Commissioners' Office. The hearing concluded at 9:25 a.m.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-667

The Board met today at 9:30 a.m. to conduct a medical indigency hearing for Case No. 2018-667. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Attorney Mark Peterson, Cortney Kriss from St. Luke's, the applicant and his wife, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to September 6, 2018. The hearing concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-617

The Board met today at 9:48 a.m. to conduct a medical indigency hearing for Case No. 2018-617. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Attorney Mark Peterson, Ashley Hessness from St. Luke's, Leslie Van Beek, and Deputy Clerk Monica Reeves. The applicant did not appear for today's hearing. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to place the case in suspension pending the outcome of the Medicaid decision. The hearing concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-662

The Board met today at 9:59 a.m. to conduct a medical indigency hearing for Case No. 2018-662. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood from Saint Alphonsus, the applicant, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to, pending approval, issue a written decision within 30 days. The hearing concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-658

The Board met today at 10:04 a.m. to conduct a medical indigency hearing for Case No. 2018-658. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Julie Wood from Saint Alphonsus, Leslie Van Beek, and Deputy Clerk Monica Reeves. The applicant did not appear for today's hearing. Upon the motion of Commissioner White and second by Commissioner Rule, the Board voted unanimously to continue the case to August 9, 2018. The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:10 a.m. to consider indigent matters. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Julie Wood from Saint Alphonsus, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue Case Nos. 2018-714 and 2018-747 to September 6, 2018 at 9:00 a.m. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue a final denial with a written decision to be issued within 30 days for Case No. 2018-

555. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue final denial on Case Nos. 2015-1175 and 2015-1556. (The Board went off the record at 10:12 a.m. but went back on the record a few seconds later for Kellie George's report where she stated that neither the hospital nor the applicant appeared for the following cases and staff is asking that a final denial be issued within the next 30 days: Case Nos. 2018-739, 2018-668, 2018-757, 2018-671, 2018-805, 2018-754, and 2018-681. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue a written denial within the next 30 days for the cases that Ms. George read into the record. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office. An audio recording is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Chonies Sports Bar, LLC dba Chonies Sports Bar. See resolution no. 18-128.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Whiskey River, LLC dba Whiskey River. See resolution no. 18-129.

#### CONSIDER SIGNING FINAL PLAT FOR BRITTANIA NO. 3, CASE NO. PH2018-11

The Board met today at 1:34 p.m. to consider the final plat for Britannia No. 3, Case No. PH2018-11. Present were: Commissioners Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jeff Hess, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The preliminary plat was approved on June 23, 2016 and the final plat conforms to the approved preliminary plat. The property is served by one private road lot and one common lot and will utilize City of Nampa domestic water system, community sewage treatment systems, and pressurized irrigation. The applicant has secured a letter of credit for the subdivision improvements that need to be completed. There is work remaining on the pressurized irrigation system, the private road including road signs, perimeter fencing, and acceptance of the water system that includes pressure tests, flushing, samples, and collar valves. The letter of credit that was submitted has been reviewed by the Prosecutor's Office and found to meet County requirements. Staff recommends approval of the final plat. This phase of the project does not access off Amity Road but subsequent phases will. They are developing the project phase by phase so right now McDermott Road will be the access point. Commissioner Rule made a motion to authorize the Vice Chairman to sign the final plat for Britannia No. 3. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 13, 2018

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

No meetings were conducted.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 16, 2018

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- CDW-G in the amount of \$1515.00 for the Facilities department
- HP, Inc. in the amount of \$1530.82 for the Information Technology department

APPROVED CLAIMS ORDER NO. 7/25/18

The Board of Commissioners approved payment of County claims in the amount of \$59,272.57, \$96,469.55 and \$357,741.10 for accounts payable.

FILE IN MINUTES

The Board filed the monthly report of the Canyon County Treasurer for May 2018 and tax charge adjustments by PIN for May 2018 in today's minutes.

## CONSIDER SIGNING JULY 16, 2018 AGENDA ITEMS

The Board met today at 9:02 a.m. to consider the July 16, 2018 agenda items. Present were: Commissioners Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Chief Deputy Sheriff Marv Dashiell, Captain Bill Adams, Indigent Services Director Yvonne Baker, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Consider signing Independent Contractor/Professional Services Agreement with Correctional Health Partners, LLC*** - Sam Laugheed requested this item be continued to a later date. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to continue the agreement to July 30, 2018 at 9:00 a.m.

***Consider signing Melba School District #136 and Canyon County Law Enforcement Services Agreement for 2018-2019 School Year*** – The Prosecutor’s Office has reviewed the agreement. Chief Dashiell said this is a first time negotiation contract, for 20 hours a week and \$20,000 for a school resource officer position. They will renegotiate next year. The school districted wanted a partnership with the City of Melba but the Sheriff’s Office said it cannot afford the resources being applied under those circumstances. Chief Dashiell said going into the future, the schools will have to look for a different solution rather than contracting with law enforcement because it’s a big draw on the resource and taxpayers so they’ve recommended the schools look at hiring private security to work as employees of the school district. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the law enforcement services agreement. (See Agreement No. 18-086.)

***Consider signing Designated Examiner Agreement with Dr. Jacob Atkinson, PsyD.*** – The Prosecutor’s Office has reviewed the agreement. It’s \$100 for a designated exam and \$100 per day of testifying. Director Baker said it’s one of many contracts, and it’s good to have more because they tend to have a problem getting psychiatrists to do the second designed exams. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to sign the designated examiner agreement. (See Agreement No. 18-087.)

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

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



Commissioner Rule made a motion to go into Executive Session at 10:03 a.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Director Tina Wilson from the Western Alliance for Economic Development, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:46 a.m. While in open session, Commissioner White said there was discussion regarding Project Green but there were no decisions and no action was taken. She also noted that no action was taken on Project Rain either. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Caldwell Housing Authority dba Farmway Store. See resolution no. 18-130.

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

The Board met today at 10:48 a.m. for a meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman requested signatures from the Board on several titles for vehicles he would like to auction. He is in the process of replacing a service writer and thinks they have it narrowed down to the person they'd like to fill the position. The position will probably be filled by someone in-house requiring a reclassification of the position, Mr. Tolman will work with the HR department on this. The meeting concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 17, 2018

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

APPROVED CLAIMS ORDER NO. 7/12/18

The Board of Commissioners approved payment of County claims in the amount of \$28,943.33 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 7/25/18

The Board of Commissioners approved payment of County claims in the amount of \$15,741.34 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$7442.82 for the Information Technology department
- Henriksen Butler in the amount of \$2300.00 for the Prosecutor's Office
- Dell in the amount of \$2752.80 for the Information Technology department

#### CONSIDER SIGNING CANYON COUNTY FAIR ENTERTAINMENT AGREEMENT WITH DANZA AZTECA TONATIUH - ERIKA GARCIA

The Board met today at 9:03 a.m. to consider signing a Canyon County Fair entertainment agreement with Danza Azteca Tonatiuh - Erika Garcia. Present were: Commissioners Pam White and Steve Rule, Fair Director Diana Sinner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Zach Wesley said this agreement is for a dance group to perform on Sunday. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Canyon County Fair Entertainment agreement with Danza Azteca Tonatiuh – Erika Garcia (see agreement no. 18-088). The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:04 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: numbers have been fluctuating greatly over the past few months; he recently met with a representative from Summit regarding their food service and they have come up with some ideas on receiving the food in a timelier manner; they have found some less expensive radios that seem to be working just as well as the more expensive ones so they are going to continue purchasing and using those; so far 147.67 pounds of produce have been harvested from the garden; new hires are doing well and are in training now; the BLM was in last week to do

some programing with the kids and advocates are in this week to conduct healthy relationship classes, SWDH will be in next week to conduct the smoking cessation class; two conferences are coming up in October that Director Jett will be sending some of his staff to and use of force training will happen in August. The meeting concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:14 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

*Director Breach updated the Board on the following items:* PO Appreciation week is happening this week; Ada County visited last week to see how Odyssey is working and how his department is using it; the new priority of payments started on July 1<sup>st</sup> so misdemeanor cost of supervision will move to no. 3 from this point on; 1108 offenders are on active supervision, 435 offenders are on bench warrant status and they finished the month with 269 offenders in the community service program; he will be meeting with the Prosecutor's Office to discuss a domestic violence court.

*Chief Probation Officer Catalano updated the Board on the following items:* her office is having a PO appreciation lunch tomorrow where 13 staff will be recognized for longevity of service along with the Probation Officer of the Year; they are continuing to work on the kickball tournament/Truancy Prevention event happening on August 25<sup>th</sup>, so far they've received about \$4000 in monetary donations along with other supplies and food; they anticipate having about 15 backpacks with school supplies to be given away along with bikes that will be raffled off; with help from Zach Wagoner they are now getting monthly reports on monies that are being received so they are accounting for them in their system and tracking them for the IDJC end of the year report; caseloads are continuing to increase.

The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 18, 2018

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

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Parabon NanoLabs in the amount of \$6680.00 for the Sheriff's Office
- Johnston Supply in the amount of \$1511.00 for the Solid Waste department

### APPROVED CLAIMS ORDER NO. 1821

The Board of Commissioners approved payment of County claims in the amount of \$1,545,995.22 for a County payroll.

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

*Note for the record: As properly noticed the Board met today at 9:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records that are exempt from public disclosure, attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:10 a.m. with no decision being called for in open session.

### RECEIVE CANYON COUNTY CLERK'S FY2019 SUGGESTED BUDGET

The Board met today at 9:32 a.m. to receive the Canyon County Clerk's FY2019 suggested budget. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Sheriff's Finance Manager David Ivers, Chief Civil Deputy P.A. Sam Laugheed, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Leslie Van Beek, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Clerk Yamamoto said we are seeing tremendous population growth in the County and it's putting a strain on the mandated services we must provide. Our goal with the budget is to maintain the best public service possible at a reasonable cost. The taxpayer always dictates our decisions. He said

this budget season is odd in that timing and circumstances required that some of the budget sessions did not include a full Board, in fact some of the work was with one Commissioner. The work he and the Controller did was the same as usual in that they worked with every department to determine their needs. Due to these circumstances he asked that they be allowed to present the entire budget in the hour and half that's been allotted. A second session is scheduled for tomorrow.

Controller Wagoner said over the past 18 months the health insurance fund balance is up \$4 million and that's a combination of two factors: 1) increased contributions from the employer and 2) our claims costs have decreased. 18 months ago it was pushing zero. They are not recommending increasing the employer contribution or increasing the portion the employees have to pay.

He reviewed the FY2019 suggested expenditure budget as follows:

Animal Shelter budget - Has changed by \$100,000 due mainly to an accounting change. \$200,000 is for shelter operations and \$100,000 is for building projects and maintenance

Assessor's Reappraisal – Increase of \$270,000 is for a new position, an aerial flyover, and consulting appraisers.

Buildings and Grounds – The “B” budget expenses are down roughly \$400,000 due to the courthouse painting project, fencing project and anticipate those being done this year.

Clerk Auditor and Recorder – Includes a new position in the Recorder's Office

Clerk of the Court – The “B” budget has decreased due to Odyssey costs going away.

Consolidated Elections – Decrease in other expenses as a result of \$40,000 less for our election judges and decrease in professional consultants line of \$40,000 as well.

Coroner – Decrease in other expenses due to vehicle that was included in the 2018 budget, no need to include it in the 2019 budget.

County Agent – \$3,600 Increase in salaries and benefits for a temporary position.

County Fair – Increase in other expenses of \$400,000 for a drain tiling project and \$100,000 for the architectural and engineering fees for a possible new building.

County Fleet – Increase for two fleet vehicles and Director Tolman can assign the appropriate vehicles to the PA's Office.

County Weed Control – Salaries and benefits has decreased due to a workers compensation audit where the rate went down. Increase in “B” budget is for a dark fiber project for connectivity to run fiber down I-84. It's split between the weed and pest budgets.

Court Device – There is an increase of \$65,000 for evaluation services; there are no property tax dollars in that fund.

Development Services - There is a significant amount of activity in this budget, included in their "A" budget there is \$175,000 for two new positions and one upgraded position. On the "B" budget side they've included \$100,000 for services related to mechanical inspections. There is the possibility of a tremendous project in the County (\$80 million) and we would need additional help with mechanical inspections. The revenue would more than offset the \$100,000.

Emergency Communications - Budget has increased and it represents funds for a Spillman upgrade, data migration and ongoing maintenance for the next five years for a total cost of \$920,000. It's projected to save over \$250,000 over the next five years.

Human Resources – Increase in "B" Budget for training, for professional consultants to offer training.

Indigent Medical Care and Assistance – There has been a decrease in provider payments so they have reduced the budget amount by \$300,000 and have increased the involuntary commitments by \$150,000.

Juvenile Detention – Includes funding for two new positions as well as replacement of computers and copiers.

Juvenile Probation – Includes funding for a new juvenile probation officer position; pay for it with lottery tax monies.

Landfill – Activity is up and they are recommending a new fee collector position; also included is major capital purchase of \$475,000 for a loader.

Misdemeanor Probation – Salaries and benefits increased, this is an area where their workers comp percentage increased; "B" budget includes monies for computer equipment replacement.

DMV - \$40k decrease due to an accounting change in how the state is receiving some of their monies.

Parks – Salaries and benefits of \$8,500 for a new part-time position for a canoe school project that is grant funded and they included \$25,000 for increased pay for part-time staff, retaining capable talented part-time employees has been a challenge and they requested additional payment for staff.

PA – Includes funding for a fulltime attorney position and a part-time scanning position; yesterday the PA informed the Clerk that they were awarded the contract for the City of Caldwell so we'll need to adjust the budget to include those amounts in the 2019 budget. (That will change this afternoon or before tomorrow morning.)

Public Defender – Includes funding for an additional attorney position and an upgrade of two legal support specialist positions. The County makes contributions to the capital crimes

defense fund; in prior years they were expensed from the current expense fund but he recommends the contribution come from the PD budget.

Sheriff - The budget includes a portion of the Spillman upgrade, \$400K is included in the Sheriff's budget and \$1.5M for a trailer housing lease payment to address overcrowding issues at the jail.

Problem Solving Courts – The budget has decreased due to expenses related to evaluations, will now be partially paid from the court device fund.

Treasurer – There is an increase in salaries and benefits; Treasurer and Assessor have coordinated a plan to share a position. The position is already in the Assessor's Office, we are not adding a position, just splitting it between the two offices.

Pest Control District – The "A" budget is up \$66,000 included there is a new fulltime position for a weed and pest applicator and monies for a seasonal position as well. The increase for the dark fiber connectivity project, cost again being split with weed control.

The total suggested operating budget is \$94,913,033, which is an increase of \$5.6M from the FY2018 budget. The majority of what we budget for is public safety.

Significant items in the FY2019 suggested budget:

- \$10,260,432 budgeted for employee health insurance
- \$2,288,124 budgeted for the continued implementation of the compensation plan
- \$2,650,000 budgeted for involuntary mental commitments under indigent medical
- \$2,322,763 budgeted for jail overcrowding
- \$1,344,576 budgeted for Spillman server upgrade, data migration, and ongoing maintenance for Sheriff's Office and emergency communications
- \$1,200,000 budgeted for medical provider payments under indigent medical
- \$829,305 budgeted for new and upgraded positions

Controller Wagoner said the TCA requested a fulltime judicial marshal and a part-time administrative assistant, but he and the Clerk felt it wasn't the appropriate time to add a marshal position right now. Weed and Pest requested an assistant superintendent position but they felt like the addition of an applicator position would free up the superintendent's time where he could perform superintendent related duties. Commissioner Rule said the Board discussed creating a future building line item funded by excess sales tax and building revenues and he wants to know if that's included in the budget. Controller Wagoner said no, there is no line for that in this budget, but we still have an amount of fund balance reserved for capital construction. Commissioner Rule said right now the Clerk takes any excess sales tax and he controls it throughout the budget but he believes the excesses should be dedicated to that building line item. Controller Wagoner said when we developed the 2018 budget a year ago we chose to allocate \$3M of fund balance to the 2018 budget, and the amount assigned for capital projects was \$6M, we reduced that by \$3M. \$3M of cash in the bank was used to fund the 2018 budget. Commissioner Rule said we're never going to build up a future

building line item if the Clerk keeps taking it out and funding other parts of the budget, and at some point we're going to have to choose if we're going start saving money for specific building projects or if we're just going to buy computers and cars and fund new positions. He said we need a dedicated building project and if we'd done that last year we could have had \$9M in it this year. The line item could be funded with excess sales tax; this year we're going to have excess building revenues of probably a \$1M and then you can dedicate some funds to it if the Board chooses. Controller Wagoner said we are not going to have excess positive net income for FY2018. We used \$3M of cash on hand to fund operations for FY2018. Commissioner Dale said a large part of that was the need to make our health insurance fund solvent. Commissioner Rule said the employer did that but most corporations throughout America have their employees pay for that. Commissioner Dale said medical insurance is something we provide and we promise our employees that we'll give them good benefits. Our medical insurance is on par with other agencies, it's not excessive over anybody else's. It's also something that for a 10-year period of time was allowed to significantly diminish to the point where we were close a zero fund balance which is totally unacceptable and that's why we had to infuse that amount of money this last year. Clerk Yamamoto said in the last three weeks they've lost two job candidates who didn't accept because of other government agencies that had a better health program. He's not saying ours is bad but there are several other entities that have better programs. Commissioner White said training is expensive, and retention is a huge economic positive for companies to be able to have good retention. Commissioner Rule said he has a problem with the \$1.5M that's been budgeted for jail trailers.

Controller Wagoner reviewed in more detail the property tax and funding (referring to the second handout). The suggested FY2019 budget includes the following priorities:

**Address urgent, immediate, and pressing issue of jail overcrowding**

- Continue efforts with All Detainment Solutions (ADS) and the City of Caldwell for temporary jail trailer housing for 122 inmates
- Allocated \$2.3 million dollars of previously forgone property tax revenues to address jail overcrowding

**Provide Adequate, Trained and Skillful Staff**

- Addition of 11 fulltime positions in targeted areas with increased demand for services
- Continue implementation of the compensation plan with a 2% cost of living adjustment and a 1% equity pool
- No increase in employer or employee health care contributions

**Maintain Responsible, Fair, and Suitable Levels of Funding for Mandated Services**

- Property tax request is \$4.395 million below allowable amount
- General revenues (sales tax) are allocated for required services
- Individual accounting funds are optimized for maximum financial benefit



The maximum property tax allowable is \$56.5M and they are suggesting a levy amount of \$52.1M, which is \$4.3M less than our maximum allowable amount. Out of that \$52.1M \$2.3M is the amount of forgone property tax increases that are being included to address challenges related to inmate housing and jail overcrowding issues. He reviewed Page 3 of the handout noting the suggested property tax levies by fund. Page 4 shows the property tax levy authority and the property tax levy amount actually requested over the past 10 years. Canyon County has left over \$67M in taxpayers' pockets by not requesting our maximum allowable every year. Page 5 shows the history of the County's levy rate. In 2011 it was .00495 and they are estimating the levy rate for 2019 to be .0040.

### **FY2019 Jail overcrowding budget of \$2,322,763**

Commissioner White asked if we have a contingency if the out-of-county housing cost becomes out of state costs. Controller Wagoner hopes we don't end up there but if we do he feels the \$2.3M gives us room to address those issues. Chief Marv Dashiell said they don't have any place out of state at this point. The nearest place he's aware of is the Tri Cities area and Kootenai County is housing there, and it's a 4-5 hour one-way trip. Kootenai County paid over a \$1M last year in out-of-county housing with up to 6-hour one way trips on their transports. Commissioner Dale said he too has a problem paying for the trailers but we have to meet the challenge of this immediate crisis on overcrowding jail space. Nobody thinks this is an end all solution. The nearly \$1M we are currently paying in out-of-county housing reduces the impact of the \$2.3M we will pay for the temporary housing. Controller Wagoner said we are hoping to acquire 122 beds that will be tremendously beneficial to the County. Currently the housing cost is \$60 per day, but the state has raised what they are paying to \$75 a day so we expected our \$60 to increase. 122 beds x \$60 a day times 365 days is \$2.6M. If you change that to \$75 a day it's \$3.3M. The value of 122 beds is around \$3M, assuming you can find them. Commissioner Rule said that's not realistic because they're only putting women in that facility if it's approved, and we are not going over 100 women today. We are not hitting those numbers so those dollar amounts are inflated. Clerk Yamamoto said with this facility it would open up 68 beds for reclassification and that's where our hope would be that the out-of-county housing will go away.

Controller Wagoner referred to the summary of the suggested budget on Page 7. The budget is balanced using \$5M of fund balance. The County has not spent 100% of what was budgeted. They are not predicting that \$5M of fund balance will be used, they're just using it as an accounting tool to balance the budget. Commissioners Dale and White both said they need more time to review the budget information. Clerk Yamamoto said they cannot nail anything down right now because the Assessor is still juggling things from board of equalization. Controller Wagoner said they're still waiting on operating property values from the state and they won't have a final value amount until September. He hopes to finalize it over the weekend and then he will prepare the budget for publication. The budget is scheduled to be signed on Monday, July 23 at 8:30 a.m. The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – APPEAL BY MAVERICK TOWERS FOR A C.U.P., CASE NO. PH2018-17

The Board met today at 2:15 p.m. to conduct a public hearing in the matter of an appeal by Maverick Towers of the P&Z Commission's denial of a Conditional Use Permit to install and operate an unmanned telecommunications co-location facility. The property is located at 22245 Can Ada Road, Star (Parcel R34007), also known as the portion of the SE quarter of Section 12, Township 4N, Range 2W, BM, Canyon County, Idaho. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, DSD Admin. Specialist Kathy Frost, Andy Cockell, Kay Cherry, Robert Scarbrough, Betty Scarbrough, Steve Givens, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The applicant, Maverick Towers, is appealing the P&Z Commission's May 17, 2018 decision to deny their conditional use permit. The proposed facility includes a 110-foot tower pole with utility rack within a 60 x 60 (3600 square foot area). Chain link fencing is proposed to be installed on the area. The project will use existing access by means of a 30-foot utility easement. The subject parcel is four acres and is currently zoned agricultural; the future land use map designates a portion of the land as commercial. It has one residence and one accessory structure both dating back to 1977. It is located within the Middleton impact area and the city designates it as special area residential, a portion of which is located within the AE floodplain but the proposed cell tower is outside of that mapped floodplain. The P&Z Commission denied the application based on Findings of Fact No. 4, they concluded that the proposed use will be injurious to other property owners in the immediate vicinity and that it will change the essential character of the area. They found that the 110-foot monopole location and the design of the tower will create anxiety for the surrounding neighbors. Analysis provided by the applicant was found to be inefficient because it does not clearly demonstrate that the location and design of the tower is the least impactful option for the proposed use. The applicant's reason for the appeal is they believe that the P&Z Commission made its decision based on environmental factors of RF emissions and health concerns which is prohibited by the Telecommunications Act of 1996. The applicant believes there is not substantial evidence to suggest that the facility will be injurious or change the essential character of the area. The Telecommunication Act of 1996 does state that local government cannot deny a telecommunication facility based on health risks due to RF emissions. The federal government, or the FAA, has jurisdiction on RF emissions and so the tower, if it is approved, would still have to go through the FAA for approval that the RF emissions are low enough to meet their standard. Staff has recommend a condition of approval that prior to submittal of a building permit for the tower that FAA approval shall be submitted with that building permit application. In order to show that there's a need for this cell tower the applicant has hired an RF engineer to create these maps to show this is the current tower layout of that particular area in Canyon County. They also included a coverage map with adding the new tower location. The neighbors wrote letters of opposition; they are concerned with health risks due to emissions. They also believe it will impact the rural character of the area. It was suggested that a tree design would be less impactful but given the area there are a few taller trees in the area, but in the direct area there aren't any trees and with the addition of a design standard staff feels it would stick out more than just a tower. They also have concerns with

impacts to property value. The pole will be visible from the area, however, the setting has many utility poles and transmission lines along the public road and surrounding area. Canyon County does not have any design regulations specific to telecommunication facilities. The City of Middleton's comment did not find the use to be an impact; the City of Star commented on the appeal stating they agree with the P&Z Commission's denial and they propose moving it to the Star Fire Station, which is a half mile to the west. The applicant said it will cause a gap in coverage along Highway 44. Staff is recommending approval subject to the eight (8) conditions of approval. Andy Cockell testified on behalf of the applicant and said wireless technology is part of our everyday life; towers are safe and they cannot be denied for health reasons. He is willing to lower the height and using a camouflage or stealth design if that's desirable.

Opposition testimony:

Steve Givens believes the tower will eliminate the quality of life for those who live in the area and believes it should be located where it's needed, which is across the road where development is occurring. He cites health issues as another major concern for neighbors. Kay Cherry said the tower will be 300 feet from her front porch and she has concerns about noise from the tower being a nuisance. Robert Scarbrough has quite a few concerns and he is worried about health hazards associated with cell towers. He is also concerned about the devaluation of his property. Rebuttal was offered by Andy Cockell. He said the rural location is beautiful but it is changing and this technology is part of everyone's life and this is the infrastructure that makes technology work. He appreciates that it's not the ideal location for everyone but it has to go somewhere and so he is willing to make concessions on the design if that's something that wants to be discussed. Moving it to another area, it's a very finite amount of space you can go in any direction where it starts interfering with the existing towers. There are a lot of considerations when putting these towers in certain locations. The City of Star just approved 3,000 new homes to the north. Regarding noise, they are unmanned facilities and they don't make any noise that he's aware of other than a backup generator and the only time that generator kicks on is if there is an actual power outage and before that occurs there's a three day battery supply in the equipment. They are whisper quiet generators, the noise is very low decibel. As far as devaluing property that argument can both ways. As more and more people use this this technology they work from home, the tower could enhance the property values by providing the service everyone uses on a daily basis. With regard to the health concerns, the information from the federal government that regulates this industry says these towers are safe and that wireless technology is safe. It's a heavily regulated industry and the carriers have to abide by the RF emissions that come off the towers. There are more coming, you will see more and more macro sites as the capacity from the technology increases and you will see small cell technology come through and they are literally going to be on every street corner in every neighborhood. Commissioner White said she understands that health concerns cannot be used as a reason for denial so she'd rather discuss his offer of compromise and whether he would lower the tower. Mr. Cockell said the design of Maverick Towers is 110 feet and the reason for that is they can accommodate four carriers on one tower. He is willing to go down to 90 feet and it could be designed to look like a pine tree. Commissioner Rule asked if there a law or entitlement that says this tower has to go in. Mr. Cockell said the telecommunications act says you cannot discriminate against a provider. Technology use is increasing every day so the infrastructure

that makes it work is important. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Dale said he appreciates the hesitancy for health concerns on new technologies, and said there are a lot of fears with the unknown but the medical research and scientific research that's been done has shown there is no detrimental health impacts from cell towers and that's what we have to go under with the FCC regulation that says local government cannot deny a telecommunication facility based on health risks due to RF emissions. At some point there will be pressure to build houses on the west side of Can-Ada Road and the ground will become valuable, and a house could be built next door that could impact the visual and the aesthetics more than a pole. He understands both sides of the issue but he believes the P&Z Commission made a mistake in considering the health impacts and based on the lack of evidence on some of these other things it's speculation. Commissioner Rule said there hasn't been a lot of information from people in favor of the tower at this location, and then he asked about the P&Z Commission's denial points. Mr. McCormick said it was partly because of the anxiety and partly because it will change the essential character of the area. The Commission's vote was a four (4) to three (3) denial. Commissioner White said there needs to be discussion on some compromise as well as some discussion about the lack of availability and why it can't be placed across the road. Commissioner Dale said we could continue the hearing to allow further discovery in regards to possible compromises. Mr. Wesley said if that's the Board's direction there are a couple options we could proceed with as formal as ordering a mediation or as informal as continuing this to a later date and asking the parties to get together and come back and open the record again and taking that testimony. It's before the Board in its quasi-judicial capacity, not only to look at the P&Z Commission decision but the Board is capable of making a decision independent of the P&Z Commission and creating its own conditions as well as getting more evidence. Commissioner White likes the idea of mediation and having compromise and discussion. Director Nilsson said it could be the Board's direction for staff to schedule and host a meeting of the parties to see if there are any elements of compromise and report that back to the Board on the meeting and then the Board could limit the record to that. Commissioner Rule made a motion to deny the appeal in Case No PH2018-17. The motion died for lack of a second. Commissioner White made a motion to continue the hearing to allow time for discussion with the applicant and the other parties on where they might compromise and explore options to find common ground. It will put some responsibility on the applicant to find some answers. She will leave it to Director Nilsson's discretion on whether staff attends, but she would like to have somebody there because it's representative for transparency and information for the Board. The motion was seconded by Commissioner Dale. Commissioner Rule asked if the County is exposed to liability by having a mediator present. Mr. Wesley said this is part of a hearing process, maybe a deviation from the normal, but it's still in the evidence gathering phase and the Board has the authority under the local land use and planning act to direct a meeting like this and order a more formal mediation if desired. He doesn't think there's any built-in liability independent of the normal land use hearing. Director Nilsson said she will not be a mediator, she will simply schedule and the meeting and then report the outcome. The motion carried by a two-to-one split vote with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. The hearing was continued to August 15 at 1:30 p.m. The hearing concluded at 3:19 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 19, 2018

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

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1074, 2018-1066, 2018-1080, 2018-1065, 2018-1067, 2018-1236, 2018-1093, 2018-1095, 2018-1081, 2018-1061, 2018-1057, 2018-1060, 2018-1077, 2018-1078, 2018-1076, 2018-1063 and 2018-1179. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions within 30 days. The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter left at 9:11 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 9:11 a.m., Court Training & Development Manager Raena Bull left at 9:05 a.m., Court Systems Analyst Nathan Dutton left at 9:05 a.m., Court Operations Manager Kandice Taylor left at 9:05 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing solicitation of bids for Canyon County Courts outsourced scanning project:*** The company that was being used for scanning has gone out of business so there is a need to find a new company. Five companies have been identified as being able to do this work, however, one is very small so there are four that will be solicited for this project. Some basic criteria about what the county is looking for has been collected and then we'll go with the lowest bid. This will be for the closed files to be scanned so they can be digitized and then eventually destroyed. Commissioner Rule made a motion to sign the solicitation of bids for Canyon County Courts outsourced scanning project. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing mutual assistance agreement regarding limited sharing of databases between Canyon County Sheriff's Office and Caldwell, Middleton, Parma and Wilder Police Departments:*** In 2002 CCSO took the lead on maintaining the Spillman Database and servers. This is a formalization of what needs to be done regarding accessing the records for a specific purpose and who has access to the information. It is beneficial to be able to share

this information as they know cases overlap between agencies. There are no financial obligations it's just a formalization of the confidentiality agreement. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the mutual assistance agreement regarding limited sharing of databases between Canyon County Sheriff's Office and Caldwell, Middleton, Parma and Wilder Police Departments (see agreement no. 18-089).

***Consider signing notice of public auction for real property located on Highway 20-26 near Prescott Lane, north of Nampa:*** The County has been working with realtor Greg Bullock to determine a date and time for auction which has been set for August 14<sup>th</sup> at 1:00 p.m. in the Commissioners' meeting room. Notice of public auction is required and will publish in the Idaho Press at least 10 days prior to the auction. The notice outlines the parcel numbers, legal description of the property and states that the property will be sold 'as-is' without warranties. The successful bidder will be required to sign a purchase and sale agreement and also enter a 5% non-refundable earnest money deposit. The minimum bid for both properties will be set at \$1.6M. The parcels will be auctioned individually first and then as one lot and the county will be able to accept the more favorable bid. Commissioner Rule made a motion to sign the notice of public auction for real property located on Highway 20-26 near Prescott Lane, north of Nampa. The motion was seconded by Commissioner White and carried unanimously.

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

*A request was made to go into Executive Session to discuss records that are exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:28 a.m. with no decision being called for in open session.

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

CONSIDER FINALIZING FY2019 TENTATIVE BUDGET FOR PUBLICATION

The Board met today at 10:01 a.m. to consider finalizing the FY2019 tentative budget for publication. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Sheriff's Finance

Manager David Ivers, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano, Leslie Van Beek, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Clerk Yamamoto presented a handout for the Board and then he spoke about the expenses of criminal justice. The County pays to arrest, to prosecute, to provide public defense, and if the person is not English-speaking we pay for an interpreter, we pay the court clerks. We pay to feed those who are incarcerated, we pay their medical treatment, we pay to transport them to court and other jails and we pay to house them. The public defender's budget is \$4.7M; the criminal division of the Prosecutor's Office is \$6.2M; the court clerk's budget is \$4.6M; the budget to pay for other court personnel not paid by the state is \$2.1M; the Sheriff, patrol, jail and administration budget is \$21.5M; costs associated with the jail other than deputy salaries and benefits is \$1.5M; and the cost for interpreter services is \$120k, for a grand total of just over \$41M for the criminal justice system. Zach Wagoner said the budget has increased from last year. The population is growing rapidly and the demand for services is increasing just as rapidly. Services are provided by employees who are vital to our mission and are very important part of providing quality services and we need to hire and retain qualified, capable individuals. There is a cost savings if we can retain talented people. The increase in the budget is the result of continued implementation of the compensation plan that's roughly \$2.3M of the increase; also new positions that have been included have been targeted for specific areas where the demand for services has increased and that cost is roughly \$900,000. There is \$2.3M to address the critical and urgent need of jail overcrowding. Those three factors combined represent the \$5M-\$6M increase in the budget. There are potentially items that could be excluded but it's likely you'd be kicking the can down the road and pick up those expenses in future fiscal years. It's important to maintain an appropriate replacement schedule for our capital items, such as vehicles. There have been a few changes since yesterday: They added \$300,000 in revenue for the Caldwell prosecution services contract. \$300k of expenditures added for 4 positions associated with that contract, 2 attorneys and 2 support staff. Additionally the Prosecutor has requested a change, they want to add a victim witness coordinator rather than a part-time scanner. HR has requested to change an HR specialist position to an HR generalist position and the cost is around \$2,500. Over the past 6 years we've provided \$50,000 a year to AAFV for a total of \$300,000 but there were questions about finances during their budget meeting and after clarification they are showing a budgetary surplus of \$150,000 for 2018 so the Clerk is suggesting we take away \$20,000 of funding for Advocates Against Family Violence (AAFV) and allocate \$20,000 to the Nampa Family Justice Center. Commissioner Rule does not support this action. Commissioner Dale said there was discussion on the possibility of that and he thinks it's appropriate to support both organizations. Commissioner White said this was something she brought up last year, in fact, she wanted to give the Nampa Family Justice Center \$25,000. She supports their request for \$20,000 this year. Commissioner Rule questions why funding has to be taken from AAFV especially considering the money that organization has saved the County on mental hold costs. Commissioner White said it's not a punishment for AAFV, instead, she believes this is good stewardship and we should support both organizations. She then questioned if AAFV submitted detailed financial information.

Controller Wagoner said they received financial information at their meeting but it was messy; one page showed \$800,000 of revenue and another showed \$1.3 million of revenue, a half million dollar difference and so they requested further explanation and that's when it showed revenues exceeding expenditures by roughly \$150,000. Commissioner Dale said we are not implying that AAFV is doing anything wrong, they provide a great service; we are saying we have limited resources and the Nampa Family Justice Center is a community resource and we'd like to split that money a little bit. We are still giving \$30,000 to AAFV, so it's stewardship with limited funds. Controller Wagoner said they have included \$32,000 to provide a person at the Veteran's hall to assist veterans. Commissioner Rule said we have not funded it to this level in the past. Controller Wagoner said we funded \$17,500 this fiscal year for the Veteran's service officer. In prior years the Veteran's hall was receiving between \$16,000 and \$17,000 from the historic preservation levy, but that \$17,000 has gone away and it won't be requested through the historical fund levy, so we are shifting that to the Veteran's Service Officer (VSO), coming out of the historical society levy into the VSO for a total of \$32,000 for FY2019. Commissioner Dale noted that it's part of the County's responsibility and most counties have a VSO position. Commissioner White said the County extension office has a fulltime employee in the summer who works with the fair and kids and she is requesting that position be funded for part-time in the winter or the off-season so that person could go into the schools and do 4-H outreach. Commissioner Dale thinks that's a valuable idea and he'd like to see the extension office develop an idea and show us what they can do with that. It probably won't happen this year, but perhaps we could consider it next year with a more solidified program outline. Controller Wagoner said the County has a unique relationship between the County and the extension office and we provide cash payments that they funnel through to the University of Idaho for educators and maybe we can partner with them in shared costs. We can explore with Jerry Neufeld going forward. Commissioner White said it's hugely important to her that we look into this. Controller Wagoner said we are not budgeting any additional monies for the health insurance program. We are told to use a rule of thumb of a 15% increase every year and with a \$10 million plan at 15% would be \$1.5 million but because we've had a good experience we are not recommending any increase to that fund for 2019. Clerk Yamamoto said there was \$6 million sidelined for capital expansion and \$3 million of that was taken and utilized in the 2018 budget so how does that fit in when we're looking at a \$5 million increase. Controller Wagoner said we took \$3 million of cash on hand to fund the FY2018 operations instead of asking for new cash through property tax last year we used existing cash to fund operations. We cannot continue that program forever. Part of the budget process is replacing that \$3 million that we're using during 2018 and it's coming from increased revenues and it's a result of the increase in the budget for 2019. Commissioner Dale said he knows the Clerk and Controller have whittled down requests from what they initially were and he appreciates the work to conserve dollars on the worker's comp and how they were able to cut several hundred thousand dollars out of what was needed. Commissioner White said the population is increasing and services demand it so we have to pay attention to that and we have to take care of the services that are required. She spoke about the foresight to implement a



compensation plan and the decision to follow through with it and keep it shored up and defensible. Regarding jail overcrowding, the longer we wait the more serious and more dangerous and more expensive it becomes so we have to make a decision. She believes the budget is balanced and it came with a lot of discussion and back and forth conversation. Commissioner Rule said it's a bad budget and he's already stated his position on it. Clerk Yamamoto said it's important to note that the money budgeted for the trailer jail is not a done deal. It's included in the Clerk's suggested budget and it's up to the Board on whether that remains in the budget. There are several hoops to jump through and we have a major timing issue. The compensation plan has improved retention, and one of the one of the benefits we've seen is being able to hire some people from other counties so that helps greatly when we have some experience come in. Last year we had a freeze on new positions and that was adhered to with the exception of one. What kind of spurred that was the public defender department originally asked for 18 new positions and we whittled it down to 12 and at that point he decided the easier course of action was to have zero new positions for the fiscal year. The current public defender, Aaron Bazzoli, has come back with one additional attorney and an upgrade of two legal staff positions which the Clerk finds to be very reasonable. Mr. Bazzoli has done some things within the system that has made the relationship better with the Prosecutor's Office and offered things to the court clerks that have improved the process. Commissioner Dale appreciates the emphasis we had last year on stabilizing the health insurance fund; it was in serious jeopardy last year and was moving rapidly towards bankruptcy and that is not something we can allow to happen. He's extremely grateful the fund has stabilized to the point that we don't need to add to it this year. Our employees are our number one asset and they are the point of the spear for everything we do in this County. We are service-oriented organization and we need to keep the people who treat people with respect. He's pleased to see that retention is up and that the plan is showing successful results. He's also happy to see the Caldwell prosecution contract coming into the Prosecutor's Office as it will provide a more consistent level of service. He said with vehicles it's always a question of how many you purchase. We have a good fleet director and they have set up a strategic replacement plan that maximizes the vehicles we have; he anticipates our needs into the future and replaces those vehicles on a timely basis so that we don't have cars that are way behind their service life. We could remove two or three vehicles from this year but according to the service plan you'd have to add those the next year but then next year might be even more so you're not really saving money you are pushing off a debt to another year so he believes we are on a good schedule and we need to stick with it. He appreciates the work that's been done by the Sheriff's Office, Prosecutor's Office and the Clerk on the ADS temporary housing for our jail. He doesn't want to do this. We need to build a new jail at some point and the longer we put that off the more expensive it gets, the more risk is incurred. We have 476 inmates in our jail according to a count this morning and according to jail standards you're at capacity when you're 80% full and we are one person short of 100% full today and that doesn't count the 33 people who are housed in other counties. 100 of those inmates today are females; 108 are in the tent which is going to reach the end of its life expectancy in another few years and then what are

we going to do? We have an immediate need for more housing and he is hopeful this process with ADS will play out. As the Clerk mentioned it's not a done deal, we have a lot of hoops to go through and a lot of preparation to take care of. He doesn't like it but we have to do it to maintain the public safety. We are out of options. Leslie Van Beek asked if there's been an increase of over \$600,000 overnight. Controller Wagoner said the Caldwell contract will be a \$300,000 increase for staff and a \$300,000 increase in revenue for basically a net zero. Ms. Van Beek asked if there are any changes from the numbers given yesterday. Controller Wagoner said yes, and it will be presented to the Board on Monday morning. The levy rate is projected to go down for 2019. Ms. Van Beek asked what it will do to the increased assessed value and how will taxpayers be affected. That question cannot be answered yet as the Clerk does not yet have the final numbers from the Assessor from the board of equalization. The Board will review the appropriate paperwork for the Board's consideration on Monday at 8:30 a.m. The meeting concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING BALLOT TO RE-APPOINT BRYAN ELLIOTT, GEM COUNTY COMMISSIONER, TO THE SOUTHWEST DISTRICT BOARD OF HEALTH, AND CONSIDER SIGNING BALLOT CONFIRMING THE APPOINTMENT OF DR. SAM SUMMERS FOR PHYSICIAN REPRESENTATIVE TO THE SOUTHWEST DISTRICT BOARD OF HEALTH

The Board met today at 10:44 a.m. to consider signing ballots to reappoint Bryan Elliott, Gem County Commissioner, to the Southwest District Board of Health, and consider signing ballot confirming the appointment of Dr. Sam Summers for the Physician Representative to the Southwest District Board of Health. Present were: Commissioners Tom Dale, Pam White and Steve White, Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the ballot confirming the appointment of Dr. Sam Summers and Bryan Elliott to the Southwest District Board of Health. The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:31 p.m. for a meeting with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following items: The well drillers have hit water at 47 feet although they will have to drill to 60-75 feet for DEQ compliance. Laura Barbour and Ms. Schwend have taken over teaching the Desert Studies Institute Desert Ecology class. They are getting ready to initiate public comment for the fishing dock rehabilitation at Lake Lowell. A review of summer staff activates and training including a float trip from Swan Falls dam, Cleo's Ferry

Museum and Nature Trail, CPR & AED training, BLM 25<sup>th</sup> anniversary celebration at Dedication Point, Owyhee County Historical Museum in Murphy and a trip to Silver City. Staff has been working to clean-up downed trees and maintaining the facilities. At Martin Landing they have been successful in receiving funds from the campers now that the camping fee has been implemented and they've been able to utilize some of those funds by putting them back into the facility. New bales for the atlatl range need to be purchased, the current ones have been used for approximately 15 years and are worn out. Next Thursday is the gun range advisory board meeting where Steve Vreeland from the NRA will be speaking. The RC&D meetings are going well and they are continuing to gain new members. The meeting concluded at 1:55 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH PARKS DIRECTOR TO DISCUSS HISTORIC PRESERVATION COMMISSION FY2019 GRANT RECOMMENDATIONS AND CONSIDER APPROVAL/DENIAL OF GRANT RECOMMENDATIONS

The Board met today at 2:02 p.m. for a meeting with the Parks Director to discuss Historic Preservation Commission FY2019 grant recommendations and consider approval/denial of grant recommendations. Present were: Commissioners Tom Dale and Pam White, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. A spreadsheet was provided to the Board indicating the preliminary grant recommendations (a copy of this spreadsheet is on file with this day's minute entry). Caldwell Veterans Council withdrew their application as the request didn't fit historic preservation this year. Funding was recommended for the remaining applicants with the exception of the History of Idaho Broadcasting Foundation which had a number of issues surrounding it including clarification as to who owns the building, use of the KFXD call letters (they are still being used by an a.m. sports radio station) and the request of the sign be powered for 10 years. It was originally recommend for 50% funding but at this time they'd prefer to send a letter asking for clarification on the issues and to consider reapplying next year. Commissioner White asked for clarification on the request from CWI. Director Schwend said their request is really unique in that essentially what they want to do is hire a preservation planner to get some of the areas surveyed that the county's preservation plan is saying need to be surveyed, highlight buildings that could be on the national register, areas that could bring tourists in, highlight the next items in the county that need work for historic preservation. They would like to take a majority of the funds and get this preservation survey accomplished in several of the small town areas, that information would then come back to the county so it can be available to the small historical societies and small towns to highlight what the needs are in their area for preservation and what they have that's eligible for preservation. Commissioner White asked why CWI would be doing this. Director Schwend said it's the history department that's behind it and that its two part – first they would contract with someone to do the survey and the second part would involve the students who, as history majors, are hopefully going on to be historic preservationists. They would incorporate this survey into their 102 and 104 classes getting so the students are actually the ones who do the outreach, help with the survey and even incorporate it into a publication at the end. Essentially it gets the survey done but our preservation plan is highlighting what's needing to be done and gets the students involved and gives them real world experience and

possibly a publication that can highlight the historic preservation. Zach Wesley said in reviewing their plan, primarily they would use the contractor to gather most of the information and then the students would be involved in photography of the sites, putting the book together and the public outreach. Commissioner White asked how it would benefit the citizens of Canyon County. Director Schwend explained a lot of the small towns and communities have historical societies or historical organizations or museums that operate on mostly volunteers but sometimes have limited time to give or educational perspective. Part of what they're seeing is that people are fixing up the buildings that they care about and several organizations have approached them saying they don't know what to do next. Implementing the preservation plan that was done highlighted for the Historic Preservation Commission things that we need to work on to help guide them. One of the number one things that it said was surveying these areas to highlight for those communities all the things that they have that they can be preserving, that they can be getting on the national register and that they could be applying for funds. These types of things will help guide these small towns for what the next step is and get the Historic Preservation Commission involved with them and helping them to do that thru these funds. Ms. Schwend said this survey is on a smaller scale that what has been proposed by DSD Director Nilsson, it's geared towards just the small towns and their buildings. Zach Wagoner said he has concerns in that CWI is a Canyon County taxing district which means they have the authority to levy property taxes and he is concerned about the county levying tax that would go to benefit them. Zach Wesley clarified that it is actually the CWI Foundation applying for the grant which is the non-profit associated with the college. Commissioner Dale said he doesn't know that he wants to be in a place where he's telling people/organizations what they need to preserve. There was a discussion regarding the monies and budgeting in that if this \$20,000 is not granted it would impact the overall budget and could offset the money budgeted for the Veterans Service Officer that funding was allocated to. Commissioner Dale is in favor of all the projects discussed with the exception of the request by CWI, he would like to see something more specific. Commissioner White is not against the project but feels there are other things the students could work on without this funding this year for this particular survey project. Clerk Yamamoto suggested the Board may feel more comfortable if there had been a presentation on this project and how the funds would be utilized. Commissioner Dale made a motion to approve the grant recommendations as outlined by the Historic Preservation Commission with the exception that the \$20,000 for CWI be excluded for total funding of \$68,783.00. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 20, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Micaela Riley, Tina Wetzel, Nancy Horton, Linda Ellis, Kelsey Easterday and Linda Vanacore.

## LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:05 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Mike Porter, Controller Zach Wagoner, Fair Director Diana Sinner, Elections Technician Kylie Marks and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing 2018 Canyon County Fair entertainment agreement with musical artist Smithfield:*** This is an opening act for the mainstage Saturday night. The contract has been reviewed by Zach Wesley and there is no legal reason not to sign. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the 2018 Canyon County Fair entertainment agreement with musical artist Smithfield (see agreement no. 18-090).

***Consider signing a resolution designating polling locations for the August 28, 2018 Election:*** In order to comply with statute a resolution with an exhibit indicating the polling locations has been prepared for the Board's consideration. Commissioner White made a motion to sign the resolution designating polling locations for the August 28, 2018 election. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-131).

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

## LEGAL STAFF UPDATE CONTINUED

The Board met today at 9:13 a.m. for a continuation of the legal staff update. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Commissioner Dale asked about the sole source procurement regarding the ADS jail pods – he wanted to know if it is something that should be put out for solicitation. Mike Porter said Idaho Code §67-2808 allows for sole source procurement in two situations: when there is an emergency in which the Board is required to act immediately and under subsection B where there is only one provider and that is what the notice relied upon. It is appropriate in this circumstance where there are not multiple vendors. In this case there are vendors that offer something similar but they are not the same and what we need this particular vendor exclusively provides. In this situation additional solicitation wouldn't be effective because there isn't anyone else who can do the specific job that the county is requiring. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

## 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.

## JULY 2018 TERM

CALDWELL, IDAHO JULY 23, 2018

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

## APPROVED CLAIMS ORDER NO. 7/25/18

The Board of Commissioners approved payment of County claims in the amount of \$29,235.21, \$125,028.07, \$52,898.95, \$70,688.62 and \$33,222.03 for accounts payable.

## CONSIDER SIGNING FY2019 TENTATIVE BUDGET FOR PUBLICATION

The Board met today at 8:37 a.m. to consider signing the FY2019 tentative budget for publication. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, IT Director Greg Rast, Assistant Director of IT Eric Jensen, PIO Joe Decker, Nicole Foy from the Idaho Press, and Deputy Clerk Monica Reeves. Zach Wagoner reviewed the minor changes, and he presented two documents, the first shows the budget by office or department and the other shows at a higher level the budget by funds. The office and department document includes multiple columns; for FY2016 actual expenditures, FY2017 actual expenditures, the budget for FY2018 and the tentative budget for FY2019. It's developed in accordance with Idaho State Code. The total Canyon County operating budget is \$95,240,703. The pest control district tentative expenditure budget is \$310,066, and the Melba Gopher District tentative expenditure budget is \$12,000. He said it's important to remember good accounting practice and when we develop a budget we include all expenditures; there's no netting of expenditures if you will. A large portion of our expenditures are offset by fees, charges, grants or other type of revenues. We still fully account for every expenditure. There is \$1.4 million included in this budget for a Spillman upgrade, nearly \$1 million of that is covered by E911 fees, but we still show the full expenditure as part of our total expenditure budget even though it is offset by fees associated with phone lines. Also included is the landfill operations – there's no property tax dollars allocated to landfill, it's supported entirely by user fees. That \$4.4 million is included in the grand total County operating budget. Last week we talked about the inclusion of the Caldwell contract for prosecution services and that has been included. The budget hearing is scheduled for Wednesday, August 8, 2018 at 5:00 p.m. and

that notification is included in the publication. Commissioner White made a motion to sign the 2019 tentative budget for publication. The motion was seconded by Commissioner Dale. Commissioner Rule said the taxpayers who voted him in to office wouldn't want him to vote to support this budget. A roll call vote was taken on the motion with Commissioner Rule voting against the motion and Commissioners White and Dale voting in favor of the motion. The motion carried by a two-to-one split vote. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER SIGNING CONTRACT WITH STERICYCLE SOLUTIONS, INC. FOR PERIODIC HAZARDOUS WASTE DISPOSAL SOLE SOURCE PROCUREMENT AND POSSIBLE PURCHASE ORDER EXECUTION

The Board met today at 10:32 a.m. for a public hearing to consider signing a contract with Stericycle Solutions, Inc. for periodic hazardous waste disposal sole source procurement and possible purchase order execution. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Landfill Director David Loper, Representative from Stericycle Solutions Inc. and Deputy Clerk Jenen Ross. Director Loper explained this is the contract for next fiscal year. They would like to do quarterly household hazardous waste events vs. just one yearly event and be able spread them throughout the county. This contract will enable them to promote to the small businesses the opportunity to dispose of their waste under a certain limit; businesses will have to pay for their disposal but since the landfill will already be set-up some of the other charges will be minimized. Businesses will be served by appointment only at which point they will be put in contact with Stericycle who will determine if the waste is something that can be accepted. Additionally, this contract will allow for periodic pick-up at the landfill by Stericycle. Brad Goodsell explained that notice of this sole source was published on July 6, 2018 but no one appeared today to offer comment. Commissioner Rule made a motion to enter the independent contractor agreement with Stericycle Solutions, Inc. The motion was seconded by Commissioner White and carried unanimously. The meeting conclude at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JAKE FULLMER FOR A COMPREHENSIVE PLAN MAP AMENDMENT, REZONE, RESOLUTION FOR COMPREHENSIVE PLAN MAP AMENDMENT, ORDINANCE, AND FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Board met today at 11:04 a.m. to conduct a public hearing in the matter of a request by Jake Fullmer for a comprehensive plan map amendment, rezone, resolution for comprehensive plan map amendment, ordinance, and Findings of Fact, Conclusions of Law and Order. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Sherrie Fullmer, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 12.23 acres and is currently zoned agricultural. Future land use designates it as agricultural, however, it is adjacent to existing residential designations. It is also adjacent to an existing platted subdivision, True Love Subdivision, and the average lot size within the development is 4.82

acres. The properties to the east vary in size. The proposed rezone to rural residential would be similar to the residential nature of the properties in the immediate vicinity north of Lake Shore Drive and would not create an incompatible land use. The property is located within a nitrate priority area and any subsequent development of the property would be required to adhere to SWDH regulations for new septic systems. The Nampa Highway District has stated that Lake Shore Drive is classified as a rural principle arterial and no new direct access is allowed onto an arterial roadway. An application to vary standards would be required to be approved. The P&Z Commission recommended approval of both the comprehensive plan map amendment and rezone on June 7, 2018. Staff is also recommending approval. The applicant's intent is to create four residential lots for her sons to build on. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule made a motion to approve the comprehensive plan map amendment for Jake Fullmer and to adopt the Findings of Fact, Conclusions of Law and Order as written for Case No. OR2018-0001. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the resolution for a comprehensive plan map amendment for Jake Fullmer, Case No. OR2018-0001. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the rezone for Jake Fullmer for Case No. RZ2018-0001 and to adopt the Findings of Fact, Conclusions of Law and Order as written. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the ordinance directing the change to the official zoning map for Case No. RZ2018-0001. (See Ordinance No. 18-018.) The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

#### RESCHEDULE THE APPROVAL/DENIAL OF A REZONE REQUEST BY DANA MARTENES; CASE NO. PH2018-25

The Board met today at 1:32 p.m. to reschedule a public hearing to consider the approval/denial of a rezone request by Dana Martenes; Case no. PH2018-25. Present were: Commissioners Tom Dale, Pam White and Steve Rule and Deputy Clerk Jenen Ross. Commissioner White made a motion to reschedule the public hearing to July 31, 2018 at 1:30 p.m. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 1:33 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH RACHEL BURKETTE, REGIONAL DIRECTOR FOR SENATOR JAMES RISCH

The Board met today at 2:02 p.m. for a meeting with Rachel Burkette, Regional Director for Senator James Risch. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Rachel Burkett and Mike Roach with Senator Risch's office and Deputy Clerk Jenen Ross. Mr. Roach is the State Natural Resource Director so he covers the whole state and deals with the BLM, the Fish and Wildlife Service and the Forest Service. Ms. Burkette has spent the last 10 years as the scheduler in Washington D.C. for Senator Risch's office and is now working here in Idaho handling anything non-natural resource related. She confirmed



she is happy to be the point of contact for constituent services and she can help get people in touch with the agencies that can assist them. Commissioner Dale addressed the issue of Lake Lowell and the continuing struggle to keep it open to the public. He feels there is a window of opportunity with the Trump Administration to find some kind of permanent solution to the issue. Commissioner Rule said he would like to see it turned back over to Canyon County; the Board would be happy to take it back and Fish and Game has already said they would aid in that effort. Lake Lowell is not really sustained by the Federal Government besides just one building. Mr. Roach said he would be willing to help in trying to get some kind of action on this issue. Ms. Burkette said Senator Risch's office just wants to be available to work with any offices on anything they may need. Commissioner Dale asked if there are any conversations happening in Congress regarding financial aid for the crisis facing counties regarding inmate populations. Ms. Burkette said that before she left Washington she had heard about meetings happening regarding prison reform and she will follow up on the question. A conversation was had about rail-spurs and the difficulty surrounding that issue. The meeting concluded at 2:21 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 24, 2018

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

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

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 7/29/18 for a barn dance.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/3/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/10/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/16/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 8/17/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/31/18 for a wedding.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell in the amount of \$20,322.30 for the Information Technology department
- Dell in the amount of \$20,135.72 for the Information Technology department
- Carousel Industries in the amount of \$9200.00 for the Information Technology department
- Dell in the amount of \$19,731.84 for the Information Technology department
- Hanson Janitorial in the amount of \$2899.40 for the Sheriff's Office

#### CONDUCT TAX DEED HEARING AND CONSIDER SIGNING WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board met today at 10:03 a.m. to conduct tax deed hearing and consider signing written findings of fact and conclusions of law. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Russell Fricke, June Taylor, Parma Mayor Nathan Leigh, and Deputy Clerk Monica Reeves. Treasurer Lloyd asked for direction on how to proceed with the tax deed for Parcel No. 04450503 0 located at 502 Joliet Street in Caldwell. The owners were in her office this morning and said they were on their way to get money so they can pay their 2014 and 2015 taxes today. Brad Goodsell said the Board can conditionally take tax deed on the property and then authorize the Treasurer not to file the tax deed if they pay today. Russell Fricke

was present today in regards to property located at 27642 Old Fort Boise Road (Parcel No. 23799010 0.) He explained how he purchased the property through a real estate agent and after paying \$162,000 he received notification that it was going to foreclosure so he came back to the courthouse six months later in 2014 and bought it again at auction. He said a family friend, John Witty, wrote the check for the property and Mr. Fricke has been paying him for it and so when he filled out the paperwork staff told him he could not get a homeowner's exemption because it was a rental property with another person's name as the lienholder. According to Mr. Fricke he bought the property and he was living in the home. The Assessor's Office told him there is nothing they can do unless Mr. Witty signs a quitclaim deed and releases his name. According to Mr. Fricke the notification paperwork was being sent to the previous owner in Nebraska. Treasurer Lloyd said her records indicate the pending issue letter was signed by Angela Fricke. She said Mr. Fricke should have been in contact with the Treasurer's Office because there are four years taxes that are due and there's been no contact. Mr. Fricke spoke again about how he's been trying to get a homeowner's exemption but to no avail. Commissioner Rule said today's issue is about losing your house for not paying any taxes for four years. Treasurer Lloyd said Mr. Fricke owes \$3,104.20 in outstanding taxes. Following discussion, Mr. Fricke said he can pay the amount today. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to authorize the Treasurer to withhold the tax deed on Account Nos. 04450503 0 and 23799010 0 provided they are paid by 3:00 p.m. today. June Taylor stated she received a letter pertaining to the property she rents; she does not own the property referenced in the letter. Treasurer Lloyd reviewed the letter and noted that the tax bill has been paid for the property in question. Mayor Leigh said there are several properties in Parma that are on the docket today and was interested in the process and whether the city could have some influence with someone about what it is they may want to do with that property. Treasurer Lloyd noted that the owners have until the time of the tax deed auction to redeem the properties. The tax sale is scheduled for November 7, 2018 at 10:00 a.m. Mayor Leigh will speak with Mr. Goodsell about the properties he is interested in and see what options are available. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Findings of Fact and Conclusions on the tax deeds provided in Exhibit A, B, and C. (The document was recorded as Instrument No. 2018-032379.) The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 10:38 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were:

Commissioners Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:55 a.m. with no decision being called for in open session.

MONTHLY MEETING WITH PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER SIGNING CONTRACT FOR PUBLIC DEFENSE-RELATED IMMIGRATION LAW SERVICES WITH MARIA ANDRADE

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

*Note for the record: As properly noticed the Board met today at 1:13 p.m. for a monthly meeting with the Public Defender. A request was made to go into Executive Session to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 1:14 p.m. pursuant to Idaho Code, Section 74-206(1) (f) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The Executive Session concluded at 1:33 p.m. with no decision being called for in open session.

Once out of executive session Mr. Bazzoli updated the Board on the following items: a review of budget numbers; a check has been received from the Capital Crimes Defense Fund; he does not anticipate being over budget this year. Active cases are within Public Defense guidelines. All of the conflict contracts have been sent out and are starting to be received back. Andy Woolf will be leaving towards the end of August as he has been promoted to a Magistrate Judge in Clearwater County. They are working to fill an open Legal Support Specialist position with interviews being conducted this week. Recently one attorney's vehicle was broken into where a laptop was stolen. Mr. Bazzoli asked for Board direction as to if a new computer should be purchased from this year's budget or wait to see if the homeowners insurance will cover it. The Board said they'd prefer to see what happens with the homeowners claim first. The meeting concluded at 1:48 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH BRIANNE MCCOY WITH THE IDAHO STATE PUBLIC DEFENSE COMMISSION

The Board met today at 1:48 p.m. with Brianne McCoy with the Idaho State Public Defense Commission. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli, Brianne McCoy and Deputy Clerk Jenen Ross. Ms. McCoy spoke about applying for ELF funds (Extraordinary Litigation Fund) for the 12 person trial and possibly some of the physiological/sexual evaluations. Ms. McCoy gave a review of the standards that counties must be in compliance with right now: attorneys at first appearances, which the county is doing; vertical representation which is not yet happening but being worked towards; continuing legal education - staff attorneys are fine and it is the responsibility of conflict attorneys to be completed; private meeting space which the county does provide. Rules that were just passed that the county will need to be in compliance with by March 31, 2019 are the use of investigators; capital roster change which is attorneys that are qualified to handle capital cases, the Supreme Court used to handle that roster but they felt it was a conflict so they asked the PDC to handle it; oversight and enforcement which give the PDC authorization to enforce rules. Regulations that are in front of the legislature for this upcoming session include the following: attorneys have to file annual reports to the PDC, which Mr. Bazzoli already does for the in-house office and Ms. McCoy believes if that is included in the contract attorneys it shouldn't be an issue; having contracts with conflict attorneys; workplace study and standard which is 523 misdemeanor cases per attorney, the national standard is 400, but Ms. McCoy believes the number will change as she feels 523 cases is too many. Ms. McCoy let the Board know that she is happy to answer any questions in regards to public defense the Board may have. Commissioner White said she really appreciates the communication and looks forward to that continuing. The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 25, 2018

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

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING A RESOLUTION CLASSIFYING RECORDS OF THE CANYON COUNTY CLERK AND AUTHORIZING THE IMAGING AND/OR DESTRUCTION OF CERTAIN FILES/RECORDS

The Board met today at 9:02 a.m. for a legal staff update and to consider signing a resolution classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Election Supervisor Lisa Power, Elections Specialist Haley Hicks and Deputy Clerk Jenen Ross. All the documents being requested for destruction comply with the rules. There are about 70 boxes to be cleared out and any documents that

needed to be scanned has already been done and stored electronically. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records (see resolution no. 18-133). There were no items for discussion at the legal staff update. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 26, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- The Results Group, LTD in the amount of \$4775.00 for the Sheriff's Office

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1109, 2018-1126, 2018-1130, 2018-1118, 2018-1114, 2018-1115, 2018-1097, 2018-1121, 2018-1113, 2018-1112, 2018-1182, 2018-1110, 2018-1108, 2018-1117, 2018-1187, 2018-1226, 2018-1133, 2018-1116, 2018-1228 and 2018-1186. Commissioner White made a motion to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-950

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-950. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's, Interpreter Mercedes

Lupercio, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to September 20, 2018. The hearing concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-836

The Board met today at 9:19 a.m. to conduct a medical indigency hearing for case no. 2018-836. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the hearing to August 23, 2018. The hearing concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-716

The Board met today at 9:34 a.m. to conduct a medical indigency hearing for case no. 2018-716. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's, the applicant, the applicant's relatives and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to August 23, 2018. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NOS. 2018-932, 2018-1005 AND 2018-1014

The Board met today at 9:44 a.m. to conduct a medical indigency hearing for case nos. 2018-932, 2018-1005 and 2018-1014. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Julie Wood with MedData for St. Alphonsus, the applicant, the applicant's business partner and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue a denial for case no. 2018-1005 with a written decision to be issued within 30 days. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to uphold the denial with a written decision to be issued within 30 days on case no. 2018-932. Commissioner White made a motion to continue case no. 2018-1014 to September 20, 2018. The motion was seconded by Commissioner Rule and carried.

unanimously. The hearing concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-650

The Board met today at 9:58 a.m. to conduct a medical indigency hearing for case no. 2018-650. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to September 20, 2018. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-659

The Board met today at 10:10 a.m. to conduct a medical indigency hearing for case no. 2018-659. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Case Manager Angela Papa, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's and Deputy Clerk Jenen Ross. Commissioner Rule made a motion issue a written denial within 30 days. The motion was seconded by Commissioner White and carried in a 2-to-1 split vote. Commissioner Dale voted against the motion. The hearing concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-818

The Board met today at 10:32 a.m. to conduct a medical indigency hearing for case no. 2018-818. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Case Manager Angela Papa, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Julie Wood with MedData for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to September 20, 2018. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:35 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Angela Papa and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared for the following cases: 2018-789, 2018-746, 2018-748, 2018-726, 2018-768,



2018-772, 2018-780 and 2018-790. Commissioner White made a motion to issue written denials on the cases as read into the record. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue case no. 2018-795 to September 20, 2018. Commissioner Rule made a motion to issue a written final approval within 30 days for case nos. 2018-606 and 2018-208. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 10:47 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:47 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:00 a.m. with no decision being called for in open session.

CONSIDER THE DEVELOPMENT AGREEMENT AND ORDINANCE AMENDMENT IN THE MATTER OF SAMUEL MCDOWELL'S REQUEST FOR A CONDITIONAL REZONE

The Board met today at 11:10 a.m. to consider the development agreement and ordinance amendment in the matter of Samuel McDowell's request for a conditional rezone. Present were: Commissioners Tom Dale and Pam White, DSD Planner Kyle McCormick, Samuel McDowell, Wallace and Nam Yon McDowell, and Deputy Clerk Monica Reeves. The hearing was held on July 2, 2018 with Commissioners Dale and White voting to approve the conditional rezone. The ordinance and development agreement were continued to today's date in order to allow the applicant time to obtain a legal description for the property. Kyle McCormick presented the Board with the documents that are ready for approval. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the development agreement and the ordinance amendment regarding Case No. PH2018-18. (See Ordinance No. 18-019, and Agreement No. 18-092.) The meeting concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY J.A.P.S. OF IDAHO, LLC AND GLEN OLSEN FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, AND FINAL PLAT FOR THE STADIUM SUBDIVISION, CASE NO. SD-PH2018-2

The Board met today at 1:34 p.m. for a public hearing in the matter of a request by J.A.P.S. of Idaho, LLC, and Glen Olsen for a preliminary plat, irrigation and drainage plan and final plat for the Stadium Subdivision, Case No., SDPH2018-2. Present were: Commissioners Pam White and Steve Rule, DSD Planner Deb Root, TJ Wellard, Rick Munson, Jay Gibbons, Alan Mills, Todd Sommer, Devon Knutson, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. This is an interim plat, in accordance with Development Agreement 17-001 whereby the plat will provide the means for the property owners to separate their interests as described in the agreement, separating Glen Olsen's properties from J.A.P.S. of Idaho, LLC properties for the purpose of their disbursement or mutual plans for doing different things. The preliminary plat, irrigation plan and drainage plan are in accordance with the state statutes and the Canyon County Zoning Ordinance. The County surveyor has signed the final plat, and staff is recommending approval of the request. There is a concern by a neighboring property owner regarding some runoff and drainage across his property on the south side of Goodson Road, but that's a highway district issue where the road was built up and there is a drainage culvert underneath the road where it collects the barrow pit drainage and some drainage off the J.A.P.S. of Idaho properties, therefore, at this time where there's no significant development of that property there's no mitigation required at this point until further development for residential purposes is proposed. Commissioner White asked about the water situation. Ms. Root said Lot 1 on the final plat has the potential to develop up to another 178 lots at some point. J.A.P.S. is vested in those rights through the development agreement and at that time they will have to provide how they are going to retain any new development, storm water, and drainage differences in the historic flows. TJ Wellard said they are merely complying with the development agreement to separate the interest between the two ownership parties. They have complied with all requirements and have amended the plat to comply with requests by the neighbors to not access the private road along the southeast boundary. Any future development will not use that private road. Jay Gibbons, who is one of the owners of J.A.P.S. of Idaho, concurred with what's been stated regarding their commitment to retain any storm water coming off their roads or properties when they do further development. There is water in the barrow ditch that doesn't come off their property but it should be addressed by the Notus Parma Highway District. He said they are working with the neighbors to the east and they have the right to access Serenity Lane but they're trying to get an agreement in place to quitclaim the property to the neighbors at no cost so they would have ownership of the road. They will not be impinging or causing difficulty in the neighborhood with a lot of traffic. Alan Mills stated he represents Glen Olsen who is not here, and he is available to answer questions that may arise. Todd Sommer had questions related to Serenity Lane as well as notification requirements for public hearings. He wants to know if Serenity Lane is going to be an access point to future development, and if not where will the access be located. He would like the County to provide advance notice of public hearings because he has to request time off from work three weeks in advance. Also, the public notice sign that's been on the property for quite some time does not indicate that it's a new hearing. Devon Knutson is opposed to Serenity Lane being a private road because it will cost him more money because they will be responsible for maintaining the

road as well as the easement on both sides of the road. He said the people who control the easement are responsible for controlling the weeds and they're not doing a very good job of it. He wants to know how long it's going to stay waste land. Jack Bish said Serenity Lane is a private road and when J.A.P.S. transfers it to the neighbors it will be considered by the Assessor as road waste so there won't be any taxes to pay. He said the road was built to Canyon County specifications in 1999 by Glen Olsen and currently the taxes are paid by the developer because they have the easement on the road, but it's been said there will not any taxes because it will be considered wasteland. He wants to know how long it will be wasteland. During rebuttal TJ Wellard said the property only fronts Goodson Road and any access is going to be required to come from that road. The majority of the neighbors who use Serenity Lane have asked that the subdivision not use the lane to access further development which is why the plat was changed to make it a lot so that it could be deeded to the adjacent neighbors. It is not built to current County standards so the highway district would not be inclined to take it over as a public road unless it was rebuilt to public standards. There is a road users' maintenance agreement for Serenity Lane although it's not the clearest, but it is required by everyone who's using it because it goes with the land to help maintain it. Mr. Wellard said if it's not being maintained it's because no one is paying into it to be maintained. With regard to wasteland, private and public roads are not taxable properties so if you front a road it is not taxed the same as a useable property. He's not sure if it's taxed at all or at a lesser amount. Commissioner Rule asked if there will be another access point to service the lots. Mr. Wellard said that's his understanding and he said Mr. Gibbons has worked with Notus Parma Highway District to address new access points. Ms. Root said staff has not seen a conceptual plan although there was a plan presented in the past that's no longer valid that does show two access points along Goodson Road, not Serenity Lane. Mr. Gibbons said they have done some conceptual plan work and he has worked with the Notus Parma Highway District to develop points of access for the property and so this is a boundary point between the Glen Olsen property and their property. There is a rise in the road and in working with the district they have asked for the access points to be 600 feet east of the Olsen/J.A.P.S. property point so there is adequate visual site distance for all oncoming traffic. That's for the east side. They have asked for an access point for the west side directly across from Margaret Lane. They have rights to have an access point on Serenity Lane but they want to give those rights back to the homeowners so they won't be bothered with a lot of traffic. Wagner Road is a little farther east and then it turns and goes south and winds over the freeway and over to Old Highway 30 and so that is one of the main access points to get to the property. You can get to the property from 2-3 different directions and so the issue with Wagner Road is it will have increased traffic at some point and so they will end up doing a traffic study to make sure there isn't anything that will have to be mitigated for the additional traffic. J.A.P.S. will do the traffic study and provide that as documentation when they bring in the conceptual plan. He said Canyon Highway District is not looking for more projects nor are they looking for more roads to build and so it's doubtful they would be taking over the road. Commissioner Rule said none of this information has to do with the preliminary plat so we're going down a path that should be taken care of at the next level. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the preliminary plat and the irrigation and drainage plan. Upon the motion of Commissioner

Rule and the second by Commissioner White, the Board voted unanimously to authorize Vice-Chairman White to sign the final plat for SDPH2018-2. The meeting concluded at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING TO CONSIDER A REQUEST BY MIKE AND LINDA DUTTON FOR A PRELIMINARY PLAT, IRRIGATION & DRAINAGE PLAN, AND FINAL PLAT FOR DUTTON SUBDIVISION, CASE NO. SD PH2018-19

The Board met today at 2:17 p.m. to reschedule the public hearing in the matter of a request by Mike and Linda Dutton for a preliminary plat, irrigation and drainage plan, and final plat for Dutton Subdivision, Case No. SD PH2018-19. Present were: Commissioners Pam White and Steve Rule, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. Staff requested a continuance of this matter. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to reschedule the hearing to August 9, 2018 at 2:00 p.m. The meeting concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2018 TERM  
CALDWELL, IDAHO JULY 27, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Precision Hawk in the amount of \$9224.60 for the Sheriff's Office

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Silvia K. Lane dba Our Place Saloon. See resolution no. 18-134.

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell left at 9:38 a.m., Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley

left at 9:38 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:31 a.m., County Manager for the TCA Mary Hoffman left at 9:28 a.m., Todd Lakey left at 9:19 a.m., Representative from Cope Sand and Gravel left at 9:19 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing decision on applicants' request for mediation CU-PH2017-52 Cope Sand and Gravel:*** Commissioner Rule has recused himself due to an ex parte conversation that took place yesterday. Zach Wesley said on May 25, 2018 there was a request for mediation following the application process where the application was denied by the Board. A mediation request, as directed in Idaho Code, states that the Board would need to choose a mediator for the parties and then the county would be responsible for the cost of the first mediation. The mediation request would require the Board to direct the parties to mediate with mandatory participation in the first meeting, following that there is no authority by the Board to require participation by the parties. Subsequent to any mediation agreement this matter would have to come back before the Board for another hearing before any action could go forward. This matter came before the Board on an appeal from the Planning and Zoning Commission, Wild Rose Homeowners Association was the appellant, however, there were also a number of property owners and homeowners associations in the area that participated in the hearing although they weren't the appellants of record which Mr. Wesley said makes it a little unclear as to which parties would be required to participate. Mr. Lakey said when they first met with the neighbors they thought they'd made some good headway in what they would like to see but ultimately the residents didn't want the gravel operation out there for another 20 years and his clients don't want to close down their family business and they can't just give up on the property either. Mr. Lakey and his client feel that an independent 3<sup>rd</sup> party mediator could help bring both sides together in order to find some common ground. They see this as an opportunity to find a solution but if that doesn't happen they will move forward with the regular process. Commissioner Dale asked if this is something that could work without involvement from the county. Mr. Lakey said they've tried speaking with the homeowners in the past but were not successful. He reiterated that they only real involvement the county would have would be to require both parties participate in the mediation. And although state law states that the county is responsible for the cost of the first mediation his client is willing to bear that cost. Commissioner Dale said he is not comfortable in ordering people to participate in mediation and doesn't want to set a precedent. Commissioner White would like to see a new application submitted to the Planning and Zoning Commission if there is new information or compromise for making this work that wasn't proposed at the public hearing vs. mediation. Mr. Lakey said their plan is to submit a new application but they looked at this as a way to have a little more structure and a better chance to find common ground. Commissioner White said some conversations with DSD and guidance in that direction from this Board prior to this process with why we came to that conclusion would be very beneficial. Zach Wesley said he believes Director Nilsson and her staff are always available to assist, they are great resource. Mr. Lakey agrees the Development Services department has been very helpful and they will continue to work with them moving forward. Commissioner Dale agrees with Commissioner White and feels most comfortable with that process moving forward. He would be hesitant to order mediation from an authoritative standpoint as the Board of Commissioners. Mr. Wesley said the mediation request triggered an automatic stay in the judicial review tolling time period.

Commissioner White made a motion to deny the May 25, 2018 mediation request. The motion was seconded by Commissioner Dale and carried unanimously. A copy of this document is on file with this day's minute entry.

***Consider opting in as a class member to the class action case of Kane County v. United States, relating to amounts payable by the U.S. Government as payments in lieu of taxes for fiscal years 2015, 2016 and 2017:*** Brad Goodsell explained that each year the county receives payments from the Federal Government in lieu of taxes, generally the payments have been about \$50K a year. Kane County, UT sued the Federal Government alleging that the formula that was being used to calculate payments was being done incorrectly. That lawsuit became a class action lawsuit in which Kane County had a favorable ruling that a couple of years of payments were calculated incorrectly. Thru this lawsuit the courts have found that the Federal Government owes states a different amount than what they were paid but in order to receive those monies the county has to opt into the class action lawsuit. The formula is not clear at this point so the amount still owed is unknown but there are no expenses to the county, those would be paid from the award. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to opt in as a class member to the class action case of Kane County v. United States, relating to amounts payable by the U.S. Government as payments in lieu of taxes for fiscal years 2015, 2016 and 2017. A copy of this document is on file with this day's minute entry.

***Consider signing FY2018 agreement for provision of parenting plan assistance in Canyon County between Jeannette Rodriguez-Kirby and Canyon County:*** Mary Hoffman said in an effort to facilitate case resolution and to minimize long-term damage to children being stuck in the middle of conflict while cases are pending they offer a co-parent mediation workshop for parents who can't afford outside mediation. Ms. Rodriguez-Kirby is bi-lingual so she will be able to conduct the workshops for Spanish speaking parents. Costs for the workshops are lined out in the agreement along with Ms. Rodriguez-Kirby's fees. Mike Porter said the contract has been reviewed by legal and there is no legal reason not to sign. Commissioner Rule made a motion to sign the FY2018 agreement for provision of parenting plan assistance in Canyon County between Jeannette Rodriguez-Kirby and Canyon County (see agreement no. 18-093).

***Consider signing DataWorks Plus Maintenance and Support agreement for Canyon County Sheriff's Office:*** A notice regarding this agreement was before the Board a few weeks ago and a period for comment was given for anyone who might object. Chief Dashiell explained DataWorks Plus is for fingerprint machines of which there are 3 being used by the Sheriff's Office. This is a standard renewal agreement that's been in place for several years. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the DataWorks Plus Maintenance and Support agreement for the Canyon County Sheriff's Office (see agreement no. 18-094).

***Consider signing Canyon County agreement with Brown's Entertainment for the Canyon County Fair:*** This agreement is for the carnival/midway contractor; this is a renewal but the wrong document was received back originally. They are currently onsite running the midway. Commissioner White made a motion to sign the Canyon County agreement with

Brown's Entertainment for the Canyon County Fair. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-095).

***Consider signing a request to merge parcels R04786 and R05021 - Dale Haile parking lot/temporary jail project:*** Sam Laugheed said that Mr. Goodsell has been working with Sarah Sluss and Brian Stender on this and the request is in regards to the Dale Haile parking lot and the temporary jail project. The City of Caldwell requires, and would have required for the extension project as well, that the two parcels be combined in order for any structure to go on top of it. When the Board had a meeting a few weeks ago there were motions to approve the ministerial administrative type work necessary to apply for the Special Use Permit. Brad Goodsell said the merger of these parcels is for tax purposes. The law permits for parcels to be merged for tax purposes if the names on the parcels match, if the parcels are contiguous, if they are in the same tax code area and if the taxes have been paid to date (which does not apply in this case). The Assessor does these regularly and have a form that just needs to be filled out and once they determine the requirements have been met they merge the parcels. For the Board's consideration today is the merger request with all the requirements that have been met. Commissioner White made a motion to sign the merge request form for parcels R04786 and R05021 – Dale Haile parking lot/temporary jail project. The motion was seconded by Commissioner Dale. Commissioner Rule said he will not be supporting this motion, he feels that they were doing fine as two lots and he doesn't think the county should be putting trailer houses on that location. The motion carried in a 2-to-1 split vote with Commissioners White and Dale voting in favor of the motion and Commissioner Rule voting against. A copy of this document is on file with this day's minute entry.

The meeting concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH COURT OPERATIONS STAFF TO OPEN BIDS FOR THE CANYON COUNTY COURTS OUTSOURCED SCANNING PROJECT ISSUED JULY 19, 2018

The Board met today at 9:38 a.m. with the Court Operations staff to open bids for the Canyon County Courts Outsourced Scanning project issued July 19, 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed, Director of Court Operations Denise Kennel and Deputy Clerk Jenen Ross. Mike Porter explained that this project was sent out for solicitation of bids with invitations sent specifically to four local companies with one company submitting a bid by the deadline. A walk-thru was held yesterday that all four companies were invited to; Integra Paperless was the only vendor in attendance. The following bid was the only bid received:

#### **Integra Paperless**

Received July 26, 2018 at 4:27 p.m.

Bid amount \$76,805.35

This was a low-bid process and Integra has agreed to meet the qualifications. The bid will be reviewed by both the Clerk and Prosecuting Attorney's Offices and then it will be brought back to the Board for action. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

#### JULY 2018 TERM

CALDWELL, IDAHO JULY 30, 2018

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

#### APPROVED CLAIMS ORDER NO. 8/10/18

The Board of Commissioners approved payment of County claims in the amount of \$136,824.69, \$42,786.00, \$114,458.54 and \$44,180.68 for accounts payable.

#### FILE IN MINUTES

The Board filed the Assessor's 2018 Abstract by Category – Annual Real and Personal Property report and 2018 Annual Assessed Value by Taxing District in today's minutes.

#### FILE IN MINUTES

The Board filed the Treasurer's monthly report for June 2018 and the quarterly report for April 1, 2018 thru June 30, 2018 in today's minutes.

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

The Minutes of the Fiscal Term of May 2018 were read and approved and found to be a proper record of the proceedings of the Board of 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.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS



The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, IT Director Greg Rast left at 9:14 a.m., Assistant IT Director Eric Jensen left at 9:14 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:13 a.m., Sergeant Rob Whitney left at 9:10 a.m., Communication Manager Roxanne Wade left at 9:10 a.m., Communication Assistant Manager Melinda Chynoweth left at 9:10 a.m. and Deputy Clerk Jenen Ross.

***Consider signing Idaho Public Safety Communications Commission FY2019 Dedicated Enhanced Emergency Communications Grant Fee Fund application:*** This is a grant that is available each year from the Idaho Public Safety Communications. This is for the \$.25 fee that is put into the E911 grant fund and each year they have the opportunity to apply for equipment. This year is a little different as they put two applications together as one. Owyhee County wants to share the backroom equipment with Canyon County so that is part of one but if they decide not to approve that grant they've added in the grant to upgrade the system by itself as a stand-alone. This would be to upgrade the backroom Viper phone system as it's coming to end-of-life. The total cost to do it stand-alone would be about \$284K under the grant but if Owyhee County shares the backroom equipment then they will take on a percentage which will drop it down to \$250K; the equipment itself is \$210K and then another \$79K for maintenance. They are separated out as maintenance is something that can be requested every year as part of the ongoing funds. Commissioner Rule made a motion to sign the Public Safety Communications Commission FY2019 Dedicated Enhanced Emergency Communications Grant Fee Fund application. The motion was seconded by Commissioner White and carried unanimously. A copy of this application is on file in the Commissioners' Office.

***Consider signing memorandum of understanding with the Third Judicial District for Canyon County Information Technology Services:*** Greg Rast explained this is for the website that IT has taken over for the Third Judicial District since their hosting company has chosen not to do it any longer. There was an initial cost of \$5000 and then \$2400 each year for maintaining the Family Court Services website. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the MOU with the Third Judicial District for Canyon County Information Technology services (see agreement no. 18-096).

***Consider signing Microwave Tower maintenance agreement with Idaho Tower Construction Company, LLC:*** This agreement is for the annual check-up and support package with a cost of \$680 and a cost of \$1360 for the physical inspection of the towers. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Microwave Tower maintenance agreement with Idaho Tower Construction Company, LLC (see agreement no. 18-097).

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

JULY 2018 TERM  
CALDWELL, IDAHO JULY 31, 2018

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 8/11/18 for a wedding.

#### CONSIDER SIGNING SOLE SOURCE LEASE/PURCHASE AGREEMENT WITH ALL DETAINMENT SOLUTIONS FOR TEMPORARY JAIL SYSTEM

The Board met today at 9:02 a.m. to consider signing a sole source lease/purchase agreement with All Detainment Solutions for a temporary jail system. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Sam Laugheed, PIO Joe Decker, Nicole Foy with the Idaho Press, Jail Captain Daren Ward, Gladys Chase, Larry Stevenson and Deputy Clerk Jenen Ross. Sam Laugheed prefaced the meeting stating that the last time the Board met about this was on July 9<sup>th</sup> and at that time there was a quote from All Detainment Solutions (ADS) that was set to expire on July 31<sup>st</sup>. Due to timelines for sole source procurement and availability of Board members a preliminary notice was published on July 17<sup>th</sup> establishing today as the deadline to receive public comment in either written form or to come before the Board today to offer comment. However, since the notice was published the county has been able to negotiate with ADS to extend the quote thru the end of August, the quote will now expire on August 31<sup>st</sup>. A neighborhood meeting with the City of Caldwell has already taken place to comply with their permitting process and a planning and zoning commission meeting is scheduled for August 14<sup>th</sup> so the contract could be reconsidered sometime after that and before the end of August. Mr. Laugheed believes since this meeting has already been noticed and people have made an effort to attend it would be beneficial to the county to receive comment today and then continue the contract signing out. It's likely an additional notice of the sole source will be published just to continue the due diligence and to make sure everyone is being heard. He explained that this project is being done as sole source because ADS is the only source reasonably available because of an imminent and ongoing detriment to the public welfare and because additional competitive solicitation would be impractical, disadvantages or unreasonable under the circumstances. We're not saying specifically that there's no one else who makes jail facilities but due to the unique nature of the product, the work that's already been done and the timeline we're on it would be impractical to extend out additional procurement for months. In July Clerk Yamamoto, Controller Zach Wagoner and Jail Captain Ward visited ADS to examine this product in order to make a recommendation to the Board and give a status as to the financial soundness of a potential lease or purchase.

Gladys Chase offered comment stating that she takes exception with the sole source procurement in regards to one of the administrative codes. She said that a sole source purchase shall be used only if a requirement is reasonably available from a single supplier, a requirement for a particular proprietary item does not justify a sole source purchase if there is more than one potential bidder. Ms. Chase spent 44 years of her career with the Department of Defense having unlimited authority to sign billion dollar contracts. She didn't feel she could let this project happen without expressing her concerns and worries that the Board is making a decision with a limited knowledge base and only based on the presentations they're given. She has done some research and learned that ADS has only been in business for about a year and a half and is concerned about the longevity of the company with the county considering a multi-year lease or purchase. Ms. Chase would like to volunteer her services with her knowledge base and possibly meet with the procurement lead to discuss the process as a whole. She wants to see that when something is brought to this Board that they have accurate information and a clear picture of what this is all about. Mr. Laugheed responded to Ms. Chase asking her to submit her comments in a written format to which she said she would do. He also addressed the codes Ms. Chase referenced stating that the codes she referenced govern the Department of Defense and state agencies but that the county is bound by Idaho Code §67-2808 that provides our law for sole source which is different from what she is referencing and that the county has indeed followed the correct process for sole source.

Larry Stevenson commented that he knows the present Board is passionate about finding some short-term and long-term solutions to the jail situation. He believes a lot of progress has been made in trying to make a decision. Due to the delay of this decision by previous Boards the county now has a short-term crisis and a long-term goal to meet. His suggestion would be to go ahead and build and show the taxpayers that the county is really serious about this – for example, build a 500 bed jail on the 20/26 property for \$100M instead of \$200M as that may be a “better bullet to bite” for the public, build wings and then develop those wings as needed. He doesn't believe that the local option tax is a viable option as he doesn't see it making it thru the legislature, additionally, government likes to have an even playing field and if Canyon County has a 1% local option tax that would give Ada County a 1% advantage. He would like to see a decision on this lease postponed.

Commissioner Rule said that only one manufacturer of this type of product was presented to the Board and thought it would be wise if they knew who the other manufacturers are. Commissioner Dale said he would like to see other options presented. Sam Laugheed believes more due diligence could be done but that it would be appropriate to continue the consideration of the ADS lease/purchase to August 22<sup>nd</sup> at 9:00 a.m. which would give the county time to give notice again and meet with the city.

Captain Ward thought there had been one company from Colorado that has contacted the county about the product they offer but from what he can tell in looking at their website they have a product that has to sit on a foundation and that takes away the idea behind this being temporary. He also noted that it is not the same type of product that ADS provides, it is more

like a modular home design and not built to the same security specifications as what they've seen at the ADS facility.

Commissioner White made a motion to continue the consideration of the sole source lease/purchase agreement with All Detainment Solutions for temporary jail system to August 22, 2018 at 9:00 a.m. The motion was seconded by Commissioner Dale. The motion carried with a 2-to-1 split vote. Commissioner Rule voted against the motion stating that he cannot support this activity and feels this is a bad path for the county to be going down, that ultimately it's not a good choice to have temporary jails set up if they can even be permitted. The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH CANYON HIGHWAY DISTRICT REGARDING SHARED PROPERTY ISSUE

The Board met today with the Canyon Highway District regarding a shared property issue. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Weed Control Superintendent AJ Mondor, Deputy P.A. Brad Goodsell, DSD Director Tricia Nilsson, Facilities Director Paul Navarro, Highway District Commissioner Jay Gibbons, Highway District Commissioner John McEvoy, Maintenance Superintendent Chainey Rhoades, Assistant District Engineer Chris Hopper, Director Dave Jones, and Deputy Clerk Monica Reeves.

Today's discussion was predicated on a request that was brought to the Board by Director AJ Mondor in regards to Canyon Highway District's request to build a structure on the ground that's shared by both the entities. Commissioner Gibbons said the district has three items they would like to discuss today: 1) Co-ownership of the property and where the structure should be built; 2) the district's future long range plans and goals which may potentially involve some new property that's owned by the County; and 3) the southern bypass, known to some as the "Bryce Millar Turnpike."

#### **Shared property:**

Dave Jones said the proposal is to build a structure on the shared ground to house their bridge crew and equipment and it would be placed exclusively in the area where the district has stored its equipment for years. The project was approved for this current fiscal year, but as it stands now they're going to defer those funds to next year because they don't have enough time to get it built. He noted that some of the parked equipment would go to the Kapicka gravel pit or be moved further south into the property. Chainey Rhoades said their paint truck is a \$400,000 piece of equipment and it needs to be under cover, also, being able to consolidate a lot of the material and equipment in the new structure will make for a more efficient operation. Director Mondor said the proposal will not get in the way of the weed control department's current operation. He noted that the warranty deed states each entity owns one half, but it's not designated who owns what half or where the half is. Commissioner McEvoy said his first gravel contract was with the County's Road and Bridge Department back when the entire property belonged to the County and when the Canyon Highway District was formed it was located to that property and they've been using it ever since with the understanding that if either party needed to change something they would talk to the other party. Commissioner Rule said it sounds like the district is utilizing a lot of

space but as long as Director Mondor's needs are met he doesn't have a problem with the request. Commissioner Dale agreed. Commissioner Gibbons said as our needs grow on both sides there will eventually become overlap and conflict and that's why the district wants to talk later about other potential sites for expansion. Brad Goodsell said there are two parcels; on the right side there's a parcel owned exclusively by the highway district, but the jointly owned parcel is what's at issue. When we say jointly owned it's owned as tenants in common which means that each party has an undivided half interest so that means we own half interest in every square inch of the property and the district owns half interest in every square inch as well. It's not like it's a divided interest, it's an undivided interest. Mr. Rhoades said if the request is approved they will prepare an updated sheet that depicts how things are laid out on the property and it can be attached as an amendment to the revised agreement. DSD Director Nilsson said there is a conditional use permit for the property that covers all future buildings and there seems to have been an understanding, which has now changed, that the highway district didn't have to pay building permit fees so when they do submit an application and DSD calculates those fees we will need a written request if that is their desire. She also said if Mr. Rhoades is preparing a new map it would be helpful if it included the location of the septic fields and any replacement fields since the construction. Mr. Rhoades indicated that could be done. He also said when he spoke with the contractor he indicated he would take care of the permit fees and go through DSD once he gets the go-ahead from the district. Director Nilsson said with some public entities the Board has entertained requests to reduce or waive the fee, but we won't know what the fees are until we see the size of the building. She encouraged the contractor to meet with the County's building official. Chris Hopper said if the Board is willing to consider a waiver of the building permit fees they will gladly submit a written request. Commissioner Dale said it sounds like the district may be too late in the construction season to do anything this year, but if the County chose today to waive the 90-day time period it could begin right now. Mr. Goodsell said the agreement envisions that the highway district would give us a proposal that would include the use, duration, plans, and specifications for the construction site at which time the County would have 35 days to object. The district has to provide the County with 90 days' notice prior to the commencement of the development and we have 35 days to object. We could waive that, but he said the Board doesn't have enough information to make a decision because it doesn't know what the specific plans are but once they get that and meet with DSD then they can give it to the Board and then the Board can waive the time period elements. Commissioner Gibbons said they should proceed in that way and get the plans to the Board. Mr. Rhoades said they've already published their budget for the year and they've moved the project so there's no hurry although he would like the structure up before October so they can get everything stored. The contractor said he can have it up in 30 days, from the time it's permitted to the time it's completed. Mr. Jones said it's just for storage, it won't be a big building and it won't be occupied.

#### **Highway district's future long range plans and goals:**

Commissioner Gibbons said they currently have a plan in place to replace their shop which is antiquated and needs to be modernized and they want to discuss the option of either building a new shop onsite or consider moving to a larger site that would accommodate their growth in 20-30 years. The County has some property that may or may not be earmarked for construction, such as the acreage at Pond Lane and Highway 20-26 and the district would like the Board to consider allowing them to relocate there and begin some of their operations

initially, maybe the shop to start with, rather than building a new one on the current site. The plan would be to move incrementally as years go by and as the district can afford to in their budget. Mr. Jones said they commissioned a study with an architecture and engineering firm to look at their operations and the way they're situated and make recommendations for how big a footprint they should have and what the layout of that property would look like. It was determined that they should have a minimum of 10 acres to operate but currently they're on a six-acre shared site and so that's one of their challenges. He's concerned that ITD is going to rebuild Exit 25 where Highway 44 ties in and he doesn't know how much they will take out of the shared site, but they cannot afford to give up any space. They have looked at other sites and two years ago when he noticed the County had listed the proposed jail site property for sale he spoke to Facilities Director Paul Navarro to see if the County would be interested in selling any, or all, of the property. He was told to call back in January when the new Commissioners would take office but Mr. Jones didn't call back because he had found out it would be 10-15 years before COMPASS or ITD will do anything with Exit 25 so there wasn't a sense of urgency. They can live on the current site for a while longer but the highway district Commissioners want to keep their options open for finding another property. Commissioner Dale said it was a split vote but the Board designated the Highway 20-26/Pond Lane property as the site for a future jail and according to the strategic needs analysis we will need the entire parcel. Commissioner Rule asked if the district has considered the property behind the old Idaho Concrete plant off of Simplot Boulevard which consists of six acres and is for sale. The property is landlocked but perhaps the district could work out a deal with the sellers to get more acreage. Commissioner Gibbons said they were looking for guidance and didn't know what the plans were for the Pond Lane property and whether the County needed all of it.

#### **The southern bypass route/"Bryce Millar Turnpike"**

Commissioner Gibbons said he and Commissioner Rule previously discussed this issue at a COMPASS meeting. Commissioner Rule said for years Nampa Highway District Commissioner Bryce Millar worked on a southern bypass route that's very forward thinking and he wants to make sure the concept is kept alive because it's worth trying to preserve the property before development occurs along the proposed pathway. He said perhaps a two-lane gravel road would be a place to start on the parts that don't exist so that it helps preserve it. Commissioner Dale said over the years he's had many conversations with Mr. Millar about this and part of the proposal was to take off at the Middleton exit and come south of the lake. He asked if it's been identified on a map as a potential route. Commissioner McEvoy said the route they were looking at went quite a bit farther north to Exit 13 where it ties in to a lot of the country in Payette County. Mr. Hopper said in 2011, shortly after the Nampa Highway District adopted their segment of the Bowmont Road Corridor, Canyon Highway District initiated a fairly involved study of some available connections between the terminus of Nampa Highway District's route, the intersection of Marsing Road and Walker Lake Road, and they evaluated a number of different alternative alignments and held public meetings. He said their portion of the alignment faces a significant number of challenges above and beyond what Nampa Highway District had in their portions of the district. There are some significant terrain conditions particularly on the southwest corner of the lake and there are river crossing connections with three or four different state highways, consideration for which where is the best alignment to connect to the interstate. They were not able to reach a consensus on what the best alignment might be, but said there were several alternatives

located outside the Canyon Highway District that may be worthy of consideration. Mr. Hopper said by direction of the highway district board in 2012 they ceased work on that study. There has been some preliminary work done, but it's his recommendation that if it's a serious consideration we take this matter to COMPASS and ask them to conduct a broader range study since they are more suited to handle this multi-jurisdictional planning area. Commissioner Rule said we have the Notus exit already built and if the district could work on the part from the highway across the river and try to plan for that it would work as a stop gap measure until funding and growth demands dictate that it goes over to Payette County. Now is the time to try to get the infrastructure built or preserved for the next 20 years. Mr. Jones said the highway district is a planning and building group, not a preservation group. The land use planning rests with the Board of County Commissioners. He said at one time there was an ordinance that protected their expressway right-of-way but the Board has rescinded it so now they have no opportunity to preserve right-of-way for the expressway. Director Nilsson said when Communities in Motion went through in 2005 they had a lot of workshops and as you know the regional transportation plan is required to be fiscally constraint in that we can only put in projects the region has the funding for so when the financial analysis was done at that time there was a southern arterial route and it would have consumed all of the available funding and even Mr. Millar said we could not do it. Speaking to the right-of-way preservation, through this Board and the comprehensive plan of preserving farm land and directing growth into the cities is probably the best thing we can do until we have funding because we can't restrict someone's property rights unless we have an official map and then you only have six months to pay them. There is an ordinance she will bring to the Board to shift density so we can preserve rights-of-way that are shown in an adopted plan, we're not paying them we're just giving them the ability to shift the density or cluster it away from roads. We are not given a lot of tools and we have a funding crisis with transportation and so what Mr. Hopper suggested is probably the best we can do to start keeping it as an analysis toward a regional transportation plan to see if there is a facility who would drive it. It's good to keep the analysis updated to see what kind of travel demand would be on this type of facility. Mr. Jones said during his tenure as the ITD district engineer, the ITD board met with representatives from Ada County and Canyon County and the drove the expressway in 2008 and 2010 and at that time the ITD board said it had no interest in participating in the funding or planning of that route primarily because they determined that of the 120,000 cars a day that go by the "Y" it would serve 25,000 and so building a \$330,000,000 a mile bypass for one-eighth of the volume was not anywhere near what they were willing to absorb so they pretty much pushed it off onto the local governments to take on as the lead. Commissioner Rule said he's not saying we should built it or fund it, he's saying in 20 to 30 years our needs will be completely different and he hopes we have the wisdom and foresight to plan. He suggested this group meet again in three to six months and discuss it with COMPASS. Commissioner Gibbons agreed and said such a meeting would be a good place to start with Director Matt Stoll and his planners. Mr. Hopper said our best method to get some planning with COMPASS is to present to them a project, a study of the corridor area and ask for COMPASS staff time to consider it. A second alternative might be to try and incorporate this into some of the federal aid process programs and make an application for an actual project to conduct a study to determine the best ways for us to move forward. He agrees it would be in the entire region's interest to be able to identify this corridor now before a great deal of development takes place because it's obvious that in 20-

30 years there is likely to be a need for it, however, we are somewhat hamstrung in that we can draw a line on the map but we have no tools to preserve the corridor. Commissioner Dale said we need all jurisdictions with road authority within this corridor at the table and in agreement before we can do anything. Commissioner Rule said we need to get it on the functional classification map and designate it as future highway use. Mr. Hopper said there are ordinances that provide for setbacks, 70 feet from an arterial and 50 feet from a collector roadway that provide for preservation of roadways along those routes designated on the functional classification map. Director Nilsson said in terms of engaging with COMPASS, Communities in Motion is scheduled for adoption in November so shortly thereafter that as they get ready for the next update would be the time to meet. She said the other tool they used to talk about is the corridor preservation fund and that might be part of the conversation to help get some funding just for preservation. She will check on where the funding comes from. It was decided that this group will meet again in three months with COMPASS and the other highway districts and discuss whether they want to consider routes such as Highway 95 or bypasses on the western side of the county. The meeting concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS PROPERTY NORTH OF SIMPLOT BLVD FOR POSSIBLE USE AS A PARK

The Board met today at 10:35 a.m. to discuss property north of Simplot Blvd. for possible use as a park. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, Weed and Pest Director AJ Mondor, Facilities Director Paul Navarro, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Mondor said this property is an oddly shaped six acres right on the river. Mr. Mondor said he's been in contact with Dean Johnson at the Department of Lands and all the disclaimers for this property have been done and there is a greenbelt easement but it's on the opposite side of the river from us. He said the greenbelt easement is from the train tracks all the way across to the other side of the river so if we were able to get a grant to build a bridge using the abutments that are already there we would have access to that. Commissioner Dale said that they just met with the highway district and that they're looking for some property to expand their operations. It was pointed out that the property adjacent to this is for sale and it was tentatively offered that if they could procure access and property that would be sufficient that something could be worked out for this 6 acres. He thinks maybe the discussion about a park might need to wait until the highway district does a little exploration to see if they can use it. Commissioner Rule wants to see it kept on the radar as it is believed that the county acquired the property in the 1940's and nothing has been done with it. Director Schwend feels that river front property is great for parks and it also could fit into hazard mitigation plans with the flood zone and provide recreational opportunities with a set-back, land that can't just be used for anything else. She would like to get DSD Director Nilsson involved because one of the things in Ms. Schwend's 2, 5 and 10 year plan is looking at those river front properties and considering putting contingencies on them or rezoning them for this intended use because the valley is growing. Her desire with properties like this is to think long term, that in the future there is going to be a desire to have a greenbelt thru there so if we sat on it there is potential, especially along the river, for grants. She said it can take a while and takes some coordination but we have great partners such as Idaho Fish and



Game and FACTS has wanted trails in there for several years. Director Schwend said with the Canyon Highway District looking at this adjacent property possibly there could be some agreements as grants are approached. Director Mondor asked if there is any way of co-purchasing property with the highway district and they would be able to use the former gravel area for their needs and the county could use the ponds for fishing or recreational use. Commissioner Rule said it would be tough to budget for but that if the highway district does end up moving and the weed district goes with them that perhaps monies from the sale could be put towards the purchase of this land. It may be something worth looking into as the property has been for sale for 3 years and it may be beneficial for the owners to donate it. Commissioner White asked about a reclamation plan for a depleted gravel pit. Director Mondor understands that this property was being used for processing and it's already gone thru its reclamation plan era and is completely reclaimed as far as the Department of Lands is concerned and the reclamation plan has been closed. Director Mondor will work to arrange a tour of the grounds for anyone who would like to attend. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

#### RESCHEDULE THE PUBLIC HEARING TO CONSIDER A REQUEST BY DANA MARTENES FOR A REZONE, CASE NO. PH2018-25

The Board met today at 1:33 p.m. to go on the record to reschedule the public hearing in the matter of a request by Dana Martenes for a rezone. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, and Deputy Clerk Monica Reeves. According to Mr. McCormick the applicant needs some time to work out a meets and bounds description of the portion of the property they are requesting to have rezoned. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to reschedule the public hearing to August 21, 2018 at 11:00 a.m. The meeting concluded at 1:34 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH ANNE WESCOTT TO DISCUSS PROPOSAL FOR CANYON COUNTY FISCAL IMPACT ANALYSIS FOR SUSTAINABLE GROWTH

The Board met today at 2:01 p.m. for a meeting with Anne Wescott to discuss a proposal for Canyon County fiscal impact analysis for sustainable growth. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Ozzie Gripentrog, Anne Wescott and Deputy Clerk Jenen Ross. Director Nilsson explained that there is some concern about the fiscal sustainability of the growth that the county is having and will continue to have. Anne Wescott does work on impact fees and is currently working with the City of Nampa. Ms. Wescott and Mr. Gripentrog wanted to speak with the Board about fiscal impact studies and how Canyon County can get a better understanding of the cost of growth. They have developed a proposal of a model that will show the cost of growth and the impact it has on the different service agencies and districts such as highway, schools and health. Director Nilsson said the county is embarking on an updated comprehensive plan and engaging with the cities, this model could help determine which land use patterns are most sustainable and if they pay their own way. Ms.

Wescott explained the model they've developed can be continually updated and model the fiscal outcomes of a variety of different developments; it can be used with the comprehensive plan, urban renewal, and as an economic development plan. This tool can be used as a way of really being able to take what we think we know about growth and balance it against the realities of growth. It gives an opportunity to be intentional and informed about growth and the look and feel of the county. This model shows what it would cost to serve every rooftop and can show how much each rooftop generates in property taxes, liquor tax, etc. Ms. Wescott said cities would be able to use this if they are considering annexation, it would show if the annexation would be beneficial to them. The City of Nampa has already hired them but the City of Caldwell has not. If it is something the county decided it's interested in it would be beneficial to invite everyone in at that time so that the model could be built one time instead of several times; this would also give the opportunity to have a better grasp on the variables. Most of Ms. Wescott's clients that have planning staff add a piece in every planning report that says 'fiscal impact' to show if a project will or will not be fiscally sustainable. Commissioner White is concerned about the affordability to the smaller communities. Ms. Wescott explained that it would be good if the county could facilitate conversations with those communities to determine their interest. It's obviously more economical to build the model just once and be able to export some assumptions for the smaller communities into the report and then they would be financially responsible for their piece of the model. Commissioner White also asked if Nampa was too far into the project to be a part of this conversation. Ms. Wescott said they are not, they would just input the information they've already collected. Commissioner Rule asked how this would work with the comprehensive plan. Ms. Wescott said it is not her intent to force everyone to participate and if the county wanted to do this for the unincorporated land use planning that would still have benefit. Commissioner Rule has concerns that this seems to revolve more around annexation and that the cities have more say in that than the county. Director Nilsson explained that when she has conversations with cities she will often tell them that when the cities do well the county also does well from a fiscal perspective and it's in everyone's best interest to have fiscally sustainable development, it would just be another tool for cities to use to help answer questions especially in the smaller cities where they don't have the expertise on staff. Clerk Yamamoto believes it is imperative that all government understand the cost of growth, particularly with the growth we've been experiencing and a lot of what we have is not sustainable. He would like to see a holistic approach taken by everyone involved including the county, the cities, and the schools and that if some guidelines were set growth could be better planned. He feels that right now there are a lot of subdivisions in unincorporated Canyon County that don't pay for themselves. Mr. Gripentrog said he thinks of this model in layers and that each city would be a layer and then you have the county that would incorporate all of those layers to show the total impact. Controller Wagoner said that how the cities grow and develop have a direct impact to the county services including the jail, indigent services and public defense among other things. Commissioner Rule asked how this model would work in conjunction with COMPASS. Ms. Wescott said that they use COMPASS mapping and trip generation assumptions so all of their demographic and visual planning is the basis of this. Director Nilsson would like to invite representatives from the cities, highway districts and school districts to a meeting where Ms. Wescott could give a more detailed presentation and then have a facilitated discussion of what they need to better understand what the cost would be to them. Commissioner Rule and Mr. Wesley brought to

everyone's attention, that based on the scale and cost, this project may need to go thru the proper procurement procedure. Ms. Wescott said that \$20,000 to \$25,000 is the cost to develop a model for one city but she will have a better idea of cost once it's determined which/if any cities are interested in participating. Commissioner Dale believes this would be valuable information to have and would be a way to provide citizens with reasonable answers. He asked Director Nilsson to compose a letter to all the taxing districts letting them know that the county is starting to explore this model as a way to gage their interest in this project, at that point a meeting could be held to develop the scope of work to be done if there is an interest. The meeting concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JULY 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. SIGNED THIS 28<sup>TH</sup> DAY OF SEPTEMBER BY CANYON COUNTY BOARD OF COMMISSIONERS STEVEN J. RULE, TOM DALE AND PAM WHITE. ATTEST: CHRIS YAMAMOTO, CLERK BY J. ROSS, DEPUTY CLERK.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 1, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- CMS in the amount of \$16,000 for the Information Technology department

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 8/25/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 8/10/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Victor's Hogs N Horns to be used 8/4/18 for a wedding.

#### DECLARATION AND NOTICE OF SOLE SOURCE PROCUREMENT

As a ministerial matter the Board signed a declaration and notice of sole source procurement – intent to contract with All Detainment Solutions, LLC. The notice was signed in favor by Commissioners Dale and White and against by Commissioner Rule.

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER AUTHORIZING EXECUTION OF AGREEMENT WITH PREVENTATIVE HEALTH, LLC - WELLNESS FAIR AND FLU SHOT PROGRAM

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider authorizing the execution of an agreement with Preventative Health, LLC – Wellness Fair and Flu Shot Program. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, HR Director Sue Baumgart left at 9:05 a.m. and Deputy Clerk Jenen Ross. Director Baumgart said this is the same vendor that was used last year to provide flu shots. There is no cost to the county and the vendor will bill insurance directly. There are several dates throughout September, October and November when they will be providing services. Sam Laugheed said the agreement has been reviewed by legal and there is no reason not to sign. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the agreement with Preventative Health, LLC. (See agreement no. 18-098). Commissioner White made a motion to continue legal staff to 1:00 p.m. today. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE §74-206 (1) (B) AND (D) – PERSONNEL MATTER RELATED TO NAMED PERSONNEL AND RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE

*A request was made to go into Executive Session to discuss a personnel matter related to named personnel and records that are exempt from public disclosure. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:48 a.m. with no decision being called for in open session.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE §74-206 (1) (B), (D) AND (I) – PERSONNEL MATTER RELATED TO NAMED PERSONNEL, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*A request was made to go into Executive Session to discuss a personnel matter related to named personnel, records exempt from public disclosure and attorney-client communication, and*

*communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 1:01 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecuting Attorney Bryan Taylor, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:25 p.m. with no decision being called for in open session.

**AUGUST 2018 TERM**  
**CALDWELL, IDAHO AUGUST 2, 2018**

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

**APPROVED CLAIMS ORDER NO. 1822**

The Board of Commissioners approved payment of County claims in the amount of \$1,608,953.95 for a County payroll.

**CONSIDER APPROVAL/DENIAL OF INITIAL DECISIONS OF MEDICAL INDIGENCY ELIGIBILITY**

The Board met today at 8:58 a.m. to consider the approval/denial of initial decisions of medical indigency eligibility. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1131, 2018- 1141, 2018-1140, 2018-1146, 2018-1268, 2018-1239, 2018-1144, 2018-1602, 2018-1145, 2018-1175, 2018-1138, 2018-1139, 2018-1132, 2018-1111, 2018-1147 and 2018-1134. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue written denials within 30 days. Commissioner White made a motion to approve case no. 2018-1256 for cremation. The motion was seconded by Commissioner Dale and carried unanimously.

**PUBLIC HEARING – REQUEST BY KELLEY DICK FOR A REZONE FROM AGRICULTURAL TO RURAL RESIDENTIAL**

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Kelley Dick for a rezone from Agricultural to Rural Residential, Case No. RZ2018-0005. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Carrie Dick, Judith Walter, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The request came about when the property owners decided to build a secondary residence and through that process they learned that in order to finish construction they needed to divide the property into two separate lots, in which case the process will be to go through a rezone application to allow for the split. If this is granted the property owners will be required to go through a short plat process. One letter of concern was received during the initial P&Z Commission hearing with regard to maintenance of Honey Bee Court. There is an existing road user's maintenance agreement for the road, and ITD was concerned with the access and making sure it was permitted, but the applicants have worked with ITD to gain approval on the approach to Highway 44 for Honey Bee Court. The future land use plan designates this area as residential. The parcel is located within Middleton's impact area and their future land use also designates this area as residential. The majority of the surrounding area contains rural residential uses; there are 25 residential subdivisions within the vicinity of the subject property with an average lot size of 2.3 acres. The City of Middleton is approximately ¼ mile away and there have been four rezones from an agricultural zone to a residential zone within a mile of the subject property within the last five years. The P&Z Commission recommended approval of the rezone request on July 21, 2018. Staff is recommending approval of the request. Carrie Dick stated they are seeking the rezone because their loan was disallowed due to there being two houses on one property; the split will allow them to obtain final financing. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner White made a motion to approve Kelley Dick's request for a rezone and to approve the Findings of Fact, Conclusions of Law and Order as well as the map ordinance amendment for Case No. RZ2018-0005. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 18-020.) The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY IDAHO MATERIALS AND CONSTRUCTION FOR A CONDITIONAL USE PERMIT MODIFICATION; CASE NO. CU2018-0008

The Board met today at 1:30 p.m. to conduct a public hearing to consider the approval/denial of a request by Idaho Materials and Construction for a conditional use permit modification; case no. CU2018-0008. Present were: Commissioners Tom Dale and Pam White, DSD Planner Debbie Root, Todd Lakey and Deputy Clerk Jenen Ross. Todd Lakey explained that his clients bought this property from American Paving who obtained the original C.U.P. The property is located off of Hwy 19 between Caldwell and Greenleaf adjacent to an industrial area. As they've worked with DSD staff it's been discovered that there are a few items that need clarification such as the acreage and parcels involved and they would like to pursue those things as well as get the file cleaned up. At this time they are requesting that the hearing be continued so they have some additional time for the clean-up and to get the information back



to Ms. Root. Commissioner White made a motion to continue the hearing to September 4, 2018 at 10:30 a.m. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:34 p.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 3, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carousel in the amount of \$2021.72 for the Information Technology department
- Carousel in the amount of \$1578.00 for the Information Technology department
- HP Inc. in the amount of \$2601.00 for the Information Technology department

No meetings were conducted.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 6, 2018

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

#### APPROVED CLAIMS ORDER NO. 8/10/18

The Board of Commissioners approved payment of County claims in the amount of \$151,603.09 for accounts payable.

No meetings were conducted.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 7, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White – out the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Apple in the amount of \$1699.00 for the Information Technology department
- Apple in the amount of \$4188.00 for the Information Technology department
- Pro-Vision in the amount of \$14,749.00 for the Sheriff's Office
- Napa Ford in the amount of \$34,642.00 for the Fleet department

#### APPROVED CLAIMS ORDER NO. 8/10/18

The Board of Commissioners approved payment of County claims in the amount of \$8852.00, \$147,262.70, \$76,985.90, \$95,342.40 and \$94,274.03 for accounts payable.

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

The Board met today at 8:32 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Rast reported on the following items: there will be a PO coming thru for about \$26K for storage; in FY2019 he may look into a new storage system that will be more cost effective. As a whole the county is moving more towards paperless, both the Assessor and Clerk's Offices are working to get their records scanned and once that's done the paper records can be destroyed. His office was recently approached by Ms. Roper from the Board of Community Guardians about producing ID cards for them. It would be about 14 badges and Director Rast estimates the cost to be about \$250. He asked for direction from the Board as to whether or not they should charge the Board of Community Guardians for these cards. Commissioner Rule doesn't feel it's the county's responsibility to provide them, he is concerned it could set a precedent for other volunteer organizations requesting the service for no cost. He thought it would be good for Director Rast to speak with legal about the subject. Commissioner Dale likes the idea of helping these volunteer organizations by being able to provide the badges/ID cards but would still like to see them pay to help cover costs to the county because it would still be at a lesser rate than retail. Mr. Rast said he will seek legal advice and possibly create a policy for this sort of thing. An update was given on the request from ITD for the use of the dark fiber. The county has 72 strands and ITD requested the use of 36 strands which Director Rast denied. He is currently pushing for them to pay for the extra mile to go out to weed and pest and said they could have 24 strands of the fiber since they are expanding their network this way which will be

used for the freeway reader boards and signaling cameras. At this point negotiations will begin between the county and ITD and once that's settled an MOU will come before the Board for consideration. The camera system that was administered by the Sheriff's Office has been down for about the last 6 weeks but the cameras have now been taken over to another system as they were unrecoverable. All the cameras that are still working, about 24 of them, have been moved into a solution similar to what was done at the juvenile justice center. They are ordering the remaining cameras and hope to have them installed by the end of August which means the system will be back up to 100%. The administration of the cameras will now fall to IT. Additionally, the camera system at DMV will be replaced on a 1-for-1 with high-definition cameras. They are now in the final stages of the phone replacement system in the jail; when the project is complete it will encompass three fiscal years and the entire system will have been replaced/updated. Major upgrades that will be happening over the next 60 days include the following: the email system, phone recording system, Skype phone system will have a platform update, looking at a new VPN solution, server updates are being worked thru and the communications wiring closets are almost completed.

Director Navarro updated the Board on the following items: Both the DMV and Jail Annex roofs are complete, additionally, the DMV generator project is now done. Fairgrounds have been cleaned up and are now ready for the rodeo. The courtyard painting has been finished and facilities staff will start working on the outside of the building. The landfill remodel project is in full-swing and the Celebration Park well is almost done. The SUP hearing is scheduled to take place Tuesday evening. Saturday morning there will be an Eagle Scout project taking place at the animal shelter where they will be painting some of the interior spaces. Notice was received from Carol Teats at the CCOA that they will be vacating the building on the 31<sup>st</sup> of August. Commissioner Rule believes a lot has been done to have to maintain that building and thinks it would be in the best interest of the county to sell it. Director Navarro said the things they've done to the building include a new furnace, new air-conditioning system, plumbing upgrades and some roof leaks have been addressed. Commissioner Dale said unless a specific use for the building can be identified he agrees that it should be sold. Mr. Navarro said he would get some pictures once the building is empty and bring them to the Board at that point. The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:03 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: They are still in the process of finalizing numbers but the preliminary numbers are as follows:

- Attendance was up at 45,770 compared to 44,822 in 2017; Thursday, Friday and Sunday were up but Saturday was down a little
- Gate admission revenue is up
- Beer sales are up

- First Latino Fair Festival more that doubled the Sunday revenue compared to 2017
- Vendor booth income is up
- Carnival pre-sale income was double compared to 2017
- Sponsorship revenue is up with 6 new sponsors this year

Director Sinner received a lot of compliments on the facility improvements and the new layout of the fair building including the show ring and pens. This year they focused on improving the parking by utilizing the College of Idaho parking lots and the City of Caldwell provided layouts for other parking lots, facilities striped the gravel lot which resulted in very few problems. Some improvements to be worked on for 2019 include dust control in both the fair building and rodeo arena, alternatives for the livestock load-out on Sunday night with the success of the Latino Fair Festival there is a lot more people and traffic, space in the livestock area continues to be a concern, adjustments to the timing of the Latino Festival on Sunday and improvements to electricity in the Charolais barn. A discussion was had regarding the handling of livestock entries. The Extension office has always handled them but the Fair/County manage the superintendents but the information doesn't seem to flow as well as it could so they are looking at ways that it could be improved. Recently there was a meeting between Ada County Extension, Canyon County Extension, FFA from both counties and Western Idaho Fair to talk about the reciprocal agreement and to work thru options since space is an issue. Commissioner Dale said that he's heard there may be some issues in tiling the Wilson Drain, he asked if there is an alternative plan if that space remains open. Director Sinner said the original master plan from 2003 had the drain being open and a building still fit in the space and she feels they can make the layout work. Commissioner Rule said the issue with the tiling is where it goes under the stock trail and suggested that the last 50 yards could be open but the rest still tiled. Ms. Sinner has met with the company that the mainstage is rented from and they are going to help identify the best location for the stage and what the best options are if there changes made to the fairgrounds. The meeting concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 8, 2018

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

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

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Converge One in the amount \$26,080.00 for the Information Technology department
- Converge One in the amount of \$1362.96 for the Information Technology department
- Paessler AG in the amount of \$1264.38 for the Information Technology department
- Carousel in the amount of \$10,538.00 for the Information Technology department

#### FISCAL YEAR 2019 BUDGET HEARING

The Board met today at 5:09 p.m. to conduct the fiscal year 2019 budget hearing as well as a hearing pursuant to Idaho Code 63-802(1)(e) to consider budgeting foregone increase and to consider certification by resolution of any budgeted foregone increase. Upon completion of the hearing the Board will review and possibly approve the FY2019 budget and dollar certifications of budget request forms. The hearing was held in the public meeting room of the Administration Building located at 111 North 11<sup>th</sup> Avenue in Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Lt. Dale Stafford, Prosecutor Bryan Taylor, Assessor Brian Stender, Facilities Director Paul Navarro, Chief Probation Officer Elda Catalano, Indigent Services Director Yvonne Baker, Robin Sneegas, Weed Control Superintendent AJ Mondor, PIO Joe Decker, Public Defender Aaron Bazzoli, DSD Director Tricia Nilsson, IT Director Greg Rast, Assistant IT Director Eric Jensen, Parks Director Nicki Schwend, Landfill Director David Loper, Juvenile Detention Director Steve Jett, Sean Brown, Ambulance Director Michael Stowell, Director of Court Operations Denise Kennel, Leslie Van Beek, ElJay Waite, Bill Jacobsen, Debbie Swanson, Laniece Rule, Charles Fuller, Tara Barling, Nicole Foy from the Idaho Press, and other interested citizens and Deputy Clerk Monica Reeves.

Zach Wagoner reviewed the fiscal year 2019 budget and a copy of the handout he prepared is on file with this day's minute entry. As he and the Clerk began working on the budget they identified three top priorities:

- **Address the urgent, immediate and pressing issue of jail overcrowding**
  - On a daily basis jail staff are seeking out-of-county housing options for 30+ inmates and so to address that issue we recommend continuing efforts with All Detainment Solutions (ADS) and the City of Caldwell for temporary modular housing for 122 inmates. To fund that need the recommendation is to allocate \$2.3M of previously foregone property tax revenue increases to address jail overcrowding.
- **Provide adequate, trained and skillful staff**
  - Included in the tentative budget is the addition of 15 fulltime positions in targeted areas that have seen increased demand for services.

- Also in the budget is the continued implementation of the compensation plan including a 2% cost of living adjustment and a 1% equity pool to be distributed as elected officials and department administrators see best.
- There is no increase in the employer or employee health care contributions.
- **Maintain responsible, fair and suitable levels of funding for mandated services**
  - The tentative property tax request is \$4.395M below our allowable amount.
  - General revenues, such as state sales tax revenue, are allocated for required services.
  - Individual accounting funds are optimized to provide maximum financial benefit.

The total tentative operating budget for Canyon County for FY2019 is \$95,240,703:

\$3 million is dedicated for culture and recreation

\$5 million is for public works

\$45 million is allocated for public safety

\$11 million for health, welfare and indigency

\$31 million for general government services

Mr. Wagoner reviewed the following expenditure budgets by office/department and touched on a few that have changed from FY2018 to FY2019:

Animal Shelter – It changed from \$200,000 to \$300,000. \$200,000 is for shelter operations and \$100,000 is dedicated for maintenance and upkeep of the building.

Assessor's Reappraisal – The slight increase includes \$90,000 for a new position to assist with mass appraisal; \$90,000 for an aerial flyover for County photos; and \$90,000 for consulting appraisers.

Buildings and Grounds – Decrease due to some significant projects that were budgeted and will hopefully be completed before the end of FY2018: courthouse painting and a fencing project.

Clerk, Auditor and Recorder – The increase in salaries and benefits is related to a new position in the Recorder's Office which will be paid for with recording fee revenues.

County Fair – It has increased by \$400,000 due to a drain tiling project and architectural and engineering fees for a possible building.

County Weed Control – Decrease in salaries and benefits because the worker's compensation classification and rate for employees has decreased. There are plans for a connectivity project to run dark fiber to their remote location to provide increased service, speed and reliability for the network connection.

Court Device Department – Those monies are generated from court-related fines and fees and there are restrictions on their use. Funds can be used for evaluation services and beginning in FY2019 we will begin utilizing those funds for that purpose.

Development Services Department – The department is seeing a tremendous amount of activity, included in the budget is \$175,000 for new positions and \$100,000 for professional consultants relating to mechanical inspections.

Emergency Communications/E911 – This budget is funded entirely with E911 fees associated with telephone bills; no property tax monies are allocated to the emergency communications department. The increase is due to a Spillman upgrade and data migration project for \$1.4 million. It's projected that over the course of five years the project will save the County \$250,000.

Indigent Medical Care and Assistance – The budget is down slightly. They have seen a decrease in provider payments of \$300,000, but the amount for involuntary commitment expenditures has increased by \$150,000.

Juvenile Detention – Includes the addition of two new positions: one new detention officer and a clinician as well as plans for computer replacements and new copiers.

Juvenile Probation – The department is slated to receive a new juvenile probation officer position.

Landfill – Budgeted to receive a new fee collector position.

Parks, Cultural and Natural Resources – Increase in salaries and benefits for additional dollars for part-time and seasonal pay, and for a grant funded part-time position for a canoe school.

Prosecuting Attorney – The PA has received the contract with the City of Caldwell to provide prosecution services for the city and that includes the addition of four fulltime positions that will be paid for with revenue generated by the contract.

Public Defender – Includes the addition of a new attorney position and the annual contribution to the capital crimes defense fund.

Sheriff - \$400,000 included for the Spillman upgrade and data migration project. Also included is a \$1.5 million lease payment for modular jail housing.

Treasurer – Increase in salaries and benefits due to an employee that will be shared with the Assessor's Office.

Pest Control District – Budgeted a new fulltime position and an additional seasonal position. They share an office location with weed control and they will share in the cost of the dark fiber project.

In looking at the total \$95 million budget, \$65.5 million is for salaries and benefits and just under \$30 million is for other operating expenditures. Tentative FY2019 significant

budgetary additions total \$7,053,377, and the significant budgetary decreases total \$903,666.

Canyon County has the statutory authority to levy \$56,587,367 in property tax to support the FY2019 budget. The amount is calculated in accordance with state law and includes the following components: The highest property tax budget and property tax replacement monies of the last three years, plus the 3% allowable increase (\$1.4 million), a new construction and development increase of \$1.6 million, the amount of property tax increases foregone in previous years \$6.7 million and less property tax replacement monies equals the net amount of \$56,587,367, the County's maximum allowable property tax levy authority.

The tentative amount for property taxes for 2019 is \$52,191,430. That amount is \$4,395,937 under what our maximum property tax authority is. Included in that \$52 million is \$2.3 million of previously foregone property tax increases to address challenges related to inmate housing and overcrowding at the jail.

Over the past 10 years Canyon County has consistently been below our maximum property tax authority to the tune of \$67 million.

Our levy rate is projected to decrease by roughly 3%. In 2013 our levy rate was .0057 and in FY2019 it's estimated to be just a little over .004. The exact levy rate is not known at the moment as they are still waiting on a component of market value that's provided by the state. Out of a total taxable value of \$13 billion operating property is a small portion of that so Mr. Wagoner anticipates very little change in the projected rate.

The tentative jail overcrowding budget includes the funding requirements for a 122-bed temporary modular facility:

- \$1,473,763 million for an annual lease payment
- \$ 172,500 for water, sewer and utility hookups
- \$ 228,000 for three additional deputies
- \$ 78,500 for utilities
- \$ 170,000 for food costs
- \$ 200,000 for out-of-county housing needs that will still exist

For a total of \$2,322,763 to address jail overcrowding.

Those funds will come from foregone property taxes. The County currently maintains a foregone property tax balance of \$6.7 million. The foregone property tax balance is a direct result of conservative project tax requests. Foregone property tax balances are based on allowable 3% and new growth increases not taken. Foregone property tax amounts are an optimum tool to address urgent and critical public needs. Our property tax request foregone of \$2.3 million is designated strictly to address jail overcrowding issues.



The total county operating 2019 tentative budget is \$95,240,703 with \$52,191,430 from property tax and just under \$38 million from revenue other than property tax and a use of fund balance of \$5.1 million to balance the budget.

Pest control special taxing district budget is \$310,066 and the Melba gopher special taxing district has a budget of \$12,000.

Mr. Wagoner expressed his appreciation to the Commissioners and everyone in the room tonight for their support and assistance during the budget process.

Commissioner Rule asked where the excess revenue that is collected by DSD will be deposited. Mr. Wagoner said it goes into the current expense fund. When asked about the large project fee (several hundred thousand dollars) that's expected to be received by DSD, Mr. Wagoner said hopefully it will materialize and it will be deposited into the current expense fund. There was a brief discussion on the Melba Gopher District's budget, which is separate from the County pest control. (A taxpayer will be in one of the two districts, not both.) Commissioner Rule noted that \$200,000 has been budgeted for out-of-county housing for next year. Mr. Wagoner reported that to date we have spent nearly \$600,000 in out-of-county housing.

Public testimony was offered as follows:

Leslie Van Beek asked for additional time to make comments and she cited Idaho Code, Title 31-1605 which references budget hearings and she noted that the statute does not list a time limit for public comment. Commissioner Dale said it's not specified in state law, but it is up to each individual jurisdiction and then he asked if she could offer comments in five minutes. Ms. Van Beek said it's essential that we evaluate the budget carefully and approve only what is necessary.

She said the proposed tentative budget, if approved, will:

- 1. Increase property taxes by \$5.2 million from 2018 to 2019.** The \$5.2 million increase in property taxes will come from:

**\$2.3 million dollars comes from foregone revenue.** This has been budgeted to provide additional jail facilities but Commissioners should not budget foregone property taxes to provide interim housing for inmates. Taxpayers should be given the opportunity to approve property tax increases for jail facilities.

**\$1.4 million in property tax revenue.** This is the maximum statutory allowance of 3%.

**\$1.6 million in new construction.** This will allow new development to its fair share.

The burden of the first two taxes, which together total \$3.7 million, will fall directly on property owners, but this does not reflect what she heard citizens say they wanted in the Primary and it's not in the best interest of Canyon County.

**2. Increase taxes by 52.2% since 2015.**

In 2015, the County assessed \$34,297,000 in property taxes. The proposed assessment for 2019 is \$52,191,430 which represents an increase in taxes of \$17,894,430 or 52.2%.

**3. Reduce budgetary fund balance by \$46.6 million dollars, which is 48% less than the allocation of budgetary fund balance in 2018.**

**4. Represent the highest acceleration of taxation in Canyon County history.**

Ms. Van Beek proposes a revision which does not lower the budget, does not cut services, and most importantly does not raise property taxes. She said it will restore the budgetary fund balance to reflect a conservative estimate of 9.4% which is consistent with historical trends since 2015. At the same time this action reduces requested property taxes in the tentative budget by \$3,750,920 leaving new construction property tax of \$1,686,248, paid by newly constructed properties, as the only recommended and appropriate source of new property tax revenue to the budget. The County currently has \$43 million in fund balance reserves which represents 45% of the 2019 budget. Should the County need to use a portion of the fund balance to supplement the budget, history suggests that it will be marginal and that necessary adjustments can be evaluated at preliminary budget meetings in May 2019. The 2019 tentative budget includes \$2,322,763 in uncollected foregone revenue to address challenges related to inmate housing and overcrowding. She does not believe Commissioners should be pursuing foregone taxes to fund the jail. Using budgetary fund balance to provide housing relief for inmates is the correct use of fund balance and will not significantly impact the County's reserve. Between now and next May, Commissioners should exercise their authority to meet the need for public safety. Identifying the lowest operating cost jail facility coupled with thoughtful long-range planning and voter approval will provide the necessary roadmap to move forward and meet this challenge. At the May 2019 meeting, Commissioners should be prepared to offer viable solutions that meet the need for public safety. Any increase in property taxes should come only after exhausting all other avenues for funding a jail facility. She provided a comparison of the Ada County vs. Canyon County levy rate for 2017. Ada County's levy rate is .3017951 while Canyon County's is .4243064 making it roughly 33% higher than Ada County. She said this difference hampers our ability to attract new business and higher paying jobs for our citizens. Ms. Van Beek asked the Board to re-evaluate the tentative budget as presented and moved to adopt the revised budget for the following reason:

1. The revised budget does not reduce the amount of budget expenditures
2. Does not cut services
3. Restores budgetary fund balance to reflect historical trends
4. Reduces property tax
5. Reflects the voice of taxpayers

She estimates adoption of the revised budget will lower the levy rate to .0037 which represents the largest drop in the levy rate history since 2011. Clerk Yamamoto said the largest tax increase in Canyon County history was from 2007-2008, from \$66 million to \$83 million, which is \$17 million.

Commissioner Rule finds this information fascinating and he's impressed with the information Ms. Van Beek submitted. He said he's been asking for advisory votes on the jail and how much the public would approve but it gets no attention from the Board. He asked for clarification on some of her points and so Ms. Van Beek reviewed her earlier points in greater detail.

Mr. Wagoner said the 2015 year has been thrown out recently and it's his opinion that that year has been cherry-picked, if you will. If you go back to 2009, the property tax levy was \$38 million and the County enjoyed a very rich healthy fund balance and we used fund balance to pay for bills, building expansion, and other projects. If you look at the 11-year span from 2009 to current, property taxes are up \$14 million, a little over 3% per year. Over that span, 2015 was the absolute lowest minimum year for property taxes and that was because we enjoyed a rich fund balance and we've used the fund balance to pay for expenses instead of current property tax. If we look at FY2015 the County actually experienced a \$5 million operating loss specifically for FY2015. We cannot maintain a \$5 million loss on an ongoing basis.

ElJay Waite also offered comments on the budget and when he was informed about the time limit he said the Board should not put a time limit on anyone that comes to testify on the budget. He also said there's an error in the budget that is not the same as was in previous years. Regarding budgetary fund balance being used to balance the budget, he said it's an estimation from the Clerk and Controller of what expenses are in the budget that are not going to be spent and this year through June there's over \$8 million of budgeted expenses that have not been spent and it's been consistent over the last four years and probably before then. What that means is that if you accept \$5 million as what's not going to be spent out of the \$95 million you are going to assess property taxes that are not necessary. He said the Board should look at the budgeted expenditures first and then from there the Clerk and Controller say how much of that do you estimate won't be spent and that number will be somewhere between \$8-\$10 million and then you look at how many non-property tax revenues are coming in and the difference is how much you need in property tax and then you're putting the taxpayers first because it's the last resort. He said we do not need to levy anything more than the new construction amount of \$1,686,248. He said we could choose to use the new construction amount based on the current year's levy rate or choose to minimize that and look out for the taxpayers. This will not change how many expenses you have in the budget, it will not change what you do with this budget it will simply move the \$5,106,372 in budgetary fund balance up to a number that approximates very conservatively what those unused expenses will be out of the budget and then it allows you to levy the property tax that you can defend. Mr. Waite urged the Board to consider that. We have until September to pass this budget and we could have hearings day after day after but we won't have to do that because there's just one minor change that needs to be made and if the Clerk

and the Controller say we are not going to spend just \$5 million of the \$95 million and it turns out to be \$10 million, they were wrong. If they say the past history is an accurate reflection we can go up to \$8 million or \$9 million then we cannot assess those property taxes from the foregone or the 3%. We can wait until the next budget year and see how many other revenues have come in because we have \$5,385,000 in new non-property tax revenues, the highest it's ever been, so there's an opportunity to not levy if we don't need to and he's saying we don't need to. Do the new construction but wait until the 2020 budget to see if we need to levy anything else from all the things we've got going. It's gone from \$34 million in property tax to \$52 million but if we drop that it will be a 3.1% increase in property tax instead of an 11.1% increase in property tax.

Zach Wagoner said the elected officials and department administrators continually come in under budget and they are to be applauded for those efforts and when he and the Clerk are developing a financial plan they factor that in. Mr. Waite said the question is where is that factor included in the budget? Is it in the budgetary fund balance or have they reduced positions in the budget expenditures that they expect are not going to be filled during the year – that's what you need to know.

Clerk Yamamoto said that's it exactly and what we've enjoyed in the past is the unfilled positions and that's pretty much what we're talking about here because the "A" Budget is most of our expense. We had a situation where the Sheriff's Office at times had 25-30 positions unfilled and so the those expenses that weren't utilized became fund balance and that fund balance grew to the point where he recommended we cut back on the amount of taxes requested in order to drop that fund balance down. Now we are starting to fill those vacant positions and where we were using that to balance the budget we are now utilizing more and more of that as we fill positions, and as we have utilized the compensation program to try to retain more employees.

Commissioner Rule said he likes the proposed 3.1%, instead of the 11.1%, increase in property tax. He asked how the large influx of revenue for an upcoming building project will be reflected in these numbers. Mr. Waite said it would become part of the fund balance, it goes into cash and it becomes part of the fund balance so you'll get to see that next budget year. It was said by the Controller that the optimal tool to fund these is foregone revenue, but that is not the optimal tool. The optimal tool is fund balance until you know how much revenue you need and then you've done what you need in setting the appropriate levy rate so you don't have these kinds of things happen to it. You keep it level, and that's what you do to be considerate to the taxpayers and he believes the \$5,106,372 is at least \$3.5 million too low and if you make that one adjustment you will not be levying taxes this year, you'll be looking at what the actuals tell you for next year.

Bill Jacobsen is opposed to a 7-10 year contract for aluminum trailers to house female inmates and he believes doing business with a company that's only been in business for one year is a poor idea. He said solution to the jail issue would be to use the space across from the courthouse on 12<sup>th</sup> Avenue and remove the tent jail (Pod 5), as well as everything else on that block, and construct a four-story building with a basement under it. He said the basement could be used to store records and the Sheriff's Office could be on the first floor

and the remaining 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors could be cells for jail. Another suggestion was to build a sky walk from the jail across 12<sup>th</sup> Avenue to the 3<sup>rd</sup> floor of the courthouse so that inmates could be transported back and forth thereby eliminating the need to build a jail on the Notus highway property. Mr. Jacobsen believes the jail should be in close proximity to the courthouse. He also suggested the County purchase the homes that are located in the immediate area in order to have the ability to expand.

Debbie Swanson, who obtained budget information from the County's website, spoke about how she would have like to have had access to the multi-page document that was printed for tonight's budget hearing. She said the Board wants to convince taxpayers that they are getting a great deal as homeowners in regards to property tax because the County isn't taking the maximum amount property tax levy. She said it might be below what the maximum allowable amount is but Canyon County is still very high compared to other places and the "property taxes are killing us." She and her husband have sold their businesses but they feel they are being forced to leave Caldwell and move elsewhere because of how much property taxes are costing them. Their 2018 property tax assessment would have required they pay nearly \$500 a month in property tax, but while the appraiser lowered the assessed value their taxes are still high. She asked the Board to look at some ways other than charging the homeowners to continue to increase their property tax to meet the County's budget.

Charles Fuller said he is disturbed by the decisions that have been made; for instance, urban renewal and the taxes in the City of Nampa. He spoke of his experience as a staff reporter for the Wall Street Journal and how he believes we're not being told the truth about inflation. He talked about the high rents and a comment made by Blue Cross and Blue Shield that some people are paying more for medical insurance than they are for home mortgages and he is afraid we are heading for a disaster, similar to Proposition 13 in California. Mr. Fuller is very disturbed that there aren't any bids on the portable jail trailers that are being proposed. He said the Sheriff wants to spend \$200 million on a gold plated jail on an old riverbed property that's not suitable for construction. He thinks Mr. Jacobsen's idea for a four-story jail is a good idea and he thinks we need to give up on the \$200 million proposal. Any jail decisions need to be voted on by the public. Mr. Waite offered some final comments encouraging the Board to give taxpayers some property tax relief. Clerk Yamamoto said taxes are too high and on a personal level he's told his wife to sell all of their properties because he doesn't see an end to it, but what's being left out of this conversation is the explosive growth we're having. Ada County is completely different, they have a different tax base than we do. He also said impact fees is another topic that's being left out of the conversation. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public comment and testimony.

Commissioner Rule said this is a rather unique hearing in that he's not seen this kind of information ever presented. Typically, the Board considers a resolution approving the budget at this point, but this new information might worth having the Clerk and Controller analyze it and see if it's real. There were some things said that he would support and he thinks we should wait to approve the tentative budget for a week or two. Commissioner Dale said we've already closed the public hearing so it would be discussion amongst the Board and with the Clerk and Controller regarding the new information.

Commissioner White said the depth of information presented tonight requires some studying and getting some face-to-face time with the Controller and Clerk. She thanked them both for their accessibility during the budget process and said they made sure she received up to date material and they took the time for discussions with her and investigated her suggestions and acknowledged her questions by providing in-depth information and substantiated answers. She spoke about her own taxes and she has never been one to enjoy raising taxes for the services required. She has watched the population and the needs grow exponentially through the years and she's not sure the valley is ready for it. Decision-makers explore all possibilities of affordability, taxpayers weigh in, and hard decisions are made, many of which were never intentionally planned. This budget is fiscally sound and balanced and what we were presented is adequate to meet the County's needs and remain robust. We have taken care of the people's business in a conscientious purposeful budget protective method. We prioritize growing needs and acted to restore balance into funds that were overlooked long enough to become dangerously inadequate to meet this County's needs. The funds are being used properly in this year's budget in a manner that puts no strain on future service requirements. There was no greed, or unnecessary grabbing of money or outrageous requests. She said in her first budget year in 2017 she saw outrageous requests and there was none of that this year on behalf of department heads. It was done in such a conservative and respectful manner and very respectful of them acknowledging the use of the people's money. This speaks to the integrity of the process. Thank you to the citizens who are here tonight who spoke to us and offered ideas and suggestions. Commissioner White said we have an urgent need and it's the new jail and some of you spoke about it and it's very disappointing to her because as a County we have missed windows of opportunity for progress and these misses have cost us millions of dollars. She wants to achieve some forward progress on this huge need and move forward on the jail and move the process towards something the people can vote on. With regard to the temporary housing, we have had staff inspect them and the company (ADS) is very open-minded and has made changes that will strengthen and fortify the product they have. It's unique, there's not any other ones out there and that is unique because of the way it's manufactured. She said with the liability we face with the jail housing we are in great jeopardy with the jail housing and we need to address that.

Commissioner Dale said it would be premature to vote to approve the budget tonight because we need some time to analyze the new information. This is his 24<sup>th</sup> budget in public service and none of them have been easy and it takes collaboration and positive effort from everybody involved. The Clerk and Controller do a great job pulling this stuff together and working with the people to try to get the best bang for the buck. He recently saw an article that said Nampa was one the best valued for the amount of tax that you pay and that is amazing. It is a high value, we have a high value County and Nampa's part of Canyon County so that tax burden in Nampa also comes to Canyon County. He tries to base his actions on principles that do not change, principles are foundations upon which we can build political philosophy, fiscal policy and all other things in our lives. Probably the most visible political process is the amount of taxpayer dollars actually spent and you continually hear people say "those guys just like to spend money." There are some who espouse that being fiscally conservative means saying no to any spending increase regardless of the purpose, but under this sort of philosophy real world increases and the cost of doing business are not addressed;

equipment that always wears out will not be replaced until an emergency strikes and keeping up with the employee salary and benefits costs is put on hold. In reality this sort of attitude kicks those costs further down the road and will always result in higher costs to the taxpayer in the end. As elected officials we need to ensure the funds are spent wisely and that we get the most bang for our buck. We also have to acknowledge that in the real world costs do increase regularly and equipment does wear out. As elected officials we are responsible for determining where and how money is spent and we have to be able to keep up with those cost increases and equipment replacements as we are able in the most efficient manner possible and that's the challenge we face every year. Another principle of being fiscally conservative is that filling a need in today's dollars will always be cheaper than filling that same need in tomorrow's dollars, and the jail is a prime example of that. In 2006 the first jail bond was proposed for \$72.5 million and would have included a new jail, new housing for the Sheriff's Office, a DMV, dispatch center, and two courtrooms. That bond received 58% voter approval but it needed 66 2/3% so it failed. Today we have an unarguable need for a new jail and we've seen proposals that run the gamut anywhere from \$130 million up to \$197 million for just a jail with none of the extra amenities. The cost continues to spiral and if we continue to put this primary need off there's no mystery to what will happen to the cost. He believes in taking care of today's needs today and that's more fiscally responsible than kicking the can down the road. We have the statutory obligation to take care of the inmates in our care and that will not go away; today there are 464 people housed in the jail and we have a 477-bed capacity. We have close to 300 that should be in jail, around 40 who are being housed out of the county and those costs will amount to more than \$1 million for just the rent of the rooms in these other jails in the next year and that does not count driving the prisoners to that jail and back and forth for court appearances. It does not count the staff time; it's expensive and that will continue on until we find the solution to keeping those inmates in our own jail and that's why we are looking at the temporary pods as a potential. The Clerk and Controller have established a track record of being advocates for exploring options to save taxpayer dollars and they have done a good job of that in past years and there's no reason to think they're not going to be open to looking at viable ideas to save taxpayer dollars this year as well. He appreciates the ideas expressed and will take those under advisement.

Commissioner Rule said there are some action items we should finish before we adjourn and he would like to make a motion to not approve the 2019 budget as proposed at this point but direct the Clerk and Controller to take the alternative budget information analyze it and bring it back at a future date and time. Commissioner Dale said the proper motion would be to continue the hearing. He wants to sit down with the Clerk and Controller personally. (There was a review of the calendar with staff.) Commissioner Rule made a motion to continue the budget hearing to August 22, 2018 at 5:00 p.m. to allow the Controller and Clerk to look at the new information and make a recommendation. The motion was seconded by Commissioner White and carried unanimously. Commissioner Rule made a motion to continue the signing of the FY2019 L-2 forms to August 22, 2018 at 5:00 p.m. The motion was seconded by Commissioner White and carried unanimously.

The hearing concluded at approximately 7:02 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 9, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Tina Wetzell, Daniel Lister, Rachel Jacques, and Kenneth Stringfield.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1183, 2018-1159, 2018-1304, 2018-1135, 2018-1143, 2018-1180, 2018-1181, 2018-1177, 2018-1160, 2018-1166, 2018-1172, 2018-1161 and 2018-1170. Commissioner White made a motion to issue written denials on the cases as read into the record. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 8:50 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne, Hearing Manager Kellie George, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Case no. 2018-743 now meets all eligibility criteria for county assistance and upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue a final written approval within 30 days. Commissioner White made a motion to issue final denials with written decisions to be issued within 30 days on case nos. 2018-935 and 2018-658. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO.2018-927



The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2018-927. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Julie Wood for St. Alphonsus, the applicant, the applicant's spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-855

The Board met today at 9:12 a.m. to conduct a medical indigency hearing for case no. 2018-855. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Karen Thurber for West Valley Medical Center, Attorney Mark Peterson for West Valley Medical Center and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-783

The Board met today at 9:21 a.m. to conduct a medical indigency hearing for case no. 2018-783. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Lukes, Courtney Kriss for St. Lukes, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to October 4, 2018. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-861

The Board met today at 9:32 a.m. to conduct a medical indigency hearing for case no. 2018-861. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Lukes, Courtney Kriss for St. Lukes, the applicant, Interpreter Mercedes Lupercio and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to

continue the case to October 4, 2018. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

#### INDIGENT MATTERS

The Board met today at 9:41 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-803, 2018-896, 2018-798, 2018-802, 2018-280, 2018-773, 2018-873 and 2018-685. Commissioner Rule made a motion to issue final denials with written decisions within 30 days. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING BALLOT TO RE-APPOINT PAYETTE COUNTY COMMISSIONER LARRY CHURCH TO THE SOUTHWEST DISTRICT HEALTH BOARD OF HEALTH

The Board met today at 10:01 a.m. to consider signing the ballot to re-appoint Payette County Commissioner Larry Church to the Southwest District Health Board of Health. Present were: Commissioners Tom Dale, Pam White and Steve Rule and Deputy Clerk Jenen Ross. The Board expressed their support for the work Commissioner Church has done and continues to do for the health board and fully support this re-appointment. Commissioner Rule made a motion to sign the ballot to re-appoint Payette County Commissioner Larry Church to the Southwest District Health Board of Health. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioner's Office.

#### PUBLIC HEARING – REQUEST BY MIKE AND LINDA DUTTON FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, AND FINAL PLAT FOR DUTTON SUBDIVISION, CASE NO. SD PH2018-19

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by Mike and Linda Dutton for a preliminary plat, irrigation and drainage plan, and the final plat for Dutton Subdivision, Case No. SDPH2018-19. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Mike and Linda Dutton, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. Dutton Subdivision is located within the Nampa impact area at 5525 East Orchard Avenue in Nampa. The property was recently rezoned to R-1 Single-Family residential from Rural Residential for the purpose of creating smaller residential lot sizes. The applicants have bonded for the accesses for the residential lots across the irrigation lateral. The P&Z Commission recommended approval and staff is recommending approval as well. The improvements have been installed, other than the ingress/egress accesses. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously

to close the public hearing. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the preliminary plat, the irrigation and drainage plans and the Findings of Fact, Conclusions of Law and Order as bonded for the irrigation lateral crossings, as well as the final plat. The hearing concluded at 2:05 p.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 10, 2018

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

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Bi-Mart Corporation dba Bi-Mart. See resolution no. 18-135.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Piper Pub & Grill to be used 8/18/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Piper Pub & Grill to be used 9/8/18 for a wedding.

#### FILE IN MINUTES

The Board filed the Treasurer's tax charge adjustments by PIN for July 2018 in today's minutes.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto left at 9:08 a.m., Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam

Laugheed, Director of DSD Tricia Nilsson left at 9:24 a.m., Director of Court Operations Denise Kennel left at 9:08 a.m., Court Training & Development Manager Raena Bull left at 9:08 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing contract for Canyon County Courts outsourced scanning project:*** Mike Porter said this has been an ongoing effort in changing over from hard files to a digital system. The County was working with a vendor but they have closed their business. Four local companies were solicited for bids and Integra was the only company that provided a responsive bid. The courts would like to finish out this fiscal year using Integra and then if things go well possibly renew the contract for next fiscal year. Denise Kennel said this company does work with other counties so they are familiar with the scanning they will be doing. Clerk Yamamoto expressed his concern with the increased cost but said that Integra does a little more than the last business they worked with and with the Odyssey system all Idaho counties are now scanning which means they are busier and the cost goes up. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the contract for Canyon County Courts outsourced scanning project (with Integra Paperless Business Solutions – see agreement no. 18-099).

***Consider signing reconsideration request in CU-PH2018-6 Virgil Iovu – Rezone:*** Zach Wesley believes a written request was distributed to the Board by email and his understanding is that the Board has reviewed that document and determined that an additional hearing may be necessary to make a decision on the request. If the request for reconsideration is granted that would order an additional hearing and for DSD staff to provide public notice of that hearing in the same manner as the original rezone hearing. Reasons for reconsideration would be that if there was new evidence or materials that could possibly change the Board's position on the previous decision. The applicant and the public would have the opportunity to offer testimony but it would need to be limited to the new evidence that's presented. Director Nilsson feels that one of the key findings that this case originally failed on was compatibility which is somewhat subjective but staff could supplement the record with additional photographs from different angles. Zach Wesley said it would be important to determine the purpose of the structure and Ms. Nilsson said this was originally done as a straight rezone but that a development agreement or conditions could be put on it if that was warranted. She further explained that when dealing with residential developments that were done by conditional use in an ag zone one of the criteria for the rezone asks whether the new zone is more or less compatible. She said the request for reconsideration is pretty extensive in calling out findings for a rezone and the compatibility issue, the applicants don't feel an additional house is incompatible since there are other homes and that additional photographic evidence beyond a typical case file could be useful. Commissioner Dale said he would be willing to take another look at this case, if there is new evidence he would like to hear it, but said he would not commit to whether or not he would change his mind. Mr. Wesley said there are a few options that could be considered – approval, denial or rehearing – additionally, if the Board does not render a decision on the request it will expire in 60 days and is considered a denial. No action was taken by the Board at this time.

As part of the legal staff update Sam Laugheed said there was a meeting on July 9<sup>th</sup> with county stakeholders regarding jail related issues where the legal staff was instructed to get a revised cost estimate from DLR and solicit any bond counsel who would be interested in representing the Board. Two equally qualified firms responded regarding the bond counsel and he believes there has been communication from DLR about the cost estimate. Mr. Laugheed agreed that Prosecutor Taylor's recommendation to have an open meeting to discuss potentially selecting one of those firms for bond counsel and the updated cost estimate would be appropriate. September 7<sup>th</sup> is the deadline for ballot language to be submitted for the November election so a decision would need to be made quickly. Commissioner Dale is in favor of meeting with both firms to discuss bond counsel if there is any possibility of getting something on the November ballot. Commissioner Rule said this does not make any sense to him as he feels a \$187M bond will be voted down and he doesn't see the point in all this work when the Board should be focused on something that has a chance. He feels this is all premature in working on something that won't pass. Commissioner White believes meeting with these individuals would be for good for informational purposes. Commissioner Dale doesn't have high confidence that the county would pass a property tax bond for \$180M but we have to get some motion to move forward to figure out what the solution is and then develop what would be acceptable. Mr. Laugheed said that by meeting with these firms the Board isn't agreeing to submit a bond nor is speaking with DLR agreeing to their costs but these are the steps that could lead to informed decisions. Commissioner Dale is concerned that our window of opportunity may be too narrow at this point. Mr. Laugheed thinks bond counsel would be able to complete their portions it would just be a matter of if the outreach portion could be done in time. Commissioners Dale and White approved of Mr. Laugheed forwarding the emails that were received regarding bond counsel to the financial officers and to work with the Board's staff to schedule meeting times. Commissioner Dale asked about time restrictions for public hearings. Mr. Laugheed said that the final budget hearing has requirements of formality that are different from other public hearings. The Board has the ability to set reasonable time limits in order to manage the meeting and facilitate that everyone has a chance to be heard and that the meeting is not dominated by a few people. Mr. Laugheed said generally speaking he would err on the side of caution in letting people speak and/or giving additional time during the budget hearing. Commissioner Dale requested, and Mr. Laugheed agreed, that the ordinance probably needs to be reviewed.

The meeting concluded at 9:44 a.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM CALDWELL, IDAHO AUGUST 13, 2018

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

## LEGAL STAFF UPDATE AND CONSIDER SIGNING CITY OF CALDWELL/CANYON COUNTY PROSECUTION SERVICES AGREEMENT

The Board met today at 9:00 a.m. for a legal staff update and to consider signing the City of Caldwell/Canyon County Prosecution services agreement. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecutor Bryan Taylor and Deputy Clerk Jenen Ross. Prosecutor Taylor explained that Caldwell was the last city within the county to maintain the services of a private firm but after an RFQ process they have selected his office to provide services for the upcoming budget year. The Caldwell City Council approved the proposed services agreement last Monday at their meeting. The agreement is exactly the same as what is used with the other cities. All the funds and fees will be run thru the Controller. Each year there is a potential increase built into the contract which will be worked out through the Controller and Finance Manager. The contract amount is based on the recommendation of the County Controller and the contract will go into effect October 1, 2018. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the City of Caldwell/Canyon County Prosecution Services Agreement (see agreement no. 18-100).

Zach Wesley let the Board know that there are five registered agents/buyers that are signed up for the auction of the property located at Hwy 20-26 that will take place tomorrow. The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER APPROVAL/DENIAL OF A REQUEST BY ALAN MOWRY FOR A FEE REDUCTION/REFUND FOR A CONDITIONAL USE PERMIT

The Board met today at 9:30 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley left at 9:41 a.m., DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross.

***Consider approval/denial of a request by Alan Mowry for a fee reduction/refund for a conditional use permit:*** Director Nilsson explained that Mr. Mowry is a ham radio operator who does not like the county ordinance and feels the fee is too high. Ms. Nilsson presented an email she received from Mr. Mowry where he cited ordinances in other counties where he could just walk in and get a permit but upon further research Ms. Nilsson has discovered that this is not accurate. Mr. Mowry wants to comply and is requesting a fee reduction to \$250. Staff is not supportive of this fee reduction and Director Nilsson feels that in the long-term the ordinance could be looked at again. Mr. Mowry has not actually applied for anything yet so there is not a lot of information as to the height of the tower, location or any other pertinent information. Commissioner Rule doesn't feel he can make a decision without this information. Commissioner White said that these fees are not on a case-by-case basis, the fees are set and it would be difficult to make a decision with the lack of details. Ms. Nilsson said there really aren't any fees as low as \$250 due to the amount of work that goes into this

sort of thing including notification to neighbors, preparation of the staff report and a bit of staff time involved in preparing the decision. The C.U.P is \$850 because it goes to P&Z and there are a lot more expenses with a hearing level application vs. an administrative decision. Commissioner White made a motion to deny the request of Alan Mowry for a fee reduction/refund for a conditional use permit. The motion was seconded by Commissioner Dale and carried unanimously.

Director Nilsson updated the Board on the following items: They are way above their budgeted revenue being almost \$600K in the black. In comparing FY2017 to FY2018 thru the end of June the valuation of permits was \$102M vs. \$72M the prior year with permit totals being about 30% higher. The department is now fully staffed with Dan Lister starting back today. Director Nilsson received from the Assessor's Office the acres in Canyon County that receive an ag exemption; nothing much has changed other than a slight decrease in irrigated ag land and a slight increase in irrigated grazing. The meeting concluded at 9:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:02 a.m. with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Weed and Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross. Director Mondor updated the Board on the following items: they are getting a lot of calls regarding puncture vine but at this point it's already gone to seed and needed to be addressed a month ago. They are currently spraying a lot of Canada thistle even though it's already gone to seed but because it's a perennial now is the right time to spray. The employee that was hired for the Gopher District is doing well. A grant was received from ISDA (Idaho State Department of Agriculture) for \$22,000. Because we're not in a CWMA (Cooperative Weed Management Area) it's a little more difficult to get the money to us but their lawyers are working out the details. Once it's resolved on their end he will be sure to have it reviewed by county legal. Owl boxes have been successful, they currently have 15-16 orders. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:31 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Judge Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Wiebe updated the Board on the following items: they will be doing the Magistrate selection on August 31<sup>st</sup> and hope to have that person start on October 1<sup>st</sup>. The Administrative conference was last month that she attended in Sun Valley. There are two vacancies anticipated in January, one in Canyon County and the other in Owyhee County. Mr. Tyler said he will start those recruitments within the next week and hopes to be able to conduct the

interviews at the same time. The meeting concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:00 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following items: The water well drilling rig broke down causing them to stop for a week; it should have been back on the 10<sup>th</sup> and they planned to work thru the weekend. Straw bales are being delivered on the 22<sup>nd</sup> to replace the old ones on the atlatl range; park staff will work to make sure they are secured properly. The new native plant pollinator bins are done at Celebration Park. Idaho Oregon Snake River Water Trail is coming up on its 10 year anniversary; Laura Barbour is working to revitalize support and reach out to possible new members. Staff recently visited Cleo's Nature Trail in the Walter's Ferry area, the Owyhee County Museum and attended a plaque dedication ceremony at Dedication Point. Celebration Park staff recently had CPR & AED training. October 12<sup>th</sup> will be the opening of the newest exhibit at the park. Discussion was had regarding the travel management plan between the NCA and Celebration Park. Director Schwend addressed the 6 acres of land on the Boise River that was brought to the Board's attention by Director Mondor saying there may be cultural resource potential at that location and it might be worth working with BSU to conduct a field school at that location. Steve Vreeland, the NRA representative for Idaho, attended the last Gun Range Advisory Board meeting. He provided a lot of ideas for grants and resources, he suggested requesting a range technical assistant which could cost up to \$500. Since there is no budget for the gun range Director Schwend asked for the Board's permission to fund this from one of her misc. lines. The Board feels this would be a worthwhile cost. E.coli has been detected in the lower dam recreation area, anyone who has concerns is being advised to contact Southwest District Health. The refuge called a meeting to discuss erosion and trees at their location and possible solutions. The meeting involved the Parks department, the Bureau of Rec., the Board of Control and the refuge – the erosion is happening at the lower dam and some at Lake Lowell Park under the parking lot. The meeting concluded at 2:36 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 14, 2018

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



APPROVED CLAIMS ORDER NO. 8/14/18

The Board of Commissioners approved payment of County claims in the amount of \$37,841.95 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/24/18

The Board of Commissioners approved payment of County claims in the amount of \$5287.80 for accounts payable.

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

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

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING A RESOLUTION GRANTING OWYHEE PRODUCE, LLC A TAX EXEMPTION PURSUANT TO IDAHO CODE § 63-602NN

The Board met today at 9:04 a.m. for a legal staff update and to consider signing a resolution granting Owyhee Produce, LLC a tax exemption pursuant to Idaho Code §63-602NN. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Administrative Property Appraisal Supervisor Greg Himes left at 9:29 a.m., Administrative Analyst Jennifer Loutzenhiser left at 9:29 a.m., Director of WAED Tina Wilson left at 9:29 a.m., Shay Myers with Owyhee Produce left at 9:29 a.m. and Deputy Clerk Jenen Ross. Mr. Myers explained that they are a family operation and had previously been looking at Idaho due to pressures in Oregon from a labor standpoint. Due to the amount of snow that was received during the winter of 2016/2017 they lost 5 storage buildings and critically damaged the packing operations which forced them to quickly make a decision to move at least the storage buildings to Idaho. They currently have 6 bays of storage on the Idaho side, most of which are fully refrigerated, state of the art buildings. The packing shed and corporate offices have now also been moved. They will pack approximately 1200 acres worth of onions thru that facility with a fair amount of room for growth. Mr. Goodsell said Owyhee Produce met with the Board early on before they started this process to inquire about the incentives; at that time the Board indicated that they would be favorable to provide incentives if the requirements were met. Mr. Goodsell reviewed the spreadsheet provided by Owyhee Produce included with the resolution saying that their investment is about \$13M and with a 75% exemption it would be almost \$10M exempted that would exist over the 5 year period. They have also created the number of positions that is required for a level 2

investment, however, their salaries are not particularly high for their line employees but that is expected for this type of business. Mr. Goodsell spoke about the ordinance that guides tax incentives in regards to how significant benefits accrue to the public good, primarily in the form of high-paying jobs and increase property values along with the guidelines for new business investment. Although these jobs do not exceed the average wage for jobs in the county the criteria in the ordinance is set as a guideline and the fact that they don't exceed the average wage of the county doesn't necessarily exclude them from getting an exemption as long as the Board finds that they demonstrate significant economic benefit. Because they are in an area of the county that is difficult to get investments, the Board may find that this is an appropriate case for incentives despite the fact that the wage guideline isn't met. Tina Wilson spoke about the economic impact stating that some of the benefits that happened with the shift into Idaho, into this part of the county, created year-round, full-time jobs vs. seasonal jobs. In April of this year the State of Idaho declared this area an 'opportunity zone', as an 'opportunity zone' designation it is determined that this area is low income and needing investment and in a poverty state so this particular census tract was created to encourage investment. In February of 2017, shortly after the major snowstorms, was the first time that they approached the county in regards to bringing this business into Canyon County; about the same time the storage sheds were completed and entered the tax rolls as new construction. Within the last few days they've gotten the machines in the packing shed up and running. Mr. Goodsell reiterated that it would be at the Board's discretion as to how much of an exemption they grant. Mr. Myers said that since they came from Oregon they are still paying almost \$4.00 over Idaho's minimum wage; they didn't lower anyone's wages when they moved the operation to Idaho. Mr. Goodsell explained that the draft resolution provides for a 75% exemption as they meet the number of jobs requirements and investment requirement for a level 2. Additionally, they also meet the multiplier requirement for the 20% bonus. Letters from Owyhee Produce LLC and Froerer Family Limited Partners were provided today stating they agree with the terms and conditions of this tax exemption. There were no representatives from any taxing districts present for today's meeting nor were any objections received. Commissioner Dale made a motion to sign the resolution granting a tax exemption to Owyhee Produce LLC under Idaho Code §63-602NN. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-136).

Mike Porter said tomorrow two contracts with Argyll LLC are on the agenda for consideration. This is in relation to the need at the jail for psychiatric services. There was a contract with another vendor before the Board about six weeks ago but that vendor drastically increased their prices and even with that they were not able to provide the services required. Mr. Porter wanted to bring to the Board's attention the reason for the two contracts is because in order for Argyll to take on the responsibility of the start-up costs the county agreed to have the contract start as soon as possible and run thru the end of this fiscal year and then a new contract for the next fiscal year.

Commissioner Dale received a call from the City of Caldwell regarding the animal shelter contract that they recently received. They feel it dramatically increases what the shelter is asking for from the city and are checking to see if Nampa received the same increase. The county's jurisdiction extends only to the budgetary support but there is no oversight of the operations or the Board. Mr. Porter will let Mr. Wesley know that he may be receiving some questions about this.

The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY LEROY ATWOOD WITH MONARCH HOLDING, LLC, FOR A REZONE

The Board met today at 9:38 a.m. to conduct a public hearing in the matter of a request by Leroy Atwood with Monarch Holding, LLC, for a rezone. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Leroy Atwood, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The vacant parcel is approximately 22 acres and is located on Smith Avenue and is the result of an administrative land division which divided the original 24 acres into a 22-acre parcel and a 2-acre parcel. The property is adjacent to an approved City of Nampa multi-use sports park. The P&Z Commission recommended approval of the rezone. At the hearing two affected property owners spoke in opposition to the request with their main concerns being water delivery and irrigation. The applicant stated during the hearing that the irrigation system for this development will not interfere with the delivery of the water to the adjacent property owners. The P&Z Commission concluded that many of these concerns could be mitigated through a subdivision plat application including an irrigation plan and irrigation easements that ensure water is delivered to adjacent properties. The subject property is currently zoned agricultural and the Canyon County Future Land Use Map designates this parcel as residential. A majority of the surrounding area contains farmland and other rural residential uses. There are currently 13 platted subdivisions within one mile of the subject property. Within the past five years there has been one rezone from Agricultural to Rural Residential and this rezone case was later platted into a six-lot subdivision called Bella Vista Subdivision. Parcels directly to the west were rezoned from Agricultural to Rural Residential in 2011. The property is located within a nitrate priority area. The applicant has worked with Southwest District Health on a nutrient pathogen study and subdivision engineering report. All lots will be required to use advance treatment systems, and any changes to the site plan will have to go back to be re-engineered with the health district. Access exists on Smith Avenue which is a public road. Canyon Highway District has reviewed the applicant's site plan and has stated all public roads proposed on the site plan will be required to meet the district's requirements. Nampa Fire sent in comments stating that the closest fire station is 2 ¼ miles away which is well within the five minute response time. The single access is acceptable for new developments under 30 lots. Staff is recommending approval of the

rezone request. Leroy Atwood testified that they have worked with the neighbor on the property line issue. The neighbor's building was encroaching on his property so rather than have them move it, he simply gave the neighbor ten feet which gives the proper setback away from the property line. It will be part of the plat. Mr. McCormick said they applied for a property boundary adjustment with a new legal description and per the proposed ordinance amendment that will make changes to the official zoning map. The legal description is for the new property boundary that's been proposed. Mr. Atwood said they've owned it a little length of time but when we did the studies for the septic one of their big concerns was they didn't want to add to any problems that may be there so they have designed the very latest septic system. The location of the septic systems, wells, and drain fields will be listed on the plat. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner White said this is very straightforward case and she believes the issues have been addressed; she then made a motion to approve the rezone for Monarch Holding, LLC, Case No. RZ2018-0004 and to adopt the Findings of Fact, Conclusions of Law, and Order as written. The motion was seconded by Commissioner Dale. He said the property is within the growth pattern of the City of Nampa and is a logical extension of the city. The motion carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to change the zoning from "A" (Agricultural) to "R-1" (Single Family Residential) and sign the ordinance changing the zoning. (See Ordinance No. 18-021.) The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH SOUTHWEST DISTRICT HEALTH TO DISCUSS CRISIS CENTER UPDATE

The Board met today at 10:01 a.m. for a meeting with Southwest District Health Director Nikole Zogg for a crisis center update. Present were: Commissioners Tom Dale and Pam White, SWDH Director Nikole Zogg, and Deputy Clerk Monica Reeves. Director Zogg's report was as follows:

Life Ways has been identified as the behavioral health provider for the crisis center. Great progress with the health insurance companies has been made; they are trying to do methodology with all insurance payers together so they are consistent in how they want to reimburse. Life Ways will bill for the service.

The foundation of Blue Cross of Idaho is interested in studying our crisis center model as well as making the crisis center and behavioral health system more robust so they are providing extensive resources potentially. They are asking for six figure types of investment to help assess the return on investment of the center and then bolster those connections for clients. There aren't enough resources to be extensive in the follow up that's required when someone leaves the center so there's a lot of interest in how we better coordinate the care. Commissioner Dale said this is groundbreaking because no other crisis center has gone to health insurance companies to ask for payment. We know the state has committed to operational funding for first two years plus \$200,000 for structural improvements in a facility once it's identified so let's talk about financial arrangements the counties are considering.

As far as the cost for running the center, for years 1 and 2 the cost will be \$1.9 million; and for years 3, 4, and 5 the cost will be \$1.7 million. They were not initially anticipating full funding from the legislature but the best case scenario worked out where they did full funding and funded all three remaining centers in addition to sustaining the other four that were already in place. Director Zogg believes they will receive state funding in the amount of \$1.5 million for the first two years and then the amount will shift to 50% of operations for years 3, 4, and 5.

The insurance payers of Blue Cross of Idaho, Regence, Select, Pacific Source, and MTHHealth, are being asked to contribute \$100 per visit. That doubles by year 5 assuming there is evidence that the crisis center is effective in decreasing costs and getting people out of the ER and focusing on prevention. She's confident we'll be able to contract with the payers for some level of reimbursement.

They estimated the contributions of each county in the district partly based on population and property valuation. The amounts are flexible and can be changed by the advisory board if it's not equitable.

The cities of Nampa and Caldwell have approved funding in their respective budgets for FY2019. Canyon County is being asked to contribute \$137,080 this year. Commissioner Dale said he supports the project but funding was not included in Canyon County's budget for FY2019 and he's not sure how to handle that because it's going to look bad to the other counties that we didn't allocate funding for it. Commissioner White said perhaps it was not included because the state is providing upfront funding for the first two years. Director Zogg is concerned that this may cause the other partners to back out. Commissioner White said this was Canyon County's baby and we are very fortunate these other counties see the value and recognize the need in their own counties and have come to the table so we need to be in tune with that when we re-approach the funding aspect next year. She also questioned why the hospitals' funding amounts stay level. Director Zogg said perhaps the advisory board could re-evaluate that. Commissioner Dale said as the SWDH board maybe we need to reconsider whether we ask taxpayers to contribute to the operational budget when we know the operational budget will be covered by the state for the first two years. He said Canyon County supports the crisis center and he doesn't want the hospitals or insurance payers to think we're not supportive. Director Zogg understands that point but she struggles with whether the center will have the support in two years when she has these conversations over again (potentially) with new people. Commissioner Dale offered to ask the Controller if it would be possible to find some money within the budget to put toward the center. Director Zogg said the issue can be discussed at the upcoming SWDH board meeting. She offered to run some new numbers with percentage reductions to everybody's budgets in order to see what it would look like. The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

#### AUCTION OF HIGHWAY 20-26 PROPERTY

The auction was conducted by Greg Bullock of Bullock & Company Realtors. The Board was not required to attend.

CALDWELL CITY P&Z HEARING REGARDING THE COUNTY'S SPECIAL USE PERMIT APPLICATION REGARDING INSTALLATION OF A TEMPORARY JAIL

Meeting was conducted by Caldwell City P&Z. The Board was not required to attend and no decisions were made by the Board.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 15, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- R&H Wholesale in the amount of \$6035.53 for the Facilities department

APPROVED CLAIMS ORDER NO. 8/15/18

The Board of Commissioners approved payment of County claims in the amount of \$34,642.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 1823

The Board of Commissioners approved payment of County claims in the amount of \$1,528,792.31 for a County payroll.

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter left at 9:08 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at

9:08 a.m., Captain Daren Ward left at 9:08 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR JAIL TELE-PSYCH MENTAL HEALTH SERVICES AND THE FY2019 INDEPENDENT CONTRACTOR AGREEMENT FOR JAIL TELE-PSYCH MENTAL HEALTH SERVICES: these agreements are being signed concurrently as there is an immediate requirement to provide mental health services in the jail but there are some start-up costs the company will incur and they needed to know that their services would be utilized for more than just the remainder of FY2018. The cost is about \$8300 per month but due to the shortage of this type of provider there are not a lot of choices. The provider they had for several years left a while back and although they had the job posted for several months due to the shortage of mental health nurses they have not been able to find anyone. Commissioner White made a motion to sign both the independent contractor agreements for jail tele-psych mental health services and the FY2019 independent contractor agreement for jail tele-psych mental health services (see agreement nos. 18-101 and 18-102). The motion was seconded by Commissioner Rule and carried unanimously.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner Rule made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:28 a.m. with no decision being called for in open session.

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

MEETING WITH RICHARD SKINNER OF SKINNER FAWCETT, LLP TO DISCUSS QUALIFICATIONS AND TERMS OF HIS POSSIBLE ENGAGEMENT AS BOND COUNSEL – EXECUTIVE SESSION PURSUANT TO 74-206(1)(A) AND (D) LIKELY

The Board met today at 9:30 a.m. for a meeting with Richard Skinner of Skinner Fawcett, LLP to discuss qualifications and terms of his possible engagement as bond counsel. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Richard Skinner with Skinner Fawcett, LLP via teleconference and Deputy Clerk Jenen Ross.

Mr. Laugheed said this meeting and the one scheduled for 10:30 a.m. today are to speak with potential bond counsel. Essentially these are job interviews in preparation for an open meeting at 11:00 a.m. to decide whether to sign a letter of engagement with one of the representatives. When the county hires an outside attorney it's historically been considered a personal service contract that is exempt from the procurement process, additionally, when the Board interviews to hire or appoint agents it's done in executive session which would be appropriate under Idaho Code §74-206(1)(a) and (d) but given the great community interest in jail related issues it was thought prudent to identify on the agenda what would be happening and then provide that opportunity for the Board if they wanted to go into executive session to conduct those interviews and some deliberation. At 11:00 a.m. an agendaized meeting is scheduled to consider signing one of those agreements. Commissioner Rule asked about the fees being charged by each firm and Mr. Laugheed explained that those would be the fees the county is responsible for even if the bond doesn't pass; there will be additional costs if the bond does pass. Commissioner Rule does not feel this is a good use of taxpayer money as he is confident that a \$185K bond will fail. Commissioner Dale said this is all part of the process of either finding another funding source or moving onto another bond election until an acceptable solution is found.

#### PUBLIC HEARING – REZONE REQUEST BY VANCE EDWARDS

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by Vance Edwards for a rezone, Case No. RZ2018-0006. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jessica Skinner, Dave Barr and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is approximately five acres and is currently zoned agricultural, and the Canyon County Future Land Use Map designates the property as residential. The entire area is shown as future residential. There are 25 platted subdivisions, for a total of 446 lots, within one mile of the property. There are existing residential zoning designations in the area. The request to rezone is similar to the zoning classifications that exist in the area and would not create an incompatible land use. The subject property is within a nitrate priority area and any subsequent development of the property would be required to adhere to Southwest District Health regulations for new septic systems. Canyon Highway District has indicated that Lansing Lane is classified as an urban major collector and has indicated what access would be required and that would be addressed at the time of approach permits being issued for any subsequent new building permits. Staff has found the request meets the standards of review for zoning amendment and is harmonious with the Canyon County Future Land Use Map as well as the comprehensive plan. The P&Z Commission has recommended approval of the request. Jessica Skinner testified that the Edwards' are requesting a rezone so they can split their five acres into two parcels and then build a smaller home on the new parcel. The surrounding land use is a mixture of residential and agricultural, but this parcel sits next to a platted subdivision containing lots mostly under two acres. Ms. Skinner said the use is compatible and similar in nature with the character of the area. The subject parcel fronts Purple Sage Road and Lansing Lane which are public roads. The applicant will work with the highway district when and if a new approach is requested. There has been no concern expressed by any government agencies



or neighbors. The existing parcel will be 3.99 acres and the new parcel will be one acre. Ms. Almeida said the minimum lot size in an R-R zone is two acres so it will need to meet the minimum lot size so they will have to adjust it by one acre. Dave Barr testified in favor of the request as he believes it will enhance the area. He also said he hasn't heard any objections from the neighborhood. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Dale said it needs to be communicated to the applicants that there are restrictions for the minimum lot size. Commissioner White said it is a compatible request and fits in with what's already in place. Commissioner Rule noted the development that has occurred in the area. Upon the motion of Commissioner White and second by Commissioner Rule, the Board voted unanimously to approve the rezone for Vance Edwards and adopt the Findings of Fact, Conclusions of Law and Order for Case No. RZ2018-0006. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the ordinance directing the change to the official zoning map for Case No. RZ2018-0006. (See Ordinance No. 18-022.) The hearing concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH NICHOLAS MILLER OF HAWLEY TROXELL TO DISCUSS QUALIFICATIONS AND TERMS OF HIS POSSIBLE ENGAGEMENT AS BOND COUNSEL – POSSIBLE EXECUTIVE SESSION PURSUANT TO 74-206(1)(A) AND (D)

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

Commissioner Rule made a motion to go into Executive Session at 10:32 a.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. Commissioner Rule voted against the motion. The motion carried in a 2-to-1 split vote. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Nicholas Miller and Chelsea Porter with Hawley Troxell and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:56 a.m. with no decision being called for in open session.

MEETING WITH COUNTY STAKEHOLDERS REGARDING PROPOSED PERMANENT JAIL SOLUTION; CONSIDER AUTHORIZING INITIATION OF EDUCATIONAL OUTREACH THROUGH DLR; AND CONSIDER SIGNING LETTER OF ENGAGEMENT WITH BOND COUNSEL

The Board met today at 11:02 a.m. for a meeting with County stakeholders regarding proposed permanent jail solution and to consider authorizing initiation of educational outreach through DLR; and to consider signing a letter of engagement with bond counsel. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Assessor Brian Stender, Facilities Director Paul Navarro, PIO Joe Decker, Nicole Foy from the Idaho Press Tribune, Lori

Coppenrath and Justin Stranzl from DLR, who participated via conference call, other interested citizens, and Deputy Clerk Monica Reeves.

Because the Board had questions regarding the increased cost estimate and potential public outreach and Lori Coppenrath and Justin Stranzl from DLR joined the meeting via conference call. Ms. Coppenrath said when they looked at the estimate from last time when they did the reduction in scope components they thought we would save around \$20M, but the cost benefit analysis of including those components versus not including them just didn't come out to \$20M, but they were able to save about \$10M just by reworking the way they calculated the sales tax and escalation based on newer information. They didn't need to charge sales tax on the overall total project cost worksheet so it's now included in the numbers of each individual item, and with escalation moving out another year and a half that's how they got to \$187M. They were able to reduce the soft cost which includes the sales tax in order to get to the number so if we were just going to escalate this from \$170M out another year for the construction it would have added another \$8.5M to \$9M. It shows a full meal deal for the entire facility including moving work release to the new site. This does not include financing costs because depending on how you do the financing you'd either capitalize your finance costs or not and because they didn't know what we were doing it doesn't include any financing costs. Commissioner White said she remembers it differently. The cost went to \$170M, but sales tax wasn't in on it; that was removing programming space, changing the paint, and removing the artwork. She recalls it was about a \$30M difference. Ms. Coppenrath said at the last meeting they talked about the artwork, and changing from an epoxy coating to more of a Tnemec paint, and they talked about reducing programming space, and reducing work release. She said they estimated it to be about \$20M-\$22M, and at that time they were at \$196M and so it came down to the \$174M range. \$170M was a nominal number they were using; that was not an estimation of what those numbers would be, that was an internal number. Once their estimator looked at it they weren't saving that much money based on what they had thought at the meeting. If you want to reduce it from here, including getting rid of those functions, that would be a different number. This is for the full jail, including work release, the paint, the cameras and the programming. The \$187M estimate is a revised number from the \$196M and it does not include the reductions that we talked about a few months ago as far as reduction of program space, changing the paint and perhaps leaving work release where it's at. That would only save \$8M, but it would not reduce the estimate as much as originally thought. It would reduce it to the \$179M range. Ms. Coppenrath said another place to save a little would be with the design fee contingency of 8.48%. It's a little high but based on the fee for this project being a significant number (\$14.3M), a million dollar design fee contingency would be appropriate, but she just needed to have that conversation with the County about whether we want to reduce it to \$1M, which DLR would be comfortable with. We also have a 5% change order allowance, about \$7M on the project and she thinks that's appropriate. Clerk Yamamoto asked what kind of formula DLR used on the inflationary trend. Ms. Coppenrath said this estimate is inflated to the mid-point of construction which would be October of 2021; its anticipated construction would start in 2020 if we go out for the bond in November. The escalation factor is not a static number going out to the future, you have to have a number somewhere, depending on the year, between 4% and 6.5% that adds up into getting you to a number that is not the low bid number. They estimate for the middle bid, that's where their estimator targets his estimate

fee, he's not targeting for the low bid or the high bid, he's targeting in the middle and that's a little conservative. The escalation is to the mid-point of construction because they figure that's when the contractor will have to buy out, for example, all of his materials will be bought out by the middle of construction so they assume the middle of construction is the date to use to end the escalation period.

Regarding the issue of public outreach, Justin Stranzl said DLR has enough time to provide the support they talked about when the County first brought them on board. The challenge is on the County's end; do we feel we have enough time to bring our team together. DLR can provide the services, but they need the County to do a lot of heavy lifting in terms of updating websites, getting out to community groups, working with bond counsel, and getting information in the voter's pamphlet and that deadline is right around the same time as getting the measure on the ballot. He said if the County is confident that it can meet the deadline bond counsel has provided then we will be okay, he's not concerned about not having enough time to complete that public education effort. The bulk of the effort is trying to compress it into about 10 weeks dating back from Election Day which takes you to the end of August, the beginning of September when you want to kick it into gear. Ideally DLR would get authorization from the County as soon as possible and they can begin work on some of the collateral materials, and giving the different design templates of things we could take to meetings and getting all the materials on the website and then getting in front of the community.

The conference call concluded at 11:24 a.m. and a discussion amongst the stakeholders was held as follows:

Sam Laugheed said the Board is confronted with a couple different questions and if it were to decide to go out to bond one of the first questions is what level of comfort or precision do you need to have with the cost estimate for the project. Other options include: requesting DLR to prepare some other proposal and cost; we could hire a construction manager/general contractor to work with an architect to establish a guaranteed maximum price; there is the issue of timing and the work for outreach. The Board is positioned, if it wanted to today, to move forward with bond counsel and with authorizing DLR to start that outreach, but the clock is really ticking on a November approach. Marv Dashiell said the Sheriff's opinion is that we need to move forward with something. He understands the reservation and the opportunity to provide appropriate education for the public and give them options but for every delay it affects the cost estimates and ultimately the Board is the only body with the authority to move forward with a decision and the Sheriff's Office will support the decisions and will provide assistance during the education programs. Commissioner Dale said successful campaigns are not rushed and he's not yet made up his mind on when to hold a bond election, but it needs to not be an exercise in futility but an exercise that could result in a successful outcome if at all possible and in order to make that happen we need some more concrete numbers and options for the public to look at as far as features in the jail. We are relying upon the experts to tell us what we need, but within that bubble there are some options, just like in this presentation Ms. Coppenrath talked about the new estimate that puts back in all of the items that were in the original \$197M estimate. Do we need that? Does the \$8M make a difference? Are there other options that could lower the cost? The number is

down to \$178M if we took out the items we originally removed. Captain Daren Ward said one of the removed items was the camera system at a cost between \$1.5M-\$2M, but that's going against Idaho jail standards to remove cameras from the facility and it doesn't make any sense to remove it. Another item was leaving the work release center here rather than moving it to Pond Lane, but from our standpoint he would be operating two facilities. The work release center is one of the cheapest places to build inside a jail because it's dormitory style housing, it's not expensive housing and that's why with all of these line items it came out to that \$8M difference, which is a lot of money but when you look at the \$178M total it's a drop in the bucket. Another reduction was changing from an epoxy paint to a regular paint, but several years ago they switched from a regular paint to an epoxy because it had to be repainted every couple of months. It's a onetime good use of money. Also, he does not think it's a good idea to remove the programming space. Commissioner White said DLR said we have 10 weeks and so that puts us at two weeks from now to get started and establish a team, get a local outreach group, get citizen involvement, and putting together our own part. It's a huge decision to make right now and so we better be sure we can pull this off. Commissioner Rule said a \$187M bond will fail over and over again and rather than pumping money into a bond project for 1100 beds we need to do outreach to find out what number the public will support. Clerk Yamamoto said he put all of his time and effort into the ADS (temporary female housing) project because that will give some relative immediate help with the situation. Nobody thinks the modular pod idea is ideal, but he believes it's our only option for some breathing room. He's put zero effort into the jail bond because there's been little movement and we are too late for a November bond election. He said the Board needs to make up its mind, gather facts and go to the people with how much it will cost and what the jail will consist of. Commissioner Dale said progress has been made and although it's been slow there has been some groundwork done. He's been a strong advocate for getting something on the ballot for November but the window of opportunity for that is too narrow; however, we don't have an option to do nothing and the longer we wait the more it will cost us. He is committed to keeping at this as long as it takes and he believes the best chance at reaching a good solution is to start working now with a target of May. Treasurer Tracie Lloyd said this conversation has been going on for a couple years and the longer we wait the more expensive it gets so at some point a decision needs to be made and we need to go with it. Captain Ward we've been talking about this for 12 years and he is concerned about kicking this can down the road and being in this same position again in March where we say we don't have enough time for the May election. Mr. Laugheed said the Board could enter into a contract with bond counsel at its convenience now in preparation for either an election in November or in May. Bond counsel duties prior to a bond election consist of less than \$10,000 worth of work: preparing a resolution, an ordinance, coordinating with outside finance or municipal advisors, and working on ballot language. There is a 60-day deadline on those things and the bond counsel we've talked to have suggested that there is sufficient time right now to do those pre-bond duties and they sort of suggested that the question was the outreach time that DLR addressed. If we were to enter into a contract with bond counsel now for a May election we could certainly do that but he wouldn't expect to be incurring any costs related to a bond election until next calendar year. There are other things they could do in the meantime to provide independent advice on other options that could be available to the Board and the PA's Office would help in retaining them and make sure that any advice that they were giving, not relative to the bond, was delivered in the same written format with

the assurances. As far as what they would do, probably not pre-bond, but other activities. The Board has two proposed letters of engagement from bond counsel that outline the terms and we had an executive session for some candid and privileged communication, but those letters and the proposals are public. Commissioner Dale said he's worked with both individuals and for this project he felt good about Nick Miller as he offered options that were not offered by the other applicant and he suggested there are some things they could be doing for us regardless of when we go to bond, whether in November or May. Commissioner White said if we're looking at May our outreach has to begin immediately and we have to find people who want to work on the effort. Commissioner Rule said \$187M will not be approved so the Board needs to spend its money wisely and try to find out what the people will support. Clerk Yamamoto said outreach is mandatory and it's about providing the public with facts and numbers and getting them on board with what the problem is and what the solution looks like. Half of the outreach is trust, those who are going to vote on this have to trust that the Board and the Sheriff are doing the right thing in the right way at the right time so the outreach needs to include doing some things that promulgate trust. It's a matter of talking to people and developing that trust that they think you have the intellect and the common sense, the wherewithal to make things happen in a good timely manner. Commissioner Dale wants to work with Nick Miller as bond counsel. Treasurer Lloyd said bond counsel can bring ideas of alternative financing options as well. Commissioner Rule said both bond counsel firms narrowed the scope that bonding is the only option we have. Once we pick a number then we can decide what we're going to bond for and how much the interest rate might be, but as far as some of the leasing options and things like that he doesn't think it would ever get approved by the Board of Commissioners. Commissioner Dale said we need bond counsel and we need to get them on board now, the sooner the better so they can help us move forward whether through some of the options brought up by Nick Miller and his firm or just the standard things the other individual offered. He's in favor of moving forward particularly since the cost involved would be minimal to get the expertise on board. Mr. Laugheed said the cost for those alternative financing options were alluded to in Mr. Miller's proposed letter of engagement. Commissioner White asked if that would lead us into getting that advisory provision in place as well. Mr. Laugheed said that is the case, and he thinks the County would want bond counsel to have a good relationship with the municipal or financial advisors and so whichever bond counsel you go with we'd ask them to identify potential municipal advisors and then we'd run those advisors by the Clerk and Treasurer in their budgetary and finance capacities. In the Treasure Valley there are a couple firms that we've worked with in the past, Piper Jaffray and Zions Bank, there could be others but we'd ask bond counsel to help develop that relationship. Commissioner Rule suggests we get the financial advisor on board and then do the outreach program simultaneously and as that lines up it will be obvious when to bring bond counsel on. Commissioner Dale made a motion to sign the letter of engagement with bond counsel Nick Miller with the Hawley Troxell law firm. The motion was seconded by Commissioner White. During discussion Mr. Laugheed said the Board has a letter from Mr. Miller that outlines a three phase of potential retention for him; the first phase would be pre-bond, the second phase would be post-successful bond, and the third phase would be the alternative financing structure, legal counsel. It's clear that he cannot provide the financial advice but he can provide the legal advice so this letter would be sufficient with follow-up from the Board saying we are starting with phase 3 basically, unless you wanted them to prepare a resolution and ordinance just for you to have. He

doesn't know that anymore negotiation is required. His hourly rate is in there and his understanding of the scope of work is outlined. Commissioner Rule said we are hiring people to do things that will ultimately fail and he doesn't want to waste tax dollars in that effort. A roll call vote was taken with Commissioner Rule voting against the motion and Commissioners Dale and White voting in favor. The motion carried by two-to-one split vote. In response to Commissioner White's question about DLR assisting with public outreach, Mr. Laugheed said the existing contract with DLR contemplated their work on a strategic needs analysis, the preparation of a concept design after vetting with stakeholders, and the outreach component. His last communication with Ms. Coppenrath suggested that there was \$32,000 still remaining in the original contract that had not yet been billed or requested services for. (The original contemplated \$52,000.) The other alternative would be ask DLR to do further work on alternative proposals regarding the cost if that was something the Board wanted to do. If outreach is the goal he thinks they are prepared to start and he thinks we can have the public information officer in contact with them to help put the team together and identify local contractors who could be of assistance with the educational part. We need to talk about how that daily work would be accomplished. Clerk Yamamoto asked for clarification on the point that if there is further work with DLR it doesn't mean we are committing to DLR as far as jail construction. Commissioners Dale and White said that is correct. Mr. Laugheed said we would need to do significantly more work. Under the procurement statutes the County could contract with DLR for architecture services but discussions that he's had with Director Navarro and with CMGC representatives, the County would need to contract with an independent construction manager to be working with the architect. We could go through a CMGC RFQ process and a new architect process in order to get actionable construction documents prepared. Commissioner Rule asked what we need DLR to do in their outreach, and what is the bond amount? Commissioner Dale said we have to do our homework and we have started that process by contracting with the best firm that knows jail needs analysis data and jail construction, and they are on top of what the latest and most efficient jail designs are. As we move forward the educational process of how they reached that number of 1044 bed, that's part of the outreach that needs to be out there so that we don't just pick an arbitrary number and say let's build, for instance, 700 beds. We have the information that needs to get out there. Beyond that, maybe it's not possible, but as we move forward we need more concrete options to present to the public and say Option A or B. We need to vet the options carefully. Commissioner Rule wants to see more structure before he authorizes \$30,000 to be spent on public outreach. Commissioner Dale said he's been saying we need more definition, and once we trigger that educational portion we need to know what we are educating about. He is not ready to authorize public outreach with DLR at this point. We have some work to do before we get to that. The meeting concluded at 12:07 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS AUCTION OF HIGHWAY 20-26 PROPERTY TO CONSIDER SIGNING SALES AGREEMENT FOR AUCTION OF HIGHWAY 20-26 PROPERTY

The Board met today at 1:27 p.m. to discuss the auction of the Highway 20-26 property and to consider signing a sales agreement. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Yesterday the

property located at Highway 20-26 sold at auction for \$1,635,000.00 to Idaho Holdings LLC; earnest money has been accepted on deposit with Pioneer Title. The purchase is a cash offer without any contingencies and a 30-day closing. The county is responsible for title insurance and half of the closing costs. Commissioner Rule made a motion to sign the sales agreement for the property at Highway 20-26. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-103).

PUBLIC HEARING CONSIDER APPROVAL/DENIAL OF A REQUEST BY MAVERICK TOWERS FOR AN APPEAL OF THE PLANNING & ZONING COMMISSION'S DENIAL OF A CONDITIONAL USE PERMIT; CASE NO. PH2018-17

The Board met today at 1:34 p.m. for a public hearing to consider an approval/denial of a request by Maverick Towers for an appeal of the Planning and Zoning Commission's denial of a conditional use permit, case no. PH2018-17. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Andy Cockell, Bob Scarbrough, Richard Stuppy, Steve Givens, Kay Cherry, Kim Cherry and Deputy Clerk Jenen Ross. Kyle McCormick said that on July 18<sup>th</sup> an appeal was heard regarding this case and at that time the hearing was continued so additional information could be collected. Specifically, the Board requested that staff set up a neighborhood meeting with the applicant and affected property owners to go over potential compromises on the proposed location of the tower in relation to the site as well as the design, color of the tower and the size of the leased area. That meeting was held on August 9<sup>th</sup> with four of the affected property owners in attendance. At that time the specific concerns were addressed relating to the close proximity to the property lines, the height, the design, the color as well as the size of the leased area. At that meeting one of the affected property owners stated that they didn't really like the location on that specific parcel and would rather see it on a different parcel to the north which is owned by one of the affected property owners and they would rather see it on the back side of the lot rather than the current location which they can see from their front or side yard. The applicant was asked if they would be willing to move it to the back of one of the lots to the north but it sounds like they have reviewed the location and to move it to the back of the lot would cost more money for infrastructure and electricity to get there. At the meeting no compromise on that solution came forward although the applicant was willing to move the location of the tower to the south end of the property. There are two options that they proposed – option 1 would be a mono-pole design in the new location at the south end of the property and option 2 would be a mono-pine design which is designed to look like a pine tree. The applicant provided new site plans as well as some diagrams showing relation of the proposed site in relation to the affected property owner's house locations. The location that they chose to modify is farther away from any of the affected houses than the original location, they also proposed to decrease the size of the leased area from 60'x60' to 40'x60' feet. With that new location proposal the property owners were still in opposition to the location of it on that property but there was one affected property owner that stated they liked that option better than the initial location. As mentioned, option 2 is the mono-pine design which allows the developer to develop it as somewhat of a pine tree looking tower and the height of that tower is 100' which is different from their initial proposal of a 110' tower. They have also proposed to

plant several evergreen trees that would grow to be 40-50' tall. Staff is recommending that the Board consider the compromises as presented from the applicant, staff is recommending that the Board approve this appeal with the provided compromises as depicted in exhibit 22, option 2. Staff feels that the proposed mono-pine design may be less impactful for view purposes to surrounding property owners as well as Canyon County future land use map designated as commercial. As Hwy 44 potentially develops as commercial land uses it may fit better with commercial type land use. Staff has revised the proposed findings of fact and conclusions of law for those specific conditions. Commissioner Rule asked for clarification of the zoning of this area. Mr. McCormick said the Canyon County Future Land Use Plan designates it as commercial, however, the current zoning is agricultural. Andy Cockell offered testimony in favor of the appeal stating that he tried to present options to the neighbors that are in opposition with the biggest one being distance that was created by moving the site; they went from approximately 150' from the property to the west to almost 375' away from the property. The property to the north increased to 435' and the other going to almost 425'. In working with the property owner they found a more suitable location that still works to meet the setbacks of the code and tried to create more buffer between the property lines. In addition, they have proposed the mono-pine which will disguise the tower but still allow for multiple users on the structure. They are leaning towards the Ponderosa Pine to plant around the base, it grows from 60-100' tall and would be willing to plant more mature trees if requested. The goal is to screen the equipment area so it won't be visible from across the property. The trees will get to be 25-35' wide so they will cover almost all the facility at the ground and will eventually blend in with the tower. There is a lot that goes into selecting a location for a tower including finding a willing landlord and radio engineering that goes into the spacing between existing structures. Mr. Cockell said they meet all the conditions of the code for this type of facility under a conditional use permit. If you look at the comprehensive plan down the road for this area, it might still be somewhat rural but it's changing quickly, it's commercial and high density residential in the surrounding area so they feel this location will be a good fit in time to come as things develop. The following people offered testimony in opposition of the appeal: Richard Stuppy has concerns about the canal setback and that as new technology continues to come out and 5G comes down the transmission lines it would make the higher tower obsolete and he wonders if the county could have Mr. Cockell put up a bond so that if they go broke that at least the tower is taken down or that the 25 year contract that the person has signed is null and void when they go broke. How would that land owner recover his money and it would devalue his land at the same time. In most circumstances similar to this a bond is not required. Commissioner Rule asked if it was permissible. Zach Wesley said it may be permissible but is not sure how practical it would be as it could difficult to find someone to hold the bond in escrow for an indeterminate amount of time and it's difficult to predict costs at some point in the future. It may be easier to apply a condition that references the tower being removed if it's not in use for a certain period of time. Steve Givens said they are not unfamiliar with development but their concern is with the tower being right in front of their homes. Other towers he's seen on Maverick sites have been behind. He has met with Mr. Cockell and said that if he really needs to have it to put it out behind their places in the trees so they don't have to look at. He said that was unacceptable to Mr. Cockell even though the road and power goes most of the way out there. On the exhibit he pointed out several locations that he felt would be more suitable for the tower to be placed; a place with less homes and more open space. Kay Cherry stated



that the new proposals are better but on a scale of 100% it's really only 5% better. She said there are many reasons she still doesn't want it there including health reasons, property values and the enjoyment of their home. Bob Scarbrough referenced several letters that he has submitted to the county. He doesn't understand how a business can come into their neighborhood, talk someone into putting up a cell tower on their property and then put that cell tower up where they have all been living for 25 years. It's no profit for them, it's a profit for everybody else, the only ones losing value is the property owners and he just doesn't feel it's fair. He feels like the exhibits don't accurately show the distance the tower would be from his property; per his measurements, on the original plan it was 75' from his property, 125' from his barn and 150' from his house. Mr. McCormick reviewed exhibit 23 which shows the tower is approximately 375' from Mr. Scarbrough's house with the new location. Mr. Cockell offered rebuttal stating that in regards to the canal setback there is a setback of 25' from the top of the bank and under the second proposal they meet that setback. 5G technology will not replace the macros sites, which is what this tower is, it actually compliments them. He has been building these towers for 25 years and has never taken one down and doesn't anticipate any time in the future these towers coming down but he does have a provision in the lease agreement with the property owner that if the tower is out of use for 6 months that he has to remove it, additionally, he doesn't have an issue posting a bond if a way to do it can be worked out. In regards to Mr. Given's concerns about this being in his front yard, his property is almost 1150' from this proposed location and Mr. Cockell is not even sure if the tower will be visible from his property. Per Mr. Cockell, Mr. Given's has entertained putting this tower on the back of property where it would be visible and he'd receive compensation for the tower. He is aware of the proximity to Mr. Scarbrough's house, that is why they moved it to the south and his house does not face towards the tower, it is off to the side, and with the mono-pine design along with the trees around it will provide ample screening. Mr. Cockell understands everyone's concerns, there are a lot of moving parts in trying to locate these facilities. If he does have to move it again he will face opposition with the next group of people, it's very rare that he doesn't face opposition, but starting over now is really not an option, he's already done this twice. At the first hearing he was directed to find a suitable location with less opposition and he feels like he's accomplished that. Commissioner Dale stated that a letter was received from Greg Harris who is in support of this tower. Commissioner White made a motion to close public testimony. The motion was seconded by Commissioner Rule and carried unanimously. Commissioner White stated she believes there was a genuine effort made to find compromises and that there was progress made in regard to those compromises although she isn't sure it's exactly what the people want but in a situation like this that's going to be very difficult to obtain everybody to be happy but believes the applicant made a very good effort. Commissioner Rule spoke about a tower that is about 1000' from his home which he doesn't like and was upset when it was approved. He felt there were better places that it could have been located. He believes there are several other choices that may have been better for this particular tower instead of near a cluster of homes. He is not support of this and thinks that planning and zoning got this decision right in denying and supports that decision. Commissioner Dale said his house is located within 150' of a high-tension powerline and had concerns about it when he moved into the house several year ago, however, since that time he no longer notices them and believes that these sorts of things tend to just fade into the background after a while and you don't even notice them, that they become part of the infrastructure that is needed for society to move forward.

Commissioner Rule made a motion to deny the appeal. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the denial. Revised findings will be considered by the Board on August 21, 2018 at 9:00 a.m. The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 16, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Data Bank in the amount of \$47,532.57 for the Information Technology department
- Intermountain Wood in the amount of \$2688.25 for the Information Technology department
- Advanced Hardware Supply for the amount of \$1354.73 for the Information Technology department

#### APPROVED CLAIMS ORDER NO. 8/24/18

The Board of Commissioners approved payment of County claims in the amount of \$95,266.90, \$167,966.45, \$83,463.63 and \$44,277.43 for accounts payable.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JLC9 Inc. dba Idaho Pizza Company. See resolution no. 18-137.

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

The Minutes of the Fiscal Term of June 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

## CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas, Customer Service Specialist Amy Brown and Deputy Clerk Jenen Ross. The following cases meet the eligibility criteria for county assistance: 2018-1194, 2018-1162 and 2018-1192. Commissioner White made a motion to approve the cases as read into the record with written decisions within 30 days. The motion was seconded by Commissioner Rule and carried unanimously. The following case nos. do not meet the eligibility criteria for county assistance: 2018-1185, 2018-1164, 2018-1310, 2018-1296, 2018-1188, 2018-1330 (cremation), 2018-1176, 2018-1084, 2018-1189, 2018-1191 and 2018-1190. Commissioner Rule made a motion to issue written denials on the cases as read into the record. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office

## PUBLIC HEARING - CONSIDER A REQUEST BY TYLER HESS/HESS PROPERTIES, LLC FOR A PRELIMINARY PLAT, FINAL PLAT, AND IRRIGATION AND DRAINAGE PLAN, CASE NO. PH2017-75

The Board met today at 10:02 a.m. to go on the record to continue the hearing in the matter of a request by Tyler Hess/Hess Properties, LLC, for approval of a preliminary plat, final plat, and irrigation and drainage plan for Case No. PH2017-75. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, and Deputy Clerk Monica Reeves. Mr. McCormick said they are still working on completing some of the improvements within the subdivision before the Board reviews the final plat. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to September 17, 2018 at 1:30 pm. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

## AUGUST 2018 TERM CALDWELL, IDAHO AUGUST 17, 2018

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

## APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- United Micro LLC in the amount of \$2784.42 for the Indigent Services department

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Club to be used 9/24/18 for a wedding.

### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT WITH PRICE ASSOCIATES FOR LEADERSHIP DEVELOPMENT TRAINING

The Board met today at 9:35 a.m. for a legal staff update and to consider signing independent contractor agreement with Price Associates for leadership development training. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, HR Director Sue Baumgart left at 9:50 a.m. and Deputy Clerk Jenen Ross.

***Consider signing independent contractor agreement with Price Associates for leadership development training:*** Ms. Baumgart met with four different consultants and believes Mr. Price would be the best fit and offered the most for the cost. Mr. Price will conduct four ½ day trainings for DA's throughout the year. The cost is \$12,000 a year and Director Baumgart anticipates the trainings to start in October. Commissioner Rule made a motion to sign the independent contractor agreement with Price Associates for leadership development. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-104).

### EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

*A request was made to go into Executive Session to discuss a personnel matter and records exempt from public. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, HR Director Sue Baumgart who left at 9:50 a.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:07 a.m. with no decision being called for in open session.

### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 20, 2018

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

#### MEETING WITH PUBLIC DEFENDER TO CONSIDER SIGNING FY2019 INDIGENT DEFENSE GRANT AGREEMENT FORM

The Board met today at 9:32 a.m. for a meeting with the Public Defender to consider signing the FY2019 Indigent Defense Grant agreement form. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. This is the agreement for the FY2019 Indigent Defense Grant to be awarded. The agreement lines out the requirements of receiving the grant and the items the Public Defender has to be in compliance with, which they are on most things. The total amount to be received is \$479,943.03. Commissioner Rule made a motion to sign the FY2019 Indigent Defense Grant Agreement form. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-105). The meeting concluded at 9:44 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 10:31 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: The auction of the used cars was successful and brought in about \$25,410. He presented a PO for an HVAC system for the CIT trailer. The order cutoff date for the utility vehicles is September 21<sup>st</sup> with delivery in January. Director Tolman feels it would be wise to get the order in by the deadline if we want any 2019 vehicles and his understanding is that this would be okay if the order is placed after the budget has been finalized and delivery wasn't taken until January. The issue at hand is that there are only two build dates for the 2019 style vehicle and Ford will be changing the design for 2020. With the new design they won't be able to be ordered until July and will be more expensive. Commissioner Rule said he understands what Director Tolman is saying and agrees with his point but can't authorize spending before the budget is complete. He suggested getting everything in order and be prepared as soon as the budget is approved. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 21, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$3186.63 for the Information Technology department
- Amazon in the amount of \$2740.99 for the Information Technology department
- Norbryhn Equipment Co. in the amount of \$3987.00 for the Fleet department

#### APPROVED CLAIMS ORDER NO. 8/24/18

The Board of Commissioners approved payment of County claims in the amount of \$70,651.76, \$34,771.96, \$53,381.23, \$47,786.18, \$122,043.58, \$35,255.08 and \$37.81 for accounts payable.

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

The Board met today at 8:33 a.m. for a meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following items: His department had two vacant positions, one for a System Administrator and another for an Imaging Specialist, they will be sending an offer today for the imaging specialist position. This individual will be focusing on the offsite storage files as well as indexing. He is hoping to schedule time with the Board to review projects that have been closed. They are working on a queuing project for the Clerk's office for those paying traffic fines in the civil and criminal side. The vendor being worked with for the storage has sent a proof of concept demo unit. This is a rack that goes in the data center and will be tested for 30 days. An application is being written for the Sheriff's Office to extract information from Spillman so that reports can be viewed on the employee portal. Once proof of concept is good they will move it to the public side, with slightly less detailed information, so that the public can view numbers of the jail population. Director Navarro updated the Board on the following items: The courthouse painting will be completed on Thursday; the budgeted number for this project was \$500K but to date only \$60K has been spent. The landfill addition is complete and the contractor is finishing up the painting of the outside. The facilities staff will paint the inside along with finish the electrical and mechanical. Well drilling is complete at Celebration Park and they anticipate the pumping

and testing to be done by the end of the month. The Assessor's Office has requested a dealer center at DMV; this would be a sectioned off area specifically for auto dealers to be able to process titles. According to Director Navarro funds are available in this fiscal year for this project so they will work to get it complete by September 30<sup>th</sup>. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Lt. Ben Keyes left at 9:03 a.m., Chief Deputy Sheriff Marv Dashiell, Jail Captain Daren Ward left at 9:10 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

***Consider signing Boating Safety Grant request for funds:*** Lt. Keyes said this was a grant that was applied for in January in which \$36,187.00 was awarded. County funds were used to hire two part-time marine deputies, so this is to request reimbursement from the state. The matched county portion of the grant is \$18,094.00. Controller Zach Wagoner has reviewed the financials. Commissioner White made a motion to sign the Boating Safety Grant request for funds. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-106).

***Consider signing FY2019 Canyon County and Norman Family Trust lease agreement:*** Sam Laugheed said this is an annual agreement the County, on advice from the Sheriff's Office that has been in effect since 2007. The cost is \$2700/month with \$0 additional this year; all terms have remained the same as previous years. Chief Dashiell said this is for the building on Chicago St. that is used for task force operations and shared with the FBI. The County is reimbursed \$1500 monthly from the FBI for the shared use. Commissioner Dale asked if the County had ever considered purchase of this building. Mr. Laugheed said he's engaged in these conversations to no avail. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the FY2019 Canyon County and Norman Family Trust lease agreement (see agreement no. 18-107).

***Consider signing Canyon County x-ray service agreement with Bedside X-Ray:*** Mike Porter said this is a renewal of an agreement that is already in place for x-ray service of jail inmates. Captain Ward said this services is utilized multiple times per week. Commissioner White made a motion to sign the Canyon County x-ray service agreement with Bedside X-Ray. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-108).

***Consider signing Canyon County psychiatric services agreements with Coire Weathers and Ninon Germain:*** Zach Wesley said these contracts are renewals for FY2019. The services are provided to patients on involuntary hold at St. Alphonsus. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign Canyon County psychiatric services agreements with Coire Weathers (see agreement no. 18-110) and Ninon Germain (see agreement no. 18-109).

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

EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

*A request was made to go into Executive Session to discuss personnel issues related to specific employees and related documents. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

*A request was made to go into Executive Session to discuss personnel issues related to specific employees and related documents. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:04 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:16 a.m. with no decision being called for in open session.

CONSIDER SIGNING THE REVISED FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS OF APPROVAL AND ORDER FOR MAVERICK TOWERS' APPEAL FOR A C.U.P

The Board met today at 10:30 a.m. to consider signing the revised Findings of Fact, Conclusions of Law, Conditions of Approval, and Order in the matter of Maverick Towers' appeal for a conditional use permit. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to uphold the P&Z Commission's decision to deny the



appeal by Maverick Towers. The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - CONSIDER A REQUEST BY DANA MARTENES FOR A REZONE, CASE NO. PH2018-25

The Board met today at 11:00 a.m. to conduct a public hearing to consider a request by Dana Martenes for a rezone, Case No. PH2018-25. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Dana Martenes, Linda Martenes, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The applicant, Dana Martenes, is requesting a rezone of the one-acre portion of Parcel R33948010 from "A" (Agricultural) to "C-1" (Neighborhood Commercial). The subject parcel is located at 22615 Lansing Lane, Middleton. On May 17, 2018 the P&Z Commission recommended denial of the rezone request. The subject parcel has a dwelling and accessory structures that were constructed on the property at some point between 1980 and 1995. On January 26, 2018 a notice of violation was sent to the property owner regarding the use of two existing accessory structures on the north side of the parcel for having an outdoor equipment rental business. The applicant is requesting the rezone to encompass those two buildings on the north side of the parcel to neighborhood commercial which allows for outdoor equipment rental businesses in order to abate the violation and keep the business on site. The Canyon County Future Land Use Map designates this parcel as commercial. It is located within the City of Middleton's impact area and the city designates it as a residential special area. The city has no objection to the rezone request. It is located within an A-E Flood Zone. Existing accessory structures were approved prior to the parcel being in the flood plan, therefore, the structures are not required to meet flood plain standards unless they have significant improvements. The majority of the surrounding area is zoned agricultural as well as neighborhood commercial. It is surrounded by residential subdivisions, however, properties along Highway 44 directly to the east are currently zoned neighborhood. Dennis Lapham spoke in opposition at the P&Z Commission hearing with concerns regarding traffic, noise and environmental concerns from storing equipment on site as well as dust. The applicant stated they will mitigate this by putting down something to control the dust as recommended by the highway district. According to Mr. McCormick, the P&Z Commission based its denial on the findings of fact that the proposed request is not more appropriate than the current zoning designation and also that it's not compatible with the surrounding land uses, specifically, that although the future land use map designates the subject property as commercial, the P&Z Commission finds that the requested rezone is inappropriate at this time and that the property is prime farm ground and sufficient evidence was not provided by the applicant to suggest that the parcel no longer supports an agricultural use. Staff has found that only one acre of the 6.37 acres is proposed to be zoned commercial for their outdoor equipment rental, that portion of the property is currently not in farm production and it's already adjacent on the east to other properties with a C-1 zoning designation and it is consistent with the Canyon County Future Land Use Plan and the Comprehensive plan for that area. Within the past five years the Board of Commissioners approved a rezone request from agricultural to neighborhood commercial within a mile of the subject property. Staff recommends approval of the request. Commissioner Rule referenced the businesses in the

area which include a landscape business, an RV storage facility and a gun business. He said it makes no sense that the P&Z Commission would deny the request when there are so many existing businesses out there. He would like to meet with the P&Z Commission to talk about commercial zoning on Highway 44 because he doesn't believe they have the right vision for that area. Commissioner Dale agrees with Commissioner Rule's points and said he believes six acres is too small to be considered prime farm ground. Director Nilsson noted that there is commercial zoning along both sides of Highway 44 in the vicinity of the subject property. Dana Martenes testified in favor of the request. A portion of her property is used for hay production and another portion has been in dirt and they've kept horses on it. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule disagrees with the P&Z Commission on this case noting that he lives in the area and has seen the changes that have taken place. He then made a motion to approve the Case No. PH2018-25. The motion was seconded by Commissioner White. Commissioner Dale said it's an appropriate use of this land and Highway 44 is a commercial corridor that will see more of this type of development so he's supportive of the motion. The motion carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the ordinance directing amendments to the county zoning map to change the zoning of Parcel No. R33948010 from "A" (Agricultural) to "C-1" Neighborhood Commercial. (See Ordinance No. 18-023.) The meeting concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 22, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$2996.99 for the Information Technology department

#### LEGAL STAFF UPDATE AND MEETING TO REVIEW PUBLIC COMMENT ON DECLARATION OF SOLE SOURCE PROCUREMENT TEMPORARY JAIL SYSTEM AND CONSIDER SIGNING SOLE SOURCE LEASE/PURCHASE AGREEMENT WITH ALL DETAINMENT SOLUTIONS FOR TEMPORARY JAIL SYSTEM

The Board met today at 9:03 a.m. for a legal staff update and to review public comment on the declaration of sole source procurement regarding the temporary jail system and to consider signing sole source lease/purchase agreement with All Detainment Solutions for a

temporary jail system. Present were: Commissioners Tom Dale, Pam White, Commissioner Rule arrived at 9:04 a.m., Clerk Chris Yamamoto left at 9:14 a.m., Controller Zach Wagoner left at 9:14 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., Jail Captain Daren Ward left at 9:14 a.m., Chief Deputy P.A. Sam Laugheed left at 9:17 a.m., Deputy P.A. Brad Goodsell left at 9:17 a.m., PIO Joe Decker left at 9:14 a.m., Nicole Foy with the Idaho Press arrived at 9:04 a.m. and left at 9:14 a.m. and Deputy Clerk Jenen Ross. A preliminary declaration of intent on sole source procurement was issued July 17, 2018 and public comment was received on July 31, 2018. A second declaration was published on August 8, 2018 with written comment being due yesterday. To Mr. Laugheed's knowledge the county received one written comment from the Idaho Freedom Foundation that addressed some business and policy reasons why they feel sole source would be inappropriate and public comment has been taken on the record with at least one interested citizen speaking about sole source in particular. Some email correspondence has been received regarding potential vendors and a voicemail was received this morning from a local vendor (Rule Steel) but so far that is all the process that has happened. Mr. Laugheed said the Board is in a position to make the decision but legal is requesting that the decision be continued as is will happen at the same time that consideration of the sole source lease/purchase agreement with All Detainment Solutions happens. The Sheriff's Office and the Clerk's Office have reviewed the contract and are comfortable with the terms that have been proposed, Mr. Laugheed has a conference call with their attorneys to finalize the negotiation which is why he's requested this meeting be continued to a later date because he was not able to get the contract in front of the Board today but no due process rights are being compromised by a continuance. Commissioner White made a motion to continue the meeting to review public comment on declaration of sole source procurement temporary jail system and consider signing sole source lease/purchase agreement with All Detainment Solutions for temporary jail system to August 27, 2018 at 2:30 p.m. The motion was seconded by Commissioner Rule. After the motion a discussion was had regarding the ability for other vendors to submit information. Commissioner Rule asked if there was a local company could they be considered to fabricate and install these types of units. Mr. Laugheed said it's absolutely a consideration that the Board should include in its evaluation of the sole source ability. He clarified that the sole source legal status doesn't require there to be only one actual vendor and it doesn't require local businesses be involved but those are considerations that go into a final decision. Commissioner Rule does not want to move this process forward if it would prevent a local vendor from fabricating these units in Canyon County. Mr. Laugheed referenced the comments received from the Freedom Foundation where a number of comments were made about the potential sole source, not addressing the legality of it but more the underlying business decision about what other options could exist and how innovation could be encouraged. He said that the goal of the Prosecuting Attorney's Office is to make sure that the Board is in a position to make a lawful decision one way or the other. Sole source isn't legally the only procurement available for this but under the circumstances, depending on the Board's priorities it's one that fits right now and that's a decision to be made, all the information that's been received is valid and should be considered. Mr. Laugheed said that today's action would not prevent another vendor from submitting information but that the Board would be under no legal obligation to accept it. However, if the Board were to accept it then that would change the sole source dynamic and formally considering anything would require additional process. Commissioner Dale feels that by continuing this meeting to the

27<sup>th</sup> it would potentially give Rule Steel an opportunity to demonstrate that they have experience with not only stainless steel but with fabricating this type of facility and all that it includes like an HVAC system among other things. Mr. Laugheed said the Board is under no legal obligation to accept additional submissions or to take legal action on them. Once a contract is in front of the Board the legal requirements of sole source have been met and the Board is positioned to make a lawful decision. He explained that the county has published notice of intent to contract by sole source procurement for the reasons that there is an ongoing detriment to the public welfare caused by the need for additional constitutionally sufficient housing and/or because additional competitive solicitation would be impractical, disadvantages or unreasonable under the circumstances. Mr. Laugheed believes the Board is in a position to make that decision on Monday and that decision isn't being made today, it's just to continue it to Monday. But on Monday, that is the question that will be presented to the board regardless of what information comes in between now and then and any concerns of local perception can be addressed on Monday. The record was noted that Commissioner Rule doesn't have any financial involvement with Rule Steel and there's no prohibition on him participating in the discussion. A vote was taken on the motion with Commissioners Dale and White voting in favor and Commissioner Rule voting against. The motion carried in a 2-to-1 split vote.

Brad Goodsell advised the Board that a new employee sheet will be coming before them for the caretaker position at the landfill, there will also be an employee agreement that comes along with it. The agreement is intended to memorialize the services that are provided in exchange for the housing. Under federal law if you have one of these agreements it protects you from other wage issues that might come up so it's simply a ministerial matter. It's an agreement between the county and the employee with regard to the house that's being provided to them.

The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DEVELOPMENT SERVICES DEPARTMENT TO CONSIDER APPROVAL/DENIAL OF REFUND REQUESTS

The Board met at 9:17 a.m. today with the Development Services Department to consider approval/denial of two refund requests. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The refund requests were considered as follows:

***Consider approval/denial of a resolution for a refund request for an administrative decision to Danny Baez; Case No. AD2018-0085:*** This was an application made for a somewhat public use wedding venue for a couple events in August but after notice was provided to some of the agencies there was considerable push back from the City of Caldwell and the Caldwell Fire Department about the structure so the applicant chose to withdraw their request. Minimal work was done by staff and they are requesting \$550.00 be refunded

to the applicant. Commissioner White made a motion to issue the refund. The motion was seconded by Commissioner Rule and carried unanimously (see resolution no. 18-139).

***Consider approval/denial of a resolution for a refund request for a rezone permit to Ryan Durrant; Case No. RZ2018-0015:*** After the initial property research it was determined that platting would be required if the rezone was approved but after the applicant spoke with a couple of engineers and surveyors he chose not to move forward. There was minimal work done by DSD staff and they are requesting an \$850.00 refund be issued for the application fee. Commissioner Rule made a motion to issue the refund. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-138).

The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

#### FISCAL YEAR 2019 BUDGET HEARING

The Board met today at 5:00 p.m. to conduct a continuation of the fiscal year 2019 budget hearing as well as a hearing pursuant to Idaho Code 63-802(1)(e) to consider budgeting foregone increase and to consider certification by resolution of any budgeted foregone increase. Upon completion of the hearing the Board will review and possibly approve the FY2019 budget and dollar certifications of budget request forms. The hearing was held in the public meeting room of the Administration Building located at 111 11<sup>th</sup> Avenue North in Caldwell. Tonight's hearing was continued from August 8, 2018 in order for the Board to review and analyze the alternative budget information that was presented that evening. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Finance Manager David Ivers, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Chief Probation Officer Elda Catalano, Weed Control Superintendent AJ Mondor, PIO Joe Decker, Public Defender Aaron Bazzoli, DSD Director Tricia Nilsson, IT Director Greg Rast, Assistant IT Director Eric Jensen, Landfill Director David Loper, Juvenile Detention Director Steve Jett, Sean Brown, Ambulance Director Michael Stowell, Director of Court Operations Denise Kennel, Steve Onofrei, Fleet Director Mark Tolman, Director of Misdemeanor Probation Jeff Breach, Public Defender Aaron Bazzoli, HR Director Sue Baumgart, Camille Tilden, ElJay Waite, Kathy Alder, Hubert Osborne, Paul Raymond, Steve White, Nicole Foy from the Idaho Press-Tribune, and other interested citizens, and Deputy Clerk Monica Reeves.

Clerk Yamamoto reviewed Idaho Code Section 31-1602 regarding the duties of the budget officer and spoke about how his office compiles and prepares preliminary budgets. After the budget is passed he and the Controller watch for expenditures and revenues to ensure we remain within the budget and see if their projections are tracking. The County does not have a use it or lose it system, directors know they can properly vet a project and not be forced to make last minute bad decisions. How they have operated and managed in the past gives good intuitive knowledge of what to predict for the next fiscal year. He said they take what is required to maintain mandated services and that is why \$67M in property taxes have been

left in property owners' pockets the last 10 years, and over \$63M of that since he's been in office. When he first took office he noticed that 10% of the budget was funded with fund balance which he thought was crazy, but what he didn't know at the time was that that 10% was seldom ever spent, most departments expend their entire "A" budgets due to employee turnover and unfilled positions. Another area of utilizing fund balance to balance the budget was multiple contingency line items that we hoped would never materialize and usually they did not. Balancing the budget with fund balance under normal spending patterns leaves money in your pocket, and not requesting what we could take leaves money in your pocket. \$67M left in the local economy rolled over eight times; 10% not funded with any revenue and it was not spent, but that phase is over. Due to employee retention we are eating that 10% in a big hurry and we are in a super inflationary period.

Controller Wagoner spoke about the importance of fund balance, which is the amount by which assets exceed liabilities. It equals financial freedom and gives the ability to plan for the future and respond appropriately to any emergent type situations. It is imperative that the County maintains a healthy level of fund balance so we can continue to provide services and protect our financial position and our credit rating, potentially. It's important that we have the appropriate amount of fund balance. We strive for roughly 33% of annual expenditures. In the past we have spent down fund balances when the circumstances called for it. He referred to a chart showing our governmental funds fund balances from FY2014 to FY2017. In FY2014 our governmental fund balances were \$36M but they felt like that number was on the high side so they implemented a plan to spend down those fund balances, and over the course of the year fund balances decreased by \$5M down to \$31M. Those fund balances were invested in capital projects; buildings were constructed, remodeling was done and by doing so we were able to take advantage of affordable prices save taxpayers millions of dollars. From FY2015 to FY2016 our fund balances decreased by roughly \$1M and from FY2016 to FY2017 our fund balances have decreased down to \$29M for our governmental funds. We understand the concept of utilizing fund balance when it's appropriate. Not only does it leave money in taxpayers' pockets that they can spend but it allows us to take advantage of opportunities in the market place at an affordable price. They have successfully managed fund balances and they strive to maintain an appropriate level of fund balance. Each fund needs to be thoroughly analyzed and managed on a fund-by-fund basis.

Clerk Yamamoto and Controller Wagoner spoke about the alternative budget that was presented. The document titled Canyon County 2019 Tentative Budget Suggested Revision was presented on August 8, 2018 by Leslie Van Beek and it included a projection for FY2018 expenditures of \$80,940,231. That would represent being under budget by 9%. Controller Wagoner believes that number is \$2M-\$3M on the low side. County expenditures have increased significantly year over year and if we look at the timeframe of October through July 2017, on page 3 of the handout, compared to October through July of 2018, overall County actual expenditures have increased over \$5M and that increase equals 8.6%. We are experiencing inflation, an increased retention in employees and that's resulting in increased expenditures. For the first 10 months of the year, the year over year increase is over \$5M. Page 4 provides more detail regarding those increases. Our salaries and benefits expenditures are up \$3M, that's a 7% increase and our other operating expenditures increase is \$2M or 13%. He took that information and projected that out for the remaining

two months of the fiscal year. One approach would be to look at the 2017 expenditures of \$77M, add 8.6% to that, that'd be \$6.6M that would result in a total 2018 expenditure amount of \$83.7M. Another approach would be to take what's been spent through July of FY2018, take a look at what was spent the last two months of FY2017, which was a little over \$17M, add 8.6% to that for a projected expenditure for August through September of 2018 of \$18.6M for a total 2018 projected expenditures of \$83.7M. They also took a third approach and looked at splitting the salaries and benefits and our other operating expenditures. The salaries and benefits year over year increase is 7%; last year the total salaries and benefits expenditures were \$56M, add 7% to that and we end up \$60M for 2018 projected salaries and benefits expenditures. Our other operating expenditures last year were \$20.8M. Those have increased year over year by 13%. If we add 13% that brings us to a \$23.6M projection for B budget expenditures for 2018. Total expenditures using that approach projected is \$83.7M. This is the approach we use to project the last two months of the fiscal year. Controller Wagoner said they take this responsibility very seriously and they rely on communication and interaction with elected officials and department heads. It's important to remember that the County uses accrual based accounting for our fiscal year end activities. If we receive an invoice in October for work that was performed in September that expenditure will be backdated to September FY2018. We also have a payroll that runs October 12, and 50% of that payroll was earned or accrued in the prior fiscal year so 50% of that payroll is backdated to September. Because of accrual based accounting we will show a significant amount of expenditures during the month of September. We also have a \$275,000 BearCat on order that will be here before September 30 that was included in the FY2018 budget, it still needs to be paid for with FY2018 funds.

Clerk Yamamoto said during the time from the last budget hearing to tonight's budget hearing a half a dozen letters were received regarding property taxes. He read a letter from a citizen whose point was that new growth should create enough additional revenue by itself to cover an increase in the budget for the County without raising taxes on people who already own their property. This person asked the Board to not increase the mil levy at such a rate to increase the tax burden on people who had acquired their property before 2018. The Clerk said he agrees with most of the points addressed in the letter but said we won't be able to address what this person is talking about in his letter until we have equitable impact fees. Growth does not pay for itself. He and the Controller reviewed tax bills to show what "real life taxes are doing and the differentials between the County, the cities, school districts and to show what urban renewal does. Controller Wagoner reviewed a property tax bill noting the amounts the taxing districts received on this particular bill for a residential property within the City of Caldwell (which was Clerk Yamamoto's tax bill): the city gets 47%, the school district gets 21%, and the County gets 21%. There is also a property within the City of Caldwell that's in the urban renewal area and on that property the total property tax bill is a little over \$3,000 and the division is as follows: 61 cents goes to the ambulance district, 46 cents to the mosquito abatement district, \$34 to the City of Caldwell, \$4 to the highway district, \$483 to the school district, 42 cents to the College of Western Idaho, \$14 to the County and over \$2,400 to the urban renewal agency. Clerk Yamamoto said the point about an urban renewal district is that everyone, including people out in Melba, make up the difference with the urban renewal money. The next tax bill reviewed was for a Nampa residential property tax bill totaling just \$1,600. \$19 goes to the ambulance district, \$15 to

the mosquito abatement district, \$763 to the City of Nampa, \$101 to the highway district, \$401 to the Nampa School District, \$13 to the College of Western Idaho, and \$372 to Canyon County.

Clerk Yamamoto said the alternate budget proposal suggested we use fund balance and wait and see what happens, but he finds that financially irresponsible and reckless, but he thought there has to be more to this than just burn fund balance. The payment on the administration building is around \$1M and the latest take urban renewal had from the County was \$1.9M. Four years ago it started at \$1.5M and it's been ratcheting up since then. His job is to protect the taxpayer and properly fund and maintain the statutorily mandated services, and hire, train and promulgate happy employees because they provide the most accurate, efficient services possible. Our financial record is impeccable and our outside auditor will agree. It is incumbent upon his office to maintain the County's financial wellbeing today and into the future and he's done that and if the day comes when he needs help he will seek it.

Commissioner White spoke about how the County budget has to cover pass through costs from the state as well as the rise in medical indigency and indigent public defense costs and she is frustrated by the lack of progress that's been made on finding a solution for the jail problem because we are facing serious liability issues on that front. She will support the budget as presented and the use of forgone as requested to take care of the emergent need, the liability and the public safety issue. Commissioner Dale said he believes in conservative fiscal policy, but that does not mean pushing off needs to somebody else to take care of. The ideas in the proposed alternative budget agreed with the expenditures and \$95M was deemed to be appropriate to answer the needs of the County and he agrees with that analysis. This budget takes care of a lot of ongoing needs and future needs, and he believes we are doing what we need to do to keep the County on a proper course toward achieving its goals. The biggest challenge we face is how to pay for a jail. We need an appropriately-sized jail and we have the study that shows what we need and we are setting ourselves up to move forward with that and he looks forward to coming up with a solution in the coming weeks and months. He spent the last two weeks evaluating the alternative budget ideas that were presented and he said there are differences of opinion on the methodology used to arrive at some of the figures in the spreadsheet but the bottom line is the same. One of the main differences comes down to where to place the \$2.3M that's been identified to facilitate the placement of temporary modular jail pods for female housing. Depending on which fiscal principal a person chooses to follow, either pulling the funds from forgone or pulling them from fund balance could be considered appropriate. Both ideas have value. One of the things we heard repeated in letters was the phrase to "*Take a measured approach*". That's good advice. Every elected official and department head is responsible for evaluating the needs they anticipate for the coming year as well as future needs. They then put a dollar figure on those and measure the costs against available revenue. The Clerk's and Controller's job is to take those needs and numbers and measure them against the available revenue and present to the Board a balanced proposed budget and they have done that. He is grateful to ElJay Waite and Leslie Van Beek for working hard to bring different ideas to our attention, and he appreciates tonight's presentation to educate and inform why the budget is proposed as it is. Regarding the use of forgone, it's been mentioned that taking forgone reclaims money that was not take in previous years, but that's not accurate. Using forgone does not reclaim



money from previous years. During those previous years decisions were made based on the need at the time and it was determined those funds were not needed for the upcoming years projected services. Using forgone simply allows the jurisdiction to increase the budget beyond the normal 3% as the need arises. When considering whether to allocate the \$2.3M for the temporary female inmate housing to forgone he went through an exercise to understand what it would mean. Take the County's total taxable value of \$13 billion, if you plug in the anticipated levy rate for next year and use that \$2.3M what you come up with is \$17.92 for every \$100,000 of taxable value. That's a pretty nominal figure and personally he thinks it is \$1.50 per month to help improve the public safety by providing a sustainable revenue stream for the 122 additional beds to help alleviate the jail overcrowding. He believes the use of forgone in this case is appropriate. Commissioner Rule said he looked forward to a sincere effort at considering this revised budget and he was hoping for compromise and some property tax relief but instead, two Commissioners are lining up to increase property taxes. Commissioner Dale said the Clerk and Controller have established a good track record advocating and exploring options for the taxpayer and this budget takes care of the County's most valuable assets: our employees. We have seen a radical decrease in turnover rates, our retention is much improved and while that does cut into the amount of money that is leftover it does create value for the customers because that experience and those quality employees are staying with us longer. The budget addresses a temporary solution for a crisis that we experienced in our jail and it meets the growing demands over which we have no control in indigent public defense and indigent medical services. It works to ensure continued quality of service to citizens and we are going to see a drop in the levy rate this year. Commissioner Rule said the Canyon County employees are not the County's most valuable resource – it's the taxpayer because without the taxpayer none of us would be here. Commissioner White made a motion to sign the resolution to adopt the FY2019 expenditure budget for Canyon County in the amount of \$95,240,703, a FY2019 expenditure budget for the Canyon County Pest Control District in the amount of \$310,066, and a FY2019 expenditure budget for the Melba Gopher District in the amount of \$12,000. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioner Rule voting against the motion and Commissioners White and Dale voting in favor; the motion carried by a two-to-one split vote. (See Resolution No. 18-140.) Commissioner White made a motion to sign the resolution which states: As publicly noticed, and pursuant to Idaho Code Section 63-802(1)(e) Canyon County's fiscal year 2019 property tax levy of \$52,191,430 includes \$2,322,763 of available property tax increases forgone in prior years. The previously forgone property tax amount is necessary to address urgent and critical needs in the area of jail overcrowding including the prospect of an on-campus 122 bed temporary modular housing facility. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioner Rule voting against the motion and Commissioners White and Dale voting in favor; the motion carried by a two-to-one split vote. (See Resolution No. 18-141. The hearing concluded at 6:09 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 23, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Georgina Cuvaz-Carillo.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/1/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/28/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/29/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Williamson Vineyards to be used 9/9/18 for a harvest festival.

No meetings were conducted.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 24, 2018

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

No meetings were conducted.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 27, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$277,592.00 for the Fleet department/Sheriff's Office

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

The Board approved a salary rate request and/or key & security access request form for Paula Davis. In addition to the salary rate request form an employee agreement regarding employer-provided housing was signed by the Board as a ministerial item (see agreement no. 18-111).

#### LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George left at 9:07 a.m., Director of Indigent Services Yvonne Baker left at 9:07 a.m., Director of DSD Tricia Nilsson left at 9:13 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

#### ***Meeting with Indigent staff to consider signing indigent continuances:***

Kellie George said the following cases were vacated on August 23, 2018 and require the following action:

In regards to case nos. 2018-664, 2018-900, 2018-929, 2018-898, 2018-792 and 2018-851 Commissioner White made a motion to continue the cases as read into the record to September 20, 2018. The motion was seconded by Commissioner Rule and carried unanimously.

Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue case nos. 2018-848, 2018-901, 2018-640, 2018-899 and 2018-834 to October 18, 2018.

Commissioner White made a motion to issue a denial with written decision within 30 days on case no. 2018-1053. The motion was seconded by Commissioner Rule and carried unanimously.

Case no. 2018-716 now meets all eligibility criteria for county assistance and upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue a final approval within 30 days.

***Consider signing resolution appointing DeAngelo Enrico as Wilder School District Zone V Trustee:*** Commissioner Dale explained there was letter received from the superintendent for the Wilder School District stating that it is the Board's responsibility to appoint a trustee if the school board doesn't take action within 120 days in cases of a vacancy. As requested, the school board sent a letter recommending DeAngelo Enrico to complete the term of the Zone V trustee. Commissioner Rule made a motion to sign the resolution appointing DeAngelo Enrico as the Wilder School District Zone V Trustee. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-142).

***Consider signing request for proposals for a comprehensive plan consultant and legal notice:*** Zach Wesley said this is the regular RFP process. Notice will be distributed per the list provided by Director Nilsson, published in the Idaho Press newspaper and posted on the county website. The RFP is looking for a consultant to help with future amendments to the comprehensive plan. Director Nilsson said the bulk of the work will be to look for people to help with the public involvement. This project will happen in FY2019. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the RFP for a comprehensive plan consultant and legal notice.

***Consider signing 2018 Byrne Justice Assistance Grant (JAG) program memorandum of understanding between the City of Nampa, City of Caldwell, and Canyon County:*** This is a renewal from previous years money that goes to CCSO and is shared with Nampa and Caldwell PD. Nampa is the recipient of the largest sum this year but CCSO is anticipated to receive \$15,557 this year. Commissioner Rule made a motion to sign the 2018 Byrne Justice Assistance Grant (JAG) program memorandum of understanding between the City of Nampa, City of Caldwell and Canyon County. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-112).

***Consider signing legal notice for entering into personal service agreements:*** This notice for several contracts that have already been entered into that exceed the \$10,000 amount laid out by statute that requires a notice to be published. The contracts are the 2018 telepsych services for the jail, the 2019 tele-psych services for the jail, leadership development training and psych services. Commissioner White made a motion to sign the legal notice for entering into personal service agreements. The motion was seconded by Commissioner Rule and carried unanimously.

Sam Laugheed asked the Board if they had any legal questions pertaining to the meetings scheduled for later today. Commissioner Dale asked if during the 1:30 p.m. meeting if they could go into executive session if need be. Mr. Laugheed said if there were issues related to

named employees it would be appropriate to enter into an executive session. Commissioner Rule and Commissioner White did not feel that they needed any additional legal counsel at this time. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

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

#### MEETING TO DISCUSS SUPERVISION OF THE JUDICIAL MAGISTRATE SECRETARIES AND POTENTIAL ACTION ITEM TO CONSIDER AUTHORIZING CHANGES TO MAGISTRATE SECRETARY JOB DESCRIPTIONS - CLERK OF THE COURT SUPERVISION ALTERNATIVE

The Board met today at 1:33 p.m. for a meeting to discuss supervision of the judicial magistrate secretaries and potential action item to consider authorizing changes to magistrate secretary job descriptions - Clerk of the Court supervision alternative. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, TCA Doug Tyler, Judge Susan Wiebe, HR Director Sue Baumgart, Prosecutor Bryan Taylor, Deputy P.A. Mike Porter, Assistant Trial Court Administrator Benita Miller left at 2:00 p.m., Director of Court Operations Denise Kennel, Controller Zach Wagoner, Court Operations Manager Kandice Taylor and Deputy Clerk Jenen Ross. Clerk Yamamoto said that this system was a pilot/trial program done at the Juvenile Detention Center (JJC) as all the secretaries over there are all deputy clerks. He feels that this change could enhance efficiencies, create better communication and have a smoother system and that some situations could be avoided if there was more centralized control. Commissioner Dale asked that when new personnel is hired if one of the judges from the magistrate pool would be involved in that process, the Clerk said that request could be accommodated. Director Baumgart said that there really aren't too many differences in the job descriptions, that the duties appear to be pretty similar and she doesn't believe it would make a huge difference in turning this one over to the Court Clerk in terms of job responsibilities. Commissioner White confirmed with Director Baumgart that currently the judges are the direct supervisors of the secretaries and it would remain the same if this change were to occur. Clerk Yamamoto said this all goes to the efficiencies in that if one of the three magistrate secretaries are out another deputy clerk would be able to help fill in. Judge Wiebe doesn't believe there will be more efficiencies under the Clerk because they are really specialized positions. She acknowledged on the job descriptions the positions do appear to be similar but their functions are completely different - a magistrate secretary works as a liaison between the judge and everyone calling in to get case settings, they know how the judge likes to have things set and that's not something that the clerks necessarily are involved with so you're not going to be able to just have someone come in to takeover in a magistrate secretary's absence. There is a better system in Canyon County, it's been in place for 30 years, and it's a system that works. When judges come from other counties they appreciate it because they are able to have things set, they've got one person who is the point person. She is not aware of any communication gaps, she hasn't seen or heard from anyone including the Prosecutor's Office. Judge Wiebe spoke

about the turnover that has happened at JJC, there have been 4 secretaries in 3 years and although they are under the control of the judge they don't have any control over the assignment. There has not been the same amount of turnover with the magistrate secretaries and she believes that's important for continuity, handling of cases and serving the public. She addressed concerns about County control or liability, there is a statute that states where you have a clerk that is acting in a judicial capacity, under Idaho Code §1-1613 (a), then the liability is with the state, they are considered an employee of the State of Idaho so long as they are acting in the scope of performing judicial duties. She feels that this is a system that isn't broken, is working well and doesn't need to be fixed. Commissioner White asked Judge Wiebe to address the issue of two of the secretaries being absent and how they fill those duties. Judge Wiebe said that they are not usually down two at one time but if one person is out the phones roll to the other two and she hasn't really seen it be a big problem. She also reiterated that it is not going to be possible to just put a fill-in person in one of those seats as they don't have the connection with how the judges work. Doug Tyler added that when there are absences his office also helps pick up some of the slack and they can ask for help from the district court secretaries. Clerk Yamamoto said as a general rule when a magistrate secretary position needs to be filled they are chosen from one of the court clerks. Court clerks are all cross-train on everything and he sees this as very much within the same realm in having multiple people with multiple expertise. Denise Kennel spoke about the turnover in JJC stating that although there was some turnover in the beginning two people needed to be assigned to other positions due to circumstances, another moved on to a new job at the Supreme Court and one was terminated. Judge Onanubosi's secretary has been in their position for two years and Judge Tucker's has been in their position throughout the year. Commissioner White said everything she's heard has all been about the best interest of the county and then thinks of the 'customer' or 'client' and doesn't feel that they'll notice any difference, additionally, she doesn't feel the change would be noticed by the clerks either, that it's really just in best interest of the county and the efficiencies. Commissioner Rule said if Ms. Wiebe and Mr. Tyler were here to say the state wanted to take over these employees he'd be behind it 100% but it's not the case. He doesn't like the "two camp" concept, but if they were to come back saying the state wants to take over these employees he'd support that. Commissioner Dale would really just like to encourage the Clerk to have one of the judges on the interview panel when deciding who will be working for them, he believe this will help with the continuity and assure this will be a seamless process. He would be really surprised if this doesn't work and feels that this will just make everything more efficient and that no one will really notice the changes. Doug Tyler said he is not sure how accurate the current job descriptions are and suggests job shadowing be done to identify if these positions should have a different job description from the normal clerk position or whichever grade they may be equivalent to. Mr. Tyler will work with Ms. Baumgart to work thru those job descriptions. Mike Porter said he confirmed with the Controller that monies can be moved from one fund to another and documented later in the fiscal year. Commissioner White made a motion to authorize changes to the magistrate secretary job descriptions – Clerk of the Court supervision alternative. The motion was seconded by Commissioner Rule and carried unanimously. Commissioner Dale said that subsequent to the motion it would trigger the actions of the HR Director to work with the TCA to get those job descriptions firmed up and then move forward on that line. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO REVIEW PUBLIC COMMENT ON DECLARATION OF SOLE SOURCE  
PROCUREMENT - TEMPORARY JAIL SYSTEM - ACTION ITEM: CONSIDER SIGNING SOLE  
SOURCE LEASE/PURCHASE AGREEMENT WITH ALL DETAINMENT SOLUTIONS FOR  
TEMPORARY JAIL SYSTEM

The Board met today at 2:32 p.m. for a meeting to review public comment on the declaration of sole source procurement – temporary jail system with a possible action item of signing the Sole Source Lease/Purchase Agreement with All Detainment Solutions (ADS) for a temporary jail system. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Lt. Andy Kiehl, Sheriff's Finance Manager David Ivers, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, PIO Joe Decker, Ron Harriman, Kathy Alder, David Ferdinand, Larry Olmstead, Hubert Osborne, Gladys Chase, Larry Stevenson, Leslie Van Beek, Nicole Foy from the Idaho Press-Tribune, other interested citizens, and Deputy Clerk Monica Reeves. Sam Laugheed explained the process that has taken place so far. The Board has already taken public comment on the proposed sole source procurement and on July 17, 2018 it published notice of intent to contract by sole source procurement and then held the hearing on July 31, 2018 and at that time the Board heard from two members of the public, one of whom lodged a specific objection to the terms of the proposed sole source procurement based on the company's history, their assets, whether an audit had been done, whether trade references had been obtained and business decision considerations. The County then published a second notice on August 8, 2018 and solicited written comment for a two-week period and during that period we received a letter from the Idaho Freedom foundation (included with this day's minute entry) and their objection dealt with the effect on local industry of not going to bid and the advantages to the County in terms of business decisions that would accrue possibly by going through an IFB or RFP process. We also received communication from a local steel manufacturer that was followed up by letter about the timeframe (the letter is included with this day's minute entry). We also received a letter from All Detainment Solutions clarifying that they do have patents pending and to our knowledge are the only company that offer mobile detention facilities that are delivered on, and stay on, permanent axels. Mr. Laugheed said a separate motion is not required by the Board to decide on the sole source procurement because it is part of the contract that's being presented today, but, it's important that the record have these considerations that will be weighed. The Board has heard from the Clerk's Office and the Sheriff's Office on the side of moving forward; we've heard about the need and the timeframe. ADS has represented that they can fabricate, install, and achieve final occupancy by May. We've heard that their quote, which has been extended multiple times, is set to expire on August 31, 2018 after which the price for this property would increase by approximately \$3,500,000 and that has to do with tariffs and other things happening at a national level. The Board is in a position where reasonable minds could differ about how these factors are weighed and the Board can lawfully decide either way in this case whether sole source is appropriate and choose to proceed by sole source, or, if it believes that the County is not getting the best deal under the circumstances. Mr. Laugheed then reviewed the contract and said when the PA presents a contract they ask that the Board consider signing it in light of

the legal considerations, the financial considerations, operational considerations, and to consider what's in the best interest of Canyon County. In this case the Board has heard from the Clerk and Controller regarding the financial arrangements and it's heard from the Sheriff and his staff about the operational considerations such that there is evidence that funding is there for the contract and that this product will meet Idaho Jail Standards and can be staffed by three deputies. For this sort of contract there are three things that are considered to be deal breakers and those have to do with limitations on the County's ability to incur multi-year debt under Article 8, Section 3; limitations on the County's ability to lend credit or indemnify, and the constitutionality of the proposed housing and that's what Idaho Jail Standards addresses. The contract is lawful, it would be a primary term of one year with four extended terms. The County could decide not to appropriate the lease payments under any one of those years and terminate the contract without financial penalty. The County does not indemnify the lessor so the Article 8, Section 3 & 4 considerations are complied with for this contract and beyond that the schematics have been reviewed and approved by the Sheriff's Office and the Facilities Director in terms of where the stubs will need to go and what the pre-installation requirements are going to be in terms of getting engineering reports and making sure the lot is stable.

Commissioner White asked what will happen if the product is not delivered by the agreed upon date of May 30, 2019. Mr. Laugheed said in working through this with the Sheriff and Clerk they talked about the possibility of having a liquidated damages clause and in this case decided against that as one of the final negotiation points, in part, because of the relationship that's been established over the past months, including two site visits, and the representations that have been made by so the short answer is we do not have a liquidated damages clause but the project stakeholders are satisfied that it will be produced by that time at the latest. They were willing to contract to May 30 for installation and occupancy.

Commissioner Rule asked for clarification on the cost. Mr. Laugheed said for the primary term there are two payments of \$2.25M and in part that was to make sure we were able to have the non-appropriation clause. Then the payments will go to \$1.454M. There is an option to purchase cost of \$1.9M. According to Controller Wagoner the total amount will be \$12.2 million. Mr. Laugheed said with regard to that initial primary term and the two payments, that was one of the negotiating sticking points as far as legal was concerned because the original proposal that was discussed in open meeting was for a 7-year fixed lease that the County was unable to opt out of at any point, which is the problem with incurring multi-year debt and so in talking through the options of what would be lawful under the Idaho Constitution that was the best offer that appropriately shared the risk between the parties. The County needs to be able to get out under the law and the vendor needs to make sure they are at least made whole for the fabrication and installation.

Commissioner White had questions about the buy-back option and ADS's right of first refusal. Mr. Laugheed said if the County at the end of the lease term decided to purchase this property and paid the \$1.9M if we then did that with the intent of flipping it to make a profit we would give notice to ADS that this was happening and they would have up to 15 days to exercise that right of first refusal to buy it themselves. Commissioner White asked if that would that include leasing it to somebody else that needed it for temporary housing, and would that include a lease as well that they would get first right of refusal. Mr. Laugheed said he doesn't think so. The way the proposed lease reads is a bona fide offer from a third party to purchase all, or any portion, of the equipment and so the equipment could be apportioned



off. Arguably someone could make a similar use by apportioning off a couple of the units but he don't read that clause to say we could not lease it ourselves in the future if that's what we decided to do, if we had exercised the purchase option.

Commissioner Rule asked Sheriff Donahue why only three additional deputies would be required to staff the trailers because when there were plans for a brick and mortar facility the Sheriff estimated they would need 30-40 additional employees. Sheriff Donahue said they would only need three additional deputies because of the configuration of how it's built and because of its close proximity. Captain Ward said the physical layout is different and it figures in the closing down of two floors of the annex that are labor intensive so using those two deputies we still need the third deputy to run this new plan. They will need three deputies per shift; they will not need the additional 30-40. Commissioner Rule said closing the annex is a great idea.

Commissioner Dale said this entails a total of 5 years and if we need to go beyond that it'd be more financially advantageous to exercise a purchase option rather than continue at \$1.4M per year for a lease. He asked if ADS assumes responsibilities for repairs and maintenance since it's a lease. Mr. Laugheed said the maintenance and repair obligation is one that he, Captain Ward and Director Navarro spent a lot of time discussing with the vendor. Because this is personal property that's going to remain owned by ADS they maintain the obligation to repair the big mechanical systems and the County takes a day-to-day obligation (change light bulbs, clean drains, etc.). Where ADS will retain a subcontractor that meets our security requirements and is acceptable to the Facilities Director and the Sheriff to do the big plumbing, HVAC, and electrical work. Captain Ward said ADS wants to know who we use for those services and they are planning on being out here next week and so he has set up meetings with the contractors to build the relationship. ADS wanted the County to choose who they already work with so we have that trust already built in.

Commissioner White had questions about compliance with jail standards. She referred to the section that said the lessor shall not be required to modify or replace any equipment during the lease term as a result of any revisions to the Idaho Jail Standards or detention facility. Captain Ward said if we comply with jail standards at the time of construction they will not force us to change construction or add additional equipment if there are changes to the standards. We will be grandfathered in. Sheriff Donahue said he and Captain Ward are part of the jail standards committee and he is not aware of any recommended changes to the jail standards by our inspector, Cindy Malm, at this point.

Commissioner Rule asked what the utilities cost will be each month. Captain Ward said he provided information to Director Navarro a couple of months ago that showed what Greene County, Missouri is paying, which is a fraction of the cost of what that County pays to operate their main facility.

Mr. Laugheed said he is comfortable with the record that exists, and it's lawful for the Board to enter this contract. The deliverables have been signed off on by operations, the finance has been signed off on by finance and now it's a matter for the Board's discretion at this point. Commissioner Dale said he appreciate the work that has been done and the comments provided by citizens and he believes the questions have been adequately answered, particularly regarding the sole source. A question came up last week and it was answered by the letter the Board received from Rule Steel saying they would need to determine whether the business plan would allow this sort of thing, and they could not gear up quickly enough to do this in a reasonable period of time. The letter says Rule Steel will reach out to

the supplier and discuss if they can assist in potential fabrication and installation. He asked if that's something that Rule Steel could potentially have some work on. Captain Ward said he spoke with ADS and Rule Steel last week and shared their contact information so at this point it's a business decision. The steps have been taken to try to keep some of that money in Canyon County.

Commissioner White referred to a section of the contract that addressed the height of the fence. Mr. Laugheed said it's a 10-foot high fence with one ribbon of razor wire affixed to the top and in talking with Director Navarro the 10-foot high fence with the razor wire will give us the 12 feet that the City of Caldwell requires. Captain Ward agreed.

Commissioner Dale said after staff's research he believes we have come down to this one entity that can manufacture this type of thing on the mobile and make sure it is temporary in nature and doesn't require a permanent foundation. He then made a motion to sign sole source temporary detention facility equipment lease with ADS - Canyon County. The motion was seconded by Commissioner White. Commissioner Rule said he cannot support this. When he looks at the 190-bed facility that Commissioners Dale and White opposed compared to these stainless steel trailer houses for 122 inmates at a cost of \$11.2M it seems like a horrible idea. He also finds it interesting that it will only take three deputies when it was said the other one would require more than 30 deputies. Besides this being bad deal financially he thinks the Board is authorizing a permanent solution because the additional beds will take pressure off the County and the taxpayers are going to string out a new facility even longer. It will set a precedent of lease payment of \$2.2M for two years then \$1.454M after that, then we'll probably buy it. It's bad business and he won't support it. Commissioner White said she asked questions about the contract because she wanted clarification before signing it with regard to purchase, how it was intended to work, and if it applied to lease, but she has no intention of buying it unless it were to become an incredible revenue source. ADS has first right of refusal if we want to sell it and they have to pay the price if we get a buyer. This is temporary housing and it's a five-year contract which, if a bond is passed, or if a local option sales tax is approved it will be just about the right timing in terms of getting the trailers out of here and relocating to Pond Lane. Commissioner Rule said a local option sales tax isn't going to do well according to information he has received from legislators, and, a bond isn't an option either because a \$190M bond will never be approved in this County. Commissioner Dale said the addition to the old jail that was proposed would have netted us 64 total beds for \$17M and the full staffing it would require was a really bad decision. As far as the comment that he and Commissioner White voted against it, he said they never got to vote on it because the City of Caldwell never gave permission and they squelched that idea after the County had already spent a bunch of money without the permit. Today we have 53 inmates being housed out of county, and very shortly the fee will rise to \$75 a day, and when you multiply the number of people per day by the \$75 cost per day it adds up very quickly and we'll be well over \$1M for out of county housing for the rental agreements with those other counties. That cost does not include the deputy time, travel time, or the risks involved with transporting inmates on highways. He anticipates those travel costs for out of county would easily come to the \$1.4M per year in another year or so. We are talking about a temporary solution that would keep those people on campus so travel time, deputies, would not be required to spend time on the road. Will this solution totally alleviate all out of county housing needs, probably not but we'll have a much easier time finding housing for 10-15 inmates rather than 40-50 on a daily basis. Long

term this is a solution for a temporary means of addressing a crisis that we face today but in the meantime we continue to work on the permanent jail solution. We will be looking at all funding options. If local option sales tax doesn't pan out we can look at other sources to see if there is a way to structure a combination of funding sources to make this happen so the property tax burden wouldn't be as big. There are some ideas we can explore in the coming weeks and months. Commissioner Rule said the city wouldn't let us put a jail at this location but they'll let us put jail trailers there and then he asked how long the city has committed to letting us keep the trailers here. Commissioner Dale believes it's for seven years. Commissioner White said this addresses a huge liability issue the County is up against and it shows good faith on the part of the Board. A roll call vote was taken on the motion with Commissioner Rule voting against the motion and Commissioners White and Dale voting in favor. The motion carried by a two-to-one split vote. (See Agreement No. 18-113.) The meeting concluded at 3:12 p.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM

CALDWELL, IDAHO AUGUST 28, 2018

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

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Acapulco Mexican Restaurant to be used 9/8/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Williamson Vineyards to be used 9/8/18 for a media tour.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- TNR Technical Inc. – West in the amount of \$7406.03 for the Sheriff's Office
- Global Knowledge in the amount of \$3895.00 for the Information Technology department
- Motorola Solutions in the amount of \$2989.64 for the TCA-District Court

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

The Board approved a salary rate request and/or key & security access request form for Lee Marie Hibbeler.

EXECUTIVE SESSION PURSUANT TO IC 74-206(1)(B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

*A request was made to go into Executive Session to discuss personnel issues related to specific employees and related documents. The Executive Session was held as follows:*

Commissioner Dale made a motion to go into Executive Session at 1:33 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Public Defender Aaron Bazzoli arrived at 1:33 p.m. and left at 2:02 p.m., Landfill Director David Loper arrived at 2:04 p.m. and left at 2:28 p.m., HR Director Sue Baumgart arrived at 2:33 p.m. and left at 3:03 p.m., IT Director Greg Rast arrived at 3:10 p.m. and left at 3:34 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:34 p.m. with no decision being called for in open session.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 29, 2018

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

APPROVED CLAIMS ORDER NO. 1824

The Board of Commissioners approved payment of County claims in the amount of \$1,570,759.46 for a County payroll.

APPROVED CLAIMS ORDER NO. 9/21/18

The Board of Commissioners approved payment of County claims in the amount of \$6201.25 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 9/6/18

The Board of Commissioners approved payment of County claims in the amount of \$176.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 9/10/18

The Board of Commissioners approved payment of County claims in the amount of \$146,391.07 and \$176,449.42 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- MCCi in the amount of \$2294.00 for the Court Clerks
- Carousel Industries in the amount of \$1010.86 for the Information Technology department

#### PUBLIC HEARING TO CONSIDER A REQUEST BY BOB AND JEANNE KELLY FOR A REZONE, CASE NO. RZ2018-0010

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Bob and Jeanne Kelly to rezone approximately 19 acres from "A" Agricultural to "R-1" Single Family Residential. The subject property is located at 14715 Purple Sage Road., Caldwell, ID, further described as a portion of the Northwest quarter of Section 34, Township 5N, Range 3W, Canyon County, ID. The P&Z Commission recommended approval of the rezone on July 19, 2018. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Doug Edwards who left at 10:23 a.m. and Deputy Clerk Jenen Ross. Kyle McCormick gave the oral staff report stating that the applicants are requesting a rezone of parcel R38157-011 which is approximately 19 acres from agricultural to single family residential. There is currently one house and one accessory structure on the property. It is located within Middleton's area of city impact. It is also located within a nitrate priority area and designated as residential on Canyon County's Future Land Use Plan as well as Middleton's Future Land Use Map. The applicant is proposing to rezone it from agricultural to R-1 which allows for a one acre minimum average lot size. They have a site plan that has been submitted and if the rezone is approved they are considering a 9 lot residential subdivision. The surrounding areas are mainly rural residential with some single family residential. There are 32 platted subdivisions within a mile of the subject property for a total of 555 lots, of those lots the average lot size is 1.45 acres therefore the proposed development would create lots that are commensurate with the existing subdivisions in the area. The City of Middleton comments state that they show it as residential and would like to see 2 acre lots but since it's not adjacent to city limits and doesn't have city water available the county ordinance doesn't allow for us to follow the Middleton subdivision standards

which is why the county standards are being followed in this situation. Access to Purple Sage is where they're going to take access. One letter of concern from an adjacent property owner was submitted with concerns about access and sight distances on Purple Sage Rd.; Canyon Highway District no. 4 commented on the application and stated that they would need to review the access location but when they did the preliminary review it appears that there is sufficient sight distance for the posted 40 mph speed limit and that the proposed rezone is not anticipated to cause an impact to the existing or future road network and they had no opposition to the request. Staff is recommending approval and has provided Findings of Fact, Conclusions of Law and Order for the Board's consideration. Commissioner Rule suggested that since the applicant is not yet present to offer testimony that the Board speak with Mr. Edwards as he has indicated he just has some questions. Mr. Edwards asked about an environmental impact report, well drilling, how deep the water table is and what the production of the well is. Mr. McCormick said that the applicant will be required to work with SWDH on putting in an appropriate septic system for the nitrate priority area that it's in right now. They are currently working with SWDH on doing a nitrate priority study for their 9 lot subdivision to make sure it's not going to cause an impact to the surrounding ground water quality. Director Nilsson further explained that nitrates are found in the ground water in that area so Idaho Department of Water Resources monitors that thru monitoring wells in the area and have classified it as a nitrate priority area. The Purple Sage area has started to show improvement in that the level of nitrates are dropping, most of them are in the low to moderate range. At this step of looking at a rezone the applicants will still be required to submit a plat which will also go thru the hearing process at P&Z and then back to this Board. If the Board approves this rezone the applicants will have to formally submit a plat and in that process is where lot layout, well locations, access to Purple Sage are looked at more closely; the platting is another process by which all those details are pinned down. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to close public testimony. Commissioner Rule made a motion to approve the rezone request of Bob and Jeanne Kelly for a rezone, case no. RZ2018-0010. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Rule made a motion to sign the ordinance directing amendments to the Canyon County zoning map. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:33 a.m. for a meeting to discuss the opioid crisis with the possibility to consider approval/denial regarding Canyon County's representation on a contingency fee basis by Crueger Dickinson, LLC, in a civil lawsuit against certain opioid manufacturers. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Dan Chadwick, Michele Chadwick, Controller Zach Wagoner, PIO Joe Decker, Erin Dickinson via conference call, Ambulance District Director Michael Stowell, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Dan Chadwick, of the law firm of Chadwick and Associates, PLLC, has been working with Erin Dickinson with regard to the opioid litigation for quite some time and when they previously met with the Board they talked about the nature of the lawsuit and what was involved. This emanated from the problem of

overuse, over-prescription of opioids. Since the last meeting 11 Idaho counties have joined in the lawsuit out of the state of Ohio. If Canyon County participates there is no cost in terms of joining, but there is a good chance of a settlement. There is a lot of data on how many opioids are coming in to all the counties in the state and there is some good anecdotal information from the Sheriff, local law enforcement, the Coroner, and the Prosecutor, and it's not difficult to extrapolate damages from that kind of information. If the County joins the lawsuit it will participate in whatever recovery comes about and some of that recovery will be prospective. Commissioner Dale said the primary concerns expressed by other elected officials are what will be required as far as data collection and presentation for determining some sort of settlement ratio. Erin Dickinson said there are now over 1,000 participants in this multi-district litigation across the United States and at the moment the only ask of the counties participating, other than the first few cases that were designated as cases that would go to trial first in Ohio, is to fill out a plaintiff's fact sheet. It is factual information on easily and readily available statistics within Canyon County and her firm will work with us to do that. The requirements of the fact sheet are pretty non-onerous and probably won't require a lot of participation from departments. The magnitude of the problem is so large that the court has asked them to focus on the abatement of the problem going forward and so digging back in our past damage is not happening at the moment, and may never happen. They are trying to create a fix that encompasses as many resources as possible and that's where the focus is to make sure programs are set up nationwide and are funded nationwide and that will set the tide going forward to make sure the resources are in place for the folks that do have a problem. Typically the County attorney spearheads the effort to complete the fact sheet and collects the answers to the 15-20 questions, but the Board can designate whomever it wants to fill out the sheet. Commissioner White asked who decides what the abatement program will look like, will it be the prevailing parties or the courts? Ms. Dickinson said they will make a proposal and if the case resolves there would be a negotiated solution and then all of the clients and counties involved would sign off on what's acceptable to them. Essentially the court is involved, attorneys are involved, and the clients are involved at different and varied levels. She said it's their job to get on the table what they think makes sense for a solution and then work with the defendants to see if that solution could resolve the case and obviously they'd be paying for it. If it doesn't settle they will fight it out in court and either the judge or the jury will decide what it will look like and so it remains to be seen, but, if there is a settlement the counties have the opportunity to weigh in on whether they want to be a part of that and then should there be changes to the model. Commissioner Dale said the County doesn't have a system for tracking opioid-specific deaths. Michele Chadwick said she spoke with Dottie Owens, the Ada County Coroner, and she is in the process of working with the state in pulling some of that data. The state collects a great number of data that we are not aware of and Coroner Owens is working with them to obtain some of that information so while that may not be present at the county level they do expect we'll be able to pull some of that from the state. Commissioner Dale said they recently talked about this at a Treasure Valley Partnership meeting and it was said that unless a Coroner specifically asks for opioids to be tested in an autopsy they don't get tested and often the cause of death is given to something else without that test. Ms. Chadwick said the Coroner talked about the number of deaths just from drugs and the number where a toxicology screen is run. Typically if a screen is run it will determine whether it is an opioid but it may not specify if it's heroin or oxy, and so with the information and data that Ms. Dickinson has on a nationwide basis

they'll be able to extrapolate that back down so even if it's just a drug overdose they will be able to extrapolate that data. Ms. Dickinson said on the fact sheets they take the data as it is, it's not an exercise in requiring the County to create data that doesn't exist, so an acceptable answer could be "We don't track this information and therefore are unable to answer the question although we'll try to answer the questions where possible because obviously it makes sense for us to be as compliant as possible with the obligation to do this." She said they are not asking the counties to sift through every death certificate they have. They get an incredible amount of information, documents, and discovery from the defendants and the court felt it was unfair to not have the counties do anything but they are mindful that counties are already overburdened and did not want to allow full scale document discovery. Commissioner Rule said his position hasn't changed, he wants to participate in the lawsuit so we can have an opportunity to recoup some of the monies that we've spent on indigent deaths and other issues that that relate to our jail, and then he made a motion to approve this contingency fee basis action by Crueger Dickinson in a civil lawsuit against certain opioid manufacturers. Commissioner White seconded the motion and said this a huge problem and it's a scourge on society and it's costing the taxpayers' money. Commissioner Dale said the Board heard from another law firm and it was pretty much the consensus that the Board appreciated Ms. Dickinson's attitude and they felt that her representation in this case would serve the County the best. He said the motion is to approve the County's representation in this lawsuit with the Crueger Dickinson law firm. The motion carried unanimously. Ms. Dickinson will proved the Board with their most recent engagement letter. The meeting concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 11:32 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 11:33 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:41 a.m. with no decision being called for in open session.

PUBLIC HEARING – A REQUEST BY THE CITY OF CALDWELL FOR A REZONE, CASE NO. RZ2018-0011



The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by the City of Caldwell for a rezone of approximately 88 acres, Parcel No. R38131-011, from an "RR" (Rural Residential) zone to an "R1" (Single Family Residential) zone. The parcel is located on the west side of El Paso Road approximately 1460 feet north of the intersection of El Paso and Willis Roads. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Deb Root, Mayor Garret Nancolas, Carol Mitchell from the City of Caldwell, Alan Mills, Tyler Hess, and Deputy Clerk Monica Reeves. Deb Root gave the oral staff report. The rezone is for 88 acres that is currently owned by the City of Caldwell. It is located in a nitrate priority area and it is in the Middleton City Impact Area; the city did not express significant concerns regarding it. Services are not provide to the area. City standards would be a two-acre minimum average without services but they are not subject to the ordinance at this time. They have public road access to El Paso Road, and the road has been improved and completed between Willis Road and Purple Sage Road. The property is designated as residential on the Canyon County Comprehensive Plan Future Land Use Map. Staff is recommending approval of the proposed rezone to "R1" Single Family Residential knowing that platting will be required and must meet the requirements of Southwest District Health related to the nutrient pathogen studies on the property. Mayor Garret Nancolas stated the property was originally purchased as acreage for an additional 18 holes of golf, however, that has not come to fruition. He said reports suggest that golf is the fastest declining sport in America and so they saw no need for the land to remain in the City of Caldwell's hands and they believe it should be back on the tax roll. They have gone through the proper steps to declare it excess property and after going through an RFP process to find a real estate agent to market it, Alan Mills was selected. The Mayor said he supports the conditions in the staff report. Commissioner Dale said he's surprised to learn the property is in the Middleton Impact Area rather than Caldwell's Impact Area. Mayor Nancolas said they tried to include that in their area of impact but out of respect for the laws that say you should be able to provide services within a five-year period of time they drew back because they didn't think they would be able to immediately provide services. He's not sure the City of Middleton can provide services either but that's a different story. Alan Mills said the rezone is consistent with what's gone on in the area and part of the reason for the sale is to improve the chances of Purple Sage Golf Course continuing on as a viable entity because it's been in the red for quite some time and so there's been an agreement between the City of Caldwell and the golf board to work things around. They are working with the developer to issue passes to homeowners to try to make it more consistent and break even at worst and profitable at best. They have done a nutrient pathogen study and it confirmed the viability for this. According to Mr. Mills there is more development than the map shows and there is some commercial zoning across from the club house that was done in 1979 so it does have potential to do a little service for the area for different commercial aspects. Tyler Hess testified that he is the developer looking to purchase this property. He is developing the land to the north and just completed Phase 1, and they just went through rezoning on Phase 2 from RR to R1. Commissioner Rule asked if they've had any trouble with Southwest District Health letting them put septic and wells on one acre lots. Mr. Hess said they haven't had any problems and they are following the guidelines and had it engineered to show those on the plat maps. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said he has spent a lot of time at the golf course and he's familiar with trend out there. He is not fan

of government buying property and holding onto it and Caldwell is trying to put it back on the tax rolls and do things to help the community. He supports the request. Commissioner White asked if the only ingress/egress is off El Paso Road. Ms. Root said it is, and the highway district has indicated there will not be direct access to Old Highway 30 but they do have the opportunity to go through a variance process or work with the highway district when the development is laid out, but at this time there is no direct access to Old Highway 30. Commissioner White believes the city and the developer have a good partnership in this case and she likes the incentives that will be offered. Commissioner Dale said he believes the rezone is consistent with the trend in the area. *(With approximately one minute left in the hearing the recording system stopped working, therefore, there is no audio recording of the very end of this hearing.)* Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the request by the City of Caldwell for a rezone from "RR" Rural Residential to "R1" Single-Family Residential, and to approve the Findings of Fact, Conclusions of Law and Order, as well as the ordinance directing amendments to the Canyon County Zoning Map for Case No. RZ2018-0011. (See Ordinance No. 18-025.) The hearing concluded at 1:50 p.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

Commissioner Dale made a motion to go into Executive Session at 2:03 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Chief Probation Officer Elda Catalano arrived at 2:03 p.m. and left at 2:13 p.m., Fleet Director Mark Tolman arrived at 2:30 p.m. and left at 3:05 p.m., PIO Joe Decker arrived at 3:05 p.m. and left at 3:20 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:20 p.m. with no decision being called for in open session.

#### MEETING WITH COUNTY ATTORNEYS TO CONSIDER AN ACTION ITEM OF SIGNING ADDENDUM 1 OF THE COMPREHENSIVE PLAN CONSULTANT RFP

The Board met today at 3:21 p.m. to consider signing addendum no. 1 of the Comprehensive Plan Consultant RFP. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Zach Wesley explained there was a date error in the original RFP, additionally, they had intended to strikethrough the pre-proposers conference as it's not necessary so this addendum will clean-up those two matters. Commissioner White made a motion to sign addendum no. 1 of the Comprehensive Plan Consultant RFP. The motion was seconded by Commissioner Dale

and carried unanimously. The meeting concluded at 3:23 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

Commissioner White made a motion to go into Executive Session at 3:28 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:55 p.m. with no decision being called for in open session.

AUGUST 2018 TERM  
CALDWELL, IDAHO AUGUST 30, 2018

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

APPROVED CLAIMS ORDER NO. 9/4/18

The Board of Commissioners approved payment of County claims in the amount of \$204.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/30/18

The Board of Commissioners approved payment of County claims in the amount of \$2,250,000.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin Ford in the amount of \$28,989.00 for the Fleet department/Solid Waste department

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

The Board approved a salary rate request and/or key & security access request form for David Kojima and Ashley Johnson.

#### FILE IN MINUTES

The Board filed a commuter vehicle authorization form for Greg Rast in today's minutes.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Agave Cantina to be used 9/1/18 for a wedding.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meeting the eligibility criteria for county assistance: 2018-1262, 2018-1264, 2018-1269, 2018-1335, 2018-1370, 2018-1267, 2018-1274, 2018-1216, 2018-1261, 2018-1217, 2018-1208, 2018-1240, 2018-1241, 2018-1209, 2018-1265, 2018-1361, 2018-1238, 2018-1272, 2018-1215, 2015-1255, 2018-1235, 2018-1207, 2018-1214, 2018-1362, 2018-1263, 2018-1259, 2018-1347, 2018-1260, 2018-1266, 2018-1257, 2018-1237, 2018-1234 and 2018-1219. Commissioner White made a motion to issue written denials within 30 days. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS FUNDS ASSIGNED IN 2016 TO CAPITAL CONSTRUCTION AND CONSIDER REASSIGNING FUNDS TO SATISFY TEMPORARY JAIL LEASE OBLIGATION

The Board met today at 9:02 a.m. to discuss funds assigned in 2016 to capital construction and consider reassigning funds to satisfy the temporary jail lease obligation. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Zach Wagoner explained that the fund balance is a measure financial well-being and strength of an organization. When you have an appropriate amount of fund balance you are able to respond to emergent situations or shifts or changes in revenue in an appropriate manner. Assigned fund balance represents amounts that are intended to be used by the county for specific purposes and our general fund assigned fund balance amounts are managed by the Board of County Commissioners. As a history of the fund balance in February of 2016 there was \$4.2M assigned for capital projects, in April of 2016 \$1.9M was added to that amount, as of

September 30, 2016 \$6.2M was assigned as our fund balance for capital projects. In July of 2017 when the FY2018 budget was being developed there was \$3M of that assignment reallocated to provide property tax relief and funding for the FY2018 budget. At the end of FY2017 there is \$3,219,387 remaining as assigned fund balance for capital projects; that is money that is already in the bank, money that is readily available for a large or significant capital type project. The Controller estimates that at the end of the current FY2018 the general fund balance will be \$11.4M and is estimating the 2018 general fund expenditures to be \$29.5M so fund balance for the general fund expressed as a percentage of expenditures would be 38.6% for the year. What has been emphasized on the fund balance policy is that they do not want that number to go below 33%. Mr. Wagoner's feeling is that 38.6% is a very reasonable and appropriate amount of fund balance. The recommendation today is that the \$3.2M that's assigned for capital projects to be used for its intended purpose, to be used to satisfy the temporary jail lease obligation. With releasing those funds the fund balance would remain at 38.6%. Zach Wesley said the records from meetings where the funds were assigned have been reviewed by legal and there was no specific appropriation to a capital construction project, the funds were always just designated as a budgetary matter. The way to reallocate them would be thru the same method where they were initially designated, meaning an open session with a motion from the Board followed by a roll call vote. Commissioner Rule asked about the fairground dollars. Controller Wagoner explained there is a separate County Fair fund, so those funds are in an entirely separate accounting fund further explaining that when the sale of the fair property closes those monies will go directly into the County Fair fund which is entirely separate from these funds. Commissioner Rule said that this Board has had a continuous message that they want those fairground dollars to stay with the fair. Controller Wagoner said that is absolutely the way it must be and will be to follow proper accounting and financial standards, those are fair monies. Clerk Yamamoto added that with the submitted budget that was passed, this move of the transfer of the \$3.2M was part of the budget, it was included in how the jail in particular would be funded. Commissioner Dale stated that he wished this wasn't something that had to be done and that the money could be applied to a permanent jail but in the interim this is the best proposal they've seen and some relief needs to be provided and this will help with that. Commissioner Dale made a motion to assign the funds as explained by Mr. Wagoner. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Dale and White voting in favor of the motion and Commissioner Rule voting against. The motion carried in a 2-to 1 split vote. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

Commissioner White made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present

were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:57 a.m. with no decision being called for in open session.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY ION & MIHAELA STANCIU FOR A REZONE, FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER AND ORDINANCE; CASE NO. RZ2018-0007

The Board met today at 10:02 a.m. for a public hearing to consider approval/denial of a request by Ion & Mihaela Stanciu for a rezone and to consider approving the findings of fact, conclusions of law and order and an ordinance; case no. RZ2018-0007. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of DSD Tricia Nilsson, DSD Planner Dan Lister, TJ Wellard, Ion Stanciu and Deputy Clerk Jenen Ross. Dan Lister gave the oral staff report stating that the applicant is requesting a rezone from rural residential to R-1 which is a 1 acre minimum lot size. This case was before the P&Z Commission on July 19, 2018 where they recommended approval. This is within the City of Nampa's impact area and their future land use plans show this as low density residential. On the vicinity map there are a lot of subdivisions, all of which are in the city with an average lot size of .34 acres. Agencies and neighbors were all notified of the rezone and no opposition was received so staff is recommending approval. TJ Wellard spoke on behalf of the Stanciu's stating that they would like to be able to split their 2.5 acres to give a parcel to their daughter to build on. There are recent improvements along Stamford and Dooley as part of Stanciu Subdivision as requested by the City of Nampa. Mr. Wellard does not believe that the City of Nampa has made any further requests in regards to improvements. The additional parcel will be served by individual well and septic that they have been working with SWDH on for approval. All right-of-way required by the highway district has already been dedicated. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Dale said this is an enclaved area that enjoys the benefits of being in the City of Nampa without having to contribute to paying to those, at some point he would like to see this area become a part of the City of Nampa. Commissioner Rule made a motion to grant the rezone request, provide finding of fact, conclusions of law and order and approve the ordinance directing the change to the official zoning map. The motion was seconded by Commissioner White and carried unanimously. See ordinance no. 18-026. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS: DEPARTMENT ADMINISTRATOR PERFORMANCE SURVEYS

Commissioner White made a motion to go into Executive Session at 11:04 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel issues related to specific employees and related documents. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the

motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Parks Director Nicki Schwend arrived at 11:04 a.m. and left at 11:30 a.m., Fair Director Diana Sinner arrived at 11:30 a.m. and left at 12:07 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:07 p.m. with no decision being called for in open session.

#### MEETING WITH DIRECTOR OF FACILITIES AND ASSESSOR TO DISCUSS POSSIBLE REMODEL OF THE DMV FOR A DEALER CENTER

The Board met today at 3:15 p.m. with the Director of Facilities and Assessor to discuss a possible remodel of the DMV for a dealer center. Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Brian Stender explained to the Board that auto dealers have been frustrated with the amount of time it is taking to process titles and the error rate and earlier in the year considered using a 3<sup>rd</sup> party for processing. Kimbra Asqueta reached out to the dealerships in Canyon County to see if there was something that could be done before they moved to a 3<sup>rd</sup> party as this is a large revenue stream. The solution the Assessor has come up with is to create a title processing center within the DMV with dedicated staff to process titles as their primary task each day. Paul Navarro provided a layout of the current set-up of the office and has worked with Ms. Asqueta and Mr. Stender as to what will work best for them. They would convert stations 9 and 10 to an enclosed space for this purpose that would not be open to the public. He estimates the project to cost about \$3000, with the exception of glass, with the work begin done in-house by his staff. Assessor Stender has funds available still for FY2018 and would like to complete the project prior to the end of the fiscal year. Director Navarro said there is a lot that can be repurposed and they will use as much of that as they can. Commissioners Dale and White are both in favor of this project but asked for it to be listed on the agenda as an action item. Approval of this project will be considered on September 7, 2018 at 8:30 a.m. The meeting concluded at 3:32 p.m. An audio recording is on file in the Commissioners' Office.

#### AUGUST 2018 TERM CALDWELL, IDAHO AUGUST 31, 2018

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

No meetings were conducted.

THE MINUTES OF THE FISCAL TERM OF AUGUST 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 25<sup>th</sup> day of October, 2018

CANYON COUNTY BOARD OF COMMISSIONERS

Steven J. Rule

Tom Dale

Pam White



SEPTEMBER 2018 TERM  
CALDWELL, IDAHO SEPTEMBER 4, 2018

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

APPROVED CLAIMS ORDER NO. 9/10/18

The Board of Commissioners approved payment of County claims in the amount of \$117,495.78, \$171,000.16, \$64,363.19 and \$52,862.94 for accounts payable.

MEETING WITH DIRECTOR OF FACILITIES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER APPROVAL/DENIAL OF REMODEL AT THE DEPARTMENT OF MOTOR VEHICLES FOR A DEALER CENTER

The Board met today at 8:37 a.m. with the Director of Facilities to discuss general issues, set policy and give direction and to consider approval/denial of a remodel at the DMV for a dealer center. Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Director Navarro said the landfill addition project is getting finished up but finding a painting contractor was proving problematic so in order to get the project finished on time his staff will be doing the painting which will result in a deductive change order. The elections office will be painted in the next few weeks. All Detainment Solutions will be here this week to do a site visit to determine exactly where the trailers will go, they have also asked to meet with local subcontractors for plumbing, electric and HVAC. There is a Fair stakeholders meeting taking place tomorrow where the Wilson Drain will be discussed, once something is worked out they plan to come back to the Board with their suggestions. Additionally, they've also met with the PA's Office to discuss the process of an RFQ for the architecture and engineer to start designing the building.

Assessor Stender spoke about the remodel they'd like to do at the DMV to create a dealer center. They anticipate the cost to be approximately \$6000; the immediate supplies to be purchased will be about \$3000 but the glass cannot be purchased until the construction is done and Director Navarro anticipates that to cost no more than \$2000 - \$3000 as it has to be tempered glass. Ideally they would to start the project by the end of September. This project is being done to keep area dealers happy with the title processing in order to keep that revenue coming into the county. Commissioner White made a motion to approve the remodel. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, Juvenile Detention Director Steve Jett left at 9:02 a.m. and Deputy Clerk Jenen Ross.

***Consider signing FY2019 juvenile corrections memorandum of agreement with Southwest Idaho Juvenile Detention Center, Idaho State Department of Juvenile Corrections and Ada County:*** This is an annual agreement to furnish emergency housing if the need arises. Mr. Porter said that the contract has been reviewed by Mr. Wesley and there are no issues with it. Commissioner White made a motion to sign the agreement. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-114).

***Consider signing solicitation of interest - Inmate legal services in Dale Haile Detention Center:*** Kenneth Stringfield was the “law librarian” for the jail for many years but he has recently taken a job with the Public Defender’s office. When an inmate has a civil issue they file a kite which would be routed to Mr. Stringfield to get them the proper paperwork or tell them how to initiate their claim. Since Mr. Stringfield has moved on we are going to solicit interest from the Third District Bar and possibly extend it to the Fourth District if need be. The position is paid on a contract which previously amounted to approximately \$10,000. The County is required by law to maintain a law library and this is the way we accomplish that. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the solicitation of interest for inmate legal services in Dale Haile Detention Center. A copy of this letter is on file with this day’s minute entry.

***Consider signing purchase and license agreement for software licenses and server with Spillman Technologies, Inc. and Solutions II:*** Chief Dashiell said he started working on this negotiation several months ago knowing that by 2020 the hardware and operating system would need to be upgraded and data will need to be transferred from the old system to the new system. In working with Spillman/Motorola they offered the opportunity to purchase a front end maintenance agreement that would carry out five years, however, knowing that an agreement couldn’t be entered into obligating funds for a five year period this front end purchase in this combination contract takes care of that issue and will save the county about \$220K-\$250K over the five year period because the maintenance amount will be frozen and won’t increase by the standard 3-4% each year. A couple months ago the Board signed a tentative acceptance on the amendment to the original contract that was dependent on the approval of the budget. When that was signed Chief Dashiell let the Spillman representative know that the county would want a formalized document and not just a single sheet amendment. While working thru the amendments it was discovered that the initial contract was from 2001 and needed to be updated with current contacts. Dan Blocksom reviewed the contract finding additional savings by forcing Spillman and their contractor to use NASPO (National Association of State Procurement Officers) pricing. At this point the Spillman representative is just waiting for notice of the signed contract so that a project manager can be assigned. The tentative switch over on the hardware and data conversion is set for the second week of February. This is based on a 3-4 payment agreement, the first payment will be made within 30 days of the new fiscal year, then payment upon install and then a site

acceptance payment. Funds for this project will be broke out as 65% being paid from E911 and 35% being paid from the Justice fund. Dan Blocksom said this license agreement is for the same software and license agreement that was acquired after a very lengthy RFP process between 1999 and 2001 and Idaho Code §67-2803(15) states that process would not have to be repeated as it is the software platform. The server itself is not covered by that code but Spillman's vendor agreed to match NASPO pricing dropping the cost to \$46,000 which eliminated the need for the procurement process and due to NASPO pricing being matched it is more or less unreasonable for the county to even go thru the procurement process because NASPO is the best price available making the procurement process disadvantages and/or impractical. In addition to the server we'll be receiving services from Solutions II which is an approved vendor thru Spillman who will maintain and provide services for the server which is covered by the personal/professional services exception to the procurement statutes. Commissioner White made a motion to sign the purchase and license agreement for software licenses and server with Spillman Technologies, Inc. and Solutions II. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-115). Commissioner White then made a second motion to sign the maintenance and support agreement with Spillman Technologies, Inc. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-116).

***Consider signing a resolution retiring Canyon County Sheriff's Office K9 "Ima":*** Mike Porter explained that Ima has had some health issues, however, she was procured thru a vendor in Florida who offered a warranty. A replacement for Ima will be provided by the same vendor due to her disability being covered by the warranty. Ima will be retired to the care of Corporal Bryce Moore who has agreed to personally take on the care of Ima and her condition. Chief Dashiell explained that when Ima was acquired she was taken to the vet who detected a heart arrhythmia so they worked with the vendor before taking final acceptance; the vendor provided a written document warranting the dog if she had to be retired due to the medical issue related to her heart. As she gotten older she has had some issues during training and while on duty. Corporal Moore has worked with her trying to strengthen her but upon another check-up the vet recommended immediate removal from duty and prescribed three medications while the official retirement process was completed. Corporal Moore will travel to Florida the first part of October where he will have first selection of the next set of dogs that are received from Europe. There will be no cost to the county with the exception of travel to Florida. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution retiring Canyon County Sheriff's Office K9 "Ima" (see resolution no. 18-143).

The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Owyhee BBQ, LLC dba Owyhee BBQ. See resolution no. 18-144.

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

The Board met today at 10:02 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner said recently Canyon County 4-H, FFA and Fair all met with representatives from the Western Idaho Fair and Ada County 4-H and FFA to discuss the longstanding exception where Ada County kids can show at the Canyon County Fair and Canyon County kids can show at the Western Idaho Fair, they can also participate in the sale in both counties, this is an arrangement that has probably been in place for 50 years or more. However, there is a rule within state 4-H that you cannot participate with a project in more than one fair. In Canyon County space and the length of the sale (there are approximately 200 more animals vs. in Ada County) are issues. They are working to find a compromise to move forward in addressing the space issues in Canyon County while not devastating Ada County in regards to their numbers in shows and sales as there are a lot of Canyon County kids who show at the Ada County Fair. As a group they discussed how to keep the number of opportunities available for kids as they don't want to limit opportunities but how to address the issues. One thing they have been doing and will continue to do is to look at the number of animals each kid can bring, possibly setting limits within certain species. As a group it was suggested that they limit kids to selling in just one sale but there wasn't specific conversation as to if they can still show at both or if Canyon County still have space issues. After the meeting Director Sinner met with Carrie Johnson from the Extension office and Jason Tindall who is a Canyon County FFA Advisor in regards to what they'd like to present to the BOCC for approval. Commissioner Dale believes we need to figure out how many stalls we have for each species and then we will take Canyon County FFA and 4H kids first and then if there is space available Ada County kids will be taken on a first come/first served basis but there cannot be a blanket open for Ada County anymore. Director Sinner and Ms. Johnson are not sure that just limiting the selling to one fair or the other will solve the issue especially when you account for the growth in Canyon County, the numbers aren't anticipated to go down. The initial thought would be only Canyon County 4-H Clubs and Canyon County FFA Chapters; the chapter would be based on where the high school is located. Commissioner White asked if extending the days of the fair would be helpful. Director Sinner didn't believe it would be helpful because you would probably just end up having days that would be livestock shows only and that can be a drain on resources as you still have to pay staff and there wouldn't be any income. Director Sinner thinks there are a lot of things that can be done internally to help with space constraints. There is a stakeholders meeting tomorrow night that Director Sinner believes is to talk about Wilson Drain and the issues they've come up against regarding the tiling, in general how the fair and rodeo went since the addition of the new pens and then moving forward into football season. After the meeting tomorrow Director Sinner would like to plan a meeting between herself, Paul Navarro and Brent Orton from the city to meet with the BOCC to specifically discuss Wilson Drain and a plan to possibly move forward. The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY IDAHO MATERIALS AND CONSTRUCTION FOR A CONDITIONAL USE PERMIT MODIFICATION; CASE NO. CU2018-0008

The Board met today at 10:33 a.m. for a public hearing to consider approval/denial of a request by Idaho Materials and Construction for a Conditional Use Permit modification; case no. CU2018-0008. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Todd Lakey and Deputy Clerk Jenen Ross. Debbie Root gave the oral staff report stating that the applicant has requested to modify some conditions that were placed on the application, including the removal of berms, that condition reads: "the property shall be bounded by berms to provide noise and safety barriers from adjacent lands in accordance with filed reclamation plans with the State Department of Lands and as proposed in sub exhibit D, County exhibit 2, American's Narrative Letter of Intent". In more recent applications berms have been removed on gravel extraction sites particularly those surrounded by gravel extraction sites and not impacting neighborhoods, subdivisions or those kinds of things. This application site fits within those bounds of not needing to require berms on the properties. The applicant owns the properties to the north and Simplot Land and Livestock owns the property to the east, there is an industrial development to the south and a farm field that is protected by the conditioned line of trees that have grown up and provide a sufficient barrier. They are requesting to extend the permit duration, currently the permit has reached its 20 year end-of-life and they are asking to extend that an additional 20 years to complete the mineral extraction at this location. On the original application the stated acreage on the reclamation plan and in the conditional use hearing was 80 acres but the site plans and the reclamation is actually more than the 80 acres so they are requesting to adjust the acreage from 80 acres to 110 acres to reflect what is actually on the ground that will be mined as a part of this application. The applicants' representative, Todd Lakey, has indicated that they will amend the reclamation plan to reflect the correct acreage where mining is occurring. ITD has indicated that the access point is not appropriately permitted and therefore the applicant is also working with ITD to ensure that the road access to Hwy 19 is appropriately permitted. Ms. Root doesn't see that this should be a problem but if so they will have to come up with an alternative access - 90 days were requested to complete that process making early December the timeframe for that to be done. Currently it is a paved access and has been in use since the permit was commenced. Staff is recommending the changes and continuing to adhere to the remainder of the conditions that are in place, staff also added some standard conditions regarding the irrigation ditches and canals and not disturbing those waterways and things that have been added to most of the gravel extraction permits. Staff is recommending approval of the requested changes as conditioned. Todd Lakey said the C.U.P was originally approved in 1997 and his clients purchased the property in 2010 so some of the issues they're trying to clean-up were inherited. The operations have gone fine on the property for 20 years since it was approved in 1997 and they are not aware of any issues or concerns from agencies or individuals, including ITD until this application was filed. His clients own the property to the north and some to the south, it is industrially zoned property and uses along that corridor for Hwy 19. Simplot owns to the east and a farmer to the west with the mature line of trees. Gravel pits sometimes have controversy and balancing of interests but this one doesn't, in this case gravel is found next to industrial zoned property, it's designated

industrial in the comp plan so all of that support it. Additionally, they didn't realize that American Paving (the previous owners) hadn't obtained the approach permit until his clients applied. The access is a 50ft wide paved access, Hwy 19 has 2 lanes going in each direction with a turn lane in the middle in that location. It's operated just fine for 20 years so he doesn't see that there should be any problem. They initially asked for 90 days for this to be completed but he worries a little about ITD's timing and is requesting that the director be given discretion to give them up to another 90 days. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to close the public hearing. Commissioner Dale instructed staff to change the date on condition no. 9 to March 4, 2019 to account for additional time in working with ITD. Commissioner White made a motion to approve the request to Idaho Materials and Construction for a Conditional Use Permit modification regarding case no. CU2018-0008 and the Findings of Fact, Conditions of Approval and Order with the changes as referenced on the record. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

#### CANVASS ELECTION

The Board canvassed the August 28, 2018 Election results today which are on file with this day's minute entry.

#### MEETING WITH PUBLIC DEFENDER TO CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENTS FOR PUBLIC DEFENDER CONFLICT COUNSEL

The Board met today at 11:33 a.m. with the Public Defender to consider signing independent contractor agreements for Public Defender Conflict Counsel. Present were: Commissioner Tom Dale and Pam White, Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Aaron Bazzoli said these are contracts with conflict public defenders that the county now works with. The Public Defense Commission requires that conflict attorneys have contracts as part of the compliance. Commissioner White made a motion to sign the independent contractor agreements for public defender conflict counsel with Ken Stringfield (agreement no. 18-117), Jay Kiiha (agreement no. 18-118), Paul Taber (agreement no. 18-119), Danielle Scarlett (agreement no. 18-120), Jolene Malone (agreement no. 18-121), Aaron Hooper (agreement no. 18-122), Ali Perkins (agreement no. 18-123), Bethany Haase (agreement no. 18-124), Chad Gulstrom & Isaiah Govia (agreement no. 18-125) and Travis Rice (agreement no. 18-126). The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 11:38 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2018 TERM  
CALDWELL, IDAHO SEPTEMBER 5, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office

Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

SEPTEMBER 2018 TERM  
CALDWELL, IDAHO SEPTEMBER 6, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Action Target in the amount of \$1500.00 for the Sheriff's Office
- A-Gem Supply, Inc. in the amount of \$3804.25 for the Prosecutor's Office

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/7/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/8/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/15/18.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/4/18.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/15/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/19/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/26/18.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 9/29/18 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 9/29/18 for a wedding.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-871

The Board met today at 10:00 a.m. to conduct a medical indigency hearing for case no. 2018-871. Present were: Commissioners Tom Dale and Pam White, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Michelle Davis for St. Lukes, Attorney Mark Peterson for St. Lukes, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.



### CONSIDER INDIGENT MATTERS

The Board met today at 10:02 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Pam White, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

The hospital requested a continuance for case nos. 2018-958 and 2018-667. Commissioner White made a motion to continue the cases to November 1, 2018. The motion was seconded by Commissioner Dale and carried unanimously.

Neither the hospital nor the applicant appeared for case no. 2018-791 and upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue a final denial with written decision within 30 days.

Case no. 2018-959 has met all eligibility criteria but is still awaiting a resource for payment. Commissioner White made a motion to place the case in suspension pending the outcome of the disability application. The motion was seconded by Commissioner Dale and carried unanimously.

Case nos. 2018-747 and 2018-1013 have met all eligibility criteria for approval after the initial denial. Commissioner White made a motion to issue a final approval within 30 days on case no. 2018-747. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

### CONSIDER INDIGENT MATTERS

The Board met today at 10:17 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Pam White, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared on case nos. 2018-1004, 2018-714, 2018-774, 2018-987, 2018-967 and 2018-1011. Commissioner White made a motion to issue final denials with written decisions within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner White made a motion to continue case no. 2018-970 to October 4, 2018. The motion was seconded by Commissioner Dale and carried unanimously.

Case no. 2018-1013 met all eligibility criteria after the initial denial. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue a final approval within 30 days.

The following cases do not meet eligibility criteria for county assistance: 2018-1299, 2018-1309, 2018-1308, 2018-1279, 2018-1292, 2018-1301, 2018-1278, 2018-1300, 2018-1307, 2018-1289 and 2018-1290. Commissioner White made a motion to issue initial denials. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

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

*Note for the record: As properly noticed the Board met today at 10:27 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:27 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:47 a.m. with no decision being called for in open session.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 7, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grainger's in the amount of \$1638.32 for the Facilities department

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Prosecutor Bryan Taylor, Deputy P.A. Dan Blocksom, HR Generalist Demi Etheridge and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing a resolution classifying records of the Canyon County Sheriff's Office and authorizing the destruction of certain records/recordings:*** Dan Blocksom said this resolution is to destroy dispatch recordings that occurred prior to September 1, 2016; anything that is the subject of litigation will not be destroyed. Legal has reviewed the resolution and there is no reason not to sign. Commissioner White made a motion to sign the resolution classifying records of the Canyon County Sheriff's Office and authorizing the destruction of certain records/recordings. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-146).

***Consider signing a resolution approving the addition of six (6) positions to the Prosecuting Attorney's Office:*** Prosecutor Taylor said these are positions that were approved in the FY2019 budget and are to account for the City of Caldwell prosecution contract. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the addition of six (6) positions to the Prosecuting Attorney's Office (see resolution no. 18-145).

There were no other items for discussion at the legal staff update. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH CANYON COUNTY CONTROLLER TO CONSIDER GRANTING SEVEN DAY EXTENSION REQUEST FOR LEVY CERTIFICATION

The Board met today at 9:38 a.m. with the Controller to consider granting seven day extension request for levy certification. Present were: Commissioners Tom Dale and Pam White, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei and Deputy Clerk Jenen Ross. Mr. Wagoner said that Idaho code allows for school districts to request an extension based on enrollment and attendance. If attendance has increased from the previous year school districts can request an emergency levy, they have until Monday to verify those numbers. There are five school districts that have requested a seven working day extension, those districts are Nampa, West Ada, Melba, Caldwell and Middleton. The final numbers will be due on September 17<sup>th</sup>. Commissioner White made a motion to grant a 7-day extension request for levy certification. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-147). The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, HR Director Sue Baumgart, HR Investigator Rich Soto and Deputy Clerk Jenen Ross. Director Baumgart brought the new HR Investigator Rich Soto to introduce the Board. Leadership training dates have been scheduled for December, March, June and September. Ms. Baumgart will draft an email to be sent from the Board to the 14 department administrators explaining that the meetings will be mandatory; additionally she will send calendar invites to each department administrator. Mr. Price is currently reviewing the ordinances and regulations for Commissioners and would like to do a refresher to cover the responsibilities, roles and Idaho State laws that govern Commissioners. He will also work to outline a specific training for the Board which Ms. Baumgart will share with the Board once she receives it from Mr. Price. A discussion was had as to whether it would be better to have the county legal staff review the roles and responsibilities of County Commissioners with the Board or if it would be better to have Mr. Price cover this as he is a neutral party. After the discussion Commissioners Dale and White both decided they are comfortable with Mr. Price conducting this refresher for the Board. Ms. Baumgart said she would meet with him again to get an outline and then schedule a meeting between Mr. Price and the Board. Meetings with the Board for the refresher and to review the roles and responsibilities will take place after the new year when the new Commissioners starts. The health fair is happening soon where people will be able to receive flu shots and sign up for health screenings. Additionally, they will be going out to the DMV to give flu shots. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 10, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell, Inc. in the amount of \$1997.95 for the Information Technology department
- ESRI, Inc. in the amount of \$37,385.62 for the Information Technology department
- Carousel Industries in the amount of \$23,777.48 for the Information Technology department

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND 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 Tom Dale and Pam White, Deputy P.A. Zach Wesley, Lt. Dave Schorzman left at 9:09 a.m., Director of Indigent Services Yvonne Baker left at 9:04 a.m., Facilities Director Paul Navarro left at 9:05 a.m., Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing psychiatric services agreement between Rick Yavruian, D.O. and Canyon County:*** Commissioner White made a motion to sign the psychiatric services agreement between Rick Yavruian, D.O. and Canyon County. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-127).

***Consider signing first amendment to lease agreement No.13-100 between Snake River Properties Boise, LLC and Canyon County renewal no. 5:*** This is the Industrial Way warehouse where all the surplus property, ballots and various county records are stored. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the first amendment to lease agreement no. 13-100 between Snake River Properties Boise, LLC and Canyon County renewal no. 5 (see agreement no. 18-128).

***Consider signing Canyon County emergency operations plan consultant services agreement with Tetra Tech:*** This contractor has done similar plans for other local areas. It will be funded thru the Homeland Security grant. The cost of the agreement is approximately \$30K and the contract provides that if the Homeland Security monies fall thru that the contract would be void at that point. With the exception of it being billed in phases as the work is complete this is a standard personal services contract. Lt. Schorzman doesn't see any reason the Homeland Security money shouldn't go thru barring any major government shutdown. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the emergency operations plan consultant services agreement with Tetra Tech (see agreement no. 18-129).

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:32 a.m. with no decision being called for in open session.

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

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

The Board met today at 9:32 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson update the Board on the following items: Permit levels are still high but a little less than a year ago; mechanical inspections are up but the number of permits has dropped. At this point they will probably not fill the plan review position. Revenue is at almost \$2M and she believes this may be a record high for her department; the department is a little over \$600K in the black with expenses at about 85%. Recruitment for the Planner III position has started. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND EXECUTIVE SESSION PURSUANT TO IC 74-206(1) (B) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES

The Board met today at 10:04 a.m. with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction and for an executive session pursuant to IC 74-206(1) (b) to discuss personnel issues related to specific employees. Present were: Commissioners Tom Dale and Pam White, Weed & Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross.

#### EXECUTIVE SESSION – PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES

*A request was made to go into Executive Session to discuss a personnel issue related to specific employees. The Executive Session was held as follows:*

Commissioner Dale made a motion to go into Executive Session at 10:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Weed & Gopher Superintendent AJ Mondor, and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:39 a.m. with no decision being called for in open session.

#### MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES

The Board met today at 2:03 p.m. with the County Agent to discuss general issues. Present were: Commissioners Tom Dale and Pam White, County Agent Jerry Neufeld, 4-H Extension Educator Carrie Johnson and Deputy Clerk Jenen Ross. Mr. Neufeld and Ms. Johnson updated the Board on the following issues: A new livestock educator started over the summer; they still have two vacant positions – the horticultural educator position is being advertised right now and a 4-H position that is a joint position between Ada and Canyon Counties for

underserved areas of the counties that typically don't participate in 4H. A discussion was has regarding the potential of an additional employee for FY2020; Commissioner White asked Mr. Neufeld to work thru some of the details regarding what the responsibilities of the position would be. Ms. Johnson said the fair went really well this year; they will be having a monthly meetings with Director Sinner on ways to continue making the fair better each year. They are just finishing the second round of STEP (Short Term Enrollment Program) and have several volunteers that have become hunters ed. certified and can now teach hunters ed. They are hoping to have some regular STEP classes this fall; the shooting sports program continues to grow. Ms. Johnson goes to Sacagawea Elementary every Monday and Thursday before school to conduct a kid's yoga class. The Indian Creek Festival is this weekend where they will host a craft table and the master gardeners will have a tomato taste-off. National 4H week is October 7<sup>th</sup>. The meeting concluded at 2:21 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2018 TERM  
CALDWELL, IDAHO SEPTEMBER 11, 2018

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

APPROVED CLAIMS ORDER NO. 9/11/18

The Board of Commissioners approved payment of County claims in the amount of \$28,277.21 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/25/18

The Board of Commissioners approved payment of County claims in the amount of \$338,561.41 and \$220,220.49 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Woodland Empire Ale Craft Inc. /WDLND Empire Ale Craft to be used 9/14/18 and 9/15/18 for a farm dinner.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Idaho Tower Construction Co. in the amount of \$2040.00 for the Information Technology department
- Creative Concrete Construction in the amount of \$3090.00 for Solid Waste department
- Idaho Tower Construction Company in the amount of \$2040.00 for the Information Technology department
- Apple in the amount of \$3831.00 for the Information Technology department
- CCIT in the amount of \$2400.00 for the Information Technology department

#### FILE IN MINUTES

As a ministerial item the Board signed an engagement letter with Simmons Hanly Conroy LLC, Crueger Dickinson LLC, and von Briensen & Roper, s.c., as counsel in relation to claims against opioid manufacturers and opioid distributors.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEM

The Board met today at 9:04 a.m. for a legal staff update and to consider an action item. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Legal staff update and consider signing addendum 2 to RFP for Comprehensive Plan Consultant:*** Zach Wesley explained this is the question and answer addendum to the RFP. One question was received asking if there is a requirement to provide a cost estimate. Commissioner Rule made a motion to sign addendum 2 to RFP for Comprehensive Plan Consultant. The motion was seconded by Commissioner White and carried unanimously.

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

*A request was made to go into Executive Session to discuss records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy PA Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded



at 9:22 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### CONSIDER FINAL PLAT FOR JUBILEE PARADISE SUBDIVISION

The Board met today at 10:00 a.m. to consider the final plat for Jubilee Paradise Subdivision. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Dallas Downing, and Deputy Clerk Monica Reeves. Ms. Almeida reported that the property is in a rural residential zone and its proposed lots meeting the minimum lot size requirement of two acres. The final plat has been reviewed by the County engineer and recommended for approval. All conditions have been met and all signatures are in place. Staff finds the final plat meets the requirements of Idaho Code and the Canyon County Zoning Ordinance and is ready for the Board's approval. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the final plat for Jubilee Paradise Subdivision. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 12, 2018

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

#### APPROVED CLAIMS ORDER NO. 1825

The Board of Commissioners approved payment of County claims in the amount of \$1,535,350.20 for a County payroll.

#### PUBLIC HEARING – CANYON LAKES ESTATES SUBDIVISION PHASE 2

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by James and Patricia Gibson for approval of the preliminary plat, final plat and irrigation and drainage plan for Canyon Lakes Estates Phase 2, Case No. SD-PH2017-47. Present were: Commissioners Tom Dale and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, James and Patricia Gibson, Cheyenne Weston, other interested citizens and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The applicants are applying for the preliminary plat, irrigation and drainage plan, and the final plat for Canyon Lakes Estates Subdivision Phase 2. The subject property is currently zoned as "C1" (Neighborhood Commercial) and is designated as commercial on Canyon County's Future Land Use Map. The property is located within the Caldwell Impact Area and is designated as residential

estates on Caldwell's Future Land Use Plan. Parcel R32900100 is currently a part of North Lake Acres Subdivision which was platted as two lots in 2003. In 2006 these two lots were meant to be Phase 2 of Canyon Lakes Estates Subdivision Phase 1, it just wasn't platted in 2006 so they are now going back through the process to plat it into one commercial lot. The applicants also applied for a conditional use permit for mini-storage and RV storage and they received approval from the P&Z Commission on December 21, 2017. The P&Z Commission recommended approval of the preliminary plat and final plat as well as the irrigation and drainage plan. The reason for the plat is to make a more suitable site plan for the RV and mini-storage facility. The subdivision consists of the one lot and will remove a non-platted lot line with the utility easements being vacated along that existing lot. The Idaho Transportation Department (ITD) has completed a corridor study of State Highway 55/Karcher Road that shares a future right-of-way of 140 feet. The applicants are not required to dedicate the section along Highway 55 but they have placed a 90-foot building setback which will allow for a 70-foot buildout of Karcher Road as well a 20-foot additional structural setback for any buildings that go on the parcel. ITD submitted new comments on August 28, 2018 stating the applicants are in compliance with the conditions of approval and they do not object to the request. At the request of the Caldwell Fire Department, secondary emergency services access is required onto Karcher Road and the applicants received approval for an approach onto Karcher Road for emergency service access only so there will be a gate with box to where the fire department is the only one with access to that approach. The applicant has requested subdivision improvement waivers from the City of Caldwell; they received a waiver on the streetlight light improvements but are required to build curb, gutter and sidewalk and they have to do some widening of Farmway Road at the turn onto Karcher Road. The applicants have received a bond in the amount of 120% for those improvements and a letter of credit has been received from the West Mark Credit Union. The access at Farmway Road is going to be the primary entry/exit location for patrons using the storage facility and the approach is located approximately 360 feet from the intersection at Farmway Road and Karcher Road and it's planned to meet all the requirements of Canyon Highway District for a 40-foot wide paved apron meeting commercial approach standards. The applicants have complied with all highway district requirements and the district has given approval of final plat acceptance and has signed the final plat. The applicants have complied with the three conditions that were required by the P&Z Commission, and staff is recommending approval. Commissioner Rule asked for clarification on ITD's comment that an increased trip generation would require resubmittal by the applicants. Director Nilsson said for the use that was presented to ITD and with the approval of that use for a mini-storage it's a pretty low trip generation versus a convenience store, for example, and so if the use changes to something higher they will have to re-evaluate their approach permit and understand the change in trip generation. Cheyne Weston testified about his concerns that the neighbors outside the 300 foot notification area did not receive notice of today's hearing. He spoke about how commercial activities have large impacts and questioned why this proposal is not required to have city services. He also has concerns about whether the applicants will be asking for a commercial well. Mr. McCormick said the storage units had to go through a conditional use permit at which time the services were looked at as far as how much water was going to be needed but the use of storage units doesn't require a lot of water. There will be an office on site with a septic and a well. Mr. Weston said if the use migrates or changes it could totally change the situation especially in the terms of traffic because

there's been a request for a large-scale development on the opposite side of the road. He wants to make sure neighbors receive notification if the use changes. Director Nilsson said if the zoning has been done and there are no other restrictions and they want a building permit they will have to come in with the approach permit and meet the conditions imposed by the agencies, including ITD and Southwest District Health. Agency approval prior to pulling the building permit ensures that public services are available at the time of development. There isn't a public review of that but that is the involvement of the agencies in having it vetted before someone can apply for a building permit. DSD does not notify people of a building permit application. It is reviewed for zoning compliance in terms of setbacks, any special plat notes to comply with and then it goes to plat review and then it's issued a permit and then at that point it has to comply with the building code. There's no additional public review or meetings in that process. Commissioner Dale said this property has already been rezoned and whatever use is available for that zone is allowable. Notification was given during the zoning and the comprehensive plan map change process. Mr. Weston said that's lacking by the County in terms of notification only being given to those within 300 feet of the property because this project has a larger impact, specifically regarding traffic. Mr. McCormick said their main access is off Farmway Road right now and Canyon Highway District has reviewed the site plan and final plat and has given approval. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat, final plat, and the irrigation and drainage plan for Canyon Lakes Estates Phase 2, and to adopt the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to authorize the chairman to sign the final plat. The hearing concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 13, 2018

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

No meetings were conducted.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 14, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$3248.80 for the Information Technology department
- BOE in the amount of \$12,661.80 for the Information Technology department

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 10:30 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Chief Deputy P.A. Sam Laugheed, HR Director Sue Baumgart, Indigent Services Director Yvonne Baker, DSD Planner Daniel Lister left at 10:40 a.m., Controller Zach Wagoner, Katee Dodge from Pioneer Title left at 10:41 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing closing documents including deeds for highway 20-26 property sold at auction:*** Zach Wesley said these are standard real estate closing documents. Commissioner Rule made a motion to sign the closing documents including the deed for the highway 20-26 property sold at auction. The motion was seconded by Commissioner Dale and carried unanimously. A check will be delivered to the Clerk's office this afternoon once the buyer has signed the documents. Commissioner Rule confirmed with Controller Wagoner that these funds will be deposited directly into the county fair fund.

***Consider signing FY2019 renewal with Delta Dental:*** Zach Wesley explained that this is a renewal that comes with a 3% increase which raises the cost from \$4.54 to \$4.68 per employee, beyond that there are no other changes to the policy. Upon the motion of Commissioner Rule and second by Commissioner Dale the board voted unanimously to sign the FY2019 renewal with Delta Dental (see agreement no. 18-130).

***Consider approval/denial of a resolution for a refund request for a conditional use permit for Darrin and Tamara Buys case no. CU2018-0012:*** The C.U.P. was for a trucking storage facility but the zoning doesn't allow for it. They have been working with the City of Nampa and are eligible for annexation. DSD did not do any work on the application.

***Consider approval/denial of a resolution for a refund request for a property boundary adjustment to Linda Talich case no. AD2018-0100:*** This was for a property boundary adjustment to correct an error but they discovered the property itself was created illegally. In order to get everything corrected DSD asked them to go thru another series of processes but due to the cost they have decided not to move forward and have chosen to withdraw their application.

Commissioner Rule made a motion to grant the refund requests for Darrin and Tamara Buys, case no. CU2018-0012 (see resolution no. 18-148) and Linda Talich, case no. AD2018-0100 (see resolution no. 18-149). The motion was seconded by Commissioner Dale and carried unanimously.

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

*A request was made to go into Executive Session to discuss personnel matters, acquisition of an interest in real property, records that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:41 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner, Deputy P.A. Zach Wesley, HR Director Sue Baumgart, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. At the conclusion of the Executive Session Commissioner Rule made an amended motion to include section (b). The amended motion was seconded by Commissioner Dale. A roll call vote was taken and carried unanimously. The Executive Session concluded at 11:21 a.m. with no decision being called for in open session.

***Consider signing Computer Arts, Inc. master agreement and software & support license:***  
Dan Blocksom said this is the main software for the Indigent Services department and is a critical part of their operation. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the Computer Arts, Inc. master agreement and software & support license (see agreement no. 18-131).

The meeting concluded at 11:23 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2018 TERM  
CALDWELL, IDAHO SEPTEMBER 17, 2018

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

MEETING WITH PARKS DIRECTOR TO DISCUSS THE CELEBRATION PARK TRAVEL MANAGEMENT PLAN AND CONSIDER APPROVING COMMENT TO SUBMIT TO THE BUREAU OF LAND MANAGEMENT REGARDING MORLEY NELSON SNAKE RIVER BIRDS OF PREY NATIONAL CONSERVATION AREA WEST (AKA "CELEBRATION PARK") TRAVEL MANAGEMENT PLAN

The Board met today at 8:31 a.m. for a meeting with Parks Director to discuss the Celebration Park Travel Management Plan and consider approving comment to submit to the Bureau of Land Management regarding Morley Nelson Snake River Birds of Prey National Conservation Area West (aka "Celebration Park") Travel Management Plan. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend provided the Board with paperwork that outlines the Draft Travel Management Plan and Environmental Assessment provided by the BLM with illustrations of what is being referenced (a copy of this paperwork is on file with this day's minutes). For a long time there has been a lot of push-back and butting of heads between the BLM and the County which led the County to develop Hot Spot Lane that went from Sinker Rd. into the park. Over time there has been changes in personnel and the way things are being handled and done. BLM has worked on changing some things and one of the first items that the new manager, Amanda Hoffman, worked on in 2017 was the BLM Travel Management Plan West that included a large area of the NCA. The Parks department made comment at that time that they would love to see something done about the road conditions on what is commonly known as Victory Lane. As time went by the project was put on hold but a significant number of comments were received specifically about Celebration Park so they decided to pull that section out as a specific focus. A lot of due diligence has been done on this project over the past 5-6 months with the Parks department providing any archaeological information they have for that area because one of the concerns is all the additional roads and the braiding of roads that has been happening out there as they know there are disturbances happening not only to the scenery and natural habitat but also to the cultural resources. Thru the research and due diligence that has been done no significant impacts that need any more mitigation have been found so at this point they are in the 30-day comment period which ends this Friday. BLM really hesitates to close down roads so County support is fairly imperative for this to happen. There are two actions being proposed 1) no action would happen; leave it as-is and let people continue with what they're doing 2) proposed action to close .8 miles of existing primitive roads that are redundant loops. Significant comments were also received from equestrian groups needing a place to deal with horses so in response to that they are going to put in a gravel parking lot, corral and tie-ups in the areas that they already use. With these changes to the road it will provide a safer looped access with improvements to the road they are protecting archaeological resources by keeping people on one lane and it will be improved so that emergency vehicles can get in and out. Additionally, this will put the parks in much better standing with Melba Fire who have had concerns about people being in the park without proper road conditions to get out. This is the closest this has ever been to happening and Director Schwend doesn't believe they would go thru all the work again if it doesn't go thru now. She has prepared a comment to be submitted. Ms. Schwend read her comment into the record for the Board's consideration (a copy of the statement is on file with this day's minute entry). Commissioner

Rule made a suggestion of the removal of one sentence which Ms. Schwend agreed to remove. Commissioner Rule made a motion to approve the letter Director Schwend is proposing to send on behalf of the Canyon County Parks Department. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Treasurer's tax charge adjustment by PIN for August 2018 in today's minutes.

#### CONSIDER SIGNING NOTICE OF UNSCHEDULED REVENUE HEARING FOR FY2018

The Board met today at 9:31 a.m. to consider signing a notice of unscheduled revenue hearing for FY2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Controller Wagoner presented the Board with a hearing notice for the following budget adjustments:

**Current Expense Fund:** \$2,250,000 in the facilities budget for the initial payment for the temporary jail trailer lease.

**Indigent Fund:** \$200,000 in the public defender budget for conflict counsel and other expenses related to public defense.

**Southwest District Health Fund:** \$28,375 increase for the County's annual contribution. (Earlier this fiscal year an error was made where sufficient money was not included for their 3% increase.)

**Problem Solving Courts Fund:** \$20,000 for personnel costs.

**Pest Control Fund:** \$20,000 for personnel costs associated with pest control and eradication activities.

There will be an increase on the revenue side and a corresponding increase on the expenditure side to allow the budget to remain in balance. The dollar amounts are covered by local sources, there is no increase in property tax. Commissioner White made a motion to sign the notice of unscheduled revenue hearing which sets a hearing date of September 28, 2018 at 11:00 a.m. The motion was seconded by Commissioner Dale. Commissioner Rule understands the concept and the need but said there are a couple expenditures he opposes so he will not support this. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Rule voting against. The motion carried by a two-to-one split vote. The meeting concluded at 9:37 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: The numbers continue to fluctuate; they were at 31 over the weekend but a few days ago they were at 19. They currently have a couple openings but he'll wait to fill the positions until the numbers start consistently going back up. Three people are close to completing their field training program and then they will be assigned to a team. Two people from his department have recently been hired on with local police or sheriff's offices. They've had a couple kids who have required mental health services which takes a little more staff time. The Idaho Juvenile Justice Association will be having training in Nampa this year, two supervisors will be attending the Women in Corrections in Juvenile Justice training in California and the National Partnership for Juvenile Service conference is coming up. Over 1800 lbs. have been harvested from the garden. Director Jett will be attending several trainings over the next few months. The meeting concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:34 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: He is continuing to close out FY2018 and working on FY2019. There will be a PO coming thru for a truck for the waterways; this is the vehicle that will be purchased with the grant that was awarded, the county's portion will be just under \$10K. He will be setting up a time to meet with HR Director Baumgart and Controller Zach Wagoner to discuss an issue with wages/re-evaluation of positions that has been an issue for several years. The meeting concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO RESCHEDULE THE PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY TYLER HESS/HESS PROPERTIES, LLC FOR A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION AND DRAINAGE PLAN; CASE NO. PH2017-75

The Board met today at 1:33 p.m. today to reschedule the public hearing to consider approval/denial of a request by Tyler Hess/Hess Properties, LLC for a preliminary plat, final plat, irrigation and drainage plan; case no. PH2017-75. Present were: Commissioners Tom Dale and Pam White, DSD Planner Kyle McCormick and Deputy Clerk Jenen Ross. Mr. McCormick said the developers are not quite ready for signatures on the final plat; they are still working on some the improvements to the subdivision and some of the conditions of approval. They anticipate being ready for signatures by next week. Commissioner White made a motion to reschedule the public hearing to September 28, 2018 at 9:30 a.m. The



motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 1:34 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY CANYON COUNTY FOR A COMPREHENSIVE PLAN TEXT AMENDMENT, ZONING ORDINANCE TEXT AMENDMENT, FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER AND RESOLUTION FOR A COMPREHENSIVE PLAN TEXT AMENDMENT AND ORDINANCE FOR ZONING ORDINANCE; CASE NO. OR2018-0003 & RZ2018-0009

The Board met today at 2:02 p.m. for a public hearing to consider approval/denial of a request by Canyon County for a comprehensive plan text amendment, zoning ordinance text amendment, findings of fact, conclusions of law & order and resolution for a comprehensive plan text amendment and ordinance for zoning ordinance; Case Nos. OR2018-0003 & RZ2018-0009. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. Jennifer Almeida gave the oral staff report. The application was originally made to include a request to apply a mixed use zones to properties that were owned by Canyon County. That particular portion of the request has been withdrawn so the request being considered today is just in regards to a comprehensive plan text amendment and a zoning ordinance amendment applying to mixed use zones. The Planning and Zoning Commission recommended approval of both requests on July 19, 2018. The comprehensive plan text amendment is for the purpose of adding a mixed use designation as well as adding policies pertaining to the mixed use. The proposed text amendment is attached in the staff report as exhibit 2. The proposed text amendment would only be allowed in areas of city impact in which the city has also designated the area as mixed use on their future land use map. Also, part of the request is a zoning ordinance text amendment to create a mixed use zoning district and to amend the code provisions administering the mixed use zone and those are found in exhibit 3. Staff has reviewed the request and is recommending approval of both the comprehensive plan text amendment as well as the zoning ordinance amendment. Commissioner Dale confirmed that really the only thing this is changing is the ability for someone to request a mixed use zone where as today that opportunity is not available. Ms. Almeida said that is accurate with a couple of caveats being that the city must also designate it as mixed use and it needs to be along an arterial. Commissioner White made a motion to approve the proposed comprehensive plan text amendment and the Canyon County zoning ordinance text amendment and approve the resolution for the comprehensive plan text, case nos. OR2018-0003 and RZ2018-0009. The motion was seconded by Commissioner Rule. After some additional discussion the motion and second were withdrawn. Commissioner White made a subsequent motion to approve the proposed comprehensive plan text amendment, findings and the resolution for comprehensive plan text amendment for case no OR2018-0003. The motion was seconded by Commissioner Rule and carried unanimously. Commissioner Rule made a motion to approve the ordinance for the zoning ordinance text amendment, case no. RZ2018-0009. The motion was seconded by Commissioner White and carried unanimously. Commissioner Rule made a motion directing the staff to provide a summary for Board consideration at a later time. The motion was seconded by

Commissioner White and carried unanimously. The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 18, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Neopost in the amount of \$10,199.00 for the Information Technology department

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE TO CONSIDER SIGNING CANYON COUNTY'S DISPATCH SERVICES AGREEMENT WITH CITY OF CALDWELL

The Board met today at 8:32 a.m. for a legal staff update and to consider signing Canyon County's dispatch services agreement with the City of Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross.

#### ***Consider Signing Canyon County's Dispatch Services Agreement with City of Caldwell:***

Chief Dashiell explained that several years ago negotiations were worked thru with the Caldwell Police Department and an agreement was reached where the county would be able to receive fees back for services provided outside the scope of emergency requirements. This year Chief Dashiell worked with the Caldwell Police Chief and as they worked in the Spillman upgrade they also worked in a cash payment be included in lieu of raising their dispatch fees this year. The cost will be held at about \$291K for the upcoming fiscal year, which is the same fee that was held for the current fiscal year and the following two years of the agreement will freeze at \$300K. Zach Wesley said the agreement contains provisions for three additional years with a 3% increase built-in in the event we just want to continue with this agreement; there are also cancellation clauses for the both the city and the county. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the dispatch service agreement with the City of Caldwell (see agreement no. 18-132). The meeting concluded at 8:36 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 19, 2018

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

APPROVED CLAIMS ORDER NO. 9/25/18

The Board of Commissioners approved payment of County claims in the amount of \$63,616.88, \$147,554.19, \$110,899.32, \$124,628.59, \$37,203.19, \$16,229.99, \$1888.00 and \$3104.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Jumper Cables Embroidery in the amount of \$1176.29 for the Development Services department
- HP, Inc. in the amount of \$6224.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Lost West Winery to be used 9/24/18 and 9/25/18 for an Idaho Wine Commission Boot Camp.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 10/6/18 for a wedding.

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

The Board met today at 9:33 a.m. with County attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Steve Rule, Commissioner Dale arrived at 9:45 a.m., Chief Deputy Sheriff Marv Dashiell, Captain Darren Ward, Lt. Dave Schorzman left at 9:44 a.m., Facilities Director Paul Navarro, IT Director Greg Rast, Solid Waste Director David Loper left at 9:39 a.m., Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell left at 9:39 a.m., Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing Tetra Tech, Inc. Change Order No. 14:*** Brad Goodsell explained that Tetra Tech was initially engaged to do some planning work for the Landfill and its expansion but there have been a number of change orders over the past 2-3 years and next year a new contract will probably be proposed. This particular change order is to get thru the end of September. Director Loper said they will be doing some groundwater sampling as one well has shown some very low levels of items they've been looking into in more detail and there is another well/pump that has been having some issues. The total change order amount is about \$7000. Mr. Goodsell said that under their contract they provide certain consulting services and these change orders are to add different consulting services. Part of the reason for so many change orders is because as they start to do design work new issues or projects come up but we're now to the point that we're ready to implement those; and now that we know what needs to happen and there is a plan going forward a new contract can be written which will eliminate the need for doing change orders in the future. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign change order no. 14 with Tetra Tech, Inc. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-133).

***Consider signing 2018 State Homeland Security Grant Sub recipient Agreement for Canyon County and 2018 Emergency Management Performance Grant Subrecipient Agreement for Canyon County:*** Lt. Schorzman explained these are the annual pass-thru grants from FEMA through the Idaho Office of Emergency Management. One grant is the 2018 Emergency Management Performance Grant which is a 50% match on money that the county has expended. Two projects are being paid for with this grant, the first is to offset the salary and benefits for Lt. Schorzman and the second project is to offset the cost of the Motorola Service agreement (see agreement no. 18-135). The other grant is the 2018 State Homeland Security Grant which is usually used for training exercises and equipment; there are 10 projects that have fallen under this grant this year (see agreement no. 18-134). Commissioner Rule made a motion to sign the 2018 State Homeland Security Grant Sub recipient agreement for Canyon County. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing Amendment No. 4 to Food Service Agreement with CBM Managed Services:*** Mike Porter said this amendment is to update pricing on a contract that has already been signed with CBM, the increase is 2.1% over cost. Legal has reviewed the amendment and there is no legal reason not to sign. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign amendment no. 4 to the food service agreement with CMB Managed Services (see agreement no. 18-136).

**EXECUTIVE SESSION – PERSONNEL MATTERS AND TO COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS**

*A request was made to go into Executive Session to discuss a personnel matter and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:46 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Deputy P.A. Mike Porter, Deputy P.A. Jim Cornwell, Chief Deputy Sheriff Marv Dashiell, IT Director Greg Rast, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:20 a.m. with no decision being called for in open session.

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

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY KELLEY DICK FOR A PRELIMINARY PLAT, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER AND FINAL PLAT FOR HONEY BEE ACRES SUBDIVISION; CASE NO. SD2018-0009

The Board met today at 10:23 a.m. for a public hearing to consider approval/denial of a request by Kelley Dick for a preliminary plat, findings of fact, conclusions of law and order and final plat for Honey Bee Acres Subdivision, case no. SD2018-0009. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Carrie Dick, Kelley Dick, Judith Walter, Gerald Sproule, Jeff Beagley and Deputy Clerk Jenen Ross. Kyle McCormick gave the oral staff report stating that the request by Kelly and Carrie Dick is for a preliminary plat and final plat approval for Honey Bee Acres Subdivision which is a replat of lot 18 of block 1 for Greenview Acres Subdivision. The development consists of two lots and is accessed from a private road, Honey Bee Court. The subject parcel currently has one primary residence on it and is currently constructing a secondary residence. Halfway thru the construction the property owners were notified by their bank that in order to finish construction they needed to split the lot. Recently the applicants gained approval on a rezone from agricultural to rural residential to further split the lot. This is the second part of the process and in order to split the lot into two parcels they are required to go thru this short plat process. The Planning and Zoning Commission recommended approval of this application with five conditions of approval on August 16, 2018. To date the applicant has completed all the conditions of approval. As was stated it is going to be two residential lots, one will be approximately 2.61 acres in size and the other will be approximately 2.64 acres in size meeting the minimum size in the rural residential zone which is 2 acres. Irrigation water is available to the property in compliance with state law via gravity irrigation from Middleton Mill Ditch Company and domestic water is available from a shared well and the applicants have created a well water maintenance agreement which has been recorded with the Canyon County Recorder's Office. The septic system on site has already been installed for both houses in compliance with Southwest District Health requirements and they have signed off on the final plat. There is a section line going thru the existing house on the property but they've obtained approval from the highway district for a waiver. At the time the staff report was prepared staff hadn't received any letters in opposition. At the Planning and Zoning hearing there were some concerns expressed regarding access. The applicant has worked with the Star Fire Department in regards to better access and adequate turnaround spacing and have sent final approval. The approach

from Hwy 44 to Honey Bee Lane has been permitted under ITD permit no. 3-18-445. The applicant has complied with all the conditions of approval from Keller and Associates, the County engineer and the subdivision meets Idaho code and Canyon County Zoning Ordinance, article 23 requirements for preliminary and final plat. Staff is recommending approval of the application and has provided findings of fact, conclusions of law and conditions of approval for the Commissioners' consideration.

Carrie Dick offered testimony in favor of the application stating that they got pre-approval for a construction loan and end loan on their home but about halfway thru construction when they tried to lock in their interest rate they were informed that there could not be two residences on one property and that is what has brought them to this process.

Jeff Beagley offered testimony in favor of the application stating that he is the surveyor for this project and that all of the conditions have been met with all the signatures on the plat. Gerald Sproule offered testimony in opposition citing concerns about the safety of Highway 44 and the approach to Honey Bee Lane.

Carrie Dick offered rebuttal stating that they too have had concerns about the road but it is their understanding that it needs to be addressed thru the Road Users Association; there is an agreement on file, they've had meetings and talked with the neighbors. She doesn't feel that it's just one property owners responsibility to fix the entire road, it needs to be resolved with all the property owners thru the Road Users Association.

Kyle McCormick stated that since it's a private road the maintenance falls to the property owner. It currently has a Road Users Maintenance Agreement that's under the Road Users Association for Greenview Acres. The fire district has reviewed the road and they've given the final approval.

Commissioner Rule made a motion to close testimony. The motion was seconded by Commissioner White and carried unanimously.

Commissioner Dale feels the road is an issue that needs to be continually addressed with the association but it is not this Board's responsibility to address the road concerns, it is the Board's responsibility to determine if this is an adequate and proper division of the property which he believes it is.

Commissioner Rule said the Board doesn't have any say over health or fire departments, but it does approve land use development and this looks like it was done before the County was involved. He can't fault one homeowner for conditions on Highway 44 and has no problem with this moving forward.

Commissioner White made a motion to approve the request by Kelley Dick for a preliminary plat, findings of fact, conclusions of law and order and final plat for Honey Bee Acres Subdivision, case no. SD2018-0009. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner White and second by Commissioner

Rule the Board voted unanimously to authorize the Chairman to sign the Mylar. The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 20, 2018

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

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

The Board approved a salary rate request and/or key & security access request form for Jill Baker Musser.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Apple, Inc. in the amount of \$1249.00 for the Information Technology department

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Acapulco Mexican Restaurant to be used 10/6/18 for a quinceanera.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1334, 2018-1258, 2018-1322, 2018-1394, 2018-1366, 2018-1323, 2018-1365, 2018-1315, 2018-1332, 2018-1317, 2018-1336, 2018-1340, 2018-1329, 2018-1324, 2018-1337, 2018-1297, 2018-1331, 2018-1327, 2018-1450, 2018-1318, 2018-1282, 2018-1326, 2018-1319, 2018-1321, 2018-1339, 2018-1320, 2018-1325, 2018-1427, 2018-1338, 2018-1294, 2018-1333 and 2018-1328. Commissioner White made a motion to issue initial denials with written decisions within 30 days. The motion was seconded by Commissioner

Rule and carried unanimously. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 8:57 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue case no. 2018-898 to October 18, 2018, case no. 2018-818 to October 4, 2018 and case no. 2018-792 to November 15, 2018. Commissioner White made a motion to issue a written final denial on case no. 2018-132. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue written final approvals on case nos. 2018-1018, 2018-650, 2018-900 and 2018-950. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-997

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2018-997. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to deny the case. The hearing concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1051

The Board met today at 9:15 a.m. to conduct a medical indigency hearing for case no. 2018-1051. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to continue the case to October 18, 2018. The hearing concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-991



The Board met today at 9:27 a.m. to conduct a medical indigency hearing for case no. 2018-991. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to November 15, 2018. The hearing concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1057

The Board met today at 9:47 a.m. to conduct a medical indigency hearing for case no. 2018-1057. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Cortney Kriss with St. Luke's, Attorney Mark Peterson for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:58 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-897, 2018-664, 2018-1002, 2018-795, 2018-929, 2018-1044, 2018-1014, 2018-851, 2018-944 and 2018-1003. Commissioner Rule made a motion to issue final denials with written decisions within 30 days. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING LETTER REGARDING JAIL PLAN FOR ICRMP

The Board met today at 10:16 a.m. to consider signing a letter regarding a jail plan for the ICRMP. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. Sam Laugheed said we received a letter from ICRMP several months ago where they had an underwriting assessment of the jail and had developed some concerns about the pool's ability to continue insuring the existing jail. We've had an ongoing dialogue with ICRMP over the years about all the temporary steps we've taken to mitigate the risk and no matter what we do the jail is going to be the County's biggest risk. He thinks we mitigated what we have to the extent possible but ICRMP had some continued concerns, in particular, they wanted the County to

communicate back to them formally where we were going and what kind of plan there was so that the stakeholders in ICRMP (all the other county and municipal members) would know that we were doing our best to address that risk. The deadline for us to get back to them formally is today and the letter that is before the Board memorializes the steps that were taken with regard to the temporary facility for females and it memorializes that bond counsel arrangements have been made and that the County is talking with counsel about a potential May 2019 bond election and the requirements for that and other options. It is sufficient with the understanding that we aren't conceding anything and are continuing to maximize efforts on a daily basis and he recommends the Board sign the letter. Commissioner White made a motion to sign the letter to Tim Osborne, the Director of ICRMP. The motion was seconded by Commissioner Dale. Commissioner Rule does not agree with the solutions so he voted no on the signing of the letter. Mr. Laugheed said what he takes from that is that this is a requirement and Commissioner Rule is not disagreeing that we are responding to ICRMP but that he does not endorse it. Commissioner Rule said that is correct. The signed letter is on file with this day's minute entry. The meeting concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 21, 2018

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

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Sheriff Marv Dashiell, Jail Captain Darren Ward, HR Generalist Ellen Cahalan, DSD Director Tricia Nilsson left at 9:03 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley left at 9:03 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wagoner, Fleet Director Mark Tolman, HR Generalist Demi Etheridge, Chief Public Defender Aaron Bazzoli, Leslie Van Beek and Deputy Clerk Jenen Ross.

***Open proposals for RFP Comprehensive Plan Consultant:*** One proposal was received from Logan Simpson on September 20, 2018 at 10:30 a.m. Director Nilsson will form a committee to review the proposal and then come back to the Board with their information. A copy of the proposal is on file with this day's minute entry.

***Consider signing agreement between the Canyon County Ambulance District and Canyon County for the conveyance and transfer of an ambulance unit:*** Sam Laugheed explained there was a resolution and agreement prepared by the Ambulance District. The Board, sitting as the Ambulance District, has already executed the agreement on behalf of that entity; we're

here now on behalf of the County and under IC 31-807, the County can accept donated property. The agreement states that it is in the best interest of the County to accept the ambulance, all lettering will be removed from the vehicle, it's known that the vehicle has mileage in excess of 160,000 miles and all due diligence has been done. Commissioner White made a motion to sign the agreement between the Canyon County Ambulance District and Canyon County for the conveyance and transfer of the ambulance unit. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-139).

***Consider signing resolution to approve title, job description and salary change of one (1) position in the Sheriff's office for fiscal year 2019:*** Chief Dashiell said their Victim Witness Coordinator is currently handling 3-4 times more cases than other victim witness coordinators in the valley. They've reviewed their staffing levels and needs and the recommendation is to transfer one PCN classified as a deputy sheriff and reassigning it as a victim witness coordinator; the salary rate change is minor but would be beneficial to the county. Commissioner White made a motion to sign the resolution to approve the title, job description and salary change of one position in the Sheriff's Office for fiscal year 2019. The motion was seconded by Commissioner Rule and carried unanimously (see resolution no. 18-152).

***Consider signing County Extension Agreement for University of Idaho Extension, College of Agricultural & Life Sciences:*** This is a standard agreement and process that happens each year. The FY2019 budget included \$274,755 for the County Agent and this agreement ratifies that. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the County Extension agreement for University of Idaho Extension, College of Agricultural & Life Sciences (see agreement no. 18-138).

***Consider signing Mutual Assistance Compact Law Enforcement Agreement:*** This is an ongoing agreement with other law enforcement agencies within Canyon County. It extends some privileges and opportunities to act in a law enforcement capacity outside the scope of what statutes provide in mutual aid and jurisdictional boundaries; it is limited to be a felony or a serious hazard being created. In the past there have been issues with the smaller agencies thinking that they had from Caldwell city to their home location to be able to do anything they wanted. This establishes the boundaries, limitations and explicit liabilities that may or may not be present and who would be responsible for their actions acting outside of their own jurisdictions under this agreement. Legal has reviewed the agreement and there are no issues. Commissioner White made a motion to sign the Mutual Assistance Compact Law Enforcement agreement. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-137).

***Consider signing a resolution approving the addition of one (1) position to the Public Defender's Department:*** Mr. Bazzoli said this is for the addition of a new Deputy Public Defender I position to help with caseloads and cover court. Zach Wagoner explained that there was approval for one new full-time position and then there were two Legal Support Specialist positions that were upgraded from Legal Support Specialist I to a Legal Support Specialist II. Upon the motion of Commissioner Rule and second by Commissioner White the

Board voted unanimously to sign the resolution approving the addition of one position in the Public Defender's department (see resolution no. 18-153).

As part of the legal staff update Mr. Laugheed discussed the ICRMP offered terrorism coverage with the Board; they are required by federal law to offer the coverage each year. If the county chooses to decline the coverage it needs to be done formally. In past years, with this discussion, Mr. Laugheed has been authorized to formally decline the coverage on behalf of the Board. The Board has authorized Mr. Laugheed to formally decline the coverage and give notice to ICRMP.

The meeting concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

#### MEET WITH CLERK AND CONTROLLER TO CONSIDER APPROVING FY2019 SALARIES AND TO CONSIDER APPROVING TAX YEAR 2018 LEVY RATES

The Board met today at 9:31 a.m. with the Clerk and Controller to consider approving FY2019 salaries and tax year 2018 levy rates. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, IT Director Greg Rast, Assistant IT Director Eric Jensen, PIO Joe Decker, Leslie Van Beek, Kathy Alder, Ron Harriman, Larry Stevenson, Paul Raymond, Nicole Foy from the Idaho Press-Tribune, other interested citizens, and Deputy Clerk Monica Reeves. The first topic of discussion was the FY2019 salaries. Zach Wagoner said of our \$95M budget, \$65M is for compensation which is something we take very seriously. We have a tremendous asset base in our employees; they are dedicated and care about the quality of service they provide and put forth their best efforts on a continual basis and it's important that we invest in that asset. A few years ago the County implemented a compensation committee that's in charge of evaluating the job market, the economy, and providing recommendations to the budget officer and the Board regarding compensation. The overriding goal of the committee is equity. We want Canyon County's salaries to be fair and equitable with private sector salaries in our local community. We also want to ensure that our compensation is equitable within our own house, for example, if we have a position in the Clerk's Office and there's a comparable position in the Sheriff's Office we want those positions to be compensated on a similar level so we're not rotating employees back and forth between offices. Earlier this spring the committee met and discussed the idea of a 2% cost of living adjustment (COLA) given inflationary factors and what we were seeing in the local job market. The numbers were worked and presented to the Clerk and then were presented as part of the Clerk's suggested budget. A 2% COLA was included in the tentative budget and it was documented at the budget hearing. The total amount budgeted for 2019 for continued implementation of the compensation plan was \$2.2M. Based on the numbers presented we are looking at an increase of \$1.9M, so we're coming in \$300,000 under what was included in the FY2019 budget. The recommendations for compensation came from the committee and the 2% increase was across the board and included the elected officials' salaries based on what the committee felt like was happening in the job market for us to remain competitive and retain our capable qualified staff. Clerk Yamamoto said the retention program is working, it's not perfect, but it is much better; for

example, he had a court clerk that was on the management ladder and he lost that employee to a receptionist position at an outside company and that's when they started taking a hard look at where we're at. He said they had a good idea of where they were at in comparison to other government agencies but they hadn't taken a good look at the private sector so that's when the committee spent a considerable amount of time looking at not only government but the private sector as well.

Commissioner White said an investment in employees who provide services either mandated by statute or demanded by society in the interest of health and safety and economic progress is good business. The study for the compensation plan was purchased prior to her being elected to office and she thinks that was an incredibly wise decision on the part of past Commissioners. Compensation plans have to be consistent to be economically sound and they have to be transparent to be defensible and they have to be funded adequately in an ongoing manner and maintained regularly for consistency and equity. She did not ask for a raise nor is she interested in a raise. She is very content with her compensation for her job. She wants to make sure she guards the stewardship of the compensation plan which was adopted, funded, delivered to employees and now must be maintained in an ongoing manner. Employees are tremendous assets and it's expensive when they decide to leave; losing a trained and equipped employee is expensive and past Commissioners recognized that and they found a way to mitigate those losses when they purchased the study and consequently implemented a compensation plan. She wants Canyon County to be an employer of choice. This is an across-the-board 2% COLA and it will need to be considered on a yearly basis, it's not guaranteed. Commissioner White acknowledged the individuals who sit on the compensation committee noting that it's a long-term commitment for them and they are very aware that it is the people's money so the distribution of that money must be transparent, defensible and consistent.

Commissioner Rule doesn't agree with many of the results of the compensation plan and he didn't like it to begin with because he felt there was enough leadership in the departments, and the elected officials could have analyzed why they were losing people. He likes merit pay as opposed to giving across-the-board pay increases. He spoke about the benefits packages for employees which are generous compared to what the private sector provides. It's a privilege to work at Canyon County and sometimes the work environment can be difficult depending on who your department head or elected official is but sometimes people leave just because they want out. He does not support the 2% COLA for the Commissioners and he cannot support all the salaries because there are people who are overpaid.

Commissioner Dale said when the compensation plan was adopted it was with the realization that there would be a need for ongoing evaluation and ongoing analysis in order to keep salaries current with the market so that we would not find ourselves in the situation we were in before where large adjustments would be required to play catch-up. When you lose an employee and you rehire for that position there's a lot of training that goes along with that. The training budget for a new deputy is between \$60,000 and \$80,000 and his position on the compensation plan is that it's always cheaper to retain than it is to retrain. One of the goals of the compensation study and the adopted compensation plan was that we would see better retention rates and we have seen that across the board which is good for the taxpayers. He believes the salaries are where they need to be and we want to make sure that the service that is provided is on time, accurate and is cost effective and in most cases we are providing service that very adequately meets the needs and the responsibilities that have

been given to those departments. The discussion on the Commissioners' compensation was put in the hands of the compensation committee along with every other employee, it was not separated out, it was not designated and he made no request for any kind of salary adjustment. The recommendation for a 2% COLA came out of the study which was a nonpolitical analysis. He appreciated the article in the Idaho Press and agreed with their conclusion that it is good policy to keep salaries current with the market conditions and make small incremental adjustments rather than have large adjustments all at once after a period of neglect. That being said, it is also difficult to keep the issue of elected official salaries, particularly Commissioners' salaries since we are the ones who vote on them, from being politicized. This 2% increase has become a topic of conversation around the County and it has been an issue of contention for some. Canyon County has some really big challenges that need to be solved, the largest of which is the jail and the biggest issue is finding a way to pay for it. He does not want this to get in the way of the important discussions that we will be having and engaging in with the community over the coming months. He does not want this 2% cost of living for Commissioners to become an item of contention or a stumbling block for some, therefore, he agrees with the salary study that has been proposed but suggested the Commissioners forego their 2% increase. Commissioner Dale then made a motion to adopt the salaries as presented with the change that the 2% increase for Commissioners be foregone. The motion was seconded by Commissioner White. Commissioner Rule asked if the Commissioners would consider rolling back last year's salary increase as well. Commissioners Dale and White said they stand by the motion and the second. A roll call vote was taken on the motion with Commissioners Dale, White and Rule voting in favor of the salaries, recognizing that the Commissioners will forego their 2% suggested increase (See Resolution No. 18-154). The motion carried unanimously.

#### Levy rates discussion

Controller Wagoner said Canyon County has 60 different taxing districts which include the cities, school districts, highway districts, fire districts, cemetery districts, etc. All those entities submit what is known as an L-2 form, their formal request for property tax dollars, to the County Clerk and then he and the Clerk review the forms and compare what's on the forms to what they published in the newspaper for their budget, and then they take their property tax request divided by the taxable value and that generates a levy rate. The document before the Board today includes the levy rates for all 60 Canyon County taxing districts for tax year 2018, fiscal year 2019. There has been a thorough review and they have verified the requests are legitimate and within allowable amounts and they have verified that the values are correct. Controller Wagoner said Commissioner Dale had earlier asked what percentage of school district levies are for bond payments and the answer to that question is: roughly 60% of what school districts levy are for bond payments or for debt service. Additionally if you look at school districts 96% of what they levy is based on voter-approved initiatives which include bonds, supplementals, and plant facilities. Basically everything school districts levy is tied to a voter-approved measure. Commissioner Dale said the reason he asked for that is because of the last several months he has been in discussions with legislators on the topic of impact fees for school districts. Impact fees are a tool that cities and counties can use for certain things to have growth and development pay its own way. For some reason when the legislative process approved impact fees they excluded school districts from being able to charge impact fees and it's his belief that there's no greater

direct connection between growth and the need for new school buildings then the number of houses being built and if we could get the legislature to allow school districts to study and adopt impact fees we would see a greatly diminished demand for voter-approved bonds for new schools that we're all paying for. He said growth should pay its own way as it does in a lot of areas; impact fees could have a tremendous impact on levy rates. Commissioner Rule made a motion to approve the levy rates. The motion was seconded by Commissioner White. Commissioner Rule said the budget "fight" for him was over the end of August; he doesn't like the budget and he'd prefer it be in the "mid-80's" and the County would get all its services done. There wouldn't be the extra privileges that the extra money brings, but, to fight the levy rate being set is a benign action so he believes we need to set the levy rate and move on. The motion carried unanimously (See Resolution No. 18-155). The meeting concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 24, 2018

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

No meetings were conducted.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 25, 2018

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

No meetings were conducted.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 26, 2018

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

No meetings were conducted.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 27, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Henriksen Butler in the amount of \$4312.50 for the Development Services department
- Plumb Master in the amount of \$2576.24 for the Facilities department
- Corwin Ford in the amount of \$38,513.00 for the Fleet department
- Corwin Ford in the amount of \$38,513.00 for the Fleet department

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

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

#### APPROVED CLAIMS ORDER NO. 1826

The Board of Commissioners approved payment of County claims in the amount of \$1,668,217.82 for a County payroll.

#### MEETING WITH DAVE MENDIOLA WITH THE STATE OF NEVADA/HUMBOLDT COUNTY REGARDING TREASURE VALLEY'S HIGHWAY 95

The Board met today at 9:00 a.m. with Dave Mendiola from the State of Nevada/Humboldt County regarding the Treasure Valley's Highway 95. Present were: Commissioners Pam White and Steve Rule, Dave Mendiola with Humboldt County, Jim French with Humboldt County, Ken Tipton with Humboldt County, Jim Barbee with Churchill County, Bus Sharmann with Churchill County, Pete Olsen with Churchill County, Steve Fultz, Lee Belt, Nick Lehman, Beth Ineck, Lynn Troxell, Dave Jones, John McEvoy, Jay Gibbons, Rick Youngblood, Gordon Bates, Tina Wilson via teleconference and Deputy Clerk Jenen Ross. Mr. Mendiola explained the reason they're here today is to discuss the Interstate 11 corridor through Nevada and running north toward Idaho and Oregon. Interstate 11 was created as the CANAMEX Trade Corridor connecting Mexico and Canada through Arizona, one of the major goals was to



connect large markets so it starts in Nogales and comes up through Tucson, Phoenix and Las Vegas; Nevada's goal was to connect the two largest economic markets being Las Vegas and Reno. The next piece and reason they're here today is to make everyone aware of this and to start talking and get engaged as to where it runs and where the off-ramps will be. The idea is to connect major markets - the Treasure Valley to the Reno/Tahoe/Bay Area and Las Vegas/Phoenix areas in the western U.S. and the way to do that is to take Route 95 north to I-80. This is the route they would like to get the NDOT Board to start considering. At this time nothing is being suggested in Idaho they are just looking for support in the form of a resolution or letter of support from the stakeholders in Southern Idaho, specifically the Nampa/Caldwell/Fruitland area that would be affected by this corridor coming out of Nevada into the Treasure Valley. The representatives for Humboldt and Churchill Counties believe that connecting Southern Idaho to Reno, Tahoe, Las Vegas and Phoenix markets is critical for ag and high-tech products. They would like to get the message to NDOT that they have allies in Idaho and Oregon that also believe this is a good corridor and beneficial to their communities and public safety. A template for a resolution and support letter will be provided and they are requesting that letters be sent to ODOT, NDOT and ITD to get them engaged. A copy of the Power Point presentation is on file with this day's minutes. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### SEPTEMBER 2018 TERM

CALDWELL, IDAHO SEPTEMBER 28, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Idaho Tower Construction Co. in the amount of \$29,450.13 for the Information Technology department
- HP, Inc. in the amount of \$4866.00 for the Information Technology department
- HP, Inc. in the amount of \$3057.00 for the Information Technology department

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

The Board approved a salary rate request and/or key & security access request form for Chelsea Schwickert, Kelissa Peterson, Leah Kalk and Andrew Figueroa.

#### APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$34,151.97, \$189,824.72 and \$30,520.40 for accounts payable.

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

The Minutes of the Fiscal Term of July 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### EXECUTIVE SESSION PURSUANT TO IC 74-206(1)(B) AND (D) TO DISCUSS PERSONNEL ISSUES RELATED TO SPECIFIC EMPLOYEES AND RELATED DOCUMENTS

A request was made to go into Executive Session to discuss personnel issues related to specific employees and related documents. The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 8:34 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, HR Director Sue Baumgart, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:55 a.m. with no decision being called for in open session. The meeting concluded at 8:57 a.m. An audio recording of the open portion of the meeting 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 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom left at 9:24 a.m., Deputy P.A. Zach Wesley left at 9:24 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 9:50 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:15 a.m., Jail Captain Daren Ward left at 9:06 a.m., Director of Indigent Services Yvonne Baker left at 9:24 a.m., PIO Joe Decker left at 9:06 a.m., Controller Zach Wagoner left at 9:50 a.m., Landfill Director David Loper left at 9:46 a.m., Victim Witness Coordinator Alesha Boles left at 9:06 a.m., Sergeant Chuck Gentry left at 9:06 a.m., Elections Specialist Haley Hicks left at 9:50 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing notification of intent to award professional services agreement for inmate legal services in Dale Haile Detention Center:*** Mike Porter explained that the attorney who had been providing services to inmates at the jail took another position leaving this position vacant. We posted for a contract to fill this position to which there was only one submission but the applicant misunderstood the criteria and far outbid the contract price. At this time we are going to stop this process and do a targeted solicitation. In the meantime prepared packets will be provided to inmates to fulfill the requirements.

***Consider signing Domestic Violence Awareness Month proclamation:*** October is recognized as Domestic Violence Awareness Month and there will be a press conference on Monday where Commissioner White will read the proclamation. Commissioner Rule made a motion to sign the Domestic Violence Awareness Month Proclamation. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing psychiatric service agreements with Kafia Abbasi, Roberto Negron, Michelle Cullinan, David Kent, Tamara Helfer, Charles Novak, Marc Bostick, Hamilton Warren Sutton, Eric Gilbreath, and James Piktel:*** Zach Wesley said these are renewals of the form psychiatric service agreements to provide services at St. Al's Regional Medical Center. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the psychiatric service agreements with Kafia Abbasi (see agreement no. 18-149), Roberto Negron (see agreement no. 18-148), Michelle Cullinan (see agreement no. 18-147), David Kent (see agreement no. 18-146), Tamara Helfer (see agreement no. 18-145), Charles Novak (see agreement no. 18-144), Marc Bostick (see agreement no. 18-143), Hamilton Warren Sutton (see agreement no. 18-142), Eric Gilbreath (see agreement no. 18-141) and James Piktel (see agreement no. 18-140).

***Law enforcement application and service agreement with LP Police:*** LP Police is a public information clearing house. Currently investigators in the Prosecutor's Office are using another service but have identified this service to use instead at a fraction of cost. This agreement would go into effect on October 1<sup>st</sup> and will be used for routine law enforcement items and for some human resource investigations. Commissioner Rule made a motion to sign the law enforcement application and service agreement with LP Police. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-151).

***Consider signing Nicholas Massoth DMD and Canyon County oral surgery agreement:*** Chief Dashiell said this is basically an annual renewal contract for off-site dental services for inmates. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the agreement with Nicholas Massoth DMD for oral surgery (see agreement no. 18-150).

***Consider signing resolution establishing income and expenses to be considered in determining medical indigency:*** Brad Goodsell said this is the schedule of income expenses that is updated annually. A few of the changes this year are in regards to expenses for rent and utilities. Some changes, when attributed income is being used, include the hourly wage being increased to \$8.74 per hour, gas utility increasing to \$38.59, and electricity utility decreasing to \$85.27. HUD Fair Market Values will be used in lieu of the NARPM Vacancy

report values from Canyon County. Currently \$671.17 is the attributed amount for a one bedroom but will increase to \$676; for a two bedroom \$824 is being used but will increase to \$866. Commissioner Rule made a motion to sign the resolution establishing income and expenses to be considered in determining medical indigency. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-158).

***Consider signing notice of sole source procurement - Caterpillar Model 966M Wheel Loader:*** Brad Goodsell said they believe sole source procurement is appropriate for this purchase and the reasons are listed in the notice. Director Loper said in FY2019 a loader replacement is proposed as this is a piece of equipment that is used daily at the landfill. Due diligence has been done in looking at other options with Caterpillar being the best choice. This piece of equipment comes with a bumper-to-bumper warranty for 5 years or 10,000 hours. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the notice of sole source procurement – Caterpillar Model 966M Wheel Loader.

***Consider signing legal notice of public hearing regarding a proposed increase in fees charged by Pickles Butte Landfill for certain materials and setting special handling fees for certain services:*** This is the notice to let the public know that the County intends to increase certain fees and establish new fees. The public hearing will take place on October 19<sup>th</sup> for anyone who would like to offer comment. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the legal notice of public hearing regarding a proposed increase in fees charged by Pickles Butte Landfill for certain materials and setting special handling fees for certain services.

***Consider signing resolution authorizing acceptance of materials by the Pickles Butte Sanitary Landfill from county owned property and waiving related fees:*** Brad Goodsell said this resolution is in regards to the clean-up efforts at Anderson Corner and would allow for soil to be accepted at the landfill and have the tipping fees waived. Commissioner Rule made a motion to sign the resolution. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-157).

***Consider signing a resolution designating polling locations for the November 6, 2018 Election:*** Haley Hicks said no changes have been made, these are the same polling locations as the May election. Mike Porter said this resolution has been reviewed by legal and it is appropriate as it's reviewed semi-annually. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution (see resolution no. 18-156).

**EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION**

*A request was made to go into Executive Session to discuss acquisition of an interest in real property, records that are exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

PUBLIC HEARING: CONSIDER A REQUEST BY TYLER HESS/HESS PROPERTIES, LLC FOR APPROVAL OF A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION AND DRAINAGE PLAN FOR PURPLE SAGE ESTATES #2, CASE NO. PH2017-75

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Tyler Hess/Hess Properties, LLC, for approval of a preliminary plat, final plat, and an irrigation and drainage plan which includes a re-plat of Lots 1 & 2, Block 1 of Purple Sage Estates #1, Case No. PH2017-75. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, Tyler Hess, and Deputy Clerk Monica Reeves. Kyle McCormick gave the oral staff report. The proposed development consists of 14 lots, 11 residential lots, 2 common lots and one commercial lot. It's an original parcel. The commercially zoned portion of the property has been zoned that way since the first official zoning maps of 1979. The other portion was recently rezoned from rural residential to R-1 and approved by the Board under Case No. PH2017-74. The property is within the Middleton impact area and is designated as residential on the Canyon County Future Land Use Plan as well as the Middleton Future Land Use Map. The P&Z Commission recommended approval of the request with five conditions in which case the applicant has decided to complete the improvement. There is an engineer's certificate that the road and irrigation and drainage improvements have been completed according to the construction drawings. There will be individual domestic wells, septic systems, pressurized irrigation, and all storm water facilities are built to Canyon Highway District standards. The internal roads are public and the highway district has accepted them for maintenance. The applicant has completed a nutrient pathogen study and subdivision engineering report. Southwest District Health and DEQ have concluded there will be no impact to groundwater quality down gradient of the subdivision. Keller and Associates have reviewed the construction drawings as well as the subdivision CCR's and have stated that all conditions have been met. Staff is recommending approval of the application. Tyler Hess testified in support of this application noting that he has completed all necessary items and the proper signatures are in place. This is the second phase of the project and there will be a third phase as well and there is a possibility for a Phase 4 and 5. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the preliminary plat, irrigation and drainage plan, and to authorize the chairman to sign the final plat for Purple Sage Estates No. 2, Case No. SDPH2017-75 and adopt the

Findings of Fact, Conclusions of Law and Order. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioner's Office.

MEETING WITH III DISTRICT GUARDIAN AD LITEM PROGRAM TO DISCUSS PROPOSAL FOR CANYON COUNTY OFFICE ON AGING (CCOA) BUILDING

The Board met today at 10:12 a.m. with representatives from the Third District Guardian Ad Litem Program (also known as the CASA program) to discuss their request to lease the Metro Community Services/Canyon County Office on Aging (CCOA) building which is located at 304 N. Kimball Avenue in Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, Christina Walker and Maren Packer from the Third District Guardian Ad Litem Program, and Deputy Clerk Monica Reeves. Brad Goodsell said CCOA has been leasing this county-owned building for several years for \$1 a month and their plan is to move out by mid-October so the question is what does the Board want to do with the building? A year ago the Assessor provided a valuation of the building and at that time it was worth about \$236,000 and some members of the Board indicated we should sell it when CCOA left. Mr. Goodsell made some inquiries with the Caldwell Housing Authority who said they do not have the money to buy it, but in the meantime Ms. Walker learned it was being vacated and she would like to lease it. Christina Walker said the guardian ad litem program is currently housed in the old Idaho Legal Aid building at 1104 Blaine in Caldwell and the landlord has decided to sell it so they are looking for a new space. They currently pay \$500 per month but they are hoping the County will allow them to have the same \$1 lease arrangement as CCOA had. They are court appointed special advocates who advocate for the child by investigating what brought them into care, what their home life has been and what's currently going on with them. They also advocate for them with the schools, medical professionals, the Department of Health & Welfare, their parents, and with any foster parents. They monitor the case and make recommendations to the judge. They are parties to the case on the child's behalf – the Department of Health and Welfare is not a party to the case and not even the children are a party to their own case. All of that is done through volunteers. When she started there were 23 volunteers and now there are 63 but she needs a total of 130 to cover every case in the 3<sup>rd</sup> judicial district. In Idaho there are 7 judicial districts and each one is served by an independent 501(c)(3) organization CASA/guardian ad litem program and in the 3<sup>rd</sup> judicial district they are the only program that provides these services to children. Commissioner Rule asked if the program offers foster care or counselling services. Ms. Walker said they are not foster parents or counsellors for the children, instead, they advocate for them. The Idaho Child Protective Act states that all children have to be assigned a representative. A guardian makes sure their voice is heard in court and that they get the services they need and that they are kept safe. The Department of Health and Welfare's goal is to unify children with their parents, CASA's goal is the best interest of the child which is sometimes to reunify them with their parents and sometimes it is not. They speak to the judge about their recommendations which they make based on an independent investigation. In 2017 there were 664 children who were the subject of child protective cases in the 3<sup>rd</sup> judicial district. They are serving 461 children as a program, 364 of those children are in Canyon County. The benefit is profound but there are not enough volunteers to serve every child, but they do make sure

the judge knows what's in the best interest of every kid and the judges have seen the effect the program brings. The effectiveness of the program is shown nationwide and is considered one of the most effective nonprofit programs to start in the United States. Their volunteers consist of city council members, principals, teachers, professors, law enforcement officers, stay-at-home moms, psychologists, and students. Funding is through the Idaho Legislature and is allocated through the Idaho Supreme Court. The state legislature set aside \$1.4M for the seven districts and it's allocated by the number of volunteers serving on a case. The 3<sup>rd</sup> judicial district receives \$188,000 a year but they are trying to obtain community funding as well. Ms. Walker said if the program did not exist the public defender's office would have to take the child protection cases, which if you multiply the number of volunteer hours (330) by the attorneys' hourly rate (\$70) it would add up to \$23,000 a month in service fees. She said the program does not have the budget to compete in a commercial real estate market and with their building up for sale and the possibility that they will be homeless they are asking for the County's help. Director Navarro said there isn't much to maintain on the building, but they did replace the oil furnace with an efficient electric furnace and they replaced the cooling unit as well. The roof is older and may have to be replaced in a few years and the carpet could be cleaned and it could use some new paint. He estimates maintenance costs at less than \$2,000 a year. Commissioner Rule questioned why the County should bear the expense of a state mandate. Commissioner Dale suggested the program increase its community fundraising efforts. Commissioner White said the County was charging CCOA/Metro Community Services only \$1 per month because they served our seniors, a vulnerable population and yet this organization is also serving a vulnerable population which is our children so she supports the request to lease the building for \$1 per month. She suggested the volunteers and staff ask chambers of commerce and other community members for help with paying the utility costs. Ms. Walker said they are a new program and to date they have raised \$4,000; they have increased the number of volunteers, donations, and the scope of the program. Commissioner Rule prefers to sell the building and so he wants some time to do some investigation. Commissioner Dale is leaning toward making this work for Ms. Walker, but more information is required. Director Navarro said he will obtain utility cost estimates from the CCOA Director. No decision was reached on this matter. The meeting concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

**CONSIDER SIGNING A RESOLUTION TO APPROVE THE ADDITION OF ONE POSITION FOR A MENTAL HEALTH CLINICIAN TO THE JUVENILE DETENTION DEPARTMENT**

The Board met today at 11:02 a.m. to consider a resolution to approve the addition of one position for a mental health clinician to the juvenile detention department. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Juvenile Center Deputy Administrator Sean Brown, HR Specialist Cindy Lorta, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Sean Brown said this is for the detention clinician. They have used CenterPointe for years but they haven't been able to keep anyone long-term so this year they decided to make it a long-term situation by adding a clinician position. They have a grant where they get reimbursed up to \$100,000 a year for the clinician so it won't cost anything. The person will be a County employee and the department will send quarterly paperwork into the state for

the reimbursement and they will pay us back. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the resolution to approve the addition of one position for a mental health clinician to the juvenile detention department. (See Resolution No. 18-160).

The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

#### HEARING TO CONSIDER BUDGETING OF UNSCHEDULED REVENUE FOR FY2018

The Board met today at 11:07 a.m. for an unscheduled revenue hearing for Fiscal Year 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Controller Wagoner said we are rapidly approaching the end of FY2018 and we need to make an adjustment to the FY2018 budget. There is the revenue side and the expenditure side and those sides must be in balance so what we're considering today is to receipt additional revenues and increase the expenditures side so the budget will remain in balance. There's no change in the property taxes for FY2018; this is merely a reflection of fund balance and other additional revenues that have come in during FY2018. Those budget adjustments are as follows:

Facilities Department - \$2.25 million for the initial payment for the jail trailer lease  
Public Defender Department - \$200,000 for conflict counsel and other operating costs  
Southwest District Health Fund - \$28,375 for our annual contribution  
Pest Control Fund - \$20,000 for personnel costs  
Problem Solving Courts Fund - \$20,000 for personnel costs  
**Total budget adjustments: \$2,518,375**

Due to unanticipated events that have transpired during FY2018 this is an accounting exercise to receipt in the additional revenues and adjust the FY2018 budget as outlined. No one else was present to offer comments on this matter. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner White made a motion to approve the adjustment of the unscheduled revenue for FY2018. The motion was seconded by Commissioner Rule and carried unanimously. (See Resolution No. 18-159.) The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.



THE MINUTES OF THE FISCAL TERM OF SEPTEMBER 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. SIGNED BY THE CANYON COUNTY BOARD OF COMMISSIONERS STEVEN J. RULE, TOM DALE AND PAM WHITE ON THIS 5<sup>TH</sup> DAY OF DECEMBER 2018. ATTEST: CHRIS YAMAMOTO, CLERK BY J. ROSS, DEPUTY CLERK

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 1, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- The Printer Pros in the amount \$3017.00 for the Indigent Services department

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Eva Contreras De Cuevas dba Tacos El Centro. See resolution no. 18-161.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:08 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell left at 9:12 a.m., Chief Deputy Sheriff Marv Dashiell, Jail Captain Daren Ward, Landfill Director David Loper left at 9:12 a.m., Weed and Gopher Superintendent AJ Mondor left at 9:15 a.m., DSD Director Tricia Nilsson, Recording Supervisor Emily Howell left at 9:16 a.m., HR Generalist Jennifer Allen left at 9:15 a.m., HR Generalist Cindy Lorta left at 9:16 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing legal notice inviting public comment on revisions to Pickles Butte Sanitary Landfill Operations Plan:*** Brad Goodsell explained that the Landfill operation plan needs to be revised and in order to get approval from the health district we have to issue notice that we are going to amend the plan and give the public a 30-day window of opportunity to submit comments to Southwest District Health. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the legal notice inviting public comment on revisions to the Pickles Butte Sanitary Landfill Operations Plan.

***Consider signing resolution adopting the changes to the job title and description of one (1) position in the Weed and Gopher Department:*** Director Mondor said they would like to change one Sr. Weed Applicator position to a Sr. Weed and Gopher Applicator. Currently there is an employee working part-time that he would like to move to this full-time position. Commissioner White made a motion to sign the resolution adopting the changes to the job

title and description of one position in the Weed and Gopher department. The motion was seconded by Commissioner Rule and carried unanimously (see resolution no. 18-163).

***Consider signing a resolution to approve the addition of one (1) position and four (4) title changes in the Recorder's Office:*** Ms. Howell said this will allow them to add one new position and change the job description of the other employees in the Recorder's office. Titles will be changed from a Sr. Customer Service Specialist to a Recorder/Passport Specialist which better encompasses what they do. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution to approve the addition of one position and four titles changes in the Recorder's office (see resolution no. 18-164).

***Consider approval/denial of a resolution for a refund request for a conditional rezone permit to Delmer & Michelle Slate; Case No. CR2018-0007:*** Director Nilsson said they received an application for a conditional rezone but upon review it was decided that the Slate's really needed to do a comprehensive plan amendment and a rezone as they are converting the property to all residential. With this information the Slate's decided to withdraw their application. The requested refund amount is \$1144.00. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution issuing a refund to Delmer and Michelle Slate (see resolution no. 18-162).

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

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

Commissioner Rule made a motion to go into Executive Session at 9:19 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, Jail Captain Daren Ward and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:31 a.m. with no decision being called for in open session.

***Consider signing Ada County Sheriff's Office jail housing billing agreement:*** Chief Dashiell said this is basically a billing agreement that has been in place for several years. The current rate is \$80.00/day to house Canyon County inmates at the Ada County jail. Commissioner Rule made a motion to sign the Ada County Sheriff's Office jail housing billing agreement. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-152).

The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH COMPASS TO DISCUSS SERVICES, FUNDING, AND ACCESS OPPORTUNITIES

The Board met today at 10:02 a.m. for a meeting with COMPASS representatives to discuss services, funding, and access opportunities. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Toni Tisdale and Kathy Parker from COMPASS, DSD Director Tricia Nilsson, PIO Joe Decker, Leslie Van Beek, and Deputy Clerk Monica Reeves. A PowerPoint presentation was given highlighting the services COMPASS provides as well as the benefits of membership. Commissioner Dale said the Commissioners do not have transportation-related authority or jurisdiction and he asked if all four highway districts are actively involved with COMPASS. Ms. Tisdale said neither the Nampa Highway District nor the Notus-Parma Highway District are members, but both were involved in the rural prioritization process which is a volunteer group. Director Nilsson said Canyon County received six COMPASS work days to help with the update of the County's comprehensive plan. Ms. Tisdale said they are working on the winery study and have collected the data which looks at the events at the wineries and how that affects transportation during special events. She said there are things COMPASS can help the County with that are different than transportation where they can at least share the information. In reviewing the "Long-Term Funded and Unfunded" slide, Commissioner Rule asked what the single reason is for why there are so many funded projects (programmed or planned) on the Ada County side and so many unfunded projects on the Canyon County side. Ms. Tisdale said it's because the Ada County Highway District has a current funding mechanism and brings in more funds through registration fees and impact fees. Commissioner Rule then asked Ms. Tisdale to tell the Board why COMPASS is here and she said it's a federal requirement once you reach 50,000 people – but at the same time it's a good idea for the collaboration. Commissioner Rule said he used to look at COMPASS as the most purest form of federal government and then as he saw how important regional planning is now that we have all these traffic issues and growth he sees that it's critical to manage and plan as best we can and not only that but get back some of the federal tax dollars we're taxed to help us solve problems. He questioned why COMPASS is involved in air quality issues. Ms. Tisdale said it's because of Ada County; north of the Boise baseline was considered a nonattainment area back in the 1990's. The state had to come up with an implementation plan in order to figure out how to bring us into compliance with air quality budgets and they had to show that the projects we're building don't take us beyond what those budgets can handle. She said we have been a maintenance area for almost 20 years. Commissioner Dale said there have been some intensive conversations in COMPASS 15 years ago because of occurrences of exceedances of nox and particulate matter that were related to vehicle traffic and there were some huge potential consequences if we didn't bring it down. It was a central point of conversation and they were threatening some dire things and we seemed to have addressed those. Ms. Tisdale said back when it started we had a lot of unpaved roads which created a lot of dust. Director Nilsson said with regard to the unfunded projects on the Canyon County side it really reflects the lack of funding at ITD where they did have GARVEE funding to work on the interstate in Ada County, we got the grant but there is a lot more work to do with ITD and Canyon County, specifically Highways 55 and 20-26. Ms. Tisdale said things are getting better and we are making progress. Commissioner Dale thanked COMPASS representatives for the information and the services

they provide. No Board action was required or taken. The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 2, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grainger in the amount of \$2555.51 for the Facilities department
- Prime Construction in the amount of \$32,947.20 for the Facilities department
- Prime Construction in the amount of \$27,942.40 for the Facilities department
- A-Gem Supply in the amount of \$7369.00 for the Facilities department
- Wall 2 Wall Flooring in the amount of \$19,485.53 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 10/6/18

The Board of Commissioners approved payment of County claims in the amount of \$218.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$7212.80, \$148,903.75 and \$72,839.20 for accounts payable.

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

The Board met today at 8:35 a.m. with the Directors of Facilities and Information Technology to discuss, issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following items: The DMV queuing system will soon be going live; the screen will display what the current wait time is. A report was reviewed detailing information about the Canyon County website, Canyon County Fair website and the Family Court Services website as far as

top sites, number of users, speed, browser used, device being used, forms downloaded amongst other things. Recently there was a purchase order that came thru for microwave radio equipment this is to purchase equipment to have on hand in case of a failure it would minimize the downtime. Indigent Services has now gone paperless for hearings, they are now using OnBase. Two new positions in IT have been filled; the system administrator position has been back-filled and the new security and scanning positions have been filled.

Director Navarro updated the Board on the following items: The DMV dealer center should be done Friday, they are just waiting on the tempered glass. A \$21,000 refund was received from Idaho Power for the heating/cooling controls that were installed at the DMV and Juvenile Justice Center last fiscal year. The exterior of the Elections building will be painted later this week. CCOA will start vacating the building on Monday and he anticipates them being out by October 12th. The new female jail has now been named Pod 6 and he and Mr. Laugheed have started the process of the RFQ. Mr. Navarro has met with several departments at the City of Caldwell and they have given the green light to go ahead and get started on numerous items that need to be done in preparation of receiving the pods. Additionally, he has begun work in order for the HAWK crosswalk system to be installed; there are many working pieces in getting this accomplished including lighting of the sidewalk in that area and meeting ADA compliance. Part of the lease agreement for the pods is to purchase 105 concrete blocks; the specs for the blocks have been received and two Canyon County domicile pre-casts have been contacted with the blocks coming in at about \$20K - \$25K. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 9:11 a.m., Lt. Dave Schorzman left at 9:11 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing consolidation of costs for software upgrades of master site and owner site for Southwest Idaho Wireless Integrated Network agreement with Ada County and Canyon County Sheriff's Office Motorola service and installation agreement:*** Zach Wesley explained that Ada County operates the master site for a majority of the state. In the past we have done a reimbursement agreement with Ada County to cover our use of their master site. In addition, we have a software upgrade agreement with Motorola so we can keep all the equipment up to the standards of the Ada County tower. This cycle Ada County has been negotiating with Motorola for the group and come up with a 10-year discounted rate agreement that both Ada County and the Canyon County Sheriff's Office believe will benefit all the agencies in the state. Rather than have two agreements, one with Motorola and one with Ada County for the master site we'll just have one agreement with Ada County where we reimburse them for the cost of the software upgrades and then for use of the master site. Commissioner Rule made a motion to sign the agreement between Ada County and Canyon

County for consolidation of costs for software upgrades of master site and owner site for Southwest Idaho Wireless Integrated Network agreement (see agreement no. 18-155) and the associated service agreement (see agreement no. 18-154). The motion was seconded by Commissioner White and carried unanimously.

***Consider signing FY2019 real estate lease agreement with West Valley Humane Society:***

Zach Wesley said this is a renewal of the lease agreement with West Valley Humane Society to operate the animal shelter. The operating expenses are \$200K in monthly payments and \$100K for maintenance costs. There was request by the WVHS to have the maintenance funds held in a rotating account to be drawn from later but the original language has been retained where those funds will be returned to the county if they are unused at the end of the fiscal year. Only minor changes have been made to the agreement including in paragraphs 8, 10, 23 and 24. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the FY2019 real estate lease agreement with West Valley Humane Society (see agreement no. 18-153).

The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:32 a.m. with the director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items: The attendance at the wellness fair was slightly lower than last year possibly due to the date. Walktober just started and runs thru the month of October. Open enrollment starts November 1<sup>st</sup> and runs thru November 15<sup>th</sup>. She is working on an HR effectiveness survey to see how other offices and departments view the HR department and the job they're doing; the plan is to send it out to a "pilot group" and then send it county-wide. The meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

**MEETING WITH THE FAIR DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION**

The Board met today 10:06 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following items: They had their sponsor appreciation event last Thursday with over 80 attendees. Last year the fair had six new sponsors and over \$85K in cash sponsorships which doesn't include media in-kind donations. A couple of 3-year sponsorships have been secured and St. Luke's has already committed to 2019. Director Sinner met with the City of Caldwell,

Caldwell Night Rodeo and the College of Idaho about a month ago and will meet again next week to discuss Wilson Drain and the fair building. She has also met with Director Navarro and Brent Orton and anticipates a meeting being planned with the Board in the next couple of weeks to discuss the project; she and Mr. Navarro have worked with Zach Wesley in developing the RFQ for the fair building which should be before the Board in the next couple of weeks. They are starting to book entertainment for both the mainstage and smaller stages. On the exhibit side, they are working on belt buckle and other award orders along with the ribbon order which is due at the end of the month in order to receive a discount. Other items they're working on for the 2019 fair include securing superintendents and staffing, the exhibitor guide for the open class exhibits, 4H and FFA. Later today she will meet with the extension office to review changes for the 2019 fair and to work on updating the MOU between the fair and extension office. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DIRECTOR OF INFORMATION TECHNOLOGY TO DISCUSS PROJECT CLOSURE UPDATES

The Board met today at 2:00 p.m. with the Director of Information Technology to discuss project closure updates. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Assistant IT Director Eric Jensen, Operations Manager Don Dutton, IT Business Manager Caiti Pendell, IT Business Analyst Burt Merkley, Project Manager Shawn Adamson and Deputy Clerk Jenen Ross. Greg Rast, Eric Jensen and Shawn Adamson provided updates of projects that have recently been completed. For each project a summary was given including who was affected, what the problem was, what was done by IT, A and B budgets and variances of budget and time. The following projects were reviewed: Fairgrounds website, E-Gov payment application, Annex of Landfill, Fair & CCNU microwave upgrade, DSD repository, Facilities repository, Assessor Office repository, Parks infrastructure, Family Courts website, CAPS, CCSO Nortel Removal phase I and GIS Restructure. A detailed booklet explaining each project was provided and is on file with this day's minute entry. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 3, 2018

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

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):



- Northwest Service Technologies in the amount of \$4148.00 for the Facilities department
- Northwest Service Technologies in the amount of \$9870.00 for the Facilities department
- HP, Inc. in the amount of \$4055.00 for the Information Technology department

#### APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$62,460.42 for accounts payable.

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

The Board of Commissioners approved payment of County claims in the amount of \$548,555.33 for accounts payable.

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Paul Navarro, Katherine Kershner, Craig Olsen, Jeff Breach, Erik Ellis, Aileen Hartley, Richard Friddle, Laura Barbour, Alicia Flavel and Jodi McAbee.

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

The Board approved a salary rate request and/or key & security access request form for Wendal Friend and Jodi Rae Edwards.

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT WITH IMMIGRATION AND CUSTOMS ENFORCEMENT

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider signing amendment of solicitation/modification of contract with Immigration and Customs Enforcement. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Dan Blocksom, Nicole Foy from the Idaho Press and Deputy Clerk Jenen Ross. Chief Dashiell said this is a modification to the existing agreement with Immigration and Customs Enforcement prisoner reimbursement for their detainees held in the jail under federal authority. The modification is a price increase to come in-line with the state statute increase for state prisoners being held in county jails, the rate

will change from \$54.00/day to \$77.00/day. Chief Dashiell said that the county doesn't hold a lot of detainees for long periods of time, they tend to be about a week before they are moved from our facility. Commissioner Rule made a motion to sign the amendment of solicitation/modification of contract with Immigration and Customs Enforcement. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-156). There were no items for discussion at the legal staff update. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - PRELIMINARY PLAT, GRADING PLAN, AND DRAINAGE PLAN FOR TAPESTRY SUBDIVISION, CASE NO. SD2018-0001

The Board met today at 10:02 a.m. to conduct a public hearing for the preliminary plat and grading and drainage plan for Tapestry Subdivision, Case No. SD2018-0001. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Michael Freer, Dave Fisher, Amy Woodruff, Gerald Boatman, Robin Boatman, Chrystle Fuentes, Jerardo Fuentes, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The property was rezoned to R-1 single family residential and the acreage and the proposed layout of the lots meet the requirements for minimum one-acre average lots. They are proposing public roads for the development and individual well and septic systems. The property is located within the Middleton impact area. The applicant has proposed to dedicate the required right-of-way along Hartley Lane and Flower Lane; the email from Chris Hopper from the Canyon Highway District indicates the road name shall be changed to Meadow Creek Street, which is the extension of the roadway the city expects to see. The road name will likely change at the time of final plat. The irrigation water has been returned to the irrigation company; there will not be surface irrigation water provided to the properties. Sprinkler irrigation or pressurized irrigation that will occur on the properties will be from the domestic wells. Staff is recommending approval of the preliminary plat and finds it to be in conformance with the requirements of the ordinances and state statutes and as conditioned to meet County surveyor requirements and the highway district requirements for development. In response to the Board's questions about the road, Ms. Root said the three lots to the south are platted as Flower Estates and they have a private gravel lane, Flower Lane. The new development is providing public roads in the prescribed location that the highway district and the City of Middleton's future land use transportation map show the road extension to be. The highway district has indicated the name Flower Lane will have to have a different name. The Fuentes, who live in Flower Estates, are not in favor of the roadway being placed along the section line and so they are going through a validation process with the highway district to see if the highway district will allow the developer to relocate the road, but they have not been willing to do that. The applicant will construct a minimum 20-foot wide paved public road that meets highway district standards and it will be accessible by the adjacent properties. The highway district has indicated to the property owners that this does not do away with their gravel lane until they get to the 40-foot Hartley Lane right-of-way dedication where they will require that there will be only one approach to Hartley Lane at that location. Amy Woodruff said this project was originally approved in 2007 as a conditional use using the same configuration and layout of 16 lots on 20 acres.

They were working on the preliminary plat and then the economy changed and the project went dormant. The requirement was that the developer dedicate the right-of-way on the quarter section line and improve his half area of road. Since 2007 the City of Middleton and the highway district have both weighed in and one of the city's requirements was the right-of-way set aside for a future roundabout that was not on the original rezone application comments but it was a comment that came through with the preliminary plat so they reconfigured the plat to accommodate that right-of-way set aside. The adjacent lot owner for Lot 1 will be able to use the right-of-way but they won't be able to construct in it, it will be more like an easement. She said Meadow Creek is an extension of a quarter section line road that's further east and it will be constructed wholly on the Tapestry Subdivision side of the section line. Its 20 feet of improved area of pavement will coordinate with the highway district on the placement of the 20 feet. Flower Lane, which is the private road located south of Tapestry Subdivision, will not be modified with this application. When Flower Estates redevelops into more urban density then at that time the developer will have the obligation to construct and the whole 80-foot corridor will convert to a collector road. That's how the south area will redevelop as she understands it from the highway district. They attended the public hearing for the right-of-way validation for Flower Lane on August 8, 2018 and at that time the highway district said they do not consider Flower Lane a public right-of-way and they don't consider it not a public right-of-way. They're just not taking any action on Flower Lane or the right-of-way as they don't believe it's in the public interest to either validate it or not validate it. Tapestry Subdivision is not taking any right-of-way from the Flower Estates property owners. All of the construction and right-of-way is on their side of the section line. Regarding irrigation, Ms. Woodruff said Black Canyon Irrigation District spoke with the developer and others and suggested that the water would be better used if it was transferred to an active agricultural operation so the thought was to utilize the irrigation water resource better and limit the amount of management of an irrigation system. Commissioner White asked for clarification pertaining to the aquifer. Ms. Woodruff said the Idaho Department of Water Resources (IDWR) has a map showing declining water levels and this area is not in a declining water area, in fact, you can apply for a new water right for those areas that aren't developed and don't have surface water irrigation.

Testimony in opposition was as follows:

Chrystle Fuentes lives on Flower Lane and she is concerned about how the request will impact her property. She said the information regarding this proposal changes daily as it pertains to the road. She has asked to meet with the highway district commissioners but it's likely that won't happen until the validation hearing on the right-of-way is closed. In addition to her concerns about the road, she also worries about irrigation water and the depletion of the aquifer. She spoke of her conversation with a representative at the IDWR and the possibility of having to re-drill area wells. Ms. Fuentes contested Ms. Woodruff being a part of this application as the City of Middleton has interest in the road and she is the city's engineer so she should not be representing the applicant because of the conflict of interest. She's heard that the subdivision improvements have been waived but she hasn't seen any documentation to that effect. (Ms. Root said there is a letter stating the waiver has been approved and it's marked as Exhibit 12.) Ms. Fuentes said she does not want Mr. Freer to not be able to put his subdivision in but she is questioning why it's being pushed through and why it can't wait until she has her meeting with the highway district commissioners to see if they will allow the road to be placed in the center rather than in the proposed area. Her

concern is that the road will go onto her property and that a well will be located next to the road which could result in runoff if the road is paved. Jerardo Fuentes lives on Flower Lane and expressed concerns about the plans to put a paved road in front of his house. He spoke about how the original road was built in a crooked fashion and the confusion that has ensued. Mr. Fuentes also has concerns with the how the proposal will impact existing wells in the area. (The Board took a brief recess at 10:50 a.m. and went back on the record at 10:55 a.m.) During rebuttal, Ms. Woodruff said they have exhausted the road subject with the highway district. There was discussion about moving the road and originally when the project was brought forward the road went through the middle of the property and it "lotted off" both sides, north and south. The highway district objected so the applicant proposed submitting a variance and constructing the road through the middle of the property as they originally contemplated. The highway district said they're probably not eligible for a variance; there are statutory requirements for a variance and if they were granted a variance they will still be required to dedicate the 40 feet along the south boundary and improve it. She said they are at the end of the process as far as Tapestry Subdivision is concerned. Meadow Creek Road is 100% on the Tapestry Subdivision parcel, none of it will be on the Flower Estates parcels. There's nothing that would preclude the property owners from relocating their road in the correct location on their property, or, if they don't want to be near the road they could build a fence. She said IDWR's guidance is that a domestic well has to be at least five feet from a property line, it doesn't contemplate roads. Ms. Woodruff said she has a consulting firm that provides engineering services to a number of different communities in the valley and they do engineering for the City of Middleton and they work on their sewer system and water system and local roads. They do not do any planning for the city as Mayor Taylor does most of the planning and he also has staff and that's who the developer, Mike Freer, met with and that's who he coordinated with to talk through the right-of-way requirements for the city and the highway district. Commissioner Rule made a motion to close public testimony and it was seconded by Commissioner White and carried unanimously. Commissioner Rule said this proposal is in line with what's going on in the area. He understands the neighbors' concerns with the road issue but he believes those on the south side will probably use the paved road on the north side after all is said and done. He has not heard any evidence that a road will contaminate wells so that point does not weigh heavily with him. Commissioner White said the road is a major stickler, but Ms. Woodruff has testified that Meadow Creek Road will be 100% in Tapestry Subdivision. They have met all the necessary requirements and she is comfortable that the applicants have done everything they have been asked and they've double checked and addressed each issue as it's come up. She does not believe the proposal is out of line. Commissioner Dale said he appreciates the testimony from the Fuentes, but he doesn't think this proposal will totally change everything about their subdivision and if they want to continue using the gravel road for their private lane you can do that. He believes an improved entryway onto Hartley Lane will be a benefit to the area as it will be cleaner and safer all around. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the preliminary plat, grading plan and drainage plan as well as the Findings of Fact, Conclusions of Law and Order for Tapestry Subdivision, Case No. SD2018-0001. The hearing concluded at 11:07 a.m. An audio recording is on file Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1)(A) TO CONSIDER  
HIRING AN INDIVIDUAL AGENT; ACTION ITEM: CONSIDERATION OF RETAINING  
FINANCIAL CONSULTANTS RELATING TO BOND FINANCE

Commissioner Dale made a motion to go into Executive Session at 1:33 p.m. pursuant to Idaho Code, Section 74-206(1) (a). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Nick Miller with Hawley Troxell, Christian Anderson with Zions Bank, and Deputy Clerk Monica Reeves. Sheriff Donahue and Clerk Yamamoto left at 2:32 p.m. The Executive Session concluded at 2:59 p.m. with no decision being called for in open session.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 4, 2018

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

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

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

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Cindy Lorta and Jim Kouril.

APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$139,872.85 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin

Sneegas, Customer Service Specialist Stephanie Burger, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross The following cases do not meet the eligibility criteria for county assistance: 2018-1421, 2018-1385, 2018-1533, 2018-1395, 2018-1415, 2018-1413, 2018-1349, 2018-1422, 2018-1381, 2018-1388, 2018-1426, 2018-1401, 2018-1518, 2018-1379, 2018-1380, 2018-1363, 2018-1397, 2018-1393, 2018-1520, 2018-1390, 2018-1400, 2018-1416, 2018-1383, 2018-1543, 2018-1510, 2018-1391, 2018-1410, 2018-1398, 2018-1396, 2018-1399, 2018-1376, 2018-1534, 2018-1402 and 2018-1392. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue written denials within 30 days. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 8:58 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to issue final denials with written decisions within 30 days for case nos. 2018-1067 and 2018-1059. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final denials with written decisions on case nos. 2018-260 and 2018-959. Commissioner Rule made a motion to issue final approvals for case nos. 2018-1103, 2018-1095 and 2018-783. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-970

The Board met today at 9:09 a.m. to conduct a medical indigency hearing for case no. 2018-970. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Julie Wood for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1055

The Board met today at 9:13 a.m. to conduct a medical indigency hearing for case no. 2018-1055. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Julie Wood for St. Alphonsus, the applicant, the applicant's mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by

Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1045

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for case no. 2018-1045. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Michelle Davis with St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to November 1, 2018. The hearing concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1132

The Board met today at 9:54 a.m. to conduct a medical indigency hearing for case no. 2018-1132. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Ashley Hesteness with St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1016

The Board met today at 10:18 a.m. to conduct a medical indigency hearing for case no. 2018-1016. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:26 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-1066, 2018-1030, 2018-818, 2018-1078, 2018-1133 and 2018-1063. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue written final denials within 30

days. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS POTENTIAL CHANGES TO THE CANYON COUNTY BUSINESS INVESTMENT INCENTIVE ORDINANCE OF 2017, CHAPTER 1, ARTICLE 23, OF THE COUNTY CODE

The Board met today at 1:33 p.m. to discuss potential changes to the Canyon County business investment incentive ordinance of 2017, chapter 1, article 23, of the county code. Present were: Commissioners Tom Dale, Pam White and Steve Rule (Commissioner Rule left at 1:57 p.m.), Deputy P.A. Brad Goodsell, Assessor Brian Stender, Business Analyst Jennifer Loutzenhiser, Tina Wilson with Western Alliance, Craig Shaul with Idaho Department of Labor, Beth Ineck with the City of Nampa, Legal Assistant Shanta Hannibal, Steve Fultz with the City of Caldwell arrived at 1:51 p.m. and Deputy Clerk Jenen Ross. Brad Goodsell prefaced the meeting explaining that about a year and a half ago the county adopted the Canyon County Business Investment Incentive ordinance which gave guidelines for the Board in granting tax incentives under 63-602NN. After that was done there were a couple things that needed to be adjusted; there have been discussions among the board members as to what multiplier should be used for additional incentive along with various other issues. The first change is simply to state what was already implied which is that these guidelines are applied equally to exemptions under 606A as well as 602NN. Discussion ensued regarding what the maximum exemption percentage should be for each level and for how many years, along with determination of the multiplier number that should be used. Tina Wilson expressed her concerns about how adjustments to the ordinance will affect the rural communities. Craig Shaul provided insight as to how a multiplier is applied and how it can impact a community. Mr. Goodsell said that he would draft a revised ordinance using a multiplier of 2 and bring it back at a later date for the Board's consideration. The meeting concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 5, 2018

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

APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$7218.80 for accounts payable.



### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Jag Tool in the amount of \$7499.98 for the Facilities department
- SANS Institute in the amount of \$5340.00 for the Information Technology department
- Altitude Signal, Inc. in the amount of \$25,420.00 for the Facilities department

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 10/13/18 for a wedding.

### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Chief Deputy Sheriff Marv Dashiell left at 9:06 a.m., HR Director Sue Baumgart left at 9:04 a.m., Deputy P.A. Dan Blocksom left at 9:06 a.m., Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Deputy P.A. Mike Porter left at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing a resolution authorizing the destruction of files for former employees with employment end date prior to October 1, 2008:*** Director Baumgart explained there are many boxes of employee files in storage that do not need to be kept any longer; files are kept for 10 years but there are some that are much older than that. Remaining files that need to be kept will be scanned. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the destruction of files for former employees with employment end date prior to October 1, 2008 (see resolution no. 18-165).

***Consider signing legal notice of entering into personal services contract:*** Dan Blocksom said this is just the notice for contracts that may go over \$10K that have previously been signed. Commissioner Dale made a motion to sign the legal notice of entering into personal service contract. The motion was seconded by Commissioner White and carried and unanimously.

As part of the legal staff update there was there was discussion regarding the RFP for the comprehensive plan consultant. Last week one submission was received which was reviewed by Director Nilsson. She and Zach Wesley are recommending closing the RFP without making a recommendation of a proposer as the bid was out of budget and not within the scope of what Director Nilsson was looking for. Mr. Wesley said this is a personal services contract and the formal process is not required so Ms. Nilsson will reach out to some of her connections to see if she can find someone who can work within the budget and scope of work. Mr. Wesley has a letter prepared to send to the one proposer letting them know that

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

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 9, 2018

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- University Santa Cruz in the amount of \$2336.07 for the Sheriff's Office

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Guillermo Martinez, John D. Smith, Diana Sinner and Ellen Tingstrom.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Shadow Hills, LLC dba Luna Blu. See resolution no. 18-168.

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

Commissioner Rule made a motion to go into Executive Session at 3:02 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters or trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Deputy P.A. Brad Goodsell, Patricia Seniw and John Grady from Fiberguide Industries, Inc., Caldwell Economic Development Director Steve Fultz, and Deputy Clerk Monica Reeves. Chief Deputy Assessor

Joe Cox arrived at 3:17 p.m. The Executive Session concluded at 3:39 p.m. with no decision being called for in open session.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 10, 2018

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

APPROVED CLAIMS ORDER NO. 1901

The Board of Commissioners approved payment of County claims in the amount of \$1,581,400.13 for a County payroll.

APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$81,119.58 and \$43,011.75 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carousel Industries in the amount of \$23,335.56 for the Information Technology department
- Hyland in the amount of \$3000.00 for the Information Technology department
- Right! Systems, Inc. in the amount of \$1397.25 for the Information Technology department
- Neopost in the amount of \$13,792.00 for the Information Technology department
- Wilbur-Ellis Co. in the amount of \$13,275.00 for the Solid Waste department
- Curtis Blue Line in the amount of \$1782.00 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 10/27/18 for an annual meeting.

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 10:03 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assessor Brian Stender, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Juvenile Detention Deputy Administrator Sean Brown left at 10:06 a.m., Juvenile Detention Field Training Coordinator Shawn Anderson left at 10:06 a.m., HR Generalist Jennifer Allen, Landfill Director David Loper and Deputy Clerk Jenen Ross.

***Consider approval of a resolution to adopt changes to the job title of two (2) positions in Juvenile Detention Department:*** This resolution is to change two job titles. One is from a Juvenile Detention Officer to a Field Training Officer and the other is from a Field Training Officer to a Juvenile Detention Training Coordinator, there are no other changes to these positions. Commissioner White made a motion to sign the resolution to adopt changes to the job title of two positions in the Juvenile Detection Department. The motion was seconded by Commissioner Rule and carried unanimously (see resolution no. 18-167).

***Consider signing a resolution approving the addition of one (1) Fee Collector position to the Landfill Department:*** This is for one new position at the Landfill which was approved in the FY2019 budget. Along with working in both scale houses the position will also be back up for Debbie Jenks in administration office. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution approving the addition of one Fee Collector position to the Landfill Department (see resolution no. 18-166).

***Consider signing legal notice of entering into Personal Services Contract:*** Zach Wesley explained this is notice for contracts the Board has already entered into. Commissioner Rule made a motion to sign the notice of entering in to Personal Services Contracts. The motion was seconded by Commissioner White and carried unanimously.

#### EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*A request was made to go into Executive Session to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 10:10 a.m. pursuant to Idaho Code, Section 74-206(1) (f) The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Assessor Brian Stender and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

***Consider signing Brent Eyre, ASA, letter of engagement for appraisal review services:*** Assessor Stender explained there is a property owner appealing their value to District Court and there is a very sizable assessed value difference. This would allow for an outside fee

appraiser to point out the deficiencies in the petitioner's fee appraisal. This engagement would be with Brent Eyre, who the Assessor's Office has worked with before on other appraisals. Commissioner Rule made a motion to authorize the Assessor to hire the appraiser needed to complete the action. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH BRENT RALSTON WITH BUREAU OF LAND MANAGEMENT

The Board met today at 10:31 a.m. with Brent Ralston the BLM Four Rivers Field Office Manager. Present were: Commissioners Tom Dale and Steve Rule, Manager Brent Ralston, and Deputy Clerk Monica Reeves. Brent Ralston reported that the BLM is about to release its draft environmental impact statement and resource management plan to the public and they want to meet with all counties involved and give a pre-look at the plan. They hope to get the draft out by the end of the calendar year and after the public comment period they will incorporate comments into the final direction and come up with a proposed plan after which it will go to the state office and then to the Washington office for approval. He submitted a handout titled *Four Rivers Field Office Planning Area*, which highlights the management direction they are talking about in the preferred alternative. They analyze four different alternatives in the environmental impact statement: A) No action; B) Protectionist/conservationist side of things; C) Development; and D) Mixed management which is their preferred alternative where they not only provide for development opportunities but protect resources as well. In the land use planning process they try to answer how to manage lands effectively but the scattered land ownership pattern makes it difficult in some places especially if they're landlocked or inaccessible so in some cases they look at land they would consider selling or exchanging to help lock up and provide additional public access to other places that are landlocked. They have identified 1,000 acres that could be considered for exchange and there about 300 acres in Canyon County. Work is done locally but it still requires briefing all the way up to the top, the Secretary's level. Commissioner Rule said government should not be in the real estate business and the BLM doesn't need bureaucrats from Washington DC telling it what to do. He doesn't have a problem with government resources being used to limit the spread and establishment of noxious weeds and new invader species. In reviewing the handout Commissioner Rule referred to the statement about big game winter habitat and the protection from seasonal disruptions. Mr. Ralston said that's where they talk about potential seasonal closures of roads where there are big game that are keying into critical areas and so they may need to have some seasonal closures on access to a certain extent. Commissioner Rule said he's adamantly opposed to the protection of the Canadian Wolf invasive species. Commissioner Dale agrees and he spoke about how a neighbor to his ranch in Spokane, Washington lost 220 sheep to wolves last year. Mr. Ralston spoke about how the long-billed curlew population (in the Freezeout Road and Sand Hollow Road area) has seen a 95% reduction in the number of nesting pairs and research shows it's because they are getting shot so BLM is considering instituting some sort of a firearms restriction in the area for non-hunting type

activities around the curlew nesting timeframes. It's illegal to shoot a curlew, it's a migratory bird and they're non-game species and part of the consideration is there are a lot of people who aren't necessarily hunting in that area. Commissioners Dale and Rule both expressed concerns over who will enforce the restriction but they will listen to any proposals BLM offers. Commissioner Dale said if BLM doesn't have a program for enforcement then they shouldn't make a rule. Mr. Ralston said once they obtain public comments he wants to host a conference call with the commissioners in the area to get some feedback as they start forming the proposed plan in the late winter or early spring next year. The Board suggested Mr. Ralston asked to be placed on the IAC District III Elected Officials meeting in January where he could address the plan with that group of elected officials. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:03 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following items: Director Schwend updated the Board on the following items: Fall field trip season has begun; staff has been attending training and refreshers courses; the bus scholarship fund received \$200 from Marilyn Meyers from Iowa; staff has been working on clean up before the winter; atlatl range has been cleaned up and straw bales have been replaced; the Boy Scouts worked on a project to replace stairs at Celebration Park; the new storage container has been delivered to the Vastine property and shelves have been built; Lake Lowell has been closed for the season; they are finishing installation of the well and it's coming in under budget but DEQ is requiring additional water testing; there recently was a large department meeting to discuss a procedure manual, updating job descriptions, staff expectations, project updates, grants, large projects and museum exhibit planning; Morley Nelson Snake River Birds of Prey 'Flight Path' exhibit will open October 12<sup>th</sup>; Laura Barbour has continued to work with the Idaho-Oregon Snake River Water Trail; road revision project at Celebration Park is continuing to move forward; the last Gun Range Advisory Board meeting happened on September 6<sup>th</sup>; Historic Preservation Commission meeting happened on October 9<sup>th</sup>; in September the Preservation Plan Grant was applied for \$8380 but they were awarded \$13,619.42; a replica of Guffey Bridge has been built at the roundabout at Robinson and Victory Rd. The meeting concluded at 2:41 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 11, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell, Inc. in the amount of \$21,214.05 for the Sheriff's Office
- J/H Sales & Marine, LLC in the amount of \$12,601.25 for the Sheriff's Office

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

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

APPROVED CLAIMS ORDER NO. 10/11/18

The Board of Commissioners approved payment of County claims in the amount of \$310.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$117,810.85 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1428, 2018-1429, 2018-1406, 2018-1449, 2018-1442, 2018-1440, 2018-1458, 2018-1409, 2018-1446, 2018-1439, 2018-1430, 2018-1389 and 2018-1521. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions within 30 days. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH HUMAN RESOURCES AND JUVENILE PROBATION CHIEF OFFICER TO CONSIDER SIGNING RESOLUTION APPROVING THE ADDITION OF ONE (1) POSITION TO THE JUVENILE PROBATION DEPARTMENT

The Board met today at 11:17 a.m. with Human Resources and the Chief Juvenile Probation Officer to consider signing a resolution approving the addition of one (1) position to the Juvenile Probation Department. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross. Director Baumgart said this is for the addition of one probation officer which was approved in the budget. Ms. Catalano said this is an added position but it is an upgraded position, she had a part-time electronic monitoring probation officer and this would change that to a full-time position; it will be funded using lottery tax so it wouldn't be county funds paying for this position. Commissioner White asked if this is sustainable. Ms. Catalano said that it is sustainable, based on the last 10 years the average received from the lottery tax is \$75K a year; all of the numbers have been reviewed with the Controller. Commissioner Rule made a motion to sign the resolution approving the addition of one position to the Juvenile Probation department. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-169). The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 12, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

#### APPROVED CLAIMS ORDER NO. 10/12/18

The Board of Commissioners approved payment of County claims in the amount of \$568.75, \$44,507.60 and \$39.21 for accounts payable.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 15, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 9/29/18



The Board of Commissioners approved payment of County claims in the amount of \$3981.88 and \$98,847.50 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 10/25/18

The Board of Commissioners approved payment of County claims in the amount of \$107,208.68 and \$505,048.94 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Woody's Outdoor Power in the amount of \$11,752.50 for the Parks department
- HP, Inc. in the amount of \$12,160.00 for the Information Technology department

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jaura, LLC dba Lakeshore Food Mart. See resolution no. 18-170.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Treasurer Tracie Lloyd left at 9:21 a.m., Deputy P.A. Mike Porter left at 9:19 a.m., Deputy P.A. Dan Blocksom left at 9:19 a.m., Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, Controller Zach Wagoner, IT Director Greg Rast left at 9:10 a.m., IT Business Manager Caiti Pendell left at 9:10 a.m. and Deputy Clerk Jenen Ross.

***Consider signing real estate purchase and sale agreement for parcel #05140000 0:*** Brad Goodsell said the purchase and sale agreement has been signed by the seller of 1218 Albany St. The proposed purchase price is \$57,400 which is the tax assessed value. The sale is conditional contingent upon the appraisal and environmental assessment. The anticipated closing date is no later than November 9, 2018. Director Navarro is looking for a contractor to do the level 1 environmental assessment and hopes to have it done by the November 9<sup>th</sup> date. The house will ultimately be torn down in the hopes of eventually expanding the parking lot if the other two properties adjacent were to sell. The property was walked on Friday and Mr. Navarro believes there is a tenant still living in the house but it will need to be vacant before the sale can close. Commissioner White made a motion to sign the real estate purchase and sale agreement for parcel #05140000 0. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-157). Director Navarro said he estimates the cost of demolition to be between \$7,000 – \$10,000. Commissioner Rule

suggested that after the county has secured the property that the demolition is completed as soon as possible to keep vandalism to a minimum. Commissioner Dale thought that possibly the SWAT or a fire department may be able to use the structure for training exercises before it is demolished; Director Navarro said he would reach out to the agencies.

***Consider signing resolution classifying records of Information Technology Department and authorizing the destruction of financial records:*** Dan Blocksom explained that the last two pages of the resolution line out the records to be destroyed. This will authorize the IT department to destroy records from FY2013 along with some additional records that have been located; the Controller has approved of all the records to be destroyed. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution classifying records of the Information Technology department and authorizing the destruction of financial records (see resolution no. 18-172).

***Consider signing Solicitation of Interest for inmate legal services in Dale Haile Detention Center:*** Mike Porter said this is a continuation of an ongoing process to find an attorney to help with jail inmate legal issues. An initial solicitation of interest was done but only one response was received and it was over budget. The original process was closed and we will now target specific people and better define the scope of work. Mr. Porter said that each county fulfills their constitutional requirement in different ways and this is the way Canyon County has chosen to do that. It's approximately \$10K a year to provide this service. Commissioner Rule made a motion to sign the solicitation of interest for inmate legal services in the Dale Haile Detention Center. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing resolution rescinding tax deed No. 2018032243:*** Brad Goodsell explained that in July the Treasurer took this property for tax deed but it was actually subject to a bankruptcy stay which the county was not aware of. This property will be evaluated next year to see if the bankruptcy is done. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution rescinding tax deed no. 2018032243 (see resolution no. 18-171).

The meeting concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Treasurer's monthly report for August 2018 in today's minutes.

#### MEETING WITH COUNTY CLERK AND DIRECTOR OF FACILITIES TO DISCUSS POSSIBLE REMODEL OF ELECTIONS BUILDING

The Board met today at 9:31 a.m. with the County Clerk and Facilities Director to discuss the possible remodel of the Elections building. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Facilities Director Paul Navarro, and Deputy

Clerk Monica Reeves. Clerk Yamamoto explained his request for the remodel. Currently there's a wall in the foyer and when visitors enter the office they are confused about which direction to go and so he wants to remove the wall to allow for better traffic flow. It will also free up some space to add more resolution tables so they can be in one location. Director Navarro said originally the wall separated the elections area from the passports area but the passports area moved years ago to the Recorder's Office. It's a non-load bearing wall so they will take out a portion and remove the foyer and do some cabinetry work in-house. He estimates the project will cost around \$2,500 and the Clerk has agreed to pay for it from his budget. As part of the FY2019 budget, Director Navarro anticipated painting and carpeting the interior of the building and so this project will be done at the same time. Commissioners White and Dale are in favor the project. Commissioner Rule wants Director Navarro to put the \$2,500 cost estimate in writing. The Board has already approved purchase orders for the carpet; this project will consist of demolition and drywall work. Clerk Yamamoto reported on problems the elections staff has had with their telephone system which has been dropping calls. They have seen a tremendous turnout for early voting and between the amount of walk-in traffic, the telephone calls, and traffic jams in the parking lot they're having a hard time getting their work done so he is going to hire an additional employee to help. Regarding the traffic congestion that's occurring in the parking lot, Director Navarro is going to reach out to the City of Caldwell on the issue. The meeting concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:35 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: he is working on getting bids for up-fitting parts; getting vehicles ready for winter; continuing to work on timelines for certain vehicle replacement between using the state purchasing or buying off the lot. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 11:01 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. A discussion was had regarding a letter that was received, there was a difference in the comp plan map but DSD is unsure why. Tony Almeida has done some research and the printed map is different from the GIS system. When the applicant submitted their application they included a parcel that had not been included on the neighborhood list so they had to re-do their neighborhood meeting. In working with the applicant they are trying to decide if they want to try getting services from the City of Caldwell. At this time there are a lot of unanswered questions as to what they are going to go forward with. The property is a

commercial area at the SW corner of Farmway and Hwy 55, with the commercial designation being designated in the comp plan. They've been told they would have to do a comp plan amendment for the residential piece. Director Nilsson believes the case should be coming before P&Z in the next few weeks. Other updates included the following: A comparison between FY2017 and FY2018 (a copy of this comparison is on file with this day's minute entry). At this point the additional Plan Reviewer position will not be filled until they see how things go thru the winter. In regards to the Flood Plain Ordinance, they've heard from FEMA that the flood plain maps shouldn't be expected until September of 2019. They're continuing to update the ordinance and Stephanie Haley and Dan Lister put a committee together that includes the small towns that will be adopting the maps redrafting the ordinance; they are working from a template provided by the state in an effort to standardize definitions. There was discussion regarding the Highway 55 project and the environmental work being done and the possibility of the scenic byway project being put on hold. The meeting concluded at 11:20 a.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 16, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell Inc. in the amount of \$9590.34 for the Sheriff's Office

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Esmeralda Romo, Anita Hollis, Don Dutton, Matthew Merkley and Victor Holliday.

#### MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Commissioner Steve Rule arrived at 8:47 a.m., Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Rast asked the Board how they would like to handle incoming calls to the courthouse on the upcoming holiday appreciation days. In the past an automated attendant was used and seemed to work

well. The Board agreed that if the system worked well in the past they are okay with using it this year. Director Rast said that he and Director Navarro recently met with the Treasurer, Assessor, PD and Sheriff's offices about cameras and finalizing that effort, they are hoping to complete it by mid-November. Some cameras will be updated and some will be replaced; there are some that just need to be repositioned, adding some, and replacing some that are antiquated. At Commissioner White's request, Director Navarro said he would look into cameras in the stairways and elevators. Upgrades of Office 2013/2016 will be rolling out countywide soon. The Nortel phone project is in the implementation stage, it started on October 1<sup>st</sup> and they hope to have it completed by the end of January when Pod 6 comes online. The Spillman upgrade will come in on October 29<sup>th</sup> to get the infrastructure set up for the upgrade that will happen in February. The PO for the Board's consideration is for the last of the hardware for the Spillman upgrade. CCSO jail matrix is being worked on, Mr. Rast is continuing to work with jail staff to make sure the information being put out is accurate and determining what is internal information and what will be put out to the public.

Director Navarro updated the Board on the following items: He has been asked to do a remodel in the PD's office. They would like part of their lobby area to be split into two more conference rooms. The CCOA has started to move out of their building and Mr. Navarro will check in with them to see if there is anything he can do to help. Ms. Teats from the CCOA has let Director Navarro know that the monthly utility bill is about \$600 for electric heating and air which is information that was requested by the 3<sup>rd</sup> District Community Guardians who are interested in leasing the building from the county. The Fair/Rodeo master plan is being finalized and Mr. Navarro will see about getting Brent Orton in to speak with the Board. Commissioner Rule asked if the tiling of the drain was included in the plan. Director Navarro is unsure about that but believes Mr. Orton could better answer the question. Pod 6 is actively being worked on as far as getting utilities in place. The HAWK system has been ordered and is anticipated to arrive in December. The tenant at 1218 Albany St. is moving out. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule arrived at 9:04 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Assessor Brian Stender left at 9:18 a.m., Director of Juvenile Detention Steve Jett left at 9:10 a.m. The action items were considered as follows:

***Action Item: Consider signing Juvenile Detention housing agreements with Washington County, Gem County, Owyhee County, Boise County, Payette County, and Adams County:***

Director Jett said these are renewals for the housing agreements with the outside counties. The price has gone up but not much else has changed. The contracts have been reviewed by legal and there is no reason not to sign. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the Juvenile Detention housing agreements with Washington County (see agreement no. 18-161), Gem County (see agreement no. 18-163), Owyhee County (see agreement no. 18-160), Boise County (see

agreement no. 18-162), Payette County (see agreement no. 18-159) and Adams County (see agreement no. 18-165).

***Consider signing medical services contract with Karen Schumacher, NP:*** Director Jett said Ms. Schumacher takes care of medical services during the day at the Juvenile Detention Center. The contract notes that Ms. Schumacher will work under the supervision of Dr. Young. The contract has been reviewed by legal and there is no reason not to sign. Commissioner Rule made a motion to sign the medical services contract with Karen Schumacher, NP. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-158).

***Consider signing Collection Bureau Incorporated collection services agreement:*** Chief Dashiell explained this is for when an employee leaves prior to their contract and fails to reimburse the County for their training. Previously, contracts with employees were written in such a way that the only way of collection would have been thru small claims court but that was not a cost effective way to recoup the loss. Contracts are now written so that a collection statement is included. The CBI fees are added to the amount owed so it's a 100% return to the County; if the County makes a settlement agreement during the collection period then it's a 75% return and 25% will go to CBI. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Collection Bureau Incorporated Collection Services agreement (see agreement no. 18-164).

***Consider signing appraisal and backup support services agreement with J Philip Cook:*** Assessor Stender explained this is the 1<sup>st</sup> part as a back-up value estimate for the Sorrento appeal that is in District Court. This contract is for the full appraisal and a set amount of hours for Mr. Cook to review the opposition's appraisal. Dan Blocksom said this agreement will allow for an independent appraisal and a review of the opposing expert. Mr. Cook will start by doing 5 hours of review and the contract will cap at 20 hours. Once Mr. Cook has completed the first 5 hours he will review with the County how much more time will be needed and then the County and Mr. Cook will have to come to an agreement about the additional time needed for the appraisal review. If a hearing does happen Mr. Cook could be called to testify and there would be an additional fee for that. Commissioner White made a motion to authorize the Assessor to sign the appraisal and back-up support services agreement with J Phillip Cook. The motion was seconded by Commissioner Rule and carried unanimously.

#### EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

*A request was made to go into Executive Session to discuss records that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:18 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present

were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

The meeting concluded at 9:36 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DIRECTOR OF JUVENILE DETENTION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:01 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett, Assistant Director of Juvenile Detention Sean Brown and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: Numbers are up but they continue to fluctuate. His department currently has two open positions but he is going to hold off as long as possible in filling the positions while numbers continue to be manageable. He has several employees who have been approved to attend POST in November and there is a part-time person who has been cleared to get her POST part-time certification which will happen in-house, they will not be sent to the POST Academy. 2344 lbs. of produce was harvested from the garden this year. One full-time clinician and two part-time clinicians have started and met last weekend to develop their schedules and make sure all shifts are covered. After a few struggles they are now up and running to conduct GED testing. Over the past few weeks they've had three use-of-force incidents due to some special needs kids. Director Jett will be out of the office for a large portion of November so Mr. Brown will be in charge while he's out. The meeting concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DIRECTORS OF JUVENILE PROBATION AND MISDEMEANOR PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:36 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Misdemeanor Probation Jeff Breach, Project Coordinator Mike Davidson, Misdemeanor Probation Officer Mandi Bravo, Juvenile Probation Training Coordinator Amaia Vicandi-Bow and Deputy Clerk Jenen Ross. Ms. Bravo introduced herself to the Board and explained her background; she will be attending POST in April. Director Breach updated the Board on the following items: The Community Service Officer position has been filled. The Department of Health and Welfare has distributed a small amount of funds to Misdemeanor Probation. A review of population trends for the year was provided to the Board (a copy of this report is on file with this day's minute entry). The Supreme Court is looking at possibly changing certain felonies to misdemeanors which means there could be an increase in his population. Chief Juvenile Probation Officer, Elda Catalano, is away at training today so Mr. Davidson and Ms. Vicandi-Bow updated the Board on the following items: Ms. Catalano is waiting on the background

checks of the four candidates being considered for the three open positions in her department. Canyon County Juvenile Probation will be the first in the state to participate in a peer review program with other probation departments, that will happen on November 5<sup>th</sup> and 6<sup>th</sup>. Contingency Management training with POs will happen November 1<sup>st</sup> and 2<sup>nd</sup>; Ms. Catalano is working with Zach Wesley on an MOU for monies that may be able to be received for this training. 370 people are currently on probation and about 85 are in the diversion program. Mr. Davidson spoke about some of the programs and partnerships he's been working on. The kickball event was very successful this year; about 100 backpacks were given away and 16 bikes with a lot of community sponsorship. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING – REQUEST BY KNIFE RIVER CORPORATION TO MODIFY AN EXISTING MINERAL EXTRACTION CONDITIONAL USE PERMIT

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Knife River Corporation to modify an existing mineral extraction conditional use permit (C.U.P.), Case No. CU2018-0011. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Deb Root, Joseph Smith, and Deputy Clerk Monica Reeves. Deb Root gave the oral staff report. The most recent modification was in 2012 whereby a portion of the property was sold to Nampa Highway District and then some conditions were modified. Currently Knife River is requesting to increase the pit size on the north side of the road and include the 40 acres they have leased from the property owner. In doing this there are two C.U.P.'s that are currently approved, the gravel pit on the north side of Lola Lane and the gravel pit on the south side of Lola Lane. The applicant has amended their reclamation plan to include all three properties and combining approximately 100 acres to include the two that were previously approved and the Lola Pit north which was a 1981 permit. All three of these mining operation parcels will be combined into this current permit number and it will be one singular permit. There will be one singular reclamation plan with the Idaho Department of Lands. The Idaho Transportation Department (ITD) has requested that Knife River conduct a traffic study and it's been conditioned to comply with their request. They are seeing some breakage on the turning radius at Highway 45 from Lola Lane so there may need to be some improvements to the pavement structure. Ms. Root reviewed the other permits to see if ITD had provided feedback or requested any traffic studies but there was no indication they provided comments. She has attached ITD's request to the Findings of Fact, Conclusions of Law and Order as a condition and the applicant's representative, Mr. Smith, has indicated they have hired a consultant to complete it. This area is approved for multiple mineral extraction sites by the Nampa Highway District, Triple Crown Investments, and Knife River and reclamation has occurred on a large portion of the pits south of the road. Staff is recommending approval as conditioned. Commissioner Dale asked if the square that's not a part of this is due to the fact that it's a geo-thermal well. Ms. Root said there is a house in that square. Knife River has leased 40 acres for development and the property owner still lives there and intends to farm it. Currently the lease is for the south 40 acres of the 80-acre parcel. Commissioner Rule asked if Knife River bought the property from Masco. Ms. Root said they did and they cleaned up the berms. In the 2012 permit they removed the requirement for the trees to be planted there. There have not been any code enforcement



complaints in the file since the 2012 permit. Joseph Smith, the regional environmental manager for Knife River, testified that they have contracted with Keller and Associates to do a turning study per ITD's request and if they are required to put in turning lanes they will work toward that to make sure they are in compliance. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Rule said he was a Commissioner when the pits were initially approved and they made commitments that were not kept but apparently it's been smoothed over so to speak and it now looks like Knife River has a more earnest conviction to try and comply with conditions. He said the property is surrounded by gravel operations and he believes the use is appropriate for the area. Commissioner White believes the proposal is compatible with the area. Commissioner Dale agrees. Upon the motion of Commissioner White and the second by Commissioner Rule the Board voted unanimously to approve and grant the conditional use permit for Case No. 2018-0011 and approve the Findings of Fact, Conclusions of Law and Order. The hearing concluded at 1:47 p.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 17, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Caldwell Glass in the amount of \$2831.37 for the Solid Waste department
- Treasure Valley Pipe in the amount of \$3434.80 for the Solid Waste department
- D&A Door & Specialties in the amount of \$1138.00 for the Public Defender

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING MEMORANDUM OF AGREEMENT WITH ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 9:02 a.m. for a meeting with county attorneys for legal staff update and consider signing memorandum of agreement with Advocates Against Family Violence. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker, Leslie Van Beek and Deputy Clerk Jenen Ross. Director Baker said this is a standard agreement that is entered into each year. Mr. Wesley explained this is a partnership with Advocates Against Family Violence (AAFV) for medical and non-medical indigent care. The county will reimburse the AAFV \$11.50 for a night of temporary emergency shelter for a Canyon County resident or family and the hourly

wage for a certified counselor employed by AAFV for service provided to Canyon County residents. This agreement caps at \$30K for both service. Commissioner Rule made a motion to sign the memorandum of agreement with Advocates Against Family Violence. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-166).

There were no items for discussion at the legal staff update. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF AN APPLICATION TO MODIFY THE CANYON COUNTY ZONING ORDINANCE; CASE NO. ZOA-PH2017-15

The Board met today at 10:00 a.m. for a public hearing to consider the approval/denial of an application to modify the Canyon County Zoning Ordinance; case no. ZOA-PH2017-15. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Kyle McCormick, Leslie Van Beek and Deputy Clerk Jenen Ross. Director Nilsson explained that the reason for this is to make improvements to the code and to add a couple of definitions. They have worked with private interest and the highway districts to improve the functional classification map in the comprehensive plan in an effort to preserve future roadway corridors. Only one comment was received from ITD stating they didn't have any concerns. Commissioner Rule asked Ms. Nilsson about an email he forwarded her regarding numbers of lots and roadways that he doesn't believe he's received an answer on yet. Ms. Nilsson said she would need to check her email and follow-up. The Board decided it would be best to continue the hearing in order to make sure all questions were answered and issues resolved. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the hearing to October 30, 2018 at 10:00 a.m. The hearing was opened for public comment but no comments were received at this time. Commissioner Rule requested that this ordinance be sent to building groups in the area for their input. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 18, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Eric Eskew.

#### APPROVED CLAIMS ORDER NO. 10/18/18

The Board of Commissioners approved payment of County claims in the amount of \$20,000 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 10/25/18

The Board of Commissioners approved payment of County claims in the amount of \$156,944.07 for accounts payable.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Shawn Anderson, Kristina Bill and Alex Lowe.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hyland in the amount of \$6000.00 for the Information Technology department
- HP, Inc. in the amount of \$1431.32 for the Information Technology department

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas, Case Manager Terri Salisbury, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Leslie Van Beek and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1457, 2018-1464, 2018-1456, 2018-1466, 2019-0006, 2018-1463, 2018-1473, 2018-1460, 2018-1565, 2018-1448, 2018-1472, 2019-0004, 2018-1474, 2018-1574, 2018-1471, 2019-0005 and 2018-1470. Commissioner White made a motion to deny the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 8:56 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Pam White, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner White made a motion to continue case no. 2018-1143 to November 15, 2018 and case no. 2018-1170 to December 13, 2018. The motion was seconded by

Commissioner Dale and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to approve case no. 2018-1051. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-848

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-848. Present were: Commissioners Tom Dale and Pam White, Case Manager Terri Salisbury, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Leslie Van Beek, Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's, the applicant and relative and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1126

The Board met today at 9:11 a.m. to conduct a medical indigency hearing for case no. 2018-1126. Present were: Commissioners Tom Dale and Pam White, Case Manager Terri Salisbury, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Leslie Van Beek, Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's, the applicant and her spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to continue the case to December 13, 2018. The hearing concluded at 9:36 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-901

The Board met today at 9:41 a.m. to conduct a medical indigency hearing for case no. 2018-901. Present were: Commissioners Tom Dale and Pam White, Case Manager Terri Salisbury, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to place the case in suspension. The hearing concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NOS. 2018-640 AND 2018-1214

The Board met today at 9:50 a.m. to conduct a medical indigency hearing for case nos. 2018-640 and 2018-1214. Present were: Commissioners Tom Dale and Pam White, Case Manager

Terri Salisbury, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Cortney Kriss for St. Luke's, Andrew Lacayo for West Valley Medical Center, the applicant and spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to place both cases in suspension. The hearing concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-834

The Board met today at 10:14 a.m. to conduct a medical indigency hearing for case no. 2018-834. Present were: Commissioners Tom Dale and Pam White, Case Manager Terri Salisbury, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:28 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Pam White, Hearing Manager Kellie George, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2018-1074, 2018-1131, 2018-1080, 2018-1145, 2018-1061, 2018-898, 2018-1060, 2018-1138, 2018-1139 and 2018-899. Commissioner White made a motion to issue final denials on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING OCTOBER 18, 2018 AGENDA ITEMS

The Board met today at 11:01 a.m. to consider signing the October 18, 2018 agenda items. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Mike Porter, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. The items were considered as follows:

**Consider Resolution Declaring Certain Properties as Not Necessary for County Use and Authorizing Sale Thereof, and consider Notice of Surplus Property Auction** - The resolution identifies the eight properties as surplus and sets the minimum bid amounts for the auction that's scheduled for November 7, 2018 at 10:00 a.m. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously

to sign the resolution declaring certain properties as not necessary for County use and authorizing sale thereof. (See Resolution No. 18-173.) The Board also signed the notice of auction which will be published in the Idaho Press-Tribune.

**Notice of Grant of Real Property to Other Political Subdivision or Taxing District** - On November 7, 2018 when the Board conducts the surplus property auction it will also consider granting some properties to the Nampa Housing Authority and the Caldwell Housing Authority. If the parcels are transferred to the housing authorities they will be conveyed by tax deed under the agreement where they pay the County the amount of the taxes. Commissioner Dale said it's worked out well in the past as the properties have been turned back into productive dwellings. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the notice of grant of real property to other political subdivisions or taxing districts.

**Consider signing a Resolution Declaring Certain Property as Not Necessary for County Use and for the Exchange of County Property** – Mr. Porter said the Sheriff's Office has some abandoned property in the form of firearms and other items and rather than destroy or dispose of them they would like to exchange them with Al's Pawn and Gun. Staff has looked through the items and they don't believe anything exceeds the value that allows the Board to forego the auction process and they're asking the Board to sign the resolution so the Sheriff's Office can exchange the items for products their teams can use. Commissioner White asked if the process has been used in the past. Chief Dashiell said they have used it in the past and they have tightened the procedures where they attempt to contact the last known owners and notify them of the intent to go for bid or to dispose of them for County purposes or through an auction process. The properties will be firearms or firearm components that are taking up space in the crime lab. The statute allows them to turn those back into use in law enforcement activities and their intent is to trade with Al's Pawn and Gun to exchange components and firearms accessories. Commissioner White asked how they insure that the liability aspect moves with it. Mr. Porter said the sale does that and the language is included in the resolution. Chief Dashiell said anyone they do business with has to be a licensed as a federal firearms dealer so they also have to maintain all the responsibilities set through the ATF. The property is acquired as abandoned found properties, or seized evidence from an investigation, or seized through a forfeiture process and turned over to the County. The Sheriff's Office has attempted to reach out to the last known owner or the registered owner on file with the ATF and so they attempt to run a trace on every firearm before it goes through this process. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the resolution declaring certain property as not necessary for county use and for the exchange of county property. (See Resolution No. 18-174.)

At 11:13 a.m. Mr. Goodsell requested the Board go into Executive Session.

**EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION**

Commissioner White made a motion to go into Executive Session at 11:13 a.m. pursuant to Idaho Code, Section 74-206(1) (d) to discuss records exempt from public

disclosure and attorney-client communication. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:25 a.m. with no decision being called for in open session. An audio recording of the open meetings is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 19, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 10/22/18

The Board of Commissioners approved payment of County claims in the amount of \$798.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Materials Testing and Inspection in the amount of \$2799.00 for the Facilities department

FILE IN MINUTES

The Board filed a letter received from Nicholas Miller at Hawley Troxell regarding Bond Election and Bond Issue; Conflict Disclosure Consent letter in today's minutes.

CONSIDER OCTOBER 19, 2018 AGENDA ITEMS

The Board met today at 9:00 a.m. to consider the October 19, 2018 agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Landfill Director David Loper, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, Communications Center Manager Roxanne Wade, Controller Zach Wagoner, PIO Joe Decker, Greg Schreiber, Buck Jacobs, Jeff Malson, Russ Bundy, Mercedes Mascorro, Will Gomez, and Deputy Clerk Monica Reeves. This morning's agenda items were considered as follows:

### ***Hearing to Consider Public Comment Regarding Caterpillar Model 966M Wheel Loader Sole Source Procurement***

As part of the hearing process, David Loper reported that the funds for the loader have been budgeted for in the FY2019 budget. No other persons offered testimony on this subject. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Brad Goodsell noted that the sales agreement is attached to the resolution which authorizes Director Loper's signature. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the resolution authorizing execution of the Caterpillar Model 966M Wheel Loader Sales Agreement. Director Loper was authorized to sign the sales agreement. (See Resolution No. 18-176.)

### ***Consider Signing Idaho Public Safety Communications Commission 2019 Award Document***

Chief Marv Dashiell said they were awarded a grant from the Idaho Public Safety Communications Commission in the amount of \$289,000 and that includes \$78,000 for the first year's maintenance plan for the 911 telephone answering system. There will be an opportunity to apply for a continued grant to cover the maintenance operations into the future. Canyon County will be the host agency for the primary system and Owyhee County will share equipment. The funding for this project comes from the extra 25 cents that's charged against all telephone lines. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the grant award document.

### ***Public Hearing to Consider Comment Regarding A Proposed Increase in Fees Charged by Pickles Butte Landfill for Certain Materials and Setting Special Handling Fees for Certain Services***

The Board heard comments regarding the proposed increase in fees charged by the landfill for certain materials, and setting special handling fees for certain services as follows:

#### **Fee Increases**

- Construction/Demolition Materials – Increase from \$14.50 to \$34.00/ton
- Hard to Handle Waste – Increase from \$14.50 to \$21.75/ton  
This includes: Large stumps, bio solids, concrete, mobile homes, dead animals (plus burial), mattresses and drip line

#### **New Fees**

- Special Fees – Extraordinary Services
  - Surcharge for uncovered/unsecured loads - \$50.00
  - Digging out boxes (per box) - \$25.00
  - Anchoring (per anchor) - \$15.00
  - Vehicle/trailer battery jumping - \$10.00
  - Gate closure late fee - \$20.00
  - Clean wood violation penalty - \$15.00
  - Administrative (copies of tickets, reports, research, etc.) - \$25.00

Director Loper said the purpose of the special handling fees is to cover some of the cost of equipment and staff time for special requests such as battery jumping which has become a



pattern with some. They are also looking at an uncovered/unsecured load charge due to issues they have seen with unsecured/uncovered loads that come to the landfill. They are constantly working with surrounding property owners to keep some of the waste and litter from blowing onto private property and he believes the fee is a good way to deal with the issue rather than writing tickets or doing enforcement. There will be a process in place where a supervisor/code enforcement officer will be involved to make the determination of whether it's secured or unsecured. For the first several months we'll do a campaign and let the public know this is in place. Commissioner Rule said \$10 seems low for those who are making a habit of using landfill staff and equipment to unload their trailers. Director Loper said the main point with the fees is to reduce the frequency of the requests.

There will be a fee for violations of the clean wood pile. Construction contractors and the public can deposit clean wood at a reduced rate of \$12.50 per ton but it needs to stay clean, there cannot be plastic or other waste dumped in it. The late gate closure fee will be charged to the business accounts who make it a habit of coming late. They will be notified the first time or two, and then a letter will be sent letting them know if it continues to happen there will be a charge.

Commissioner Dale said the Board received a letter from Devin Dice regarding the fee, and he said it only seems to affect demolition and construction materials and there was no mention of household trash that's hauled in by garbage trucks and so it seems the increase only goes against certain businesses. He asked if that means the public garbage haulers will have a better opportunity for disposal at a lower rate than the demolition and construction hauling businesses? Director Loper said the public garbage haulers that haul municipal solid waste and have the roll off trucks that haul all kinds of waste (construction, demolition, etc.) if they are hauling construction and demo waste they will be charged the \$34 a ton rate and landfill staff will have to manage that and make sure it happens. He said some garbage companies have franchise agreements with the cities to be their solid waste haulers, but he doesn't think Mr. Dice can haul municipal solid waste in those areas.

Director Loper said through the flyover studies and keeping track of tonnages and working with consultants he has documented that construction and demo waste alone takes up 40% more air space by volume than regular municipal solid waste because it's a little harder on equipment because it's bulkier and heavier. The cost of landfill operations are increasing and the volume of waste has been up year over year and he estimates there is a decade of air space left for the current 116-acre landfill footprint so he's fast-tracking the expansion which will result in more costs, especially if we have to put in gas collection, leachate collection, and liners.

Director Loper said construction and demo waste should pay for itself. It's a onetime cost for a particular project, and it will create a competitive standard disposal rate for SW Idaho. Ada County charges \$33 a ton for the citizens, but they charge the commercial contractors \$11 per yard for construction and demo waste which equates to anywhere from \$50-\$65 a ton for that waste, depending on what they have. Construction and demo cleanup companies are charging around 30 cents per square foot for their services so for 2,000 square foot home the cost would be \$600-\$700 and so the increase on a home of that size might increase their disposal cost by \$300.

The total cost to the capital improvement projects and equipment over the next 10 years is estimated at \$13.5 million which equates to an annual average of \$1.3 million from this point forward. We have to keep in mind our financial assurance requirements for the state and

they're sitting at about \$13 million needed for closure and post-closure care at this time. That's for the 116 acres and when we do the expansion and it becomes 3-4 times that size then the number will go up 3-4 times so we have to look to that and accomplish the expansion to turn it into a 75 or 100 year site and we need to start planning for that now.

**Public comment was offered as follows:**

Russ Bundy, a representative of Sunrise Homes, said if it's necessary to increase fees it should be an increase for everybody, not just for those in the construction business.

Buck Jacobs owns Tamarack Construction and Custom Homebuilding Company in Nampa and he represents the Snake River Valley Building Contractors Association. He wasn't aware that construction debris takes up more space than municipal waste and he believes everyone should pay their part and if the construction waste has increased by 40% then the fee increase should equate to a 40% increase making it closer to a \$6 increase. He spoke about how the fee will be passed on to the homeowner which makes it difficult when the builders are trying to provide affordable housing. He agrees that everyone should pay their part, but this is an undue amount to charge the construction companies. Also, he thinks Director Loper is too nice by giving warnings rather than writing tickets. He supports the fees for dead battery charges and uncovered loads.

Jeff Malson with Can Ada Cleanup said the fee only affects the building industry and those who do local hauling will be able to manipulate the fee. He said the fee increase is a result of Ada County prices and land values but Canyon County land values are not comparable to Ada County. He said Director Loper spoke about checking loads and regulating people from dumping debris that shouldn't be dumped, but they don't currently have a way to do that. Instead the landfill has done away with all of the ways to regulate people and now they want to impose a price increase on construction businesses. He doesn't understand how they're going to regulate people and give them tickets when in the past years nobody has been watching or doing anything. He said he cannot get into or out of the landfill without his equipment getting damaged by other people because the screeners aren't there and sometimes it can take 2 hours to get out of the landfill because computers are down. He said instead of raising fees Director Loper needs to break it down and look at how the waste is coming in, where it's coming from and try to check those people instead of just pushing it off to a construction industry because the trash companies are bringing in 10 times what any construction business is doing.

Will Gomez with CCC Field Services said the rate increase is concerning because the cleanup on a build is an important process and the amount of equipment involved to do the job efficiently is through the roof and so the margins are low. The fee increase doesn't make much sense because as he's trying to get more business he's not going to be able to easily pass the additional cost onto the builders. He's seen the landfill increase drastically over the last two years and with the amount of volume of they're taking in he thinks their margins have to be good and the amount of revenue they are receiving is probably going to keep their plans in order moving forward.

Greg Schreiber owns Triple D Hauling which specializes in the removal of construction debris from new building projects. He sees how fast the landfill is filling up but he also looks

at how much of that is due to the growth in this area coming in on regular garbage trucks as well as the amount that is coming in by individuals with their own trailers. His business averages 30 tons per day, but that's 2-3 garbage truck loads which is very small in comparison. He said plastic from construction sites is not the problem, it's the plastic grocery bags that are blowing all over. He is opposed to the \$34 fee. He asked if homeowners have to pay more when they haul cardboard, wood or other construction items to the landfill. Director Loper said the landfill fees have been low for a long time and hopefully the new fee schedule will promote further recycling of clean wood to divert more waste out of the landfill and hopefully business models will allow for some separation of the waste: 2x4's, plywood, bulky wood waste that can be diverted and separated from the other construction waste. Perhaps there will be an incentive to use the clean wood rate of \$12.50 a ton versus \$34 a ton. As far as the cleanup of the properties and waste that was discussed we'll need to vet that at the scale house. For our contracts and commercial vehicles they will have a way to check in and check out with the material code they're bringing in. If it is construction demo waste it will be a certain code, if it's cleanup material from a property that's not construction or demo then it will be the municipal waste code at the reduced rate and it's something they can verify on site with operators and screeners. He said they cannot vet where the material is coming from very well and with the volume that comes in on trucks that have loads from 10-15 different properties it's very hard to get a handle on it. Director Loper said if everybody towed the line and took the waste where they should have taken it maybe we wouldn't be sitting here. He's trying to create an even playing field throughout the valley. He's proposing the rate increase go into effect January 1<sup>st</sup> to give time for contractors to get their business model in order and their contracts adjusted appropriately. Everybody will pay the same price - \$34 - large businesses and garbage haulers will pay the same amount for this waste.

Commissioner Rule said he's been asking Director Loper for years to raise the base from \$14.50. He asked if construction companies will have a choice to pull out the paper and plastic and handle their waste differently. Director Loper said construction and demo waste will be charged the higher rate, but if they want to separate out clean wood materials they can utilize the wood pile at \$12.50.

Commissioner Dale asked how construction waste is determined. Director Loper said the construction and demo rate is for major construction. If someone is cleaning up around the house and they have a mixed load where the general citizen has 80% trash and some 2x4's that will be charged the municipal rate. There will have to be some determinations made at the scale house on what the waste is but they are looking at construction and demo projects.

Commissioner Rule said there's a problem with the origin of the waste and we've been dealing with this for several years and the problem is we didn't address it in years past and now we're trying to get caught up and so there's a shock factor.

In response to a question from Commissioner Dale, Controller Zach Wagoner said the fee increase for construction and demolition waste represents a 135% increase of the current fee of \$14.50. He offered comments on the financial and accounting aspects related to the landfill stating that it is an enterprise fund and it's designed to function in a manner similar to a private business. There are no property tax dollars that are allocated to the landfill, it's

designed to be supported by fees. Over the past few years the revenue is up and with the growth in population there is a tremendous amount of activity at the landfill and our costs have increased substantially. The loss of air space is a significant cost. We have a liability at some point to close and care for the landfill and the current estimate of that cost is \$13 million. We signed an agreement today to purchase a piece of equipment for half a million dollars. There are significant costs to operating the landfill. If you look at the past three years the net position of the landfill has decreased by \$500,000. It is not producing profits at the moment, it's breaking even or even losing net position and it's important that we change that. We need to plan for the future and be prepared to provide landfill services for many, many years into the future and based on the past few years our margins are not there. We are not experiencing profits at the landfill.

Commissioner Dale asked Director Loper to talk about why the municipal rate isn't being increased. Director Loper said he's only looking at the construction and demo rate due to the 40% volume number that construction requires and because that waste is harder on the equipment. He believes this is the most cost effective way to deal with the waste that's being generated and that at this point he doesn't feel there's a need to increase the municipal solid waste rate for the citizens but as we move forward with the expansion and any new regulations that may come into play we should talk about an increase to the municipal solid waste rate, but at this point we don't need to burden the citizens with an ongoing increase in their garbage rate.

Brad Goodsell said the law requires that any fees be reasonably related to the services that are being provided, and staff has looked at the services and tried to identify those that are not paying enough to cover the costs. Construction waste takes up more space and it has an effect on the equipment and we also have problems with out-of-county waste so by raising the fee to this level it's a more efficient way of taking care of the cost issues than for instance hiring additional staff to monitor where the trash is coming from. As for special handling services, people should be paying for that service and if we charge what the cost is for these services then the landfill fund is going to be okay for a while. Eventually we may have to cover increased costs for everybody but not right now.

Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony.

Commissioner Rule said he fully understands Director Loper's plight because we worked on a lot of these issues with the former director, Jack Biddle and he was resistant to raise the general fee but now comes the time when we aren't making it any longer and there are a number of problems. He doesn't think \$13 million will close the landfill when that day comes so at some point that reserve will have to be built up more but we don't have to have that today, but we do have to deal with inadequate fees. He has no problem with the proposed special fees but he questions why we're circling one piece of the industry. For the past several years he's felt the fee should be in the \$16-\$18 range based on what the surrounding counties are charging for general waste. We have a very special resource in our unlined landfill and it allows us to be at \$14.50 instead of \$25 or \$30 just from that standpoint. The life span of the landfill is dropping at a very rapid rate and once it's gone we'll have to find

another location and line it. He feels like there would be room to back off and raise the rate for general waste but this an enterprise fund and it's been a good deal for a lot of people.

Commissioner White said we have no idea when we'll have to go to a lined facility and comply with the federal requirements that go with it but we're not going to continue in a reactive state with our landfill, we are going to become proactive and that's hugely important to the success and the length of lifetime of the landfill. She said the fee increase is a shock but there is justification for it and in looking forward to the future of the landfill it's the Commissioners' jobs as stewards to make sure the costs of operation are covered by the fees.

Commissioner Dale said the construction rates in the landfill have been under market for years and it's largely because of the facility we have. Fee increases are a big hit but he's yet to have someone say they were grateful for the access to the low fee that's been charged for many years. The proposed fee is a way to provide an incentive for separating out the construction debris. The costs will be passed onto the builder and it should not be affecting the haulers' bottom line. New growth should pay its own way and that's what impact fees are for. We're all aware that over the last two years the cost of building materials has skyrocketed, but the builder doesn't eat that cost increase, he passes it on to the user. This is an increase that's necessary to keep the landfill solvent to try to equalize out so we don't continue to absorb Ada County's waste. It's time to make an adjustment.

Commissioner White made a motion to consider signing the resolution increasing the fees charged by Pickles Butte Landfill for certain materials and establishing fees for certain services. The motion was seconded by Commissioner Rule who asked if the Board wants to consider asking Director Loper to address increasing the general waste fee from \$14.50 to \$16 or \$18. Commissioner Dale asked if the construction and demolition fee is being used to subsidize the municipal fee. Director Loper said he would like to review the municipal solid waste rate, but regardless of that he feels strongly that the \$34 fee for the construction and demolition rate is where we need to be with that waste. Commissioner Dale wants to sure that the fee for construction and demolition is not being used to subsidize another purpose.

Director Loper said the \$34 fee is what they need to collect for construction and demolition waste to recoup their costs. The motion carried unanimously. The fees will be implemented on January 1, 2019. The hearing concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 22, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$153,042.44 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 10/25/18

The Board of Commissioners approved payment of County claims in the amount of \$130,258.68 for accounts payable.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Piper Pub & Grill to be used 10/27/18 for a wedding.

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Randy W. Smith.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell left at 9:12 a.m., Deputy P.A. Dan Blocksom left at 9:14 a.m., Controller Zach Wagoner left at 9:12 a.m., Treasurer Tracie Lloyd left at 9:12 a.m., Captain Darin Ward left at 9:06 a.m., Facilities Director Paul Navarro left at 9:06 a.m., DSD Director Tricia Nilsson, Leslie Van Beek and Deputy Clerk Jenen Ross.

***Consider signing request for qualifications for design/engineering services-installation and occupancy of a secure temporary jail facility and legal notice:*** Director Navarro explained this is for the Pod 6 – temporary female jail facility. We are required to have an Idaho licensed architect and engineering team in order to secure the building permit and for the various trade permits. This project may exceed the threshold of \$25K so it will need to be put out for a public RFQ. It will probably involve an architect, civil engineer, mechanical engineer, electrical engineer, structural engineer and a landscape architect to help with the designs as per the Special Use Permit that was issued by the City of Caldwell. Dan Blocksom said this is a pretty standard RFQ, there is a short timeframe but things were able to be pulled together in timely manner. This RFQ has excerpts of some of the blueprints so people can have an idea of what is going on. It also contains a draft contract so they know what the county is expecting. Many of these items fall under professional services and don't always require a procurement process but it was thought the RFQ process was the best route to take. This is strictly looking for qualifications and once a firm or organization is chosen then contract negotiations would begin for price. Director Navarro confirmed that this was planned for in the FY2019 budget. Commissioner White made a motion to sign the Request

for Qualifications for design/engineering services-installation and occupancy of a secure temporary jail facility and legal notice. The motion was seconded by Commissioner Dale. A vote was taken on the motion with Commissioners Dale and White voting in favor and Commissioner Rule voting against. The motion carried in a 2-to-1 split vote.

***Consider signing resolution authorizing inclusion of certain charges, other than property taxes, on tax notices as authorized by Idaho Code:*** Brad Goodsell said this happens annually when the Board considers the inclusion of certain charges on the tax rolls that are submitted by various taxing entities. This year there are submissions from the City of Caldwell, City of Nampa and the Canyon County Weed and Gopher department. All charges this year are for abatements. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution authorizing inclusion of certain charges, other than property taxes, on tax notices as authorized by Idaho Code (see resolution no. 18-178).

***Consider signing Juvenile Detention housing agreement with Elmore County:*** The daily rate will go from \$160 to \$170. Commissioner White made a motion to sign the Juvenile Detention housing agreement with Elmore County. The motion was seconded by Commissioner Rule and carried unanimously (see agreement no. 18-167).

***Consider approval/denial of a resolution for a refund request for a conditional building permit to Mike Spicer, Case No. BP2018-0624:*** Director Nilsson said that due to construction costs the Spicer's have withdrawn their application. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution for a refund request for a conditional building permit to Mike Spicer, case no. BP2018-0624 (see resolution no. 18-177).

The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING – JEREMY EATON'S REQUEST FOR A REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Jeremy Eaton for a rezone of approximately 4.96 acres from an "A" (Agricultural) zone to an "R1" (Single Family Residential) zone for property located at 13026 Purple Sage Road in Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jeremy Eaton, Nancy Weikel, Robert Grimes, Jacque Simmons, Rhiannon Blum, Steve Scott, Neal Spencer, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The future land use is residential and is located directly north of Middleton's impact area. It's within the "A" flood zone and as part of the platting process the applicant will be required to adhere to Canyon County Zoning Ordinance and FEMA requirements for development within the flood plain. The property is designated as residential on the 2020 Future Land Use Map. The area is a mix of agricultural and residential uses. Within one mile there are 22 platted subdivisions for a total of 301 lots

with an average lot size of 1.70 acres. There is rural residential zoning within 340 feet of the property. R-1 zoning is located approximately 2,300 feet southeast of the property on Hartley Lane. It is located within a nitrate priority area and the applicant will be required to adhere to Southwest District Health regulations during the development process. The Canyon Highway District has indicated the current access to the property would be undesirable for additional uses as it is located near the intersection of Purple Sage Road and Emmett Road. The district suggested the new lots would be best served by a single shared access point onto Purple Sage Road. The P&Z Commission recommended denial of the request on August 16, 2018. Staff has found the request meets the standards of review for zoning amendment and is harmonious with the comp plan and future land use map.

Jeremy Eaton testified in support of his request. A lot has changed from his original attempt because he lost his buyer but now his parents and his sister want to move here and so now he is proposing two additional homes for the property when originally he had wanted four. He believes the highest and best use of the land would be to develop it given the issue with water rights and because he cannot irrigate it and because developing the land will take care of the problem with weeds. Mr. Eaton said the neighbors do not want to share the road even if it was asphalt because maintenance has been a problem. He's had many conversations with Chris Hopper at Canyon Highway District and there is no issue with having an adjacent drive to theirs because within a couple years Purple Sage Road will be widened so they will combine the two entries and each property will have their own private drive and there will be one entry. According to Mr. Eaton, the Middleton Fire Department does not object to having two adjacent drives.

Nancy Weikel testified in support of the application. She lives adjacent to Mr. Eaton's property and she has no qualms with him dividing the property because she believes it will clean up the area and address the weed problem.

The following people testified in opposition to the request:

Robert Grimes read a letter in opposition from Amber French who was unable to attend the hearing. She was under the impression that the comprehensive plan north of Purple Sage Road was still rural residential, not residential. She agrees with the P&Z Commission's decision and is opposed to rezoning it to R1. Her concerns deal with the high water table, density, lot size, and the close proximity to the Purple Sage Road and Emmett Road intersection which has proven to be a problem with the high number of car accidents and the change to the rural character of the area. Rhiannon Blum lives directly west of the Eaton property and now that he has reduced the number of homes her concerns are: the shared driveway, the ingress and egress being so close to the intersection, and the runoff from the Eaton driveway that drains into her pasture where she raises organic beef. She's opposed to R1. She said if he wants two houses he should split the property or do R2 zoning. She agrees that the land would be better suited for houses because it's a dump as it is now. Neal Spencer lives and farms in the area and he is opposed to Mr. Eaton's proposal. He spoke about how his father took the property out of brush in the 1950's and how the irrigation practices came to be and how the ditches have deteriorated due to a lack of maintenance. He spoke about the floods that have occurred on the property and how there shouldn't be any more septic tanks in the area. Commissioner Rule said he knows Mr. Spencer and he has



done some business with him but he's not going to recuse himself from this case just because he knows him. He said it's difficult to use a flood plain as a reason to not allow development. The property has been an eyesore for a decade and it hasn't been farmed for 15-20 years. Mr. Spencer said they could raise livestock on it. He spoke of the difficulties a farmer faces when development occurs in agricultural areas. In this valley farmers raise over 120 different varieties of seeds for the rest of the world but if the farmland continues to disappear he questions where we will get our food.

Jeremy Eaton offered rebuttal testimony. The neighbors' biggest complaint again is the intersection, but if it wasn't possible to put an access in that location the professionals would have said no. He said the road will be widened in the next 5-7 years and hopefully that will alleviate the traffic accidents. Regarding drainage, in 2016 we had a 100-year snow but there wasn't a drop of water running anywhere because during the flood they had increased the drainage ditch sizes to handle that. Regarding the water table, Mr. Eaton has removed weeds, dug some holes and removed a collapsed barn and there isn't a drop of water on his place. He said the neighbors are opposed to his proposal but they agree that development would benefit the land. He cannot irrigate his land so he's trying to have the best and highest use of the land and he would like to put two additional homes on it. Commissioner White asked if an R2 zoning is possible, but Mr. Eaton said it is not because he has to have an average of one acre and even if he had six acres he couldn't do an R2 due to the easements. Commissioner Dale asked if it's possible to have a development agreement that says there can be no more than three homes. Ms. Almeida said even at a maximum of three lots with an R1 zone he wouldn't be able to get the four that he wants. Four lots would necessitate the need for an internal private road and there would be easements and the road is not calculated in the average so three lots is the maximum in order to meet the average lot size so that restricts it in and of itself. The applicant will be required to plat and as part of that process he has to submit a drainage plan. Commissioner Rule said the flood that Mr. Spencer referred to was in 1977 and it flooded everything and it was a lot different than the 2016 winter. There was a serious freeze and then several inches of snow so the ground was sealed and then it started to rain. He said they really haven't fixed any of the drain ditches that flooded; they cleaned a few so it would drain but don't presume they fixed everything because that didn't happen. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said it weighs heavily that Neal Spencer is opposed to the proposal, but on the other hand property rights are important and a lot of farmers in the area have captured high prices that they couldn't get if they farmed their land. He said this case is not cut and dry, it has a lot of issues in terms of the ditch, traffic and water issues. Commissioner White said she feels good that the concerns have been addressed and even those in opposition weren't as concerned once they learned the density was reduced and the applicant has testified under oath that there will be just two additional homes. There was conversation about the drainage plan being required when the driveway is put in – it's not an arterial roadway or a thoroughfare, it's a driveway. She is inclined to approve the request based on the testimony and the concerns that were addressed as well as further requirements that will come as the property is developed or changed. Commissioner Dale agrees with the comments of both Commissioner White and Commissioner Rule and he appreciates Neal Spencer's testimony as far as farm ground being developed and the

incredible value we have in Canyon County. The Board is doing the best it can to preserve that and one of the ways we do that is by looking at properties like this that have no irrigation and hasn't been farmed for years. Each application is evaluated on its own merit and the Board looks at the big picture the principle they base their decision on is keep development centered on nonproductive land and allowing people to do what they want within the regulations that exist. He believes the highest and best use is to put some houses on the property and he is comforted by the statement that Ms. Almeida gave that the applicant cannot put more than three houses on the parcel. Also, all drainage needs to stay on the property and so to address the concern that when they develop that driveway it will keep drainage on the Eaton side not on the neighbors' side. Commissioner White made a motion to approve the rezone for Jeremy Eaton, Case No. RZ2018-0012 and to approve the Findings of Fact, Conclusions of Law and Order as presented. The motion was seconded by Commissioner Dale. Commissioner Rule was opposed to the motion to approve the rezone. The motion carried by a two-to-one split vote with Commissioners White and Dale voting in favor and Commissioner Rule voting against the motion. Commissioner White then made a motion to sign the ordinance approving the rezone for Case No. RZ2018-0012 (Ordinance No. 18-027). The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 23, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$56,447.26 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 10/25/18

The Board of Commissioners approved payment of County claims in the amount of \$14,902.06 for accounts payable.

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Sherri Root and Jose Orozco.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Mike Richards, Roxanna Page, Nathaniel Ashby and Caroline Reynolds.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin Ford in the amount of \$31,531.00 for the Facilities department
- HP, Inc. in the amount of \$13,024.00 for the Information Technology department
- Carousel Industries in the amount of \$8685.00 for the Information Technology department
- Carousel Industries in the amount of \$34,323.20 for the Information Technology department
- Carousel Industries in the amount of \$15,600.00 for the Information Technology department

#### MEETING WITH PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:33 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: Review of budget and line items that were over budget such as psycho/sexual evaluations, conflict counsel, expert witness and transcript fees; substance abuse evaluation was not budgeted for in FY2018 but has been added to FY2019. Review of monthly case type count for FY2018; Cases opened by fiscal year for 2017 and 2018; snapshot of open cases right now; attorney active cases broken down by case types; age of active pending caseload; clearance rates; conflict cases that were opened in 2017 and 2018. The meeting concluded at 2:09 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE SOLID WASTE DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:09 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: Waste amounts were up 5.96% for September and FY2018 was up 12%. Director Loper said without the expansion and the amount of waste coming in the landfill could only have an 8-10 year lifespan left. He is in the process of implementing the new fee

schedule. The new schedule will be sent out with next month's statements so everyone will be aware; the new rates will also be posted at the scale house. Director Loper provided the Board with a review of the expansion plan including groundwater sampling, QED pumps/3<sup>rd</sup> party sampling, core drilling samples, site certification and new well/abandonment of PB-4, which is showing very low levels of what could be considered landfill contamination. Four household hazardous waste events will be held this year instead of just the one; they will be held on Wednesdays instead of a Saturday. Their office addition is complete. They are working to complete phases 1 & 2 of the seeding in hopes of controlling some of the dust. The operation plan has been submitted for recertification to the health district and DEQ and is out for public comment right now. The meeting concluded at 2:37 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*Note for the record: As properly noticed the Board met today at 2:37 p.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 2:37 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:51 p.m. with no decision being called for in open session.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 24, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 9/29/18

The Board of Commissioners approved payment of County claims in the amount of \$51,397.17 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$63,934.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 1902

The Board of Commissioners approved payment of County claims in the amount of \$1,860,320.74 for a County payroll.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carousel Industries in the amount of \$3290.00 for the Information Technology department

#### APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Dana Huffaker.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Robert Kershner and Guy Bollinger.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Facilities Director Paul Navarro, Captain Darin Ward left 9:21 a.m., Controller Zach Wagoner left at 9:21 a.m., PIO Joe Decker, Chief Deputy P.A. Sam Laugheed left at 9:21 a.m., HR Director Sue Baumgart left at 9:05 a.m., Nicole Foy from the Idaho Press and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing renewal agreement with Willamette Dental for 2019:*** Zach Wesley and Sue Baumgart explained this is a renewal letter that happens each year; this year Willamette Dental has asked for a 4.16% increase. The full agreement doesn't require execution we just need approval of the new rate. Rates and increases are generally based on the services they provided during the year and what they estimate they'll provide the next year. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted

unanimously to sign the renewal agreement with Willamette Dental for 2019 (see agreement no. 18-169).

***Consider signing municipal advisory services agreement with Zions Public Finance, Inc.:***

Sam Laugheed explained that in late August the county contracted with Nick Miller for bond counsel to provide jail bond related legal services and recommended that the county would need a municipal advisor and at some point underwriting assistance. This agreement is for municipal advisory services – personal/professional services contract with Zion's Public Finance. The terms of the agreement are similar to the terms of past municipal advisory services that the county has entered into with Zions and others. There is no legal reason not to move forward and with the understanding that the county is preparing for a May bond this is a necessary step. There are no fees charged unless the bond is successful. The fee schedule is included in exhibit A which does include some optional services that there would be fees for. Commissioner Rule said he doesn't understand why we're doing all of this when we don't have a plan to bond to. He believes this is premature and we should get a plan that can be presented to the public first. Commissioner Dale asked where we're at in working towards a goal of an RFP, he was under the impression that one of the next steps to get a more concrete number was to start the RFP process for a construction manager. He said we're not going to present a bond without a plan and these are preliminary steps in order to move that direction. Commissioner White said that the plan she has is based on the last meeting with DLR with a cost of \$170M, which was a considerable savings from the \$190-\$200M that they originally presented, and 1055 beds at the Pond Lane location. She said we have the schematic drawing of the whole thing and if we were going to do anything we would need to get a contractor/developer, we need to get somebody in here who's going to actually do the construction and get this started for us. Commissioner Rule said what we have is a concept. DLR has given a proposed price but has also said it still may be closer to \$190M so without a set of construction plans there is no way you can get even come close to a concrete price to take to the public as to what will be built for this \$170M or \$190M. He would like to see a set of construction plans that clearly define the amount of square feet, administration space, exercise space, amount of cells and cameras and how it's all going to fit. All of that has to be set before you can say you have a plan. Commissioner Dale said he understood that the next step in the process would be to go out for an RFP to find someone to do this for us. Mr. Laugheed explained that it really depends on how much certainty the Board wants and the resources the county wants to expend towards developing a more certain number. In the past we've had other iterations of this project; we have secured construction drawings and we've secured varying levels of design development. Director Navarro confirmed that drawings are generally 7-8% of the value so in this case it could be close to \$10M and the options would be to either contract with an existing provider or go out for an RFQ to select a design provider. If the Board isn't comfortable with the DLR estimate of cost we could go thru an RFQ process to get a construction manager/general contractor and pay that person to work with an architect to provide a certain level of design development with the more work that is done providing a more certain final cost to go to bond with. Director Navarro and Mr. Laugheed have had previous exploratory meetings with construction managers to see how that process would work and they would be prepared to do something like that but Mr. Laugheed thinks it would be good to have an agenda meeting with the primary stakeholders so they could get a majority Board direction on the matter. Commissioner Dale

agrees that those are the next steps but today's meeting is to make sure we have the right people on board to advise in these matters as we move towards the goal of May for a bond election. At this point there wouldn't be time for a complete set of plans but there may be time for some level of design, it would just depend on the level of certainty the Board wants. Commissioner Rule said going to the public without being able to show what they'll be getting for their money is a sure path of failure, the public will not vote yes on what they can't see. Commissioner Dale said we're doing this step-by-step to present as favorable of a bond proposal as possible and he believes the next step is this municipal advisor; with attorney Nick Miller providing bond counsel Commissioner Dale feels that if his opinion is to obtain additional information then that should be the next step in getting someone on board to help. Although he is not in favor of paying for a set of blueprints he does like the idea of a slightly more refined or concrete number and would like to meet with the stakeholders for further discussion. Mr. Laugheed said the Board needs to decide whether they want to go with a design/bid/build method or the construction manager/general contractor method. As far as today's agreement goes Mr. Laugheed said he's reviewed it and there is no legal reason not to execute it to move forward. Commissioner White made a motion to sign the municipal advisory services agreement with Zions Public Finance, Inc. The motion was seconded by Commissioner Dale. A vote was taken on the motion with Commissioners Dale and White voting in favor and Commissioner Rule voting against. The motion carried in a 2-to-1 split vote (see agreement no. 18-168).

***Consider signing Southwest Idaho Juvenile Detention Center Title I, Part D, Subpart 2 agreement and Caldwell School District:*** Zach Wesley said this agreement is an MOU for the school district to provide instruction teacher and paraprofessionals in the detention center for the school. Commissioner Rule made a motion sign the Juvenile Detention agreement with Caldwell School District. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-170).

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION REGARDING EXEMPT DOCUMENTS AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*A request was made to go into Executive Session to discuss an acquisition of an interest in real property, records that are exempt from public disclosure and attorney-client communication regarding exempt documents and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:23 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Fair Director Diana Sinner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

***Consider signing Canyon County Fair Expo building request for qualifications and legal notice:*** Zach Wesley said this is for a design/build RFQ fixed price solicitation of proposals. Director Sinner explained they are proposing a building on the corner of the property that is currently not utilized. The area opposite of Wilson Drain would be grass with the concert venue being relocated to that area; the carnival would remain in the same location for the most part. The expo building would relocate everything that is in O'Connor Fieldhouse which includes all the open class exhibits and indoor vendors; this would free up the O'Connor Fieldhouse to house more 4H and FFA projects. Director Navarro said they are looking at a steel building that's a slab on grade that would esthetically fit with the surrounding area. There is a master plan that was created in 2003 with some conceptual designs. This project is being funded with monies from the sale of the Hwy 20/26 property. Mr. Wesley said the fixed price included in the RFQ is the \$1.6M which are the funds allocated from the property sale. The construction target end date is before July 25, 2019 when the fair will open. Commissioner White made a motion to sign the Canyon County Fair Expo building request for qualifications and legal notice. The motion was seconded by Commissioner Rule and carried unanimously.

**PUBLIC HEARING – REQUEST BY SAMUEL HOPKINS FOR A REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL, CASE NO. RZ2018-0014**

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Samuel Hopkins to rezone parcels R38211 and R38211012 containing approximately 20 acres from "A" (Agricultural) to "R1" (Single Family Residential) for property located at 24358 Emmett Road in Caldwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Samuel Hopkins, Ruth Volkert, Don Volkert, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The property is identified as residential on the Canyon County Comprehensive Plan Future Land Use Map. There is access to Emmett Road from the subject property. Canyon Highway District has requested there be stub roads to the development to the south of the property and at such time as that development is completed and the roads are installed that the access to Emmett Road be abandoned from the subject property. Staff is recommending approval of the rezone. Sam Hopkins testified in support of his application. His primary residence is located on the subject parcel and immediately south is West Highlands Ranch Subdivision which has been pre-platted and is now on the market since Coleman Homes elected not to stay with their development. He has an access from the West Highlands Ranch development but he will have to meet with the highway district to discuss the proposal because they want him to vacate that access at a later date. He will keep his five-acre parcel although he has to release some of it for the roadway so that will leave 15 acres for development and with 3 acres being required for the road that will result in 12 one-acre parcels. A nutrient pathogen study indicated it would allow up to 9 lots on the 20-acre site based on a standard septic system but if there are 12 lots they will require a high efficiency septic system. The highway district is asking him to put a stub out road to the back of the adjoining properties for future development for those properties but he doesn't have immediate plans to begin developing that property, it depends on market conditions. His



frontage road is going to be an urban arterial road at some time in the future and so that is his concern with the highway district is if he has to have an access that will be ripped out at some future point. Commissioner Rule has known the applicant for many years and is familiar with the property but said it will not affect his decision in this case. He asked Mr. Hopkins if he feels like he's been "painted into a corner" with regard to access. Mr. Hopkins said it seems like that somewhat because of the unknowns but he plans to meet with the highway district and see if there are any other options. Commissioner Rule wants to make sure the applicant is aware of what the highway district is requiring, and then he said it's entirely possible that by the time this builds out it might be completely different. Commissioner Dale said the letter from the highway district is just a suggestion, it's not placing a restrictive development agreement on it. Ms. Root said we cannot place conditions on a rezone. The highway district has jurisdiction as far as roads are concerned and at the moment the best data available to them was that the preliminary plat is approved for this. At the time of development Mr. Hopkins will have to work with the highway district and comply with their requirements, whatever that may be. It may be a variance or something different but it's something for them to work out, it's not within our purview. Commissioner Dale finds it unusual that the applicant is placed in this kind of position of developing ingress/egress to his development not knowing when this other property will develop or even if it will develop in the manner in which we see today. Ms. Root said they are not precluding access; it provides access from Emmett Road until such time as an alternative that better meets the long range transportation plan. Commissioner Dale said he understands that but the applicant will have to put in curb, gutter, sidewalk, and roadway for those roads internally as well as going out on Emmett Road that serves his development and then at some later point tear it up. That is unusual. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule said given the growth that's occurring in the area this proposal is appropriate. Commissioner White agrees and noted there are 32 residential subdivisions with 971 lots within one mile of this property. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the request for Case No. RZ2018-0014 to rezone approximately 20 acres from agriculture to single family residential and to sign the findings of fact, conclusions of law and order and the ordinance for map amendment. (See Ordinance No. 18-028.) The hearing concluded at 1:52 p.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING – REQUEST BY ANNISSA NISSER FOR A CONDITIONAL REZONE

The Board met today at 2:01 p.m. to consider a request by Annissa Nisser for a conditional rezone for Case No. 2018-0005. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Annissa Nisser, Daniel Lowry, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 10.25 acres and its currently zoned agriculture. The future land use map designates this property as both agricultural and residential. It's not within an impact area or a flood zone. The applicant is requesting to conditionally rezone the property to rural residential which includes a development agreement. The entire property is residential except for one small corner in the southwest

corner. Within one mile there are five platted subdivisions for a total of 84 lots with a 2.55 acre average lot size. The proposed conditional rezone, as restricted by the development agreement, would not introduce an incompatible land use as the applicant is requesting the conditional rezone to allow for the construction of a single family residence. The property is not located within a nitrate priority area. The applicant will be required to adhere to Nampa Highway District requirements for access and an approach permit will be required at the time of the building permit. The P&Z Commission recommended approval on September 6, 2018 and staff has found the request meets the standard of review for zoning amendment and is harmonious with the comprehensive plan as well as the future land use map. Daniel Lowery said he wants to put a house on the northwest corner of the property. There will be a combined driveway with a shared easement with the existing house that's in the middle of the property. The remaining portion will be in pasture. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioners Rule and White both believe the proposal is appropriate for the area. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the development agreement, sign the ordinance directing amendments to the zoning map, and to approve the findings of fact, conclusions of law and order granting the conditional rezone. (See Ordinance No. 18-029 and Agreement No. 18-171.) The hearing concluded at 2:09 p.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 25, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin Ford in the amount of \$28,879.00 for the Development Services department
- Corwin Ford in the amount of \$31,531.00 for the Fleet department
- Corwin Ford in the amount of \$22,340.00 for the Information Technology department

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Los Mariachis Mexican Rest. #2 to be used 10/28/18 for a Halloween event.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1502, 2018-1496, 2018-1513, 2018-1547, 2018-1482, 2018-1516, 2018-1506, 2018-1491, 2018-1515 and 2018-1517. Commissioner Rule made a motion to issue written denials within 30 days. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Chief Deputy Probation Officer Elda Catalano, Captain Darin Ward left at 9:07 a.m. , Facilities Director Paul Navarro, Leslie Van Beek and Deputy Clerk Jenen Ross.

***Consider signing agreement for professional services with T-O Engineers, Inc.:*** Paul Navarro explained that as part of the ADS contract it is required that the utilities are in place when the trailers are delivered in mid-January. The City of Caldwell requires a civil engineer design and draw these plans. Several years ago the county worked with T-O Engineering to relocate utilities around the jail and being able to work with them again for this similar project should save a lot of time and money. Additionally, the sidewalk along Chicago St. will be changed in order to get the trailers on the site, the 10-foot razor wire fence and the planter boxes which T-O will also be able to assist with. This is a budgeted cost for FY2019. Commissioner White made a motion to sign the agreement for professional services with T-O Engineers, Inc. The motion was seconded by Commissioner Rule for discussion stating he doesn't like the project. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion and Commissioner Rule voting against. The motion carried in a 2-to-1 split vote (see agreement no. 18-172).

***Consider signing memorandum of understanding with the Idaho Department of Juvenile Corrections for the community incentive program, the re-entry program, and the mental health program:*** Zach Wesley said this is a renewal agreement without any significant change. This is an agreement with the state to provide funding and treatment for juveniles who have been released from the Department of Juvenile Corrections; the contract is scheduled to run thru September of 2020. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the memorandum of understanding with the Idaho Department of Juvenile Corrections for the community incentive program, the re-entry program and the mental health program (see agreement no. 18-171A).The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Treasurer's monthly report for September 2018 in today's minutes.

#### FILE IN MINUTES

The Board filed the Treasurer's quarterly report for July 1, 2018 thru September 30, 2018 in today's minutes.

#### FILE IN MINUTES

The Board filed the Treasurer's annual report for October 1, 2017 thru September 30, 2018 in today's minutes.

#### MONTHLY MEETING WITH PUBLIC INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:34 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, PIO Joe Decker, Leslie Van Beek and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following items: He recently spoke with one of the representatives of the opioid litigation and the next step is to file a complaint in the District Court of Idaho of which a draft complaint has been provided. In order for that complaint to be filed written or verbal authorization will need to be given by Mr. Decker. Once the complaint is filed the county will have 90 days to complete the answers for the plaintiff fact sheet. Commissioner Rule feels the county should take the necessary steps to follow thru as there is no monetary commitment. This litigation will not involve any Canyon County attorneys all legal work will be thru Crueger-Dickenson. Any public record requests for this case they will be forwarded to Crueger-Dickenson and Mr. Decker will send a memo to the Elected Officials and department administrators letting them know not to destroy any documents that may be relevant to this case. The Board is okay with all of what Mr. Decker is doing in regards to this situation. The Halloween event will happen again this year in Admin building with the Sheriff's Office doing their trunk-or-treat event in Justice Park. The election is coming up November 6<sup>th</sup> with early voting already happening. The meeting concluded at 9:44 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING - REQUEST BY TROY LINDSEY FOR A CONDITIONAL REZONE, CASE NO. CR2018-0003

The Board met today at 10:31 a.m. to conduct a public hearing in the matter of a request by Troy Lindsey for a conditional rezone of 18.48 acres from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone – Rural Residential) zone. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Troy Lindsey, Jan Hickey, Rachel Higgins, and Deputy Clerk Monica

Reeves. Jennifer Almeida gave the oral staff report. The subject property is approximately 18.48 acres and is currently zoned agricultural. The applicant is requesting a conditional rezone and development agreement to allow for a residence to be built on the site. The subject property is designated as agricultural on Canyon County's Future Land Use Map and as restricted by the development agreement the parcel will remain in its current configuration and will not be divided. The parcel may still meet the criteria for an agricultural exemption and still meets the intent of agriculture. The area is a mix of agricultural and residential uses. Within one mile there are 11 subdivisions and those lots have an average lot size of 2.46 acres. The proposed rezone would be commensurate with the lot sizes that currently exist in the area and the rezone would not introduce an incompatible land use. There is residential zoning within one-quarter of a mile of the subject property and as restricted by the development agreement the conditional rezone would not have a negative impact to the character of the area. The subject property is not located within a nitrate priority area and no agency concerns have been received nor have there been written objections from surrounding property owners. The P&Z Commission recommended approval of the conditional rezone on September 6, 2018 and staff has found the request meets the standard of review for zoning amendment and is harmonious with the Canyon County Comprehensive Plan. No other testimony was offered. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the conditional rezone and adopt the findings of fact, conclusions of law and order as well as sign the ordinance directing a change to the official zoning map, and to approve and sign the development agreement. (See Ordinance No. 18-030 and Agreement No. 18-173.) The hearing concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

#### APPROVED AUGUST 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of August 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### OCTOBER 2018 TERM CALDWELL, IDAHO OCTOBER 26, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

The Board met today at 8:33 a.m. with county attorneys for a legal staff update. Present were: Commissioners Tom Dale and Pam White, Commissioner Steve Rule arrived at 8:40 a.m., Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Brad Goodsell spoke about a class action lawsuit that the county opted into regarding payments in lieu of taxes made by the federal government. It was determined that the wrong formula was being used and Canyon County will receive a payment of \$1976. A discussion was had about the building previously used by the CCOA. A letter was received from Destination Caldwell expressing their interest in leasing the building; the 3<sup>rd</sup> District Guardian Ad Litem program is also interested in leasing this building and is scheduled to meet with the Board next week. Commissioner Rule said he recently met with Keri Smith-Sigman of Destination Caldwell and suggested that possibly there could be a property exchange between Canyon County and the City of Caldwell for this property. The Board requested that the meeting with the Guardians Ad Litem be postponed. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH BRENT ORTON FROM THE CITY OF CALDWELL TO DISCUSS LONG TERM PLANNING OF THE FAIRGROUNDS AND GRIFFITH PARK AND WILSON DRAIN PROPERTY

The Board met today at 9:04 a.m. with Brent Orton from the City of Caldwell to discuss long term planning of the fairgrounds and Griffith Park and Wilson Drain property. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Fair Director Diana Sinner, Brent Orton from the City of Caldwell, Leslie Van Beek, and Deputy Clerk Monica Reeves. Commissioner Dale said this has been discussed on multiple occasions and he's had assurances from Mr. Orton and Mayor Nancolas that when we're ready to break ground on the fair expo building the city will be ready with the deed. Mr. Orton said he doesn't if it will occur when we're ready to break ground or at the time of completion, but yes, the Mayor said the city will deed the property to the County with the building. Director Navarro said they've had multiple meetings behind the scenes with other stakeholders (the College of Idaho, Caldwell Night Rodeo, City of Caldwell, and Fair staff) and now that the legwork has been done they're ready to meet with the Board and present what the group has been talking about for the last several months. Brent Orton submitted a draft map and described the changes that have come about. There had been talk of tiling the Wilson Drain but as they looked at the flow rate and re-measured it during the summer they found it very high and there was concern about the risks and cost involved with the dewatering process and that gave rise to the idea of leaving it open and creating a slope that is traversable and similar to Indian Creek in downtown Caldwell. Director Navarro said the city has done a beautiful job with Indian Creek and there are ways for us to use this and have the building close to it. Also, the city has done a nice job with landscaping it cleverly with rocks so people can't bathe or wade in it. Mr. Orton said to make sure we have the room we need for the fair building we could create a vertical section and put a handrail along it. In lieu of tiling the drain the city would like to remove the debris that's been dumped there over the years and they'll have to make sure the material is suitable to use for reclaiming material. There will still be debris that they will backfill with topsoil and then back slope the drain so that it's level with Gabiola Field and the new fair building site. Commissioner Dale asked if the

College of Idaho is taking care of the backfill pile from the library site. Mr. Orton said they held off removing it because we said we may need the fill. The city wants to redo Gabiola Fields and remove the infields and install a sprinkler system through the whole area. Commissioner Rule said when we suggested tiling the drain the thought was to get usable space for booths and displays and this new plan accomplishes none of that and it actually makes it more difficult because you can't put anything on a 4-to-1 slope except grass and good looks. He suggested a portion be left open and remainder be tiled. Mr. Orton said they did some feasibility work to figure out what our options were and they may have discussed the idea of not trying to round that last bend, but there's a gas regulator station there and so perhaps the thought was there is no room to maneuver around it. When you tile something you're looking at the changes in grade and there's a ton of elevation change and from a civil engineering standpoint it's disappointing because we could have used all of that fall to improve the characteristics of the rest of it. Diana Sinner said originally when we were talking about tiling the intent was to create as much useable space as possible but the conversations since then was about feasibility and the economics of it and if it's just not feasible and if we can't get it done and build a building with the budget we have what are our options. Director Navarro said he reviewed the feasibility study and the flows are outrageous. Mr. Orton said the dewatering effort is risky and enormous and the last estimate on it was around \$1,000,000 to tile it after we got through the dewatering process and other expenses. Commissioner Rule said that was our original dollar. Director Sinner said a lot of evening type activities will be from Gabiola Field in the block of space where we have the carnival and concerts, and that's where the bulk of the fair tenants will be and so anything that will make it cooler, or appear to be cooler, during the fair is very helpful. Director Navarro said the city has agreed to do some paved parking for us. They will do the lot across from the fairgrounds on 21<sup>st</sup> Avenue and they'll improve the parking lot on the other side of the railroad tracks as well as digging up the unused ball fields and start making more parking. He said the city has stepped up with a long term 3-4 year plan. There's also the possibility of doing some road closures; they are willing to let us close 22<sup>nd</sup> Avenue and possibly even sections of Stock Trail Road during the fair to have more pedestrian friendly traffic. Director Sinner said when you look at the usability of the building and the area year round it will have a lot of uses and be a very nice looking area for events to be held all throughout the year. Mr. Orton spoke of the city's plans for lift station and sewer improvement projects. Commissioner Rule again reiterated his desire to get more useable space for the fair by tiling the drain. Mr. Orton will run some numbers to see how much area is consumed. Director Sinner said for the fair it came back to the timeline as well as the cost and feasibility; they were looking at how quickly they can move forward. She said they "like pretty" and this is an opportunity to have a feature that isn't on the other side of the fairgrounds. Useable space is a huge priority but when she was weighing priorities it was how to get it done quickly for the least cost so we can have the best building and we are not spending a lot of our budget on tiling and dewatering. They will do their best to make the best use of every inch of space they have. With it being open it's going to be an area where they can direct fairgoers to sit and eat and enjoy the view. Leslie Van Beek spoke of her experiences with tiling drains and how it's always looked upon unfavorably and although Commissioner Rule's points are well taken, the trade off on the aesthetics is it would be a tremendous asset to have the beautification. She has reservations about tiling. Commissioner Dale suggested we create two small pools for fishing. Director Sinner likes the idea and said the Indiana State Fair has

catch and release ponds to teach kids how to fish. Mr. Orton said we'll have to get permission for that and we can start the paperwork but it depends on how we arrange the chute. The process can be time consuming. Director Navarro said the County is pushing the design build team to have the building completed by July 25, 2019 and he asked if the city will have the other side ready by that date. Mr. Orton said yes, if it works out in terms of being able to schedule it during the wintertime. There will have to be further discussion about who will maintain the grass area as far as watering, fertilization and mowing. The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioner's Office.

#### 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.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 29, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Northwestern University Center for Public Safety in the amount of \$13,800.00 for the Sheriff's Office

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for El Guero LLC dba Pollos y Mariscos El Guero. See resolution no. 18-179.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for THD, LLC dba Mongolian Fire Grill. See resolution no. 18-180.

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE



The Board met today at 9:02 a.m. with county attorneys for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Deputy Clerk Monica Reeves and Deputy Clerk Jenen Ross. A discussion was had regarding the building previously used by the CCOA. A meeting was scheduled for this week with the 3<sup>rd</sup> District Guardians Ad Litem program but last Friday the Board directed staff to postpone the meeting. However, the Guardians have been in contact with staff letting us know that they are under a tight timeline in that they need to be out of their current location by December 1<sup>st</sup>. Destination Caldwell, who is also interested in the property, has only sent a letter of interest but no actual proposal. Commissioner Dale isn't ready to make a decision at this time because he doesn't feel like he has all the information from either party. Commissioner White said the first question to be answered is what the Board would like to do with the property as far as lease it, rent it to a charity or sell it. Commissioner Rule said he is looking for written offers. He would prefer a cash offer over \$1.00/month rent. It was pointed out that the Guardians organization has already provided a proposal, we really just need an offer from Destination Caldwell. Commissioner Dale does not think it would be beneficial to meet with the Guardians tomorrow. Commissioner Rule believes the Guardians have been in contact with Destination Caldwell in the event that they do end up purchasing the property. Mr. Goodsell said he would draft a letter to Destination Caldwell giving them until Friday to submit a proposal. A meeting on this topic will be scheduled for next week. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

#### OCTOBER 2018 TERM

CALDWELL, IDAHO OCTOBER 30, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$136,860.09 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$2520.00 for the Information Technology department
- Hanson Janitorial in the amount of \$17,024.00 for the Sheriff's Office
- PMG in the amount of \$3500.00 for the Facilities department

#### BIWEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:32 a.m. with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Rast and Mr. Jensen updated the Board on the following items: The IT department recently visited the Landfill for their appreciation lunch. They are working to finish out the Black Bear project and get everything moved over to CAPS; they anticipate it being about another year before it's completely closed out. There are several public facing projects they have been working on such as several queuing projects, an online form for the Public Defender's office, helping with applications and the website for the elections office and a bulletin board application for the Sheriff's office. They will be visiting the DMV to find out their storage and scanning needs. Director Rast has been working with legal regarding county electronic storage needs; he feels he has a good plan and is vetting it thru legal right now. He believes over 8 years the county could save about \$364K by changing the way storage is done.

Director Navarro updated the Board on the following items: He is continuing to work on the two RFQs that are in process; one for the fair, the other for the temporary jail A&E team. The CCOA building is now vacant, his staff will go over to do some clean-up and minor maintenance. Testing has been done on the 1218 Albany St. property, he is now just waiting to get the results. Once the results are back he will work to get bids to tear it down once the sale has closed. The paving in the back alley is nearly done. The lighting in the fair arena will be changed over to LED which should provide a rebate from Idaho Power; he hopes to have the project completed after Christmas. Commissioner White asked about staff bathrooms at the fair, Mr. Navarro said they investigated the possibility but it's not feasible. The elections office will be remodeled after the election. Representatives from the crisis center will meet with Mr. Navarro to look thru surplus property that has not sold at auction and the county has no need for. Leslie Van Beek has requested a campus tour which the Board is okay with. Commissioner Rule addressed the request by the 3<sup>rd</sup> District Guardians for use of the old CCOA building and suggested that possibly the building at the Pond Lane property is something they could use since the bicycle program is only using the downstairs. Director Navarro said he would go take a look at the building and see what kind of heating system it has and if both agencies could use the building. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER SIGNING CANYON COUNTY HISTORIC PRESERVATION SUPPORT AWARD AGREEMENTS

The Board met today at 9:02 a.m. for a meeting with county attorneys for a legal staff update and to consider signing Canyon County Historic Preservation support award agreements. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to continue the meeting to 10:00 a.m. today. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF PUBLIC HEARING - APPLICATION TO MODIFY THE CANYON COUNTY ZONING ORDINANCE, ZOA-PH2017-15

The Board met today at 10:03 a.m. for a continuation of the hearing in the matter of the application to modify the Canyon County Zoning Ordinance, Case No. ZOA-PH2017-15. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Alan Mills, Leslie Van Beek, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 10:17 a.m. Today's hearing was continued from October 17, 2018. Director Nilsson said one of the primary things that started this off was to provide a tool to help promote corridor preservation for private property owners who are developing land in Canyon County. If a portion of the land is shown as a future right-of-way they can cluster those development rights onto the other portion of their property and help facilitate the dedication of the future right-of-way for public use. These are rights-of-way that aren't necessarily going to be used or have a need generated by that particular development. In the case that Alan Mills is here for today is north of Middleton, the Blessinger Road alignment where the highway district wanted a dedication that was pretty substantial, way beyond a local or collector road, at least an 80-foot wide corridor and that development didn't need to use or build that road, it would have been two or three lots that the area of right-of-way represented. This will be a tool where they can shift that over to the developable portion of the property and also get up to 15% of the lots and have a reduced size because of that. Director Nilsson said they thought it would be some incentive to help preserve those rights-of-way and not have reduced development because of it. In the ordinance they reformatted the whole section on nonconforming uses, properties, and structures and they added a definition of a nonconforming property, which means it was created or in effect and it was legal but then the ordinance changed so we didn't have a definition to deal with properties. Years ago the County changed the minimum lot size for RR from one acre to two acres so there were all of these things zoned RR that are less than two acres so they are nonconforming but they are legal, but we didn't have a definition in the ordinance on properties. Commissioner Dale asked her to touch on the calculation of the average minimum lot size. Director Nilsson said the P&Z Commission had a concern that a project overall had an average minimum lot size but that the smaller lots were in the early phase and got approved but then the later phases never happened so they felt there was an unfairness then that the first phase had more density than it should have. She said it's a rare alignment but staff added a footnote for phased development that the average minimum lot size has to meet the ordinance for each phase. Alan Mills said he doesn't think it will be an issue but he doesn't know that it will be of value either. He had a question about nonconforming uses and whether it applied to an existing homes versus future development. Director Nilsson said that was the intent. It was somewhere else in the ordinance and was brought back because they didn't have a nonconforming property section prior to this version. She looks for those issues when highway districts are doing road widenings, they usually aren't building new roads per se, but a widening, and staff takes some time to scan what's going on along the frontage and how close are they. It doesn't happen that often but they thought it would be a benefit to the property owners not to be negatively impacted by public need for a wider road and she wants to make sure, particularly for setbacks, that they are considered

conforming. Staff still encourages any future additions to go on the non-road sides of a structure but that is pretty rare. Mr. Mills said he's glad to see this getting done because there are people waiting to use it. Commissioner Rule said it seems the highway districts are getting aggressive on some of their requests and he asked if the County has that "in check" in its ordinances. For instance, when a highway district wants 80 feet in a development what purpose does that serve? Or when they want additional property to protect a road that will never be used. Director Nilsson said there have been a couple cases where there were setbacks along the quarter section and section lines. She thinks they were trying to change it from going to their boards to be administrative by their directors, so staff told them that unless the road was shown on the functional classification map the County couldn't just apply a setback along a section line unless it was part of a future roadway. If it's not on that map staff is not going to automatically apply a setback to it. If you applied a 70-foot setback along every section line and quarter section line that's tens of thousands of acres that are being tied up unnecessarily so they've had that conversation with the districts and moved forward from there. She finds sometimes the highway districts want the County to put a condition to not issue a certificate of occupancy because they're having some other issue on access with the property but Director Nilsson said she cannot do that unless it's tied to the building permit and access. She also told them they have to enforce their own ordinance and standards, the County cannot do that. Mr. Mills said the impact areas are "nine times" as big as they should be and he doesn't think it complies with Idaho Code where there's a realistic expectation of annexation within five years. He said every mayor and every engineer came in and said people wouldn't even know they're in the impact area, it's just a planning tool; but then they did a joint powers agreement that states we are applying all of the city ordinances and comprehensive plans. He said the cities are using the County as proxy to enforce what they want and he's getting letters from cities requiring improvements when they don't have the right to require them. It's a taking and the Board needs to be careful that it doesn't buy in when the agencies come running. Commissioner Dale appreciates DSD's efforts in clarifying some of the issues in the ordinance amendment because it takes care of some of those concerns and gives future Boards some good guidelines and power to say no. Director Nilsson said with our area of impact agreements we notify and we get comments from the cities and some of those comments we say we cannot place conditions on a rezone if it's not a conditional rezone. One city in particular will require some capital improvements that are hardly related to the activity. There have been cases where she's had to push back at the Idaho Transportation Department for a property boundary adjustment on a state highway and they were trying to get a paved approach, but there was no increased demand, it was just a small adjustment to a property line. Mr. Mills said we need to talk to some legislators about it because property rights are important. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the zoning text amendment ZOA-PH2017-15. The PA's Office will prepare the ordinance summary for publication and Mr. Wesley will bring it back for a subsequent meeting. The hearing concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

## CONSIDER SIGNING CANYON COUNTY HISTORIC PRESERVATION SUPPORT AWARD AGREEMENTS

The Board met today at 10:30 a.m. to consider signing the Canyon County Historic Preservation Support Award Agreements. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Mr. Wesley said this is the standard form agreement for historic preservation levy funding that requires reporting by the agencies and that they spend the money according to the Auditor's tax collection schedule and holds them to their application request requirements to the specific projects and details and it requires they complete the project by the end of the fiscal year. The agreements fit the parameters of what the Board had approved previously as far as the projects and the dollar amount and they are ready to be signed. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the Canyon County Historic Preservation Support Award Agreements with the following agencies: Canyon County Historical Society; Southwest Idaho RC&D; Melba Valley Historical Society; Advocates Against Family Violence; Caldwell Library Page Turners; Friends of the Nampa Public Library; and the Historical Society of Middleton. (See Agreement Nos. 18-174, 18-175, 18-176, 18-177, 18-178, 18-179, 18-180.) The Board is still waiting on the agreement with the Caldwell Historical Society which will be considered at a later date. The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

## MEETING WITH BRIANNE MCCOY FROM IDAHO PUBLIC DEFENSE COMMISSION

The Board met today at 11:05 a.m. with Brianne McCoy from the Idaho Public Defense Commission (PDC) for a quarterly report. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli, Brianne McCoy from the Idaho Public Defense Commission, Leslie Van Beek, and Deputy Clerk Monica Reeves. Ms. Coy reported on the following topics: Kathleen Elliott has been named the new Executive Director of the PDC; Canyon County should have received its grant award of \$479,000; attorneys are required to file annual reports with the PDC, the Board of Commissioners, and the Administrative District Judge; Mr. Bazzoli is working on the report for his office and he has contacted the conflict attorneys about filing their reports as well; the following three proposed rules will go to the legislature: 1) there has to be written contracts; 2) attorneys are required to submit annual reports otherwise counties could have their grant monies withheld; and 3) the workload standard. There was discussion about how the caseload numbers and requirements need to be refined. Written comments on the proposed standards will be accepted until November 9<sup>th</sup>. Commissioner Dale asked if Ms. McCoy sees any potential for asking for legislative changes regarding public defense, specifically that we could reduce the requirement of so many public defenders if we made some small changes to whether something is a misdemeanor or infraction, or, how child protective cases are handled. Ms. Coy said the executive director has said that's more of a system-wide problem than a public defense problem. There are other groups that are presenting to the legislature on that front and in a lot of cases it's up to the counties on what kind of changes they want to have, it's not something the PDC would go after. Commissioner Dale said he hopes the PDC

would advocate for the change of things that would benefit all the public defenders the PDC represents. Ms. McCoy will make that comment to the executive director. Mr. Bazzoli said he is part of the Idaho Association of Criminal Defense Lawyers and he serves on the legislative committee where he's helping to rewrite some of the rules and statutes to see about reducing things, such as going to a retail theft statute where it's a misdemeanor but if you are convicted of three of them then it becomes a retail theft felony. That is just one example; there are a lot of nuances to this and so they try to choose fights that seem winnable to some extent. Commissioner White believes it would help find a resolution to the caseload if they can figure out how to get the work status into that. Ms. McCoy will put that in as a comment. She said that one thing that will change with the annual reports, if it passes the way it's written, is they will ask the institutional offices to do a separate report for each attorney and they will ask for the outcome of anything that goes to court. There was discussion regarding the use of the Odyssey software system. This year the PDC is asking the legislature for nearly \$10 million to give to the counties to help pay for public defense if you have to hire new attorneys because of the workload standard. It used to be you could only ask for 15% of your local share but that's gone now so you can ask for whatever you need. The Idaho Association of Counties passed a resolution to go statewide, we don't have a position on that. Statewide the onus is off the counties to provide it, you do lose some control, but your taxpayers will still pay for it through a state tax so personally, she doesn't know what's best. Commissioner Dale agrees with that. There are different methods and models for going statewide but it would bring more consistency statewide. Ms. McCoy said the PDC hasn't taken a position on that, we just want to make sure it meets the constitutional standards. Some Commissioners don't want to lose local control, some think it's the state's obligation. Commissioner Rule said the code says it's the state's responsibility. Ms. McCoy said the Supreme Court under Gideon says the states have to provide attorneys and our constitution says that the state has to provide it. The state has pushed it to the counties to provide but has not pushed adequate funding. So it's okay for the state to push it to the counties so the question is then do they have to push the funding as well. We want to make sure we get all the grants pushed through. Want every penny in your application so we can go to the legislature to say this is what it costs Canyon County to provide public defense. We need to get really good numbers. The Board thanked Ms. McCoy for the information. No decision was required or taken. The meeting concluded at 11:40 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2018 TERM  
CALDWELL, IDAHO OCTOBER 31, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Imprint City in the amount of \$2536.30 for the Facilities department
- Motorola Solutions in the amount of \$38,086.60 for the Fleet department

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Ellen Cahalan, Ross Gavin and Leticia Vance.

APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$59,657.33 and \$55,804.63 for accounts payable.

THE MINUTES OF THE FISCAL TERM OF OCTOBER 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 14<sup>th</sup> day of February, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk



NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 1, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Western States in the amount of \$470,500 for the Landfill
- Able Zebra Communications in the amount of \$3802.35 for the Sheriff's Office
- Morse Watchmans, Inc. in the amount of \$7952.00 for the Sheriff's Office

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Gisela Moreno.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0081, 2018-1425, 2019-0042, 2018-1524, 2018-1522, 2018-1493, 2018-1548, 2018-1550 and 2019-0097. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue denials on the cases as read into the record. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:58 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to continue case no. 2018-1111 to November 29, 2018. The motion was seconded by Commissioner White and carried unanimously. Case nos. 2018-1239, 2018-1208 and 2018-1045 meet the eligibility criteria for county assistance. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final approvals with written decisions within 30 days. Commissioner Rule made a motion to issue a final approval on case no. 2016-741. The

motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-958

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for case no. 2018-958. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Cortney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:14 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-1114, 2018-1115, 2018-1181, 2018-1144, 2018-1062, 2018-1160, 2018-1235, 2018-1134 and 2018-1234. Commissioner Rule made a motion to issue final denials with written decisions to be issued within 30 days. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:16 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS NEW JAIL PROJECT CONSTRUCTION DELIVERY OPTIONS/BOND ELECTION ISSUES

The Board met today at 2:01 p.m. to discuss the new jail project construction delivery options/bond election issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner, Facilities Director Paul Navarro, PIO Joe Decker, Leslie Van Beek, Randy Haverfield, and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto arrived at 2:05 p.m. Commissioner Dale said the purpose of today's meeting is to have a good discussion on the delivery methodologies and to try to give some direction to Sam Laugheed as far as which direction to go for an RFP or an RFQ. Mr. Laugheed said that would depend on which delivery option the Board is interested in. The Board executed a contract with Zions for municipal advisory services and that complements an existing contract we have with Nick Miller for bond counsel services. One of the questions raised was sort of a policy issue about the certainty the Board would require to move forward with a May 2019 bond election in terms of the sum we would bond for and how that sum would be arrived at so that leads into a discussion about construction delivery options

and timeframes. There are two generally applicable types of construction delivery options for a project of this size. The standard would be a design-bid build where the County would work with an architect and A&E teams to come up with design development all the way through construction documents in a traditional design-build. Paul Navarro agreed and said you are looking at 8% of the project value and with a project of this size it would be 18-24 months to draw those. Mr. Laugheed said if the Board is interested in going down that road we do have a contract with DLR for design purposes. We made sure we could have that not just for concept but for design and so we could have another contract with DLR without going through additional procurement of qualification of design teams because we already did that. We could also decide to go out to an RFQ for a new design firm and that would be a qualification-based process that would take a month to get it going and a 2-3 month window to complete that process. When we have those construction documents in a couple of years we would bid out the project or we would get those documents and use that sum to run a bond or secure financing some other way and then hire the contractor, which is the way we've done a number of smaller projects over the years. The other way that's only been available to counties for a couple years in Idaho is called a Construction Manager/General Contractor (CM/GC), it essentially is what you might know already as a construction manager at risk where we would hire a construction manager through an RFQ process as well as an A&E team and together these two contractors would have the County as a client and they would work together to get through design development to a certain point where the contractor would be comfortable accepting the risk of establishing a guaranteed maximum price and so theoretically a CM/GC could establish a guaranteed maximum price at 30% or 40% design development. They would build more into that guaranteed maximum price based on only having 30% or 40% of it done so the County would end up paying one way or the other but that would be quicker than a couple of years timeframe. Then after they establish the guaranteed maximum price they would have the responsibility for bidding out the various components of the construction in accordance with Idaho law, which was the recommendation from DLR. Mr. Laugheed said he and Director Navarro met with a former County contractor to talk about a CM/GC because we've never done it before but it seems to be the way to go on a big construction project where there are a lot of details and arguably it would provide the greatest opportunity for cost savings when we get to that point. Director Navarro said with the construction managers who have the option to bid on the general contractor side you have the knowledge of a contractor working with the architect saying this looks great but I could do this differently using this methodology. Your builders are involved in the design and that could save us tens of thousands if not hundreds of thousands of dollars where builders have different methodologies and ways that may look different than they do on paper with an architect. This could be a great advantage to save time, money and to deliver it quickly and to get an idea of what that moving target number is – how much do we need to bond for. It is going to cost some money. Mr. Laugheed said he looks at those options in terms of if the County were to run a May 2019 election and how they relate back to that would be whether DLR's most recent estimate of \$187M and the methodology behind it is sufficient. The second way is the CM/GC method where we'd go through an RFQ process for either the CM and an A&E team or just the CM and stick with DLR and then work them through design development to 30%-40% so we get an idea for a bond number. The third way would be the design bid-build where we would go through an RFQ and completely design the project before a bond. All those relate to the timeframe and the certainty that the

Board is comfortable with and they all have pros and cons. Commissioner Dale asked if we go with the Option 2 would the construction manager find a general contractor, or would we hire a general contractor along with the construction manager. Director Navarro said we would hire a general contractor who's comfortable doing construction management; that person will end up working as a construction manager in the beginning of the project before we break ground. Commissioner White asked if we go with the CM/GC option would we have time to do that before a May bond election. Mr. Laugheed said probably not, but he thinks we'd have time to get a CM/GC under contract by then but we've never done one of those so he wants to make sure we have all the i's dotted and t's crossed on the RFQ and then that process would take a couple months notwithstanding any sort of objections. We may be able to be in contract with the CM/GC in 3-4 months under the normal timeframe of work and then if we were to stay with DLR as the architect they would start working immediately, but he doesn't know how far they could get into a design-build. Director Navarro doesn't think we could get 30%-40% developed before May 2019. Prosecutor Taylor said of the three options the only one with a May bond with a certain number is the one with DLR's updated number of \$187M, and Option 2 would be more of a November bond. Option 3 would be in November of 2020 for the design bid-build. Mr. Laugheed said they all have pros and cons, whether we spend money upfront, in the middle, or the end. What level of certainty do we need to move a project forward? Commissioner Dale has a strong desire to get something in May 2019 and he firmly believes the CM/GC model is the best in this case and is the most logical construction delivery methodology that offers the potential of savings. If we go with that option we could do the May bond but we would base it on DLR's most recent "fat finger" estimate of \$187M. Director Navarro said if you take that \$187M and we start down the CM/GC road we'll have some numbers to look at by the end of the summer or early fall and he thinks \$187M would be very high. He thinks \$5M to \$10M will fall off as we get closer toward the 30%-50% design development. Commissioner White said Lori Coppenrath from DLR alluded to some of that and she thought the design fee contingency and the change order allowance were high. Controller Wagoner asked what type of costs are anticipated with the CM/GC model. Director Navarro said we'll have A&E fees and we'll have to start paying for the construction manager fee, over the course of 2019 we'd be probably somewhere in the neighborhood of \$2M-\$3M or as high as \$5M-\$6M. The reason it's high is because there will be engineering teams, civil, electrical, fire suppression, alarming, and security that will be working off of blueprints to get them down to that point and that's just the A&E fees which we know are between 7% and 8% of the value, that's \$12M over time and then we still have the CM/GC which he thinks will be a couple million dollars. Mr. Laugheed said it would be tough to put a certain number on it. With the RFQ we'd have to evaluate the qualifications and pick who we wanted and only then could we get into a discussion about their fees. It would take a month to prepare an RFQ, a couple of months to go through the process, have stakeholders review the qualifications and conduct interviews. It's anticipated that we'll have interest from contractors from all over the country and so it will take a minimum of 2-3 months. Commissioner Dale said we're going to have a process to arrive at a proposal that goes to the public and we have to try to refine what we're doing. We have a good concept from DLR that's been worked out so this is the next step to move forward from that - to choose a methodology and from that choice you would develop an RFQ. Mr. Laugheed said a contextual question is whether paying the \$5M for a CM/GC to get design development to 30% or 40% would knock off \$5M or \$10M. Is that a wash and what value did the County

get from DLR? We went through a lengthy process to select DLR and they put in a couple hundred thousand dollars' worth of work and one of the important parts they had to deal with was the odd parcel shape, there's only so many ways to fit the number of beds on that shape and size of parcel. Would additional design development be able to come up with a unique formation beyond that concept? Director Navarro said the design DLR came up with has two more growth potentials to it and we spent money well there and Mr. Laugheed is right, the size of the property will dictate how this works out. He doesn't see it changing. Mr. Laugheed said the Board could rely on the cost estimate that DLR gave or it could use discretion based on the professional expertise that we have here to say this is the not-to-exceed number that we would be willing to bond on and to not contract with the CM/GC in advance and spend that money to lock down a price. Commissioner Dale asked if a cost estimate number will be put in the RFQ. Director Navarro said the RFQ is based on qualifications, so we don't want to talk about money at that point. Mr. Laugheed said we don't want to know what their fees are. When we did a design build for the administration building we did a fixed price and he thinks there would be ways to say the Board is not going to approve bonding for an amount greater than this and so that's the cap, as much as we can get for that and we'll be working to drop it as much as possible. We could articulate that in the document that we wouldn't be talking about their fees but it would be informational for them to know what the scope would be. Sheriff Donahue said based on what Director Navarro said those added costs would be under the CM/GC and with Mr. Laugheed's explanation he believes it's going to be a wash and he questioned how long the Board is going to put this off. He said the Board needs to make a decision. We spent \$250,000 on DLR and we have real numbers; we need a bond and we need a jail. He doesn't know why we're still talking about it without moving forward with a bond. He wants the issue put on the ballot in May. Commissioner White said the only way we can do it in May is to take the \$187M estimate from DLR because that's the expertise we paid for, that's the black and white number we have and it's the good fortune we will realize later. So based on the \$227,000 study we have a number and they have referenced different savings. If we select DLR's \$187M amount that allows us to start the education and public outreach. She said she would not serve on an advisory committee when we're still trying to guess at the number. Commissioner Dale said he wanted to have an election this last November but we didn't do it. He asked if there's any reason why we couldn't do both of these things. He thinks the CM/GC is the best delivery methodology and we could start that process and at the same time go forward with the educational process of the bond for a May election by choosing to go with DLR's number. DLR's study did not provide a CM/GC model or any model for construction; it was a needs analysis strategic look at what we need for the next 20-30 years. Director Navarro said we didn't set aside any money to pay for the CM/GC services. Commissioner Dale said as we go through the qualifications there's no money spent at that point, we could choose a group but wouldn't have to pay until they do the work. Mr. Laugheed said we could time it so that the RFQ would be coming to a conclusion and we'd be hitting the point of ready to contract right around the bond election time. Another way would be to time it so that we have a bond election and then we are prepared to go into contract. Clerk Yamamoto said having a voter-approved bond puts you in a better bargaining position. The main thing is to get a bond and pick a number. He doesn't know whether DLR's number is a good number, but we paid a lot of money for it so we should go with it. He doesn't want to spend any money until we have a bond passed. Using the DLR number is the

only option we have for a May bond election and regardless of when you have it that's the best road to take. Commissioner Dale is not willing to put this off for a year and go through the CM/GC methodology. He is committed to doing something in May for a bond. We have some time to put together a good educational process and he's not willing to go through the motions expecting failure. Commissioner White said the \$187M number stinks and we all know it, but it is 15 years of not being able to get a bond passed or come to a decision and the cost continues to go up. We are doing the best we can in that we hired a professional company and received professional, defensible, transparent information and we used the people's money to take care of that and the people are trusting us to put public safety first and foremost. Commissioner Rule said the Clerk wasn't referring to a good number in that fashion, he was referring to a number that would pass and it might be a great number, and anything over \$100M would be a great number for building jails, but he wasn't talking about that kind of number. All over the County this past election season school bonds failed and it's foolish to pretend that a \$187M bond will pass. Clerk Yamamoto said given what's going on with the economy boom and the fact that we're still working on hurricane relief from three years ago it's probably the worst time to build when it comes to materials costs. The jail issue is not going away, but if we run into another recession down the road it'd be a better time to build. The voters have to weigh in on this and pick a number so we should put it before them and see what they have to say. With the influx of population that we have seen in this valley we are stressing out nearly every service we extend and the growth is killing us because we don't have decent impact fees. Regardless of how it boils out he thinks the Board has to put it before the voters. Commissioner White said maybe the excessive growth and the influx of new citizens could be the very thing that will pass this bond. Sheriff Donahue said all that growth is the reason we have to have a new jail; we have not kept up for 15 years and we're in a desperate catastrophic situation. Commissioner Dale said going to the electorate for a jail bond vote is not a "one and done"; the average around the state on passing a bond is seven (7). He hopes it passes on the first attempt and he'll do everything he can to put the educational material out there to try to pass the word that it's something we have to do because the longer we wait the more expensive it gets. The ADS solution is a temporary solution but it's not the permanent solution and if we don't get a positive vote we will regroup and do it again and again until it passes. We need to move forward on both fronts, the May bond election with the DLR number and at the same time Sam Laugheed begins to develop an RFQ. The most efficient model for project delivery is CM/GC. Commissioner White said we received excellent recommendations with that methodology from Russ Moorehead with LCA, and from DLR and she is comfortable going with the experts' recommendations. Mr. Laugheed said he will work on an RFQ for CM/GC and see what that would look like and bring it back to the Board and stakeholders with the understanding though that if we're pursuing the May 2019 bond election that we would be pulling the DLR number, or some version of it, and establishing that which raises the question of when/how does the Board want to work on the outreach component of that sort of thing. DLR is still under contract for some educational discussion and materials. Controller Wagoner said the last invoice we received from DLR was for work performed through August 31 and there was \$30,000 remaining and it appears there was \$5,000 spent which we haven't yet been invoiced for and that leaves a \$25,000 balance. Commissioner Dale wants to use a local consultant who understands the issues rather than pay a consultant from Seattle to tell us how to communicate with people here. Mr. Laugheed said we're under no obligation to

spend that money under the contract so we can stop and move on to another thing. We could do a solicitation of interest and involve the public information officer in the process to find someone who could work fulltime on coordinating the outreach. There are legal limitations on what the County can spend money on; advocacy is out, and neutral education is in. We could solicit interest and talk about advisory groups and various professionals who do this for entities. DLR had said that 10 weeks was sort of the bare minimum time they would need and so we should be working on that to figure out who's going to do it and what it's going to look like. Captain Ward said DLR is the expert who prepared the study and it's concerning to cut them out of the educational process because it will be difficult to bring somebody else up to speed on proving the scientific data that DLR used. He's not saying we should use DLR exclusively but we should use them to some extent to where they can impart their wisdom on the local consultant. Commissioner White said DLR stated the County would have to pick up the lion's share of the load and so she thinks they will be open to the combination work. Commissioner Dale said there is a lot of scientific data behind their study and that's what makes it relevant but voters don't vote on that, they vote on emotion and how they feel about a subject and at some point we have to connect the need for the jail with community safety. Sheriff Donahue asked if there's a date where the Board can reconvene to make a decision on going out for a bond and a general contractor. Mr. Laugheed said we have bond counsel and a municipal financial advisor under contract and if the Board is okay using a number he thinks we could have an action item in the future to establish that number, we could bring bond counsel in perhaps this month and have the bond counsel talk to the Board about the legal requirements. He doesn't know what best practice is in terms of how far in advance we want to have those details done but there could be some interim step that would establish that number informally. That could happen as soon as next week if we need it. The final decision on the bond election probably would not be until the Board signed the resolution establishing the bond language which would only have to be 60 days out from the election. He wouldn't want to presume to lock the Board into a final decision before the actual final decision happens so we need the balance of open meetings to deliberate and talk about things but the final decision could be pushed off until March or so when they would sign off. All the preliminary work can be done based on direction and a consensus of the majority about what sort of final decision will be called for. If we think the final decision that will be called for in March is for a bond election for approximately \$187M he can work on an RFQ and talk about bringing in somebody to help with outreach, and we can do all those preliminary steps without having a formal motion and vote in the next month or so. Sheriff Donahue wants to know that there is Board consensus to do that in March because his office is not going to put in all that effort to not have a bond election in May. Mr. Laugheed said one way to address that would be to set a meeting and have an action item for the Board to vote on accepting DLR's number for the purposes of bond election, to authorize work on an RFQ, and to authorize work on whatever other mechanism we want to bring people in and talk about education. If there are other ideas about what those action items would look like he needs to know but he thinks we could have a formal vote in an open meeting that wouldn't be the level of legal binding that the resolution will be but it could be sufficient assurances for the Sheriff and his staff to devote more man hours to the project. Commissioner Dale doesn't think it will be a surprise to anybody because we've been talking \$200M for quite some time. With regard to advocacy vs. education, he said tax dollars can only educate but that does not preclude elected officials from joining a private advocacy group that creates

the *Vote Yes* on the bond momentum, that's something they're allowed to do individually. Mr. Laugheed said the free speech rights of our employees are definitely in play for this and elected officials have the cleanest path to be able participate and advocate on their own and then after the elected officials it would be the high-level exempt employees such as department heads, chief deputies, etc., but beyond that we'd have to be careful that salary money is not going to advocacy. Mr. Laugheed will work with staff to find a meeting date where we can bring Nick Miller (bond counsel) in and confirm the requirements for the bond election and have some action items that would be interim things about preparing RFQ's and soliciting interest and things like that. The meeting concluded at 2:53 p.m.

NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 2, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$8180.00 for the Information Technology department
- Dell in the amount of \$13,959.00 for the Information Technology department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Oscar Pedraza dba Salon Columbia Event Center. See Resolution no. 18-182.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER APPROVAL/DENIAL OF A RESOLUTION FOR A REFUND REQUEST FOR A REZONE FEE TO RICHARD DUNNING; CASE NO. RZ PH2017-68

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider approval/denial of a resolution for a refund request for a rezone fee to Richard Dunning; case no. RZ PH2017-68. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson left at 9:05 a.m., Deputy P.A. Mike Porter and deputy Clerk Jenen Ross.

***Approval/denial of a resolution for a refund request for a rezone fee to Richard Dunning; case no. RZ PH2017-68:*** Director Nilsson said Mr. Dunning requested a rezone but it was



discovered that the lane to the property was not done to county standards and would require more work to get it up to code so Mr. Dunning has decided to withdraw his application. Only a portion of the fee will be refunded due to the amount of work staff has already done on this case. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution issuing a refund to Richard Dunning for a rezone fee (see resolution no. 18-181).

Mr. Porter explained they are still working to solicit an attorney to work with inmates at the jail for civil claims they may have. At this time no interest in the position has been received so Mr. Porter will reach out directly to attorneys to see if he can answer any questions they may have. An outsourced company may need to be used if an attorney cannot be found to take the position. Commissioner White suggested possibly the use of a paralegal or law student, Mr. Porter said he would look into those options. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM CALDWELL, IDAHO NOVEMBER 5, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER ACTION ITEMS

The Board met today at 9:04 a.m. for a meeting with Development Services staff to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider approval/denial of a resolution for a refund request for a private road application to Arley & Dixie Armstrong; Case No.AD2018-0118:*** The Armstrong's submitted a private road application but upon further research it was determined that they will need to have a parallel driveway so they've withdrawn their application for a private road. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution issuing a refund of \$300 to Dixie and Arley Armstrong (see resolution no. 18-183).

***Consider approval/denial of a resolution re-appointing Rick Fried to the Canyon County Planning & Zoning Commission:*** Mr. Fried was filling an unexpired term that was to expire on December 1<sup>st</sup>. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution appointing Rick Fried to the Canyon County Planning & Zoning Commission (see resolution no. 18-184).

The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH DIRECTOR OF HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:35 a.m. for a monthly meeting with the HR Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items: Open enrollment is happening now, generalists have been out of the office doing presentations to departments and offices to review benefits. She is continuing to work on the employee manual. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THIRD DISTRICT GUARDIAN AD LITEM PROGRAM TO DISCUSS PROPOSAL FOR CCOA BUILDING

The Board met today at 10:07 a.m. with Christina Walker from the Third District Guardian Ad Litem Program to discuss their proposal to utilize the former CCOA (Metro Community Services) building. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Christina Walker, Maren Packer, Public Defender Aaron Bazzoli, and Deputy Clerk Monica Reeves. Ms. Walker is proposing to take over the leasing agreement the County had with Metro Community Services at the \$1 per month rate, with the guardians program taking care of the janitorial duties and cost of utilities. Ms. Walker estimates the program saves the County nearly \$50,000 a month by having volunteers handle cases that public defenders would otherwise have to cover (number of volunteer hours spent on cases multiplied by the public defender wage of \$70 per hour). They are anxious to have a decision from the County because they have to be out of their current space by November 30; they have worked with multiple real estate agencies and city officials in both Nampa and Caldwell but they have not been able to find affordable office space. Commissioner Dale questioned the group's estimated \$50,000 savings amount because the volunteers are not attorneys and therefore the program would not be paying attorney wages. He also said if the City of Caldwell wants to purchase the building the Board has to consider it. Commissioner White said she was not aware the City of Caldwell wanted to purchase the building. Commissioner Rule said Keri Sigman, with Destination Caldwell, spoke to Facilities Director Paul Navarro who related that they are interested in doing a land swap for the fairgrounds property, and, they believe they would be able to share space with the guardians program because they wouldn't need the entire building. He is not ready to make any commitments today until he has heard all the information on the land swap. Ms. Packer said their only concern with sharing a building is confidentiality given the closed juvenile protected cases they deal with. Ms. Walker asked Aaron Bazzoli to help verify some of the information about what would happen if the program was no longer here, and to talk about the funds the program believes it can save the County. Mr. Bazzoli said Commissioner Dale

brings up a good point about volunteers not being paid the same as attorneys. For a year now they have talked about how many attorneys are involved in CPA cases and how they are trying to reduce those numbers. The statutes require that the courts appoint any child under 12 years of age either an attorney or a guardian ad litem; for a child over 12, it's a similar scenario although it could just be an attorney, it doesn't have to be a guardian ad litem. The courts in Canyon County have assigned an attorney to represent the guardian ad litem in all matters they are assigned to. If the program goes away we will see an increase because the amount of time spent by an attorney talking with the child, being present in court, interviewing people, etc., will result in an increase in attorney fees when they have to take over the responsibilities of the guardian ad litem. We have a tremendous amount of volunteers from the community coming in for free in essence and representing these cases and so there is a financial aspect where we're not paying attorneys to do that. The attorneys are predominately just working in the courtroom representing the guardians at the hearings, they're not doing a lot of the investigative work and those kinds of things. Commissioner Dale asked how the program can go away if the state requires it. Mr. Bazzoli said if the court does not have a guardian ad litem program or a sufficient number of guardians it shall appoint counsel for the child and the cost of conflict counsel is \$70 per hour. There's either the guardian ad litem and an attorney, or an attorney representing all children in CPA actions. Commissioner Rule suggested Ms. Walker look at utilizing the second story of the vacant building located at Pond Lane/Gravel Lane in Caldwell. Brad Goodsell said he looked at the CCOA space last week and he asked whether it would be feasible to have both parties use the building because it's pretty big and Director Navarro said it could easily be modified to be separated into two parts. If we can sell it that's great, but in the meantime the Board could do a month-to-month lease with a 60 or 90 day termination provision and then if something happens with the City of Caldwell the guardians can make arrangements with the city or they can find some other arrangement. Commissioner Dale believes the best case scenario is for Ms. Walker to get with the City of Caldwell and Ms. Sigman and go through the building with Director Navarro and check it out for joint use. Commissioner White said the process to do a land swap could be time consuming and since the guardians have to find another space soon perhaps they should look at the building on Pond Lane and if that space is suitable. Commissioner Dale wants to explore these things: 1) Ms. Walker needs to view the property on Pond Lane, and 2) meet with Ms. Sigman and the City of Caldwell and view the CCOA building so they can hear what the guardians need and vice versa. Hopefully we will hear back on some of these issues by the end of this week. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 6, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$2518.57 for the Clerk/Auditors office

#### APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$14,390.10 and \$74,628.45 for accounts payable.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 7, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1854.00 for the Information Technology department
- Zotto Corp. in the amount of \$3527.50 for the Information Technology department
- Frankie's Aerial Application LLC in the amount of \$2850.00 for the Landfill
- Helena Agri-Enterprises LLC in the amount of \$1779.40 for the Landfill

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Henry Claassen, Lori Berry, Timothy Syreen and Larry O'Dell.

#### APPROVED CLAIMS ORDER NO. 11/6/18

The Board of Commissioners approved payment of County claims in the amount of \$159,684.47 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$82,289.44, \$313,396.82 and \$56,192.64 for accounts payable.

APPROVED CLAIMS ORDER NO. 11/7/18

The Board of Commissioners approved payment of County claims in the amount of \$6278.80 for accounts payable.

APPROVED CLAIMS ORDER NO. 1903

The Board of Commissioners approved payment of County claims in the amount of \$1,614,559.69 for a County payroll.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT - PICKLES BUTTE LANDFILL AERIAL SEED APPLICATION

The Board met today at 9:02 a.m. for a legal staff update and to consider signing an independent contractor agreement for the Pickles Butte Landfill aerial seed application. Present were: Commissioners Tom Dale and Steve Rule, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Landfill Director David Loper left at 9:09 a.m., Civil Secretary Shantra Hannibal, Leslie Van Beek and Deputy Clerk Jenen Ross.

***Consider signing an independent contractor agreement for the Pickles Butte Landfill aerial seed application:*** Director Loper said he looked at several different options but this one seems to be the best choice for the timeline. The seeding will happen on Sunday, November 11<sup>th</sup>. In addition to the agreement there are two purchase orders to be signed – one is for the application of the seed and the other is for the fertilizer. The main goal of this seeding is to prevent erosion, control dust and keep the cover from blowing away. Commissioner Rule made a motion to sign the independent contractor agreement for Pickles Butte Landfill aerial seed application. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-181).

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session to discuss acquisition of an interest in real property, records that are exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Rule and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Civil Secretary Shantra Hannibal, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:32 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

SURPLUS PROPERTY AUCTION/TAX DEED PROPERTY SALE AND CONSIDER SIGNING A RESOLUTION AUTHORIZING THE GRANTING OF REAL PROPERTY TO OTHER POLITICAL SUBDIVISION OR TAXING DISTRICT

The Board met today at 10:06 a.m. to conduct a surplus property auction/tax deed property sale. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Interested citizens, Deputy Clerk Monica Reeves, Andy Rodriguez with the Nampa Housing Authority, Emiliano Espinoza left at 10:31 a.m., and Deputy Clerk Jenen Ross.

The following parcels were sold:

**PARCEL #1**

PIN: 19349000 0

ADDRESS: 0 E GROVE AVE PA ID

BID AMOUNT: \$3881.00

BUYER: Marc Grow

**PARCEL #2**

PIN: 19350000 0

ADDRESS: 310 E GROVE AVE PA ID

BID AMOUNT: \$71,761.00

BUYER: Jon Watson

**PARCEL #3**

PIN: 19351000 0

ADDRESS: E GROVE AVE PA ID

BID AMOUNT: \$3095.00

BUYER: Jon Watson

Parcels 1, 2 and 3 were sold together for a total of \$78,737

**PARCEL #4**

PIN: 19571000 0  
ADDRESS: 404 S 2ND ST PA ID  
BID AMOUNT: \$13,000  
BUYER: Jon Watson

**PARCEL #5**

PIN: 19571011 0  
ADDRESS: 205 E PARK ST PA ID  
BID AMOUNT: \$5,000  
BUYER: Jon Watson

**PARCEL #6**

PIN: 21501000 0  
ADDRESS: 13903 GARY LN CA ID  
BID AMOUNT: No sale  
BUYER: Parcel was withdrawn from auction

**PARCEL #7**

PIN: 22950000 0  
ADDRESS: 1619 S HORTON ST NA ID  
BID AMOUNT: No bids were received  
BUYER: No bids were received

**PARCEL #8**

PIN: 38767000 0  
ADDRESS: 306 N 8TH ST PA ID  
BID AMOUNT: No sale  
BUYER: Parcel was withdrawn from auction

After the auction was complete the Board took a brief recess and went back on the record at 10:19 a.m. to consider the granting of real property to other political subdivisions or taxing district. There were two parcels included in the notice to be granted to the local housing authorities but the residents of those parcels have asked to speak with the Board regarding their situation.

Parcel no. 01939000 0 located at 609 N. 2<sup>nd</sup> Ave, Caldwell: Mr. Espinoza said he only received the letter a month ago as he has been in Texas taking care of his ill sister. \$1000 was paid in July prior to the property being taken for tax deed and he has another \$2600 he is willing to pay today. The total amount of past taxes due is \$12,867.16 and he said he only needs another 10 days to come up with the remaining amount; Treasurer Lloyd explained that the entire amount will need to be paid in full in order to redeem the property. Commissioner Rule made a motion to continue the meeting to December 6, 2018 at 9:00 a.m. The motion was seconded by Commissioner Dale and carried unanimously. It was explained to Mr. Espinoza that the full payment needs to be made at one time and that if the payment isn't received within 30 days his property would be transferred to the Caldwell Housing Authority.

Parcel no. 12985580 0 located at 1803 Scorpio Dr., Nampa: This property was owned by Ms. Driskell's father who has since passed away. Ms. Driskell is working with legal aid and filed paperwork yesterday to have a formal probate filed with the court. Ms. Driskell believes there are some stocks/bonds left to her by her father that she is the beneficiary of, however, there seems to be some confusion on that. Mr. Rodriguez said that while they are interested in the house they are not interested in kicking someone out of a house while it's in probate. Commissioners Rule and Dale would like to see Ms. Driskell come back in 30 days with more concrete information about her situation. Treasurer Lloyd believes that perhaps Ms. Driskell could work with Mr. Rodriguez and find a solution that could work for both parties. Commissioner Rule made a motion to continue the meeting to December 6, 2018 at 9:00 a.m. The motion was seconded by Commissioner Dale and carried unanimously.

Brad Goodsell said they had prepared a resolution for two different situations but there is now a third and he needs some additional time to prepare a revised resolution. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the signing of the resolution to 11:30 a.m.

The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office

#### CONTINUATION OF THE MEETING TO SIGN A RESOLUTION GRANTING REAL PROPERTY TO OTHER POLITICAL SUBDIVISION OR TAXING DISTRICT

The Board met today at 11:31 a.m. to consider signing the resolution granting real property to other political subdivision or taxing district. Present were: Commissioners Tom Dale and Steve Rule, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The notice that was published originally had six properties to be transferred; two were to be transferred to the Caldwell Housing Authority and four to the Nampa Housing Authority. One of the properties to be transferred to the Nampa Housing Authority was redeemed, one was continued to December 6, 2018 before it will be considered for transfer, and one was in bankruptcy so the tax deed had to be rescinded. One of the properties set to be transferred to the Caldwell Housing Authority has also been continued to December 6, 2018. The properties will be transferred as follows:

##### **Caldwell Housing Authority**

PIN: 04972000 0

901 E. Elgin St., Caldwell

##### **Nampa Housing Authority**

PIN: 12836000 0

442 2<sup>nd</sup> St. N, Nampa

PIN: 16898000 0

115 16<sup>th</sup> Ave N, Nampa



Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the transfer of county properties by quitclaim deed to the Nampa Housing Authority and the Caldwell Housing Authority (see resolution no. 18-185). Commissioner Rule made a motion to sign the quitclaim deeds. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 11:35 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 8, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- PreCom in the amount of \$1543.00 for the Facilities department
- Quality Electric, Inc. in the amount of \$23,314.00 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 11/9/18

The Board of Commissioners approved payment of County claims in the amount of \$598.67 for accounts payable.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Customer Service Specialist Robin Sneegas, Leslie Van Beek and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-1553, 2018-1452, 2019-64, 2018-1559, 2018-1549, 2018-1560, 2018-1567, 2018-1572, 2018-1546, 2018-1564, 2018-1566, 2018-1569, 2018-1523, 2018-1544, 2018-1561, 2018-1551 and 2018-1563. Commissioner White made a motion to issue initial denials with written decisions within 30 days. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

## LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter left at 9:22 a.m., Deputy P.A. Zach Wesley, Facilities Director Paul Navarro left at 9:17 a.m., Chief Deputy Sheriff Marv Dashiell, Jail Captain Darin Ward left at 9:06 a.m., DSD Director Tricia Nilsson left at 9:22 a.m., Treasurer Tracie Lloyd left at 9:08 a.m., Deputy P.A. Brad Goodsell arrived at 9:06 a.m. left at 9:09 a.m., Leslie Van Beek and Deputy Clerk Jenen Ross.

***Consider signing request for qualifications for design/engineering services related to installation and occupancy of secure temporary jail facilities addendum no. 1:*** Sam Laugheed said this is addendum no. 1 to the RFQ which was issued in October. The purpose of the addendum is to answer any questions that came in. Questions were received from K&B Architects which Director Navarro and Captain Ward provided answers for. Once the addendum is signed it will be broadcast thru all available and appropriate venues. Commissioner White made a motion to sign the request for qualifications for design/engineering services related to installation and occupancy of secure temporary jail facilities addendum no. 1. Commissioner Dale seconded the motion. The motion carried in a 2-to-1 split vote with Commissioners Dale and White voting in favor and Commissioner Rule voting against.

***Consider signing resolution authorizing the issuance of quitclaim deeds to successful bidders at the November 7, 2018 auction of surplus property:*** Brad Goodsell explained that at the auction yesterday five properties were sold and this resolution confirms the results of the sale and authorizes the issuance of quitclaim deeds to successful purchasers. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the issuance of quitclaim deeds to successful bidders at the November 7, 2018 auction of surplus property (see resolution no. 18-186). With the resolution authorizing the quitclaim deeds they can be signed as a ministerial matter.

***Consider signing equitable sharing agreement and certification:*** Chief Dashiell explained that annually through the Department of Justice Equitable sharing agreement a certification report is filed. For the past several years it's had a zero dollar balance, revenue or expenditures but to stay active in the program the report needs to be filed annually. It's done online so Chief Dashiell completes the report and submits the online certification to the Department of Justice. Next year the rules are changing in that task forces will no longer be able to be direct recipients so CCNU balances will move to CCSO as the managing agency. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the equitable sharing agreement and certification (see agreement no. 18-182).

***Consider signing Idaho Transportation Department Office of Highway Safety Traffic Enforcement Grant Project agreement (TEGPA):*** Chief Dashiell said this is an agreement that has been signed for many years. Throughout the year ITD identifies projects they want

to concentrate on as a statewide effort such as seatbelt or DUI enforcement. By signing on, Canyon County is able to provide overtime pay to the employees who work these projects. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Idaho Transportation Department Office of Highway Safety Traffic Enforcement Grant Project agreement (TEGPA) (see agreement no. 18-183).

***Consider signing declaration and notice of sole source procurement for HVAC control system manufactured by Reliable Controls for use at the Canyon County Courthouse and Dale Haile Detention Center:*** Paul Navarro explained that this finishes the project of making sure all of the courthouse heat pumps have controls. This project should pay for itself in energy savings within the first few years as it regulates the heat high/low levels and not running heating and cooling at night or weekends and holidays when offices are vacant. These controls will also be installed at the jail so they can be controlled remotely. Mr. Laugheed said that previous sole source procurements with Reliable Control Systems were done according to law which makes this sole source notice appropriate because of the compatibility with the existing infrastructure and is the paramount consideration; additional procurement would be impractical or disadvantages and unreasonable under these circumstances. Commissioner Rule made a motion to sign the declaration and notice of sole source procurement for HVAC control system manufactured by Reliable Controls for use at the Canyon County Courthouse and Dale Haile Detention Center. The motion was seconded by Commissioner White and carried unanimously.

***Consider signing resolution for a fee waiver to the Marsing Rural Fire District:*** Director Nilsson said that the Marsing Rural Fire District got a Conditional Use Permit last year to build a new station. At this point it is looking like it will be a shell building with a couple of bathrooms. They have requested a waiver for the building permit fee. Based on their estimated value of the building DSD estimates a building permit fee of over \$10K and then a plan review fee of about \$1600. DSD supports the request for waiving the building permit fee but would like to see them pay for the zoning and plan review fees. Commissioner Rule suggested waving a portion of the total fees, Commissioner Dale agrees with this suggestion as it would cover more of the county inspection costs. Commissioner Rule made a motion to waive 66 <sup>2</sup>/<sub>3</sub>% of the \$11,907 fee. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-187).

Mike Porter presented a response letter to the Public Defense Commission for the Board's consideration regarding rules that are going to be considered by legislature next session. The Board signed the letter as a ministerial matter and a copy is on file with this day's minutes. The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE FAMILY COURT SERVICES MANAGER TO CONSIDER SIGNING ADOPTION DAY PROCLAMATION

The Board met today at 9:32 a.m. with the Family Court Services Manager to consider signing the Adoption Day proclamation. Present were: Commissioners Tom Dale, Pam White and

Steve Rule, Family Court Services Manager Mary Hoffman, PIO Joe Decker, Leslie Van Beek, Representatives from Health and Welfare and Deputy Clerk Jenen Ross. The 10<sup>th</sup> annual Adoption Day celebration will be taking place on November 16<sup>th</sup> where 24 adoptions with 36 kids will take place. Two adult adoptions will also happen this day, these are kids who have grown up in foster care and are being adopted after the age of 18 by their foster family. National Adoption Day is November 17<sup>th</sup> but since the courts aren't open that day it will be recognized in Canyon County on the 16<sup>th</sup>. Commissioner White made a motion to sign the Adoption Day proclamation. The motion was seconded by Commissioner Rule and carried unanimously. A copy of the proclamation is on file with this day's minute entry.

#### MEETING TO DISCUSS PROPERTY TAX REDUCTION APPLICATION FOR DARRYL & SHEILA FORD

The Board met today at 10:02 a.m. to discuss the property tax reduction application for Darryl and Sheila Ford. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Controller Zach Wagoner, Treasurer Tracie Lloyd, Darryl and Sheila Ford, and Deputy Clerk Monica Reeves. The Fords requested to meet with the Board based on a letter they received from the Idaho State Tax Commission regarding the state's denial of their medical expense deduction. The Fords pay premiums to the Samaritan Ministries which serves the same purpose as medical insurance and they want their expenses to be accepted for property tax exemption. Zach Wagoner said the Property Tax Reduction (PTR) program is a state program that's based on certain qualifying criteria including income, age, widow, blindness, and other types of status. The state governs the rules and qualifications. The taxes are calculated and if the state approves they will in essence pay the property tax, or a portion of the property tax on behalf of the parties. In this case the state has made a decision that the Fords do not qualify for money to property taxes under the PTR program as their payments are not an allowable deductible medical expense. Brad Goodsell said because of this decision the statute gives the Fords a couple of options; they can appeal the state's decision to District Court or the Board of Tax Appeals (BTA), or, they can come to the Board of Commissioners and ask for a hardship exemption where the Board can cancel the taxes that are due because of what happened as a result of the state's tax commission's decision, but it has to be based on hardship. Treasurer Lloyd noted that the Fords have not completed a hardship application. Commissioner Dale said the Board does not have the authority or jurisdiction to say Samaritan Ministries does qualify as insurance. The only avenue the Board has is through the hardship application process. Mr. Goodsell said they are only allowed to get a hardship based on the amount the state would have paid. Sheila Ford asked where they can go to impress upon whomever makes the decision that it's only insurance that qualifies. She said Samaritan Ministries functions the same as insurance only they don't deny coverage the way insurance does. She was denied treatment by her insurance and she had to pay for the treatment herself and that's one of the reasons she joined Samaritan Ministries and she doesn't think it's right for the state to not count this when it functions in the same way, only better. Commissioner Rule believes the tax commission is wrong in this case and the Fords should appeal the matter to the BTA. Mrs. Ford said their expenses are legitimate and should not have been excluded, but she does not want to hire a lawyer to go to court. Mr. Goodsell said the Fords can send an appeal to the

BTA and have them review what the tax commission did and they will decide whether the tax commission is right or wrong. If they agree with tax commission then maybe the Fords can appeal their decision but they'd have to go to court to do that. Personally he doesn't know whether this is right or wrong, but it may be based on federal law, and assuming the tax commission is correct, the Fords remedy may be to go to the legislature or to Congress, one or the other, depending on which one this is based. The Board encouraged the Fords to request an appeal hearing with the BTA and to bring documentation to their hearing which proves Samaritan Ministries is their medical insurance, and then they should meet with their local legislator and see if they can assist. The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 9, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Elmridge Protection Products in the amount of \$989.20 for the Sheriff's Office
- Bob Barker in the amount of \$9398.87 for the Sheriff's Office
- A-Gem Supply in the amount of \$10,260.00 for the Sheriff's Office
- Charm-Tex in the amount of \$8291.04 for the Sheriff's Office

FILE IN MINUTES

The Board approved the Treasurer's tax charge adjustment by PIN for October 2018.

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER APPROVAL/DENIAL OF A RESOLUTION FOR A REFUND REQUEST FOR A BUILDING PERMIT FEE TO JOHN MCEVOY; CASE NOS. BP2018-0887 AND DP2018-0045

The Board met today at 9:09 a.m. for a meeting with Development Services staff to consider approval/denial of a resolution for a refund request for a building permit fee to John McEvoy; Case Nos. BP2018-0887 and DP2018-0045. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson said Mr. McEvoy applied for a building permit but it was denied as this was to be the third house on the parcel so the application fee needs to be refunded. Upon the motion of Commissioner

White and second by Commissioner Dale the Board voted unanimously to sign the resolution issuing a refund to John McEvoy (see resolution no. 18-188). The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 13, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Storage Networks in the amount of \$1580.00 for the Sheriff's Office
- Vanguard Manufacturing, Inc. in the amount of \$2370.00 for the Sheriff's Office
- Carousel Industries in the amount of \$1627.80 for the Information Technology department

#### APPROVED CLAIMS ORDER NO. 11/22/18

The Board of Commissioners approved payment of County claims in the amount of \$32,566.88 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 11/13/18

The Board of Commissioners approved payment of County claims in the amount of \$10,000.00 for accounts payable.

#### MEETING WITH THE DIRECTORS OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:34 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Dale wanted to have a discussion regarding the proposal received from the 3<sup>rd</sup> District Guardian Ad Litem program for the CCOA building. Commissioner Rule asked about the land-swap that he understood was going to happen. Commissioner White said she spoke with Caldwell Mayor Nancolas who said there is no

option for a land-swap and that the city will not be purchasing the building as Destination Caldwell is a separate entity from the city. Part of the proposal indicated that the space could be shared between the Guardians and Destination Caldwell but Commissioner Dale would like it clearly defined as to which organization will be occupying which space. Director Navarro said there are several entrances to the building and it would be possible to segregate portions of the building. He said that when he met with both the Guardians group and Destination Caldwell that they came up with ways they could separate the space and using repurposed doors, knobs and locks. Mr. Navarro said he will draw up a blueprint of the building so that in the contract it can be clearly defined which organization is occupying which space. Commissioner Rule feels that the building needs to be sold but since it doesn't appear that is the way this is going that with a \$1.00 a month lease the county should not be responsible for all the maintenance. Commissioner Dale and Director Navarro agree that maintenance should be the responsibility of the lessee. Commissioner Dale would also like to see the building leased for one year at a time while still trying to sell it contingent upon the lease. Commissioner White is opposed to selling building as there has been an organization in the building for several years leasing it for \$1.00 a month and now there is another organization that serves a vulnerable population in the community that is in need of a space. Commissioner Rule doesn't feel that it's the taxpayers' responsibility to furnish every organization a place to work for \$1.00 a month. Commissioner Dale would like to see the lease be with Guardians Ad Litem and allow them to sub-lease with Destination Caldwell instead of the county holding a joint lease for both organizations. A couple of the other requests in the proposal included installation of a garage door and interior painting; Commissioner Dale is okay with Facilities staff helping with these items as long as the Guardians supply the garage door. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Jail Captain Daren Ward left at 9:05 a.m., Facilities Director Paul Navarro left at 9:05 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:10 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Open statement of qualifications for design/engineering services related to installation and occupancy of secure temporary jail facilities:*** Two proposals were received; Houston-Bugatsch was received November 13, 2018 at 8:00 a.m. and KMB Architects was received November 13, 2018 at 8:32 a.m. Copies will be provided to the review committee who will follow the selection scoring routine set out in the RFQ. Mr. Laugheed noted for the record that the calendar of events states that the notice of ranking would happen today but that was a clerical error. The next steps will be presented to the Board in the next few days.

***Consider signing equitable sharing agreement and certification - Task Force:*** Mike Porter said this is a continuation of a conversation regarding equitable sharing of federal funds for Canyon County Sheriff's Office. Chief Dashiell said this is a CCNU reporting requirement. This is the last year there will be an independent task force report done, next year it will become a CCSO report as task forces will no longer be able to receive funds independently, they'll have to go thru a parent agency. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the equitable sharing agreement and certification (see agreement no. 18-186).

***Consider signing 2018-2019 law enforcement services agreement between Notus School District #135 and Canyon County:*** Chief Dashiell explained this is a renewal of the SRO program with the Notus School District. CCSO provides 8 hours of SRO coverage to the school throughout the school year for \$3500. The SRO will be shared with the Melba School District. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the 2018-2019 law enforcement service agreement between Notus School District #135 and Canyon County (see agreement no. 18-185).

***Consider signing a resolution to make reappointments to the Canyon County Historic Preservation Commission:*** Commissioner Rule made a motion to sign the resolution reappointing Zach Wesley and Nicki Schwend to the Historic Preservation Commission. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-189).

***Consider signing Juvenile Detention housing agreement with Valley County:*** Zach Wesley explained that Director Jett is out of the office this morning but is in support of the agreement. This is a renewal with Valley County that provides the terms and conditions and rate for juvenile offenders to be detained at the SW Idaho Juvenile Detention Center. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the juvenile detention housing agreement with Valley County (see agreement no. 18-184).

As part of the legal staff update Mr. Goodsell reviewed the proposal that was received from the Guardians Ad Litem program for the CCOA building. Commissioner Dale explained that they would like the lease contract to be with the Guardians Ad Litem and then allow them to sublease to Destination Caldwell and that they will be responsible for all maintenance. Mr. Goodsell reviewed the proposal line by line as follows:

- \$1.00 month lease with annual renewal: Board is okay with annual renewal
- Updates to security system: Director Navarro can help with this – county will change locks using repurposed locks; no cameras or security lights will be provided by the county
- Updating the interior with fresh paint: Commissioner White would like to see it done if it needs to be cleaned up as it is a county building
- Outbuilding to be separately metered: Commissioner Rule said they can sublease to whoever they want but the county will not meter the building separately



- Garage door: If Destination Caldwell wants to purchase the door the Board is okay with facilities staff installing it. It was noted that this may cause a warranty issue so it will be up to Destination Caldwell to look into that
- Decision timeframe: Due to agenda requirements a decision cannot be made tomorrow as requested but a meeting will be agendized for Friday for the Board's consideration

Commissioner Rule reiterated that he does not feel that Canyon County taxpayers should be landlords and thinks that there is a chain of events that happens that interfere with what's best for the taxpayers. He wishes that Commissioners Dale and White would reconsider this decision.

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

*A request was made to go into Executive Session to discuss an acquisition of an interest in real property and records that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:22 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesely, Leslie Van Beek and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:32 a.m. with no decision being called for in open session.

NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 14, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/26/18

The Board of Commissioners approved payment of County claims in the amount of \$119,070.95 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Materials Testing & Inspection in the amount of \$2653.00 for Facilities and Fair

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING  
ADDENDUM 1 FOR THE CANYON COUNTY FAIR EXPO BUILDING REQUEST FOR  
QUALIFICATIONS

The Board met today at 10:00 a.m. with county attorneys for a legal staff update and to consider signing addendum no. 1 for the Canyon County Fair Expo Building request for qualifications. Present were: Commissioner Pam White, Commissioner Tom Dale by phone, Deputy P.A. Zach Wesley, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Zach Wesley said this addendum is to address two issues: one to answer written questions and two to adjust the schedule to accommodate a date where no quorum is available. Two questions were submitted, one from the Seattle Daily Journal of Commerce and the other from Construction Connection. The adjusted dates do not significantly impact the project. Upon the motion by Commissioner Dale and second by Commissioner White the Board voted unanimously to sign addendum no. 1 for the Canyon County Fair Expo Building request for qualifications.

There were no items for discussion at the legal staff update.

The meeting concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2018 TERM  
CALDWELL, IDAHO NOVEMBER 15, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/16/18

The Board of Commissioners approved payment of County claims in the amount of \$38,437.47 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- AutoClear in the amount of \$21,700.00 for the Facilities department
- ESRI, Inc. in the amount of \$5760.00 for the Information Technology department

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Janie Haze.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2019-0003, 2019-0007, 2019-0062, 2019-0015, 2019-0115, 2019-0002, 2019-0019, 2019-0114, 2018-1570, 2019-0001 and 2019-0018. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER SIGNING SUBORDINATION OF COUNTY LIEN TO MORTGAGE FROM ACADEMY MORTGAGE FOR INDIGENT CASE 2011-617

The Board met today at 8:50 a.m. to consider signing a subordination of county lien to mortgage from Academy Mortgage for indigent case 2011-617. Present were: Commissioners Tom Dale and Steve Rule, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The applicant is currently in the process of purchasing a home, the case was approved so there is a reimbursement account. The lender is requesting a subordination agreement in order to fund the loan even though the county lien is always subordinate to a mortgage lien. Commissioner Rule made a motion to sign the subordination of county lien to mortgage from Academy Mortgage for indigent case no. 2011-617. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1237

The Board met today at 9:07 a.m. to conduct a medical indigency hearing for case no. 2018-1237. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of

Commissioner Rule and second by Commissioner Dale the Board voted unanimously to uphold the denial on this case. The hearing concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1309

The Board met today at 9:13 a.m. to conduct a medical indigency hearing for case no. 2018-1309. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to January 10, 2019. The hearing concluded at 9:16 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1274

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for case no. 2018-1274. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Julie Wood for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to January 10, 2019. The hearing concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1164

The Board met today at 9:27 a.m. to conduct a medical indigency hearing for case no. 2018-1164. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's, Interpreter Mercedes Lupercio, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to continue the case to December 13, 2018. The hearing concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1143

The Board met today at 9:37 a.m. to conduct a medical indigency hearing for case no. 2018-1143. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Julie Wood for St. Alphonsus, the applicant, the applicant's parents and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and

second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:47 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Steve Rule, Hearing Manager Kellie George, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared on the following cases: 2018-1262, 2018-1502, 2018-991, 2018-1216, 2018-1265, 2018-1278, 2018-1084, 2018-1215, 2018-1307, 2018-1260 and 2018-1257. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue written final denials within 30 days on the cases as read into the record. Case nos. 2018-1335 and 2018-792 are both eligible for county assistance. Commissioner Rule made a motion to issue final written approvals in the next 30 days. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to issue final written denials on case nos. 2018-666 and 2018-1574. The meeting concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER ADOPTING ORDINANCE NO. 18-031 AND SUMMARY OF ORDINANCE - AMENDING CHAPTER 1, ARTICLE 23, OF THE CANYON COUNTY BUSINESS INVESTMENT INCENTIVE ORDINANCE OF 2017

The Board met today at 10:01 a.m. to consider adopting an ordinance and summary of ordinance for Ordinance No. 18-031 amending Chapter 1, Article 23 of the Canyon County Business Investment Incentive Ordinance of 2017. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Admin. Analyst Jennifer Loutzenhiser, Tina Wilson from Western Alliance for Economic Development, Nampa Economic Development Director Beth Ineck, Caldwell Economic Development Director Steve Fultz, other interested persons, and Deputy Clerk Monica Reeves. Brad Goodsell said the ordinance makes technical corrections, including minor tweaks and clarifications to some issues; it doesn't make any real substantive changes except for changing the amount and length of exemptions and differentiating between real property and personal property for purposes of how much exemption could be the maximum exemption that could be granted. Otherwise it's just making some technical corrections; for instance, in Section 3, it's noted that these standards also apply to applications filed under Idaho Code, Section 63-606A, and we had already taken that position before but now it's explicit. We have defined what the multiplier is and we make it clear it's the employment multiplier. We have included a 2.0 multiplier as the differentiation between the two levels of exemption and we define how that is calculated and in Section 19 we delete that section entirely because that same concept is built into the tables. Now the 20% bonus is built into the tables. Amending the ordinance now does not mean it cannot be amended later if substantive changes are desired later but this will clarify some of the issues that have arisen over the last 18 months since the County first adopted the ordinance.

Beth Ineck asked if the applications on file will be under the new ordinance or the old ordinance. Mr. Goodsell said the ordinance that was effective on the date the application was filed is the governing ordinance. If this ordinance is adopted today it will not be effective until it's published, which is November 21, 2018. Commissioner Rule asked Steve Fultz and Tina Wilson why the changes are important to them. Mr. Fultz said one of the key elements is the graduated rate. It's been vague in the past and the Board has had the flexibility to say we could do a higher percentage on the front end and he thinks this provides a nice formalization so now they can show people exactly what we're looking at based on the graduated rate. Also, on the annual reporting this gives more teeth in saying a company is granted this incentive but they need to make sure they're in substantial compliance. Mr. Fultz said it would be nice if the County had a formalized compliance form that the applicant takes with them upon approval. Currently the County does not have a form. Tina Wilson said having something in writing gives us a basis as it becomes a good tool and she appreciated the fact that rural Canyon County was taken into consideration and the fact that this is a guideline and that we all know that each project is individual and unique. This gives a tool in writing with the table and the graduated rate for her to meet with a client and say this is the foundation and so don't expect to get more than that. Ms. Ineck agrees with the points that were made and said it's great to have something in writing to provide to companies. Mr. Goodsell said the ordinance does indicate what needs to be submitted by the applicant each year but it would be helpful if we put it in a form and Joe Cox has indicated the Assessor's Office will develop a form. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to adopt Ordinance No. 18-031 amending Chapter 1, Article 23 of the Canyon County Business Investment Incentive Ordinance of 2017. During discussion Commissioner Dale said he sees this as a clarification, the more specific the better because businesses need to know that this is the maximum allowed but it's not a guarantee they're going to get the maximum. They have to prove their case to the Board that they merit the exemption. Ms. Ineck said one of the challenges they've had is that the application is tied to the property itself and they've had trouble figuring out the exact time so she's counselled clients to meet with the Board under Executive Session to introduce what they are thinking of. They are still in deliberation but they are unable to do the application until they have acquired the property which can be very far down the line. She asked if they can go through the application process without closing on the property because that's been a challenge with some projects. The paper doesn't start until a company has committed, made the decision, and purchased the property. Mr. Goodsell said the ordinance says that in order to be considered an application must include the project plan. An application can be filed under a pseudonym but no application will be granted until the applicant has secured the right to obtain or secured a particular property. In one case the applicant got an option to buy the property and one of the conditions was that they got the tax exemption. They filed an application and we granted the exemption even though they hadn't acquired the property yet but they had the right to acquire it so that way we were able identify a particular parcel. It's not necessary that the property be acquired, only that they have secured the right to purchase the property. Ms. Wilson said when they bring a business in sometimes they are still evaluating several locations and they bring them in for the exemption conversation that helps them determine and so they don't have the right to secure the property yet because it's part of the negotiations and so in that case is there a pre-application that starts the rest of the conversation? Commissioner Dale said a pre-

application process would be an excellent idea. With one project the Board had not heard anything from the company and yet they were expending thousands and thousands of dollars on preparation and we have heard they have walked away from projects where they have spent millions of dollars and didn't go through with it so he would say to them "you better get in here and let the Board know what your plans are." He said the County has been challenged on a couple of exemptions, saying it's an incentive program they've already made their decision, but that's not the intention. Businesses should not assume they can buy property and start their project and assume they're going to get an exemption. That's not the way it works. They need to talk to the Board. Assessor Stender agrees and said it's a competitive tool to get them to locate to Canyon County. Mr. Fultz said he met with the Board several weeks ago with Project White, and they had a site in mind at the Sky Ranch Business Park, but since that time they have walked away from that site and are looking at another site within the park and so he wants to know if they need to come back before the Board. The Board said it is not necessary to meet again as long as it's the same project and is still in Canyon County. The motion on the ordinance carried unanimously. Commissioner Rule made a motion to sign the legal notice and summary of Ordinance No. 18-031 amending Chapter 1, Article 23 of Canyon County Business Investment Incentive Ordinance of 2017. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 16, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Boise Office Equipment in the amount of \$38,493.80 for the Sheriff's Office
- Grainger in the amount of \$3477.16 for the Facilities department
- Amazon in the amount of \$6086.98 for the Court Clerks

#### 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: Commissioner Tom Dale, Commissioner Pam White by phone, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Controller Zach Wagoner left at 9:24 a.m., Deputy P.A. Mike Porter, Facilities Director Paul

Navarro left at 9:15 a.m., Christina Walker left at 9:15 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing Eide Bailly letter of engagement:*** Zach Wagoner said this is the letter of engagement for fiscal year 2018 outside auditing services to be provided by Eide Bailly. Their services have been used by the county for the past several and Mr. Wagoner has been pleased with their service. There is a 2% increase this year which is a reasonable request. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the engagement letter with Eide Bailly (see agreement no. 18-192).

***Consider signing donation of surplus personal property to the Caldwell Crisis Center:*** Director Navarro said he met with representatives from Southwest District Health about surplus items they would like for their Caldwell Crisis Center. These items that haven't sold at public auction, no one had previously asked to use them and have no real value to the county. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the letter donating surplus items to the Southwest District Health Crisis Center. A copy of the letter and inventory of the items is on file with this day's minutes.

***Consider signing agreement establishing The Idaho Unified Certification Program:*** Zach Wesley said that the Idaho Transportation Department (ITD) has asked the county to sign a statement of agreement/declaration stating that we understand their process. ITD has entered into an agreement with the federal transportation department to establish a process for the Idaho Unified Certification Program for Disadvantaged Business Enterprise programs in the state of Idaho. The state has agreed with the federal government on a process for businesses that may be at a disadvantage for a variety of reasons in the selection process for state contracts to apply, be recognized and certified so that they are identified higher on the selection list. The state has agreed to that process with the federal government so the state is asking that the county recognize that program and that it's the only program for certification, recertification and decertification affirms in the Disadvantaged Business Enterprise Program for the State of Idaho which is just part of their compliance with this agreement. Commissioner Dale made a motion to sign the agreement establishing The Idaho Unified Certification Program. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-190).

***Consider signing lease with the 3rd District Guardian ad Litem Program for County property located at 304 N. Kimball:*** Brad Goodsell explained this is for the property located at 304 N. Kimball St. previously occupied by the CCOA. The county has agreed to painting the interior and to change the locks; Director Navarro said the painting has already been done and the locks will be changed early next week. This agreement is for a 12-month period with options to renew and allows for them to sublease a portion of the building to Destination Caldwell; a provision for the county to terminate the lease with a 90-day notice is also included in the event the building is sold. The agreement has been signed by Christina Walker who is the Executive Director of the 3<sup>rd</sup> District Guardian ad Litem program. Commissioner Dale made note that he feels it could be a good arrangement for the Guardian program and Destination Caldwell to share the building but that it would be completely up



to Ms. Walker and the Guardians to make those arrangements, that the county would have no part in that. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the lease with the 3<sup>rd</sup> District Guardian ad Litem Program for County property located at 304 N. Kimball (see agreement no. 18-191). Ms. Walker said they would like to start moving in on the 26<sup>th</sup> and now that the lease has been signed she will start the process of changing over the utilities.

***Consider signing 2018 host site agreement for Celebration Park with Lori Berry:*** Zach Wesley said this is a renewal of an agreement that has been in place for a couple of years, however, this will be the first time there is a camp host for the winter. Lori Berry has agreed to continue on as a part-time employee and continue the host duties at Celebration Park for the duration of the winter. The agreement contains all the terms as far as use and responsibilities and provides that the camping arrangement ends with employment termination if that should occur. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the host site agreement for Celebration Park between Canyon County and Lori Berry (see agreement no. 18-189).

***Consider approval/denial FY2018 budget transfers:*** Zach Wagoner said they have completed expenditure activity for fiscal year 2018 and are proposing a few adjustments between the A and B budgets. No budgets are being increased it is just a transfer. The changes are as follows:

- **Sheriff's Office:** transfer \$300K from the A budget to B budget due to inmate out-of-county expenditures which were \$500K greater than what was budgeted.
- **Coroner's Office:** transfer \$10K from the B budget to the A budget which is needed for personnel expenditures.
- **Facilities Department:** transfer \$30K from the B budget to the A budget which is needed for personnel expenditures related to comp time payouts.
- **Development Services Department:** transfer \$20K from the B budget to the A budget for personnel expenditures related to comp time payouts.

Commissioner White asked if this is something that happens yearly. Mr. Wagoner said this year the level of activity in the Development Service Department has skyrocketed so to keep up with needs they've had employees working extra hours but the revenue coming in has more than offset the increased cost. With the Facilities Department there was a major courthouse painting project, which, taken to an outside firm the cost estimate was roughly \$500K. Director Navarro found a way for his staff to complete that project at a great savings but it did result in some comp time pay; in the long run hundreds of thousands of dollars were saved by doing the project in-house. Commissioner Dale made a motion to sign the resolution to adopt the budget transfers for 2018 year-end budget. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 18-191).

***Consider approval/denial FY2019 operating transfers:*** Zach Wagoner explained these are operating transfers which are transfers between county departments; rather than have one county department write a check to another department it's done thru a journal entry process. The transfers are as follows:

- \$7000 of the cigarette tax money to the juvenile detention center and another \$7000 to the juvenile drug court. Cigarette tax monies are allocated to be used for juvenile justice functions and we're allocating those amounts to juvenile detention and juvenile drug court for those specific purposes.
- Transfer from the Landfill Enterprise fund. The county provides services to the landfill which included payroll, accounts payable, legal services, financial reporting and auditing services; the Enterprise fund reimburses the county for those services provided.

The grand total transferred from the Enterprise fund is \$1,004,418, of that amount \$794,418 goes to the current expense fund, \$175,000 goes to the justice fund which is for the landfill work release program, and \$35,000 is transferred to the parks and recreation fund for maintaining Jubilee Park. This is something that is done on an annual basis and it is tied directly to the amount of budgeted revenue from the landfill. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to approve the 2019 operating transfers (see resolution no. 18-192).

EXECUTIVE SESSION – records that are exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending imminently likely litigation

*A request was made to go into Executive Session to discuss records that are exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:24 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Dale, Commissioner White via conference call, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

***Consider approval/denial of a new alcohol license for County Line Wine Co.:*** Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the new alcohol license and resolution for County Line Wine Co. (see resolution no. 18-190).

The meeting concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

#### CANVASS NOVEMBER 6, 2018 ELECTION RESULTS

The Board met today at 10:01 a.m. to canvass the November 6, 2018 election results. Present were: Commissioner Tom Dale, Commissioner Pam White via conference call, Clerk Chris

Yamamoto, Elections Supervisor Lisa Power, Elections Technician Kylie Marks, PIO Joe Decker, and Deputy Clerk Monica Reeves. Kylie Marks presented the Board with the results for the following: US Representative; Governor; Lieutenant Governor; Secretary of State; State Controller; State Treasurer; Attorney General; Superintendent of Public Instruction; Proposition 1 and Proposition 2 and the voting statistics that show the percentages of registered voters who voted on November 6; Legislative District 9, 10, 11, 12, and 13; three (3) magistrate judges, and the voting statistics; County Commissioner District 1 and District 3; Clerk of the District Court; County Treasurer; County Assessor; County Coroner; College of Western Idaho Trustee for Zone 2 and Zone 4; Canyon Soil Conservation Supervisor position; CWI plant reserve fund levy; the Middleton School district bonds; and the Kuna Rural Fire special tax levy. According to Ms. Marks, all of the totals matched up with her report. Clerk Yamamoto said they have \$250,000 worth of tabulators that have been tested on a consistent and regular basis and have never been wrong. He reported that on Election Day they inadvertently overlooked 37 UOCAVA (The Uniformed and Overseas Citizens Absentee Voting Act) ballots in their box in a locked room. It was a mistake but that was a very hectic day. They had a number of issues including IT problems as well as a problem with their telephone system and it took until 11:30 before IT staff had those issues corrected. The UOCAVA ballots have to be resolved onto a regular ballot and due to the fact they were so busy and had such a high volume of early votes and absentee votes and because they needed to get those absentees opened up and flattened out so they could be fed through the machine, it was decided to leave the UOCAVA ballots until later because they had so much to do and throughout the day they forgot to get back to it. The 37 votes did not impact any election race. The closest election was the CWI levy; the 37 votes raised that count on the affirmative side by 10 votes. Clerk Yamamoto said there will be a recount and CWI has 20 days to apply for that recount after the canvass (today's date), but due to the Thanksgiving holiday he has asked them to hold off until Tuesday or until next week because it will give the Elections staff some options to fit it in at a convenient time. Following the report, Commissioner Dale signed the elections results paperwork provided by staff, and Commissioner White authorized the use of her stamp on the results. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 19, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 11/21/18

The Board of Commissioners approved payment of County claims in the amount of \$6400.36 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 11/26/18

The Board of Commissioners approved payment of County claims in the amount of \$88,411.19, \$20,895.08, \$126,915.10, \$39,713.37, \$31,163.76, \$19,707.40, \$19,366.09 and \$67,567.00 for accounts payable.

#### APPROVED CLAIMS ORDER NO. 11/29/18

The Board of Commissioners approved payment of County claims in the amount of \$228.75 for accounts payable.

#### APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Roxanne Ellen Johns, Sophia Angelina Confalone and Celia R. Asumendi.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Meridian Auto Ranch in the amount of \$30,988.00 for the Fleet department
- BOE in the amount of \$4718.00 for the Court Clerks

#### LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed, Jail Captain Darin Ward left at 9:19 a.m., HR Director Sue Baumgart, Fair Director Diana Sinner left at 9:07 a.m., Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing Canyon County Historic Preservation Support award agreement with Caldwell Historical Society:*** Zach Wesley said this is for the Van Slyke Museum renovations for the Caldwell Historical Society, the grant amount is \$30,870. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Canyon County Historic Preservation Support award agreement with Caldwell Historical Society (see agreement no. 18-195).

***Consider signing Romeo Entertainment contract for 2019 Canyon County Fair:*** Director Sinner said this is a standard agreement that has been signed with Romeo Entertainment for the past 5 years to book the mainstage entertainment for the fair. Zach Wesley said this

agreement comes with the same caveat that the mainstage fair entertainment agreements come with in that there is additional risk that is required by the performers and agents so the county bears more liability in these arrangements than we normally do. This particular agreement has been used for a few years, the only substantial change is that they've required us to increase our committed insurance amount; the county's committed amount under this agreement is now \$3M instead of \$1M as in prior years. Mr. Wesley has reviewed this against the ICRMP coverage and it's within our limits. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Romeo Entertainment contract for the 2019 Canyon County Fair (see agreement no. 18-194).

***Consider signing 2017 Pre-Disaster Mitigation Program Sub-awardee agreement:*** Zach Wesley said this is an agreement with the Idaho Office of Emergency Management; the state transportation department has an agreement for this grant funding thru the federal transportation department. The money is dispersed from the federal government, down to the state and then on to the counties so this is the agreement that complies with that in order to receive those grant funds. This is for the Emergency Management Office and planning that Lt. Schorzman typically works on. This agreement is the acceptance of the award; there are several requirements lined out in the agreement that the county will need to comply with. Commissioner White made a motion to sign the 2017 Pre-disaster Mitigation Program Sub-awardee agreement. The motion was seconded by Commissioner Dale and carried unanimously (see agreement no. 18-193).

***Meeting with RFQ recommendation committee - design services for installation/occupancy of secure temporary female housing units to consider accepting recommendation/issue Notice of Intent to negotiate contract:*** Sam Laugheed spoke about the letter of recommendation that was presented to the Board from the review committee who met on Thursday to review the statements of qualifications. Both firms had similar scores and are qualified to do this work. Although Director Navarro was not able to attend today's meeting he stated he agreed with the recommendation when the review committee met last week. The conclusion is that although both firms could do the work Houston-Bugatsch is slightly above due to being presently licensed in Idaho and having worked with local authorities previously. Captain Ward said that an email was received from Director Navarro's admin letting everyone know that Director Navarro has been in contact with her and authorized the use of his signature stamp on the letter if the Board agrees with the committee's recommendation. Commissioner Dale agrees with the committee's recommendation and believes that going with Houston-Bugatsch would be more expedient at this point, we know the work they do and they are a local firm. Their responsibility will be to sign off on the "as-build" units in order to get occupancy permits from the city. Director Navarro has concerns about the timelines as we are under contract with ADS to begin the install in January and T-O Engineering is presently working on stubs; if we were to go thru an extended process we would be pushing up against the deadline even more. If the Board chooses to accept the recommendation we could move to contract negotiations because at this point we don't know any fees. Commissioner Dale made a motion to accept the recommendation of the review committee and authorize legal to begin the negotiations of the contract. The motion was seconded by Commissioner White and carried unanimously (a copy of the letter is on file with this day's minute entry).

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

*A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Chief Public Defender Aaron Bazzoli, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:47 a.m. with no decision being called for in open session.

The meeting concluded at 9:48 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:54 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: budget and permits; staff in her office is working on updating the floodplain ordinance; FEMA would like to have the maps adopted by June/July 2019; they are having a hard time finding someone to fill an open planner position so they will probably start looking at recruiting in surrounding states; the Cost of Growth workshop is coming up next month; a joint meeting between the Board and the planning and zoning commission may be planned for January; she has created a worksheet showing how consistent the Board and P&Z have been which she will share with Board at a later time. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT DECISIONS

The Board met today at 10:04 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0026, 2019-0014, 2019-0059, 2019-0120, 2019-0061, 2019-0048 and 2019-0023. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted

unanimously to issue initial denials with written decisions in 30 days. Case no. 2019-121 does meet the criteria for county assistance. Commissioner White made a motion to approve the case with a written decision in 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Kellie George explained that at the hearing on November 15<sup>th</sup> there was some confusion about a case number and continuance date. Case no. 2018-1309 was continued to December 13, 2018 per the paperwork, not January 10, 2019 as in the audio record. Commissioner White made an amended motion changing the continuation date of case no. 2018-1309 from January 10, 2019 to December 13, 2018. The motion was seconded by Commissioner Dale and carried unanimously.

Director Baker presented a subordination agreement for the Board's consideration. Case no. 2007-522 is an approved case and the applicant has been making payments although they did file bankruptcy in 2009 at which point the pursuit of payment was ceased. They are now refinancing their home and the lender has requested a subordination agreement, a county lien is always subordinate to a mortgage lien, this is just to provide comfort to the lender. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the subordination agreement for case no. 2007-522.

The meeting concluded at 10:08 a.m. An audio recording is on file in the commissioners' Office.

#### MEETING WITH FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:36 a.m. for a meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: a purchase order was presented to the Board for an F350 transit vehicle for courts and transports, the vehicle currently being used will now be used as a SWAT follow vehicle. They are getting ready for an auction and will sending titles over for signatures. They are continuing to get the equipment winterized. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR TO DISCUSS GENERAL ISSUES

The Board met today at 1:33 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale and Pam White, Judge Susan Wiebe and Deputy Clerk Jenen Ross. The discussion items were as follows: The two magistrate judge positions have been filled with a couple of retirements coming up in the next year. Two clerks recently brought some concerns to Judge Wiebe's

attention and it appears what they really need is two additional clerk positions to catch up with some of the district court items. She believes they are going to work with Clerk Yamamoto on this before it comes to the Board. Commissioner Dale asked about the transition with the magistrate secretaries. Ms. Wiebe said she hasn't noticed anything and no one has said anything so she believes it seems to be working out okay. Commissioner White asked about charging stations closer to the courtrooms and asked Judge Wiebe to check in with court staff to see if that would be more helpful or hurtful. The meeting concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 20, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 21, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White - out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 26, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Das-Co in the amount of \$3350.00 for the Facilities department



#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 12/15/18 for a holiday party.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 12/15/18 for a wedding.

#### APPROVED CLAIMS ORDER NO. 1904

The Board of Commissioners approved payment of County claims in the amount of \$1,701,877.02 for a County payroll.

#### APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$40,468.33 for accounts payable.

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND OPEN QUALIFICATION STATEMENTS FOR THE CANYON COUNTY FAIR EXPO BUILDING RFQ

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to open qualification statements for the Canyon County Fair Expo Building RFQ. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross.

***Open Qualification Statements for the Canyon County Fair Expo Building RFQ:*** The following submissions were received:

**McAlvain Design Build, Inc.**

Received: November 26, 2018 at 8:02 a.m.

**ESI**

Received: November 21, 2018 at 11:15 a.m.

**Wright Brothers**

Received: November 20, 2018 at 8:13 a.m.

Zach Wesley said Director Navarro and Director Sinner will form a committee to review the submissions and then will come back to the Board with a recommendation.

There were no items for discussion at the legal staff update. The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DIRECTOR OF JUVENILE DETENTION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:30 p.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Juvenile Detention Deputy Administrator Sean Brown, Juvenile Detention Officer Lisa Tellez and Deputy Clerk Jenen Ross. Director Jett is out of the office today so Mr. Brown updated the Board on the following items: they currently have 30 kids in custody which is about average; three staff members are attending juvenile POST right now; Craig Olson has applied for a grant for the garden to be able to replace some of the raised beds; they've had the first person take and pass the GED test with 3 others waiting; their washing machine was down for about two weeks but the jail was kind enough to help with the juvenile laundry during that time; one person has given notice and they are in the process of hiring someone from their part-time staff. Ms. Tellez recently received an Intermediate Certificate along with three other employees. The meeting concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH DIRECTORS OF JUVENILE PROBATION AND MISDEMEANOR PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER SIGNING THE JUVENILE JUSTICE ANNUAL FINANCIAL REPORT FOR OCTOBER 1, 2017 THRU SEPTEMBER 30, 2018

The Board met today at 1:47 p.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction and to consider signing the Juvenile Justice Annual Financial report for October 1, 2017 thru September 30, 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Ms. Catalano reviewed her annual report with the Board regarding the workload and the types of cases they handle. In total they supervised 190 cases in the diversion program which are cases that were not filed in the court system but referred to probation for supervision; out of those cases less than 15% reoffended. A little over 400 kids were supervised on probation. Juvenile Prosecutors filed 825 petitions for kids in the system and of those 201 were probation violations. In regards to the recidivism rate, for the last 8 years they have been hovering at 30%. A little over \$61K was collected in restitution which is an increase from years past. 156 kids completed some kind of community service with 4278 total hours being completed.

Director Breach updated the Board on the following items: they are continuing to work on the cost of supervision issue within Odyssey; nobody realized that it was assessing charges multiple times so they have been in a clean-up process in order to get balances corrected. Case load numbers have been steadily increasing. There have been some changes to the Interstate Compact rules; Director Breach explained to the Board how this rule works and about the new requirements.

***Consider signing the Juvenile Justice Annual Financial Report for October 1, 2017 thru September 30, 2018:*** Commissioner Rule made a motion to authorize the chairman to sign the report. The motion was seconded by Commissioner White and carried unanimously. After the Board went off the record it was decided that there needed to be further discussion as to how the monies should be used so the Board went back on the record at 2:10 p.m. Ms. Catalano said that the Department of Juvenile Corrections provides funding thru different sources, one being the lottery. Last year there was an excess of \$80K that we received and if the county wants to keep it the second page of the report requires a detailed outline of how the money will be allocated. The money can be used for any improvements in the juvenile justice system. Director Jett is in need of having the laundry room remodeled in the juvenile detention center along with some additional items that would add up to approximately \$20,000. This year Ms. Catalano requested that they add the part-time position as a full-time position and would like to use these funds for that purpose so that position would not be funded by property taxes. In summary, this \$80,000 would go to pay the full-time position and to fund the detention center project. Commissioner Rule asked if these descriptions need to be included in the report which Ms. Catalano confirmed they do. Commissioner Rule directed Ms. Catalano to get all of this in writing and then bring it back to be affirmed and attached to the report. Commissioner White seconded the direction. This report will come back before the Board at a later date. The meeting concluded at 2:13 p.m. There are two recordings on file in the Commissioners' Office.

#### MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:18 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following items: The Flight Path Exhibit at Crossroads Museum opened in October and will run thru January; they are working with the Return of the Boise Valley People to create a display to run thru fieldtrip season. The Nampa Public Library has asked for a letter in support of their effort to get the travelling Smithsonian exhibit 'Crossroads: Change in Rural America exhibit'. The regular field trip season ended with a trip to the newly opened Idaho State Historical Museum for the Interpretive Specialists; several Interpretive Specialists are set for weekend hours thru the winter. Lori Berry will continue to work part-time as a camp host and park technician thru the winter. Winter Desert Ecology fieldtrips will be happening again this winter. Park techs are working on painting at the Celebration Park Visitor Center, blowing out sprinklers and generally getting things winterized. The Historic Preservation

Commission has been making its way around to the different organizations. Director Schwend has submitted for the range technical team advisor for the gun range but hasn't heard anything; she spoke with Steve Freeland from the NRA who made a phone call but she still hasn't heard anything so she will reach out again tomorrow. A visit was made to the Upper Dam fishing dock to discuss the rehabilitation project and the Idaho State Parks Cutthroat Grant application. There was great turnout for the Idaho-Oregon Snake River Water Trail Steering committee kickoff meeting on November 16<sup>th</sup>. The annual SWID RC&D meeting will be held on December 4<sup>th</sup> at the Crossroads Museum. Ms. Schwend was asked by SWID RC&D to apply for a representative position on the National RC&D Board of Directors which she has done and is awaiting the decision. State Historic Preservation grant applications are due by December 31<sup>st</sup>. Director Schwend said she spoke with Amanda Hoffman at the BLM regarding the Celebration Park Travel Management Plan and how she is a little worried because they have a strict stance on not closing anything. She let Ms. Schwend know that it may require a Commissioner calling someone or even a state representative who could call to lend support letting them know that we want to see this happen and to see these improvements. Commissioner Rule doesn't think it makes a lot of sense to go to state legislators as this doesn't really involve the state at all since its federal land in Canyon County. Ms. Hoffman told Ms. Schwend she would be willing to meet with the Board as she would really like to see this move forward also. At this point a letter of support has been received from the state parks and some of the people higher up in the agency are aware of Celebration Park and are going to be supportive. Commissioner Dale said that if we need to go higher up he'd prefer to go to the Governor, not the legislators; Commissioner Rule agreed with this line of thinking. There have been rumors of an outside organization attempting to create interpretive signage for Map Rock. Ms. Schwend has several concerns about this in regards to protection of the rock, ownership of the land around where the rock is located and respect to tribes in the area. The feeling she gets is that people really seem to want an interpretation of the rock but she is very hesitant to do that. Deer Flat National Wildlife Refuge has really had no movement on the tree issue. Rodney Tuttle regularly checks in with them and documents the status. At best, they have two problem trees that they say they will have cut down by April. The meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM

CALDWELL, IDAHO NOVEMBER 27, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$305,526.37 and \$47,018.30 for accounts payable.

MEETING WITH PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER SIGNING A RESOLUTION TO ADOPT A CHANGE TO THE TITLE, JOB DESCRIPTION, AND FLSA TO ONE (1) POSITION IN THE PUBLIC DEFENDER'S DEPARTMENT

The Board met today at 1:30 p.m. with the Public Defender to discuss general issues, set policy and give direction and to consider signing a resolution to adopt a change to the title, job description, and FLSA of one (1) position in the Public Defender's Department. Present were: Commissioners Pam White and Steve Rule, Chief Public Defender Aaron Bazzoli, HR Generalist Demi Etheridge left at 1:40 p.m. and Deputy Clerk Jenen Ross. Mr. Bazzoli explained that they've had an IT type position in their office for a while that has been filled by various people. The last person to fill the position left in September and they started the hiring process but weren't getting a lot of qualified candidates. Director Rast has indicated that with a new position he is planning to hire he would be willing to have that person dedicated to the PD's department 40% of the time. This would allow for an open PCN in the PD's department that Mr. Bazzoli would like to change from a Database Management Administrator to a Paralegal position which he believes would give him a greater pool of candidates to choose from. This resolution would not change any budget it is just a change to the title, job description and FLSA. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution to adopt a change to the title, job description and FLSA of one position in the Public Defender's department (see resolution no. 18-193).

Mr. Bazzoli continued with his monthly meeting updating the Board on the following items: review of FY2019 budget numbers, monthly case type count, clearance rates, numbers by case types, active cases by type, monthly case type count, and summary of clearance rates. Commissioner Rule asked Mr. Bazzoli why there is a deficit owed by the Capital Crimes Defense fund for the Cabrera case; he will speak with Controller Wagoner to gather additional information for the Board. The meeting concluded at 2:05 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE SOLID WASTE DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:05 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: Waste amounts were up 20.97% for October, FY2018 was up 12% with 293,553 tons of waste collected in FY2018. The first quarterly Household Hazardous Waste event will be in December at the Idaho Center. A letter that was sent to DEQ in regards to the expansion plan was also sent out and he'd be happy to answer any questions. At this point they are trying to prove that there's no leachate, that it's probably landfill gas and that they've probably created the conduit for the gas to get to the groundwater. They are hoping to abandon that particular well and drill a new well and show that there isn't an impact to groundwater. Implementation of the January 1<sup>st</sup> fee schedule is on track; the resolution has

been complied with and notifications have been sent out. The credit card vendor used at the Landfill has increased their fee and as a result the fee charged to customers will need to be increased as well; the rate will go from \$.50 to \$1.00 per transaction which is really just a pass-thru cost, there will be no revenue from the increased fee. Director Loper will speak with Controller Wagoner to make sure he is comfortable with the new fee and sometime in the near future will be bringing a resolution before the Board. Phase 1 of the seeding has been completed. The operation plan recertification expired on November 26<sup>th</sup> but the health department provided a letter stating that the current plan is certified and approved. The plan was submitted in early October it just takes the agencies a while to provide comment; he hopes to receive the comment letter this week. They have been working on a contract for the third party consultant, Tetra Tech, in order to stop bringing change orders to the Board. Director Loper is looking to possibly budget for a tarp system, it is something that he may include in his budget for FY2020. He believes this is something that could help reduce the amount of cover dirt needed and will save time each night at closing. The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH PUBLIC INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:34 p.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Steve Rule, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following items: Dan Pugmire has been in contact with Commissioner Dale regarding parking for Purple Heart Veterans. Mr. Decker has reached out to Ned Barker who is the Commander of the Military Order of the Purple Heart who provided him with a letter and sample proclamation to designate Canyon County a "Purple Heart" county; once the proclamation is signed the county will be provided signs to note the recognition. Mr. Decker understands that Jim Cornwell from the PA's Office is working on a resolution for designating Purple Heart parking. Commissioner Rule has seen at some places there are shared Purple Heart and handicap parking spots and thinks that might be something worth investigating before more general parking spots are taken away. Commissioner White has no issue with this and both Commissioners White and Rule are in favor of the recognition and signage. A meeting is planned for December 7<sup>th</sup> to sign the proclamation. The election recount will start tomorrow and should take a couple of days. Commissioner Rule is scheduled to be on KBOI in December. The meeting concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM CALDWELL, IDAHO NOVEMBER 28, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hess Construction in the amount of \$11,105.00 for the Facilities department

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/9/19 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 2/16/19 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/19/19 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/30/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/29/18 for a wedding.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/4/18 for a conference.

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/7/18 and 12/8/18 for a holiday boutique.

APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$50,619.06, \$59,915.12 and \$56,940.02 for accounts payable.

MEETING WITH THE DIRECTORS OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:32 a.m. for a meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Assistant Director of Information Technology Eric Jensen and Deputy Clerk Jenen Ross. Both Directors Navarro and Rast are out of the office today but Mr. Jensen provided the following update to the Board: They are continuing to move forward with OnBase for the BOCC in moving scanned documents over to OnBase. They will work with the Records' office for documents before 1998 back to 1892. Right now they are working on documents from 1998 forward. IT staff is working with both the Sheriff's and Assessor's Offices in getting their documents scanned. The Database Administrator position is still vacant but they are still actively looking to fill the position. Director Rast is working closely with the Public Defender's office and the person that is hired for the position will not only be working as a Database Administrator but as a JustWare Administrator for the PD's office. Commissioner Rule asked if this new position did or did not create a new PCN and if it was approved in the budget. Mr. Jensen said it did not create a new PCN because it was a position that had already been approved and made its way thru the proper channels. A meeting will be scheduled sometime in the future to discuss a storage purchase. Director Rast is working with legal to develop a strategy for [electronic] storage and will then be presenting it to the Board. They are looking at getting rid of the higher cost storage, which is an IBM solution, and using one that is less money and can be upgraded as part of the cost. Commissioner Rule confirmed with Mr. Jensen that this is on-site storage and not cloud based. The county multifunction contract for the printer/copiers was awarded in 2016 but they are looking to go back out to market in 2019/2020 to ensure that we're getting competitive rates, it will also ensure we're paying a fair market value for printing and handling of the equipment. The meeting concluded at 8:40 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND CONSIDER ENTERING INTO AGREEMENT FOR RELIABLE CONTROLS FOR HVAC CONTROL SYSTEM FOR USE AT THE CANYON COUNTY COURTHOUSE AND DALE HAILE DETENTION CENTER

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider entering into an agreement for Reliable Controls for HVAC control system for use



at the Canyon County Courthouse and Dale Haile Detention Center. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross.

***Consider entering into agreement for Reliable Controls for HVAC control system for use at the Canyon County Courthouse and Dale Haile detention center:*** Mr. Laugheed said this is a project he and Director Navarro have been working on. A notice of sole source procurement was signed on November 8<sup>th</sup> and published on November 13<sup>th</sup>. The reason for sole source is primarily for compatibility with existing infrastructure. When the Admin building was built the contractor used these Reliable Controls for the HVAC system and they have served the county needs well. We would now like to install these controls, provided by Northwest Service Tech., in several locations including the courthouse and the Dale Haile detention center. The total sum approaches \$250K. No written comment has been received in regard to the sole source nor is anyone in attendance today to offer comment. Director Navarro has budgeted for this project to retrofit in order to make all the systems work together. The contract meets all requirements and expectations. In the end there will be an energy savings in that the systems will be able to be adjusted during times offices are closed. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the agreement for Reliable Controls for HVAC control system for use at the Canyon County Courthouse and Dale Haile detention center (see agreement no. 18-196). As part of the legal staff update a discussion was had about a suggestion for a local person to help with the coordination for educational outreach and to work as a project coordinator for a jail bond. Commissioner White spoke about Rosemary Curtin who she has worked with on several different large projects. She spoke about how Ms. Curtin is very good with citizen advisory boards, putting together the message and taking feedback from the citizens. Commissioner White said she is well trusted and a local person. Additionally, she would like to have a face to this particular project. Commissioner Rule feels this is the kind of thing that needs and RFQ or RFP and that it's not appropriate for the Board to just hand-pick someone. Commissioner Dale has concerns that a project coordinator and a community outreach coordinator would play two different roles. Mr. Laugheed explained he feels this project needs a strong proponent at this point to keep it moving forward. It is possible that the outreach contractor could be the overall coordinator. One thing that could be done is to have a more direct targeted meeting with the stakeholders to evaluate what they envision. Mr. Laugheed said the RFP/RFQ process is certainly an option but not required for a personal services contract like this. It's really a decision of what the Board thinks is in the best business interest and interest of the county; legally we could contract with a personal service provider without notice or additional process. Commissioner White said she has met with Ms. Curtin and received a scope of work from her on a project she recently worked on that could be tailored to something the county could use. When she spoke with Ms. Curtin they didn't speak about any dollar amounts but if it's decided to go this direction Commissioner White would like to give whoever is chosen a specific dollar amount and have their scope of work fall within that budget. Mr. Laugheed said that one advantage to doing a solicitation of interest is that we can ask these people, who are experts in their field, to draft a scope of work for us; where there are several different ideas of what could be used it could help narrow down if there is one entity or person that could do everything or are there different ones. If the Board already has people in mind due to past experiences then that is an option

too. Whoever is brought in as a consultant would need to work closely with the Sheriff. Commissioner White stated for the record that in the interest of transparency she has no issue doing this thru an RFP/RFQ process. Mr. Laugheed said that since a personal services contract doesn't require an RFP/RFQ process there is no statutory timeframe. Mr. Laugheed will draft a solicitation for the Board's consideration and work with staff to coordinate a meeting. In conversations with bond counsel it was thought that laying out a timeline would be helpful and either bond counsel or the representative from Zions Bank could help with that. The meeting concluded at 9:27 a.m. An audio recording is on file in the Commissioners' Office.

#### FILE IN MINUTES

The Board filed the Sheriff's Office report of uncollectible delinquent personal property taxes for 2017 in today's minutes.

#### MEETING WITH MOSQUITO ABATEMENT DISTRICT TO DISCUSS YEAR-END REPORT FOR 2018

The Board met today at 1:31 p.m. with the Mosquito Abatement District to discuss the year-end report for 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, District Director Ed Burnett, Assistant Director Julie Monroe, and Deputy Clerk Monica Reeves. Ed Burnett informed the Board that he is going to retire next December, 2019, and Julie Monroe will take his place. Director Burnett reviewed the report, a copy of which is on file with this day's minute entry. The report included operational highlights and statistical data. He noted challenges the abatement district has faced with the expense of complying with the Clean Water Act, as well as efforts to keep up with the urban area growth which has made property inspections much more labor intensive and so they have started an inspection program and have hired inspectors to verify mosquito issues. He reported on the excellent working relationship the district has with the Deer Flat National Wildlife Refuge. The report was provided for the Board's information but did not require any action on its part. The Board thanked Director Burnett for the years of dedicated service he has provided. The meeting concluded at 2:05 p.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM CALDWELL, IDAHO NOVEMBER 29, 2018

**PRESENT:** Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$161,798.96 for accounts payable.

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Johnstone Supply in the amount of \$2071.04 for the Facilities department
- Zotto Corp. in the amount of \$1319.00 for the Information Technology department
- Hyland Software, Inc. in the amount of \$4563.00 for the Information Technology department

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Customer Service Specialist Robin Sneegas, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0079, 2019-0044, 2019-0077, 2019-0060, 2019-0056, 2019-0078, 2019-0133, 2019-0046, 2019-0031, 2019-0083, 2019-0058, 2019-0072, 2019-0157, 2019-0055, 2019-0085 and 2019-0070. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to deny the cases as read into the record with written decisions to be issued within 30 days.

Director Baker spoke about a request by the applicant on case no 2009-447, they are requesting removal or reduction of their lien that was approved in 2010. The applicant currently resides in California but owns a home in Nampa that he would like to sell. There is approximately \$28K in repairs that need to be done to the house in order to get it to a saleable condition. The assessed value is \$146,500 with \$64K still owing on the loan making the equity about \$82K; after repairs there would be a net equity of \$54K. There is \$47K owing on the medical indigency debt. Director Baker does not believe this is a hardship and the request should be denied. Commissioner Dale believes he has the means to satisfy the debt. Commissioner White concurs with Director Baker and made a motion to deny the request for removal or reduction of the lien. The motion was seconded by Commissioner Rule and carried unanimously.

The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1266

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-1266. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner Dale the Board voted unanimously to deny the case. The hearing concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1416

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for case no. 2018-1416. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Attorney Mark Peterson for West Valley Medical Center, Andrew Lacayo for West Valley Medical Center, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:36 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1289

The Board met today at 9:43 a.m. to conduct a medical indigency hearing for case no. 2018-1289. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Ashley Hesteness for St. Luke's, Attorney Mark Peterson for St. Luke's, the applicant and his mother and Deputy Clerk Jenen Ross. Commissioner Rule made a motion to approve the case. The motion was seconded by Commissioner Dale. The motion carried in a 2-to-1 split vote with Commissioner White opposing the motion. The hearing concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1299

The Board met today at 10:02 a.m. to conduct a medical indigency hearing for case no. 2018-1299. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to January 24, 2019. The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 10:12 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-1264, 2018-1269, 2018-1323, 2018-1292, 2018-1324, 2018-1255, 2018-1207, 2018-1282, 2018-1263 and 2018-1320. Commissioner White made a motion to issue final denials with written decisions within 30 days on the cases as read into the record. The motion was seconded by Commissioner Rule and carried unanimously. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue case no. 2018-1332 to December 27, 2018. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND CONSIDER SIGNING PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH INC. FOR PICKLES BUTTE LANDFILL CONSULTING ENGINEERS

The Board met today at 10:19 a.m. for legal staff update and consider signing the professional services agreement with Tetra Tech, Inc., for Pickles Butte Landfill consulting engineers. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Solid Waste Director David Loper, and Deputy Clerk Monica Reeves. Mr. Goodsell said over the last few years the landfill has been using Tetra Tech to perform professional engineering services pursuant to a contract from April of 2015 and since then we've had numerous change orders. This is an amendment contract and it's similar to the previous contract in that they have to provide estimates for various projects and they have to get Director Loper's approval before performing those projects. They will no longer have to come back to the Board for change orders on a regular basis. Director Loper said Exhibit A specifically outlines the services they will perform for FY2019 and it gives the County the option to continue with further projects as they come up. It's likely the exhibit will be revised every fiscal year so we know what they're going to do for that year and so he can budget accordingly. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the contract with Tetra Tech. Director Loper left at 10:23 a.m. (See Agreement No. 18-197.) As part of the legal staff update, Mr. Goodsell spoke of the letter he prepared in regards to a proposed resolution granting a property tax exemption for NXedge which will be considered on December 19. The letter will be sent to taxing districts giving them notice of the meeting, a copy of which is on file with this day's minute entry. The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2018 TERM CALDWELL, IDAHO NOVEMBER 30, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 14th day of February, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 3, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$33,745.33, \$81,796.89, \$45,001.56 and \$51,407.84 for accounts payable.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 4, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/10/18

The Board of Commissioners approved payment of County claims in the amount of \$38,571.96 and \$47,843.22 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$2046.00 for the Information Technology department
- Police Service Dogs, Inc. in the amount of \$10,000.00 for the Sheriff's Office
- Johnstone Supply in the amount of \$1608.06 for the Parks department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

Due to indigent hearings being vacated on December 27, 2018 the following cases need to be continued to January 3, 2019: 2018-1533, 2018-1496, 2018-1513, 2018-1428, 2018-1429, 2018-1473, 2018-1380, 2018-1363, 2018-1397, 2018-1460, 2018-1332, 2018-1482, 2019-4, 2018-1439, 2018-1111, 2018-1376 and 2018-1470. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the cases as read into the record.

Director Baker spoke about a subordination agreement that was signed around November 19, 2018 for case no. 2007-522. Ms. Baker was contacted by the title company who informed her that the loan amount has changed and are requesting a new subordination agreement. The Board signed the document as requested.

A final approval was issued on case no. 2018-958 but per the medical review of this case some dates of service needed to be eliminated. Commissioner Rule made a motion to sign the amended final determination of approval for county assistance for case no. 2018-958. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND TO CONSIDER APPROVAL/DENIAL FOR A REFUND REQUEST FOR A REZONE FEE TO DON SUGGS; CASE NO. RZ2018-0013

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider the approval/denial of a refund request for a rezone fee to Don Suggs, case no. RZ2018-0013. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson left at 9:34 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Chief Public Defender Aaron Bazzoli left at 9:25 a.m. and Deputy Clerk Jenen Ross.

***Meeting with Development Services Department to consider approval/denial for a refund request for a rezone fee to Don Suggs; Case No. RZ2018-0013:*** Director Nilsson explained that Mr. Suggs had applied for a rezone from ag to industrial but he has changed his mind. A refund of \$752.58 is being requested, some staff costs and the noticing fee have been deducted. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the refund request to Don Suggs (see resolution no. 18-194).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION AND



## COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 9:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:33 a.m. with no decision being called for in open session.

The meeting concluded at 9:34 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

## FILE IN MINUTES

The Board filed the monthly report of the Canyon County Treasurer for October 2018 in today's minutes.

## MEETING WITH DIRECTOR OF HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:34 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Commissioner White made note that she has brought in several medical bills she's received and with Director Baumgart's help several coding errors were discovered which could have resulted in greater cost to the county. Commissioner Dale asked if these are reviewed on a regular basis. Ms. Baumgart said they are not because they are the explanation of benefits (EOB) which are sent directly to the patient and unless they are brought in by the employee HR does not see them. Commissioner Dale wonders if there is a way to have these claims reviewed because the errors could be costing the county a lot of money. Commissioner White suggested possibly making the review of the EOB a service that could be done by HR if an employee chose to bring in their explanation and any related bills. Director Baumgart expressed that medical coding errors really are a national problem and is often just human error. Commissioner Dale would like to have a meeting between the Board, Gem Plan and Blue Cross to discuss these errors to see if anything can be done. Ms. Baumgart will do some looking into things and speak to the health trust committee and see if any options are

available. Leadership training for the department administrators will be December 13<sup>th</sup>. Starting tomorrow she will have a meeting with her department to discuss the 2018 goals and how they were accomplished, what can be improved on, and how to get more accomplished; they will also be discussing goals for 2019. She will also be meeting individually with her staff to discuss their personal goals and performance evaluations. Limited English proficiency training link will be sent out next week. The new wellness plan will start in January which means the agreement that has been signed will need to be updated; last year there were only two wellness challenges left in the year by the time the contract was signed but we'd like to be signed up to participate in all four in 2019. Commissioner Rule requested that Ms. Baumgart email him the number of open positions in both the Assessor's and Sheriff's Office. The meeting concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE FAIR DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today 10:02 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on following items: There were three submissions for on the RFQ for the Fair Expo building and the committee will tomorrow to review them. As far as building rental they are at 43% of rental income for the year and every weekend January thru April is booked. 53% of fair sponsorship revenue is confirmed, 2 sponsors have increased their commitment this year and 4 new sponsors are confirmed. The website is being updated for 2019 and as entertainment acts are confirmed they are working on design pieces. There was a Fair Board meeting last night, there are two new candidates being considered to join the Board, Ms. Sinner has an application for one already and will be getting the other shortly. Once she has the applications she will forward them to the Board and schedule interviews as necessary. There are currently three open spots with two definite applicants and one possibility. Last week Fair staff attended the annual convention. Rebecca Coulter met with Mattress Firm at the convention and was able to not only secure their sponsorship but increase it for 2019. Three nights of the mainstage entertainment have been confirmed and they are continuing to work on Latino night. At this point no contracts have been signed so names cannot announced. Director Sinner hopes to have contracts signed in January with announcements and the on-sale date coming in February. The Sunday schedule will be adjusted for the Latino Festival as it seems to be a group that comes later and stays later. Carrie Johnson and Tina Holmquist from the extension office met with Director Sinner and Commissioner Dale yesterday in regards to the reciprocal agreement between Canyon County and Ada County for exhibitors to show at both fairs. In July, prior to the fair, representatives from 4-H, FFA and the fairs met to talk about the issues. The Western Idaho Fair doesn't really have any space issues, however, Canyon County does. The group talked thru it and thought that the best approach would be for 4-H and FFA exhibitors to only sell at one fair which is actually following 4-H policy for the state and to phase in that change. The changes that Canyon County will make for 2019 is to further limit species where there is an overcrowding issue such as sheep and goats. Right now you can bring 6 dairy goats to fair, which many exhibitors

did, the dairy goat number went up by over 30 last year and they did not have enough pens so next year they are taking that number down to 4 and are going to specify that you only get 2 pens. They are hoping to be able to better accommodate exhibitors and control the overcrowding a bit and then in 2020 the exhibitors will only be able to sell at one fair. Director Sinner is hopeful that will control a little of the overcrowding issues as well as also allowing for a little bit of growth. She thinks they will continue to see growth with the 4-H and FFA exhibitors and want to be able to accommodate as many kids as possible at fair. The big group is going to meet again and have 4-H and FFA make the official policy change. The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING – REZONE REQUEST FOR DENNIS AND TRACIE JONES

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Dennis and Tracie Jones for a rezone of approximately 48.6 acres from "A" (Agricultural) to "RR" Rural Residential, Case No. RZ2018-0020. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Dennis and Tracie Jones, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The property is identified as residential on the future land use map and is surrounded by rural residential development. It is considered dry grazing land, there are no water rights available to the property. Silver Sage Estates and Butterfly Ridge have developed in the past year and the lots are filling up. The Joneses are requesting the rezone so they can obtain at least one residential building permit. The property will require platting as it is the remaining piece from the Silver Sage Estates conditional use permit that has since expired. The applicants have not indicated they're not going to further develop the property but they want to obtain one residential building permit. Staff is recommending approval of the rezone request. Tracie Jones testified they want to build their home on the property and at some future point they will look at developing it into three-acre or five-acre parcels for a total of eight or nine homes. Eventually they would like to give a lot to their children. Dennis Jones gave testimony regarding access onto Wagner Road. In response to a question from Commissioner White, Ms. Root said Wagner Road terminated before Swallowtail Road was built and so the portion that is straight on the section line would be Wagner Road. When Butterfly Ridge was developed Wagner Road did not extend that far. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule believes this is the natural growth pattern in that area and it takes some pressure off immediate prime farm ground near Middleton and Caldwell. He is supportive of this type of development. Commissioner White has no opposition to it. Commissioner Dale concurred and said although irrigation water rights are not available, each lot has the right to drill a well and irrigate a half acre based on that domestic well. The land is dry pasture and it's not agriculturally productive at this point and therefore he has no problem with the rezone request. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the rezone from agricultural to rural residential and to accept the Findings of Fact, Conclusions of Law and Order as well as the ordinance for map amendment. (See Ordinance No. 18-032.) The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS MAY 2019 JAIL BOND ELECTION COORDINATION, OUTREACH, AND POTENTIAL BOND ELECTION TIMELINES – ACTION ITEM: CONSIDER SIGNING SOLICITATION OF INTEREST FOR CANYON COUNTY JAIL BOND ELECTION INDEPENDENT PERSONAL SERVICE CONSULTANT – COORDINATION AND/OR OUTREACH

The Board met today at 2:03 p.m. to discuss the May 2019 jail bond election coordination, outreach, and potential bond election timelines, and to consider signing solicitation of interest for the Canyon County jail bond election independent personal service consultant for coordination and/or outreach. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Christian Anderson, Nick Miller, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Mike Porter advised that Chief Civil Deputy P.A. Sam Laugheed prepared a solicitation of interest for the Board to consider and although it's not ready to be signed today it will be finalized soon and placed on the Board's agenda. Commissioner White said in the interest of transparency and wanting the bond to be on the May 2019 ballot, she is ready to move forward with the outreach coordinator. She has reviewed the document and has received answers to her questions, she then made a motion to start the process so that a decision can be made. The motion was seconded by Commissioner Dale. Commissioner White then amended her motion to issue the solicitation of interest for the consultant coordinator for the educational community outreach. The amended motion was seconded by Commissioner Dale.

Commissioner Rule was opposed to the motion and he voted against it. The amended motion carried by a two-to-one split vote. Commissioner Dale made a motion to continue the action item to Thursday, December 6, 2018 at 9:00 a.m. The motion was seconded by Commissioner White and carried unanimously. The second part of today's discussion centered on the timeline issues that need to be addressed in order to have a jail bond question on the May 2019 ballot. Nick Miller said April 1<sup>st</sup> is the drop dead date to adopt the election ordinance and we need to treat that as our final deadline to arrive at the most important decisions. Key elements that have to be considered are: How long are we going to borrow money? Will it be for the 30-year maximum term allowable by the statute, or, are we going to borrow for a lesser term? What is the bond amount? There is no legal requirement to retain an architect or to get full bids and specifications. If the Board chooses to have an architect it will have to go through an RFP (Request for Proposals) process. If they get something back by Feb 1<sup>st</sup> or March 1<sup>st</sup> that gives the comfort level that the dollar amount we want to use is a reasonable estimate and then we have the credibility to go to the community and say this is the vetted amount. There was discussion about how to proceed with regard to vetting the project amount and what timeline it would occur under. Developing the vetting of the project cost to a comfort level the Board can support is a critical item right now. Commissioner White said DLR provided a number and then they reduced their original number and she asked if the Board should use that number. Mr. Miller said they could use that number, he also said there may be some triangulation between what the feasibility study estimates. Prosecutor Taylor said DLR had architects involved in the study and his trepidation is how much more money the County is going to spend on architects and consultants to refine the project estimate number. Commissioner Rule asked Mr. Miller if he is recommending the Board consider a number it believes the public should pass. Mr. Miller

said no, he is not recommending that. The Board has to decide what it thinks the County needs and sell that amount to the voters. Commissioner Dale said the only reason you might want to seek an architect is to further specify, but to what degree do you want to specify design? We have a good ballpark number that has been vetted and it seems to be accurate based on the cost of building these structures today. Nobody likes it but we know what it is. Mr. Miller said that would simplify the timeline a lot if the Board is comfortable with the number and if we can show that we have done due diligence to assert that it's a good number. Clerk Yamamoto said the \$170M number could be several hundred thousand dollars off either way depending on what building costs are doing and what was determined to be included. It sounds like the consensus is to pick a number and move forward with it and if it passes we can refine that. If it doesn't pass we still need to put this issue in front of the people. The need is real and if it fails we need some legs to go to the legislature with as to finding another funding source. One way or the other it has to go to the public for a vote. Sheriff Donahue concurred and said he believes the number is more \$187M than it is \$170M. He and his staff are very comfortable with the study and the methodology used in DLR's study and we do not need to spend more money on an architect because there was an architect involved with DLR every step of the way. Commissioner Dale said the credibility of the study is based on the experts who were involved and we had experts in every aspect. Mr. Miller said if we were not comfortable with the number and we had to do more work it has to be done before March 1<sup>st</sup>. Be credible when you go out to get it passed showing your due diligence and having it on the record that you are comfortable with the number. It doesn't change the timeline, the election is still May 21<sup>st</sup>, there's just less to do. Commissioner White said DLR's estimate is good through 2020. Christian Anderson said once a number is on the ballot it's a contract with the voters and you cannot "go back to the bank." If the Board is comfortable with the consultant's number that's great. He provided the Board with a handout showing the calendar of events starting with the April 1<sup>st</sup> deadline to adopt an election ordinance and ending with bond closing on September 12. (The handout is on file with this day's minute entry.) He said some coordination needs to happen with the consultant to hire someone to help with the PR piece. The ordinance will lay out the ballot language and it will state the estimated interest rate, total principal and interest, and the estimated tax impact per \$100,000 of taxable value. We want to be as close to the deadline as we can while accommodating the consultant so we can have the most up-to-date estimate of what the interest rates are going to be and what the impact to taxpayers will be. Commissioner Dale said before we adopt an ordinance we need to get some input from the public on the available options; he does not want to make that ordinance decision without input. Commissioner Rule said he doesn't want anyone to think all of the Commissioners are comfortable with DLR's number; another firm, HOK, is building a 1,100 bed facility for \$155M. Mr. Miller said if for some reason the price tag is less we don't have to issue bonds we don't need. If we authorize \$175M or \$187M and we know we only need \$150M then we issue that amount, and we could issue more if we need to later. Mr. Anderson referred to the handout showing annual debt service estimates for a \$170M bond noting that it would cost \$78 per year for \$100,000 of taxable value on the 25 year bond, and \$72 per year for a 30 year bond. (This applies to a \$200,000 primary home or a \$100,000 business.) Commissioner Dale said one of the reasons we wanted to move on getting this person to help with the outreach is so we can get the citizen meetings going so we can present to the voters what is most likely to have success. Mr. Anderson said he will be happy to share the financial

information at the public meetings. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 5, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Heartsmart.com in the amount of \$4300.00 for the Sheriff's Office
- Live Action Safety, LLC in the amount of \$1740.80 for the Sheriff's Office

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Steven Philpott.

APPROVED CLAIMS ORDER NO. 1905

The Board of Commissioners approved payment of County claims in the amount of \$1,596,648.28 for a County payroll.

APPROVED SEPTEMBER 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of September 2018 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

#### MEETING WITH RICHARD DUNNING TO DISCUSS PROPERTY ISSUE

The Board met today at 9:37 a.m. to discuss a property issue with Richard Dunning, specifically Lattimore Lane. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, Richard Dunning, and Deputy Clerk Monica Reeves. Richard Dunning said Lattimore Lane is a gravel road that doesn't meet specifications therefore it is precluding him from being able to sell some acreage and so he is seeking a waiver of the required specifications. Director Nilsson said the main issue with the northern section of Lattimore Lane is it doesn't have a base to the road. There was discussion about the possibility of an LID so the property owners along Lattimore Lane could share in the costs associated with bringing the road up to standards. Zach Wesley said the County has been asked to look into LIDs in the past but to his knowledge we are not managing any existing ones. Director Nilsson said the highway districts do not have a gravel road standard so the County created one in its private road standards and we provided some relief where if it's a 100 trips or less per day the road can be gravel. Commissioner Dale said the problem Mr. Dunning faces is that the entire profit from the selling of his land will be spent on building a road. Mr. Dunning said the neighbors have tried to sell properties but have been unable to do so because of the road issue. He said it makes no sense for him to pay taxes on property he cannot use. Commissioner White said an LID is worth looking into because it's very affordable. Director Nilsson said Mr. Dunning should contact the highway district and ask what it will take to get Lattimore Lane to a minimum public road standard, and, to inquire if an LID can be used on a private road. Mr. Dunning estimates he will lose between \$300,000 and \$400,000 if he doesn't do something. Director Nilsson said the County cannot just waive the requirements. We do not know what it will cost to bring Lattimore Lane up to a minimum standard so the first step is to contact the highway district and find out what the cost will be, and what it's going to take for the highway district to accept the road into their system. She can provide the assessment data for the properties around Lattimore Lane and she offered to accompany Mr. Dunning at the meeting with the highway district. Commissioner White encouraged Mr. Dunning to think about an HOA because he may be able to approach it in a different way. The meeting concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER ACTION ITEMS

The Board met today at 10:07 a.m. with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction and to consider action items. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Jim Cornwell, Weed and Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing cooperative agreements between Idaho Transportation Department and Canyon County for gopher control and noxious weed control:*** Jim Cornwell said these are recurring yearly contracts with no changes. Mr. Mondor said there are a couple things in the appendix he'd like to change but will work to bring those forward next year. Both Mr.

Mondor and legal approve of the contracts as written. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the cooperative agreements between Idaho Transportation Department and Canyon County for gopher control and noxious weed control (see agreement nos. 18-198 and 18-199).

Mr. Mondor continued with his meeting updating the Board on the following items: The Boise State ornithology department has taken over care of the owl boxes. He recently had a conversation with the GIS Department about tracking the owl box data. Commissioner White spoke about information she received from the Mosquito Abatement District about ticks on grasses and asked if there is a way for Mr. Mondor to meet with the Mosquito Abatement District about spraying for the ticks or working in conjunction with them. He said he would look into it and get in contact with them. Mr. Mondor spoke about a belligerent gentleman that was recently in the office and asked if the county has a right to refuse service policy. Commissioners Dale and White believe that as long as it's handled in a professional manner it is okay to ask someone who is being belligerent to leave and return once they are more under control. The Board spoke with Mr. Mondor about the Orchard Review Board and asked if he can assist with finding Board members as all the current member terms have expired.

#### EXECUTIVE SESSION – PERSONNEL MATTER

*A request was made to go into Executive Session to discuss a personnel matter. The Executive Session was held as follows:*

Commissioner Dale made a motion to go into Executive Session at 10:26 a.m. pursuant to Idaho Code, Section 74-206(1) (b). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Jim Cornwell, Superintendent AJ Mondor and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:37 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 6, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):



- National Business Furniture in the amount of \$8981.28 for the Facilities department

#### APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$112,945.97 for accounts payable.

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0101, 2019-0104, 2019-0088, 2019-0082, 2019-102, 2019-111, 2019-024, 2019-086, 2019-080, 2019-089, 2019-103, 2018-1562, 2019-0110, 2019-0071, 2019-1573, 2019-0050 and cremation case no. 2019-0207. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue written initial denials within 30 days on the cases as read into the record. Case no. 2019-147 does meet the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue a written approval within 30 days. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND 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 Tom Dale and Pam White, Clerk Chris Yamamoto, Tracie Lloyd left at 9:25 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Andy Rodriguez from the Nampa Housing Authority, Debbie Driskell, Keith Dickerson and Deputy Clerk Jenen Ross. The action item were considered as follows:

***Consider the granting of real properties to other political subdivisions or taxing districts:*** Tracie Lloyd explained that this is a continuation of the meeting on November 7, 2018 to consider the granting of certain properties to other political subdivisions or taxing districts. The Board gave Ms. Driskell 30 additional days to come up with the money to redeem the property which as of today is at \$12,702.22. Mr. Goodsell said the Nampa Housing Authority is here today and ready to accept the property. Ms. Driskell has a statement from Edward Jones stating she has \$9000 available once it's released to be able to make payment, however, at this point the entire amount will need to be paid in order to redeem the property. Mr. Rodriguez explained a little about their program and how they operate. Commissioner White made a motion to sign the resolution to deed the property to

the Nampa Housing Authority. The motion was seconded by Dale and carried unanimously. See resolution no. 18-195.

***Consider signing solicitation of interest for jail bond election independent personal service consultant coordination and/or outreach:*** Mr. Porter explained that this is a continuation from the meeting on December 4, 2018 where a consultant/coordinator was discussed to provide outreach to the community and facilitate between the stakeholders, the contractor and bond counsel to move forward with education and outreach to the community for the purposes of moving to bond next year. Mr. Laugheed has reviewed the documents. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the solicitation of interest for the jail bond election independent personal service consultant coordination and/or outreach. A copy of this letter is on file with this day's minute entry. Mr. Porter said he believes Mr. Decker will help with getting the solicitation published with the deadline being December 13, 2018.

The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH JUVENILE DETENTION DIRECTOR TO DISCUSS MEDICAL SERVICES

The Board met today at 9:30 a.m. with the Juvenile Detention Director to discuss medical services. Present were: Commissioners Tom Dale and Pam White, Director of Juvenile Detention Steve Jett, Deputy P.A. Zach Wesley, PIO Joe Decker, reporter from the Idaho Press and Deputy Clerk Jenen Ross. It was recently brought to Director Jett's attention that over the last couple of months there have been a couple of calls from juvenile detention to the medical provider but the jail got billed for them. Through this error it brought to light that the Sheriff's Office is working on an RFP to privatize medical services in the jail. Director Jett is concerned because in the past his medical needs have been included with the Sheriff's Office and jail but he was not included in the previous RFP discussions. Commissioner Dale suggested Mr. Jett and Mr. Wesley work with Captain Ward and Mr. Porter about getting the needs of the Juvenile Detention Center included in the RFP since it has not yet been before the Board for approval. Mr. Wesley envisions that there would be a MOA between the Board and the Sheriff that lines out who would supervise and manage and what the responsibilities and budgetary implications are. The meeting concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING - REQUEST BY CANYON COUNTY TO AMEND THE ZONING MAP AND ORDINANCE, CASE NO. RZ2018-0025

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Canyon County to amend the zoning map and ordinance for Case No. RZ2018-0025. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Zach Wesley, Sherri Jarvis, Randy Wood from Nampa Paving, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. Canyon County is

proposing to amend the zoning map to zone the subject properties (approximately 156 acres on Midland Road) that were dis-incorporated from the City of Caldwell. Per County code, the Board must assign a zoning district to properties that have been dis-incorporated. Staff is recommending the properties be zoned "A" (Agricultural), which is the zone that's on the Canyon County Comprehensive Plan Future Land Use Map and was also what the properties were zoned prior to being annexed by the City of Caldwell. Sherri Jarvis, who lives on Lincoln Road in Caldwell, testified that she is not necessarily opposed to the gravel pit although she doesn't want to live by one. She met with Randy Wood from Nampa Paving and shared her concerns about gravel trucks accessing the road directly across the street from her home and he said perhaps they could move it so it's not directly across from the Jarvis home. Ms. Jarvis is concerned about the impact a gravel pit will have on her quality of life as well as her property value and she would prefer the road be located so that the constant truck traffic doesn't impact her as severely. Commissioner Dale explained that today's hearing is about the zoning issue, it's not a gravel pit application. Ms. Root said the Nampa Paving application is scheduled for January 3, 2019 with the P&Z Commission. Randy Wood testified that the agricultural zoning designation is appropriate for the properties, and he confirmed that Nampa Paving has submitted an application for a gravel pit. Commissioner White said it's interesting that the properties have been sitting there with no zoning. Ms. Root said there's a gap in our process as far as when de-annexation occurs. Commissioner Dale said perhaps an appropriate amendment to the ordinance would be to say that when a property is de-annexed from a city it reverts back to the former zoning. Director Nilsson said she's been talking with Senator Lakey about a legislative fix because it's not anything with the County ordinance. It's an issue with counties because of the lack of involvement of counties in annexation or de-annexation and it leaves a loose end that needs to be cleaned up so perhaps there could be a legislative fix. We cannot have un-zoned properties, the local land use planning act requires that zoning be applied throughout your jurisdiction. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the request and assign a zoning designation of "A" (Agricultural) to approximately 155 acres of the properties dis-incorporated from the City of Caldwell, including Parcel Nos. R34063, R34063010, R34063010A, R34063011, R34062011, and R34164010 and to accept and sign the Findings of Fact, Conclusions of Law and Order, and to sign the ordinance for map amendment (See Ordinance No. 18-033.) The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 7, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$43,706.00 for Fleet department/Sheriff's Office
- CDW Government in the amount \$41,692.91 for the Fleet department

### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 12/21/18 for a wedding.

### MEETING WITH DIRECTOR OF JUVENILE PROBATION AND CONSIDER SIGNING JUVENILE JUSTICE ANNUAL FINANCIAL REPORT OCTOBER 1, 2017 THRU SEPTEMBER 30, 2018

The Board met today at 8:51 a.m. with the Director of Juvenile Probation and to consider signing the Juvenile Justice annual financial report for October 1, 2017 thru September 30, 2018. Present were: Commissioners Tom Dale and Pam White, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross. Ms. Catalano reviewed the report with the Board last week where she was asked to more clearly detail out how the \$80K carry over would be used. The monies would be used as follows:

*Remodel of the Juvenile Detention Center for a laundry room and interview room: \$8950.00*

*Full time Juvenile Probation Officer: \$58,200.00*

*Replace copiers at Juvenile Probation: \$17,686.90*

***Total: \$84,836.90***

The report has been reviewed with Judge Onanubosi, he did not have any objections and has signed off on it. Commissioner White made a motion to sign the Juvenile Justice annual financial report. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the report is included with this day's minute entry. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

### EXECUTIVE SESSION – PERSONNEL MATTER, ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE

*Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, acquisition of an interest in real property and records that are exempt from public disclosure. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, IT Director Greg Rast and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:44 a.m. with no decision being called for in open session.

Mike Porter noted for the record that the agenda items regarding amending Ordinance no. 14-014 will be considered at a later date as there are still some outstanding questions to be addressed before it's adopted. The meeting concluded at 9:44 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

#### MEETING WITH IDAHO DEPARTMENT OF MILITARY ORDER OF THE PURPLE HEART TO CONSIDER SIGNING CANYON COUNTY PURPLE HEART PROCLAMATION

The Board met today at 9:45 a.m. with the Idaho Department of Military Order of the Purple Heart to consider signing the Canyon County Purple Heart proclamation. Present were: Commissioners Tom Dale and Pam White, Dan Pugmire, Don Turano, Bill Hamilton, Ned Barker, Frank Elsberry, PIO Joe Decker and Deputy Clerk Jenen Ross. A history of the Purple Heart was given. It is the oldest military decoration in the United States that is still in use. It was the first award made available to the common soldier, originally named the Badge of Military Merit by George Washington in 1782. It was introduced as the Purple Heart metal in 1932 and is awarded to men and women of the armed forces of the United States who are wounded by an estimate of war at the hand of the enemy or posthumously back to the next of kin in the name of those who are killed in action. The Purple Heart metal is specifically a combat decoration that no soldier seeks to receive. The proclamation is utilized to recognized cities, towns, counties and enemies that have determined that they would like to support or foster the idea of the Purple Heart and what it represents to the citizens. Mr. Decker said he is planning to publicize the proclamation on the website and could also send a press release. A sign has been provided to identify Canyon County as a Purple Heart County. Commissioners Dale and White read the proclamation into the record. Commissioner White made a motion to sign the proclamation declaring Canyon County a Purple Heart County. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the proclamation is on file with this day's minute entry.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 10, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Andres Figueroa.

APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$37,084.30 and \$4,673.34 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING RESOLUTIONS CLASSIFYING CERTAIN RECORDS OF THE CANYON COUNTY PROSECUTING ATTORNEY'S OFFICE AND AUTHORIZING THE IMAGING AND /OR DESTRUCTION OF CERTAIN CRIMINAL CASE FILES/RECORDS AND CERTAIN JUVENILE CASE FILES/RECORDS

The Board met today at 9:02 a.m. with county attorney for a legal staff update and to consider signing resolutions classifying certain records of the Canyon County Prosecuting Attorney's Office and authorizing the imaging and /or destruction of certain criminal case files/records and certain juvenile case files/records. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Mike Porter presented two resolutions for the Prosecutor's Office to destroy certain records. One resolution is for the destruction of certain criminal case files/records and the other is for certain juvenile case files/records. This is something that is done every couple of years. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolutions for destruction of certain case files/records for criminal files (see resolution no. 18-196) and certain records for juvenile case files/records (see resolution no. 18-197). The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER ACTION ITEMS

The Board met today at 9:32 a.m. with the Director of Development Services to discuss general issues, set policy and give direction and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Controller Zach Wagoner left at 9:45 a.m., DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: She recently had a meeting where the Valley Regional Transit (VRT) shortfall was addressed. In addition to what was already budgeted by Canyon County it appears that they would need another \$4529. The funds are not just being requested of Canyon County but of several municipalities including Ada

County and the Cities of Caldwell and Nampa among others. Director Nilsson is not sure what has caused the shortfall but Commissioner Rule said he would like to know why they couldn't stay in budget. Zach Wagoner said that during the budget process they requested \$36,340 which is what was included in the budget. After the budget was complete an invoice was received from VRT for \$1000 higher than what was budgeted. Mr. Wagoner said he's reached out to VRT for an explanation but so far has not gotten a good answer for the additional money. Commissioner Rule feels that a letter to Mr. Wagoner or the Board explaining their reasoning could be sufficient. Commissioner Dale is on the Executive Board but does not recall this request being sent out but will reach out to Kelli Badesheim to ask about the shortfall. Commissioner White would like to see some kind of written communication explaining the shortfall.

So far only about 10 people have RSVP'd for the Cost of Growth workshop but Director Nilsson suspects more people will actually show up. Commissioner Dale said he is planning to attend the workshop Wednesday evening. A P&Z joint meeting is planned for January. A budget and permit update was given for the first 2 month of the fiscal year, they are up this year as compared to the first two months of last fiscal year; mechanicals are down a bit so because of that Ms. Nilsson is no longer planning to contract out inspections for the Simplot freezers. Commissioner Dale asked if it would be possible to reevaluate the fees for ham radio towers as he feels they are pretty high. Director Nilsson said there may need to be an ordinance amendment to revise the fees.

***Consider approval/denial of a resolution for a hardship waiver fee for Pamela Patton:*** A complaint was received about someone living in a motorhome on Ms. Patten property on Highway 44. Ms. Patten is disabled and the person living in the RV is her caretaker; she is willing to obtain a temporary use permit to allow someone to live in an RV outside of and RV park. The application fee is \$300 fee which is the amount she's requesting to have waived. This is a temporary permit for 90 days, after that she'll have to reapply. Commissioner Rule is willing to approve the resolution waiving the fee but would like to see a letter sent explaining that at the end of the 90 days if the vehicle remains on the property that any associated fees would need to be paid. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution for a hardship waiver fee for Pamela Patten (see resolution no. 18-198).

***Consider approval/denial of a resolution of a fee waiver for a Comprehensive Plan Map Amendment for Jo Olsen and Spencer Kofoed:*** Per Ms. Nilsson's memo Alan Mills, a representative for Mr. Olsen and Mr. Kofoed, is requesting a fee reduction for a Comprehensive Plan Map Amendment. Both property owners have parcels near each other, but not adjacent. They both wish to submit an application for a change in future land use. Due to locality of the parcels, staff analysis will be the same for both parcels and no additional staff time will be required. A Comprehensive Plan Map Amendment fee is \$2500 for each application and it is being requested that each fee be reduced to \$1250. Director Nilsson supports this request. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution of a fee waiver for a Comprehensive Plan Map Amendment for Jo Olsen and Spenser Kofoed (see resolution no. 18-199).

The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES

The Board met today at 1:33 p.m. with the County Agent to discuss general issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, County Agent Jerry Neufeld, Extension Educator Ariel Agenbroad, Family Consumer Science Educator Jackie Amende, 4-H Extension Educator Carrie Johnson, Extension Educator Samantha Roberts and Deputy Clerk Jenen Ross. Mr. Neufeld provided the following updates: There is a pesticide certification class happening later this week with 105 people signed up. They've been thru one round of applications for the open Commercial Horticulture position but have not found anyone to fill the position so they are in the process of starting a second round. Ms. Amende gave an overview of the programs she's been running including diabetes management and education and pre-diabetic education to hopefully reduce the risk. She is also working on the Well Connected Communities initiative which works with the 4-H program and the Robert Wood Johnson Foundation to create a culture of health in different communities. Ms. Roberts gave a brief background about herself and her education. In January she and Ms. Agenbroad will be hosting the Living on the Land course which will help people with their small acreage. Ms. Agenbroad is the Area Educator, her office is located in Boise but her territory actually includes 6 counties in southwestern Idaho. She gave a brief overview of the programs she runs including a Beginning Small Farms class. Ms. Johnson updated the Board on her programs including 4-H enrollment that opened in October, she has been going into schools to introduce the yoga program and other enrichment activities, conducting coding lessons at the Parma Learning Center as well as babysitting courses and she has been doing some STEM activities at the Nampa Public Library. The meeting concluded at 1:57 p.m. An audio recording is on file in the Commissioners' Office.

#### MEET WITH TOM CARTER FROM ALL DETAINMENT SOLUTIONS (ADS) REGARDING TEMPORARY JAIL HOUSING UNITS

The Board met today at 3:48 p.m. with Tom Carter from All Detainment Solutions (ADS) regarding temporary jail housing units. Present were: Commissioners Tom Dale and Pam White, Captain Daren Ward, Tom Carter from ADS, and Deputy Clerk Monica Reeves. Mr. Carter said they are in full production and on schedule and that Captain Ward has been in close communication with the company's vice president in charge of manufacturing and has been keeping ADS well informed. The company is working with other jails throughout the country but their focus right now is on Canyon County. Commissioner Dale asked if the County's design could become a template or a model for other parts of the country and if so, could it accelerate to the point where ADS needs to get other manufacturing plants going. Mr. Carter said anything is possible. ADS is expanding their plant and it's going to be much larger than when Captain Ward was there. Canyon County's complex will be made up of 28 trailers and they are in two different locations and Captain Ward will see all of them in both locations when he visits the site in January. Commissioner White asked how it will be



handled if there are changes that need to be made. Captain Ward said they started with the basic design and when it came to items like the type of shower curtains, for instance, they were able to work out those details via email. If we wanted to change the whole unit to a different style it would be done through a change order but he doesn't believe there is any need for that. He, the Sheriff, and Paul Navarro are going to do a site visit and see where they're at with the project. Commissioner Dale asked if anyone envisions it not being temporary but something that could be an alternative to cement and bricks. Mr. Carter said 85% of the counties and sheriffs he speaks with see this as a long-term solution. It is stainless steel so the actual usable shelf life is 40-50 years, it's not going to degrade because of age. They are being designed with extra space to allow for new technologies that come down the road and everything is in place so we can add to it so the functionality for long term is there. ADS has done entire designs for not only jails, but for administrative office and courtrooms as well. There is a lot of flexibility you can add to it or subtract from the design. He said their culture as a company is spend the money you need now, but they will be designed so it can easily be added on to five or six years down the road. Commissioner Dale said if a jail bond cannot be passed in the next five years and this was an alternative could the units be moved to our new jail site and could a permanent fixture be created. Mr. Carter said that could easily be accomplished. Commissioner Dale said if it was moved to the new jail site they wouldn't be able to build in the efficiency we've been talking about with a new jail because there would have to be a lot more staff. Captain Ward said it wouldn't quite be to the extent of a brick and mortar facility but we could get close. Mr. Carter said ADS has done footprints for over 800 beds for counties that could be 1800 beds just as easily. Commissioner Dale said we would want open space and natural light for the mental health of the employees and inmates. Mr. Carter said that is doable. Captain Ward said when the units are here we will be able to see those things. He spoke with deputies working in Green County and they talked about how much nicer it is to work in these units rather than in the brick and mortar building because it's cleaner and smells better. With regard to whether ADS has secured subcontractors, Mr. Carter said their staff is working on that and they have met with a number of people locally so that process is well under way. Commissioner Dale asked for a status update on the work being done in the jail parking lot to accommodate the units. Captain Ward said Hess Construction is relocating the sidewalk and it looks like we're waiting on water and sewer. He spoke with the facilities director last week and they are finishing up and then he will get bids on the project. Everything is on track for where we want to be. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 4:05 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 11, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

### APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dennis Dillon in the amount of \$24,015.00 for the Fleet department/Sheriff's Office
- Intermountain Wood Products in the amount of \$3,184.64 for Facilities
- BOE in the amount of \$10,217.00 for the Information Technology department
- BOE in the amount of \$7899.10 for the Information Technology department
- BOE in the amount of \$7488.00 for the Information Technology department
- BOE in the amount of \$38,493.80 for the Information Technology department
- Databank in the amount of \$12,169.00 for the Information Technology department
- HP, Inc. in the amount of \$2783.70 for the Information Technology department
- SHI in the amount of \$140,846.86 for the Information Technology department

### MEETING WITH THE DIRECTOR OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:32 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following items: After the first of the year they are going to change the connectivity out to the Ambulance District; the plan is to make it site-to-site instead of the VPN system currently being used. The OnBase program is starting to show some return on investment with several departments and offices using it and many applications within the program being used. The new jury application within OnBase will be phased in starting on February 20<sup>th</sup> which will encompass the jury wheel, compensation as well as mailing and return of summons. Originally there was a jury module for Odyssey but Canyon County has opted out of using that application in favor of the custom build module that will operate within OnBase. Commissioner Dale asked if the county has any kind of leverage to receive monetary concession from the Supreme Court since we will not be using the state's system as there should be some kind of saving to them. Mr. Rast said he can certainly pose the question to the Supreme Court but he doesn't believe there would any compensation. There were a few purchase orders that came down last night for copiers, most have been budgeted for but there is one in the print shop that was not budgeted for. Director Rast thought he could get another year out of the printer but it's starting to wear out. This particular printer/copier is used to run the 3-part copies which takes a toll on it, in addition to that it has 9 million clicks. He has found some savings within his budget, from the Nortel phone system, to cover the cost of this machine. Through all the negotiations that have been done they have able to save about \$89K on the Nortel project. There will be and RFP coming forward early next year for the fiber optic connectivity to weed and pest. They have been

working with the Sheriff's Office on a new jail metric/statistics program that they're writing for public awareness of the jail population which is scheduled to go live next week. Every morning stats are pulled directly from the Spillman database to be displayed on the website. Commissioner White asked about charging stations around the courtrooms. Director Navarro said USB outlets could be installed if there is power available.

Director Navarro updated the Board on the following items: They are continuing to work on the Dale Haile parking lot; they've been working to realign the curb, gutter and sidewalk and the work should be complete by Friday. The next big components are the sewer line, water line and fire water line; the plans have been approved by the city and they are out getting informal bids right now from three contractors. We are approximately 53 days from delivery of the trailers. Cable T.V. and fiber optics are done and the power conduits are set. Fairground LED lighting conversion is being worked on. Facilities staff will do the work and the light fixtures have been purchased for just under \$9000. Director Navarro has met with Idaho Power and they are willing to provide a rebate of \$3300. He anticipated that the LED lighting will use 1/8 of the power. Recently he and Director Sinner attended a meeting at the City and they have agreed to improve the electrical system at the Charolais barn although Director Navarro anticipates they may ask the county for assistance with some of the work. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White, Dale and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:40 a.m. with no decision being called for in open session.

#### MEETING WITH DIRECTOR OF INFORMATION TECHNOLOGY TO CONSIDER ACTION ITEMS

The Board met today at 9:41 a.m. with the Director of Information Technology to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, IT Director Greg Rast, Assistant IT Director Eric Jensen, IT Operations Manager Don Dutton and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing Carousel non-disclosure agreement:*** Director Rast explained that Carousel is the vendor that supports all the telephone pieces throughout the county. The non-disclosure agreement is the first set in possibly entering into a 3 year agreement. Commissioner Rule had some questions about the security of the data but Director Rast clarified that all data and all the systems are on-site. Carousel helps from afar, they are able to access the network remotely. What the NDA will do is that when they do remote into the system and gain user knowledge they cannot disclose any information. They will only have access to the phone system not the entire computer network. Additionally, they will be helping with removal of the Nortel phone system. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the non-disclosure agreement with Carousel (see agreement no. 18-200).

***Consider signing Pure Storage End User agreement and purchase order for servers, server maintenance, and technical support:*** Dan Blocksom said he has negotiated with opposing counsel and this is the agreement that come from that. Director Rast said the county has been paying a premium for IBM storage. The projection over the next 8 years is that if we stay with the current model we'll spend approximately \$1.45M but if we move to this product at a cost of \$145K we could potentially save \$368K over those 8 years. The PO is for \$140,846.86 for the purchase of this product, \$60K of which was budgeted for but savings from the Nortel project along with some disaster recovery money will cover the remainder. Director Rast said this is all on premise storage. Commissioner Rule made a motion to sign the Pure Storage end user agreement and purchase order for servers, server maintenance and technical support. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-201). Dan Blocksom noted for the record that these products are on the state division purchasing contract so that is why there was no additional procurement process necessary, additionally, they are also on the NASPRO contract.

The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING - REQUEST BY JULIE TUCKER FOR A REZONE, CASE NO. RZ2018-0016

The Board met today at 10:11 a.m. to conduct a public hearing in the matter of a request by Julie Tucker for a rezone of approximately 20.62 acres from "A" Agricultural zone to an "R-1" (Single Family Residential) zone, Case No. RZ2018-0016. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, Julie Tucker, Mark Tucker, Dennis Clark, Tamara Sloviaczek, Lyle Zufelt, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The current zone is Agricultural and the future land use map shows this area as residential. It is within Middleton's impact area but is not within the flood zone. The area is a mix of agricultural and residential uses and within one mile of the subject property there are 30 platted subdivisions for a total of 506 lots. Those lots have an average lot size of 1.46 acres. The proposed rezone would be commensurate to

the lot sizes that exist within platted subdivisions within one mile. There are several areas of rural residential within one mile. There is R-1 zoning located 2,745 feet northeast of the property. Individual domestic wells and septic systems are proposed; the applicant will be required to adhere to Southwest District Health and the Idaho Department of Water Resources requirements and she will be required to complete a subdivision engineering report as part of the platting process. The property is not located within a nitrate priority area. Duff Lane is a minor arterial road in the vicinity of the subject property and access for residential development should be located on the north boundary. The highway district felt this location appeared to be adequate site distance for the 45 mile per hour posted speed limit. The City of Middleton indicated that city sewer and water is located ¼ mile to the south, they didn't state any objection or request the subdivision be connected to city services. The P&Z Commission recommended denial finding that the proposed zone change was not more appropriate than the current designation of agriculture and that it was not compatible with surrounding land uses as it would introduce lot sizes smaller than what currently exists in the area. They also found that the proposed use would negatively change the essential character of the area by creating lots sizes smaller than those currently existing. Staff has reviewed the request and found that it meets the standard of review for zoning amendment and is harmonious with the comprehensive plan as well as the future land use map. Julie Tucker testified that she is the realtor for the property owner, Mr. Clark, who owns 110 acres and is requesting to develop 20 acres on the hillside. The lot sizes will be determined by Southwest District Health, but the applicant is hoping to have two to three-acre lots to the east with the rest being much larger in size due to the steepness of the ground. The property is difficult to irrigate and if possible, they will utilize the irrigation but deliverability could be a problem. Commissioner Rule said by the time they build a road and take away setbacks the applicant will be lucky to get 10-11 lots on the high end. Ms. Tucker said they asked for R-1 zoning because they didn't want to be restricted to two-acre lots knowing that five acres would essentially be roadway and easements. The irrigation delivery access point is not on the subject property, it comes through another property. They are not trying to get rid of water rights, if they can get the rights they will utilize them. Commissioner Rule said if the applicant does not have irrigation water the results are weedy and nasty and so they will probably have to use pressurized irrigation. Ms. Tucker said they are hoping they get irrigation water. Dennis Clark testified that he owns a farm on Duff Lane and wants to take the 20-acre parcel and divide it for houses. He currently leases the farm to Mark Tucker who has done a good job cleaning it as it was in cockleburrs when Mr. Clark purchased it. Commissioner Rule asked if he intends to transfer water rights and Mr. Clark said he will do whatever is best to make the project better. Mark Tucker testified that he has farmed the property for four years and has found it to be extremely sandy and sloped and hard to keep wet. Alfalfa is currently grown on site and pressurized irrigation is utilized. He said it's difficult to harvest the hay with farm machinery other than on the northern piece which is the flattest and best farm ground. The water is pumped through the Sloviaczek property. Tamara Sloviaczek testified that she owns the property that is an L-shape around the subject property. Her parents farmed in the area for 50 years, and she and her husband own and operate the farm on Bullock Road and they rent it out to Mark Tucker who grows hay. She is a neutral party but has the following concerns: the number of houses, the impact on the water table, and the reduction in farmland. They do intensive farming on their properties and they hope to continue to do so. Lyle Zufelt testified he is not opposed to development

but he is opposed to the possibility of overdevelopment and the impact on the water table and availability of the irrigation water. During rebuttal, Ms. Tucker said when she first approached the highway district to see if they could subdivide she envisioned Turner Drive to be extended but the district said no so they had to push it to the top. Black Canyon Irrigation District made it clear that the applicant has 18-acre feet of water for the 20 acre which would leave more than ample water if they chose to use it. Ms. Tucker said Roy Orr with the irrigation district told her that if she can get water to the property he will require them to use it. Deliverability will be the question and they would love to have the water. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Dale said if they are irrigating the property now there is obviously water available and he encouraged them to use it. Commissioner Rule asked if conditions could be imposed. Ms. Almeida said it's not a conditional rezone and there isn't a development agreement that would give the Board a mechanism to impose conditions; however, through testimony it is clear water is available and during the platting processing staff will look for pressurized irrigation systems and there would be mechanism at that time to impose conditions. Commissioner Rule made a motion to approve the rezone for Case No. RZ2018-0016 to rezone Parcel No. R37605010A from "A" (Agricultural) to "R-1" (Single Family Residential). The motion was seconded by Commissioner White. During discussion Commissioner Rule said if the irrigation plan doesn't show some kind of delivery system via the irrigation water rights that are available to the property it should be denied. Commissioner White said her hesitations were calmed by Ms. Almeida's comments as well as the sworn testimony given today with regard to the available water. The motion carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order and to approve the ordinance directing the change to the official zoning map. (See Ordinance No. 18-034.) The hearing concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

## DECEMBER 2018 TERM

CALDWELL, IDAHO DECEMBER 12, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

## APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Neopost in the amount of \$1203.60 for the Information Technology department
- Old Castle Pre-cast in the amount of \$17,098.50 for the Facilities department

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Sonia Juarez.

APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$138,926.20 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/12/18

The Board of Commissioners approved payment of County claims in the amount of \$4332.96 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/13/18

The Board of Commissioners approved payment of County claims in the amount of \$23,772.02 and \$5291.60 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/19/18

The Board of Commissioners approved payment of County claims in the amount of \$1242.00 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 10:04 a.m. with county attorneys for a legal staff update. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley left at 9:07 a.m., Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. A brief discussion was had regarding the Cost of Growth workshop taking place later this evening. The meeting has been placed on the agenda but no Clerk will need to attend as it is not a Board meeting since no action will be taken by the Board nor will it be run by the Board but Director Nilsson will record the meeting for good measure.

EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

*Note for the record: As properly noticed the Board met today at 10:04 a.m. for a legal staff update. A request was made to go into Executive Session to communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:07 a.m. pursuant to Idaho Code, Section 74-206(1) (f) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White, Dale and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:12 a.m. with no decision being called for in open session.

EXECUTIVE SESSION TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE IN WHICH THE GOVERNING BODY IS IN COMPETITION WITH GOVERNING BODIES IN OTHER STATES OR NATIONS, PURSUANT TO IDAHO CODE § 74-206(1)(E)

*A request was made to go into Executive Session to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations, pursuant to Idaho code § 74-206(1)(e). The Executive Session was held as follows:*

Commissioner Rule made a motion to go into Executive Session at 10:33 a.m. pursuant to Idaho Code, Section 74-206(1) (e). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White, Dale and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Nampa Economic Developer Beth Ineck, Caldwell Economic Developer Steve Fultz, Representatives from Project Charlie and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:59 a.m. with no decision being called for in open session.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 13, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER



The Board approved the following purchase order(s):

- Interstate Electric Supply in the amount of \$8904.00 for the Fair

#### CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0221, 2019-0084, 2018-1571, 2019-0163, 2019-0171, 2019-0113, 2019-0033, 2019-0117, 2019-0227, 2019-0119, 2019-0057, 2019-0194, 2019-0105 and 2019-0122. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions within 30 days. Case no. 2019-0247 meets the eligibility criteria for cremation approval, upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case as read into the record with a written decision to be issued within 30 days. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1446

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for case no. 2018-1446. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Cortney Kriss for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to March 7, 2019. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER INDIGENT MATTERS

The Board met today at 9:44 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2018-1322 (this case number was read into the record as 2018-1332 but written documentation provided by Indigent Services the day of the hearing shows it as noted), 2018-1366, 2018-1442, 2018-1400, 2018-1383, 2018-1336, 2018-1340, 2018-1331, 2018-1258 and 2018-1126. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record.

Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue case nos. 2018-1399 and 2018-1390 to February 7, 2019.

Commissioner White made a motion to issue final approvals with written decisions within 30 days for case nos. 2018-1337 and 2018-1170. The motion was seconded by Commissioner Rule and carried unanimously.

The meeting concluded at 9:48 a.m. An audio recording is on file in the Commissioners' Office.

#### LEGAL STAFF UPDATE AND OPEN LETTERS OF INTEREST FOR JAIL BOND CONSULTANT

The Board met today at 10:08 a.m. for a legal staff update and to open letters of interest for the Jail Bond Consultant. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Clerk Chris Yamamoto left at 10:13 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Sam Laugheed prefaced the meeting explaining that on December 6<sup>th</sup> a written solicitation of interest was issued for a jail bond consultant to make this opportunity available to a wide range of potential consultants. Today at 8:59 a.m. was the deadline to submit statements of interest. Three statements of interest were received prior to the deadline; submissions were received from Ysabel Bilbao (Bilbao & Co.) at 8:46 a.m. today, Rosemary Curtin (RBCI) at 5:28 p.m. yesterday and Amanda Watson (Atlas Strategic Communications) at 10:47 p.m. yesterday. The statements have not yet been reviewed but Mr. Laugheed proposes copies be provided to the Board, Clerk Yamamoto, Sheriff Donahue and anyone else who would like to review them. A draft contract has already been prepared for whenever the Board feels comfortable moving forward. Since this is a solicitation of interest for personal services it doesn't require any particular process, it is something that is in the best interest of the county as determined by a majority of the Board. Options for moving forward and making a selection could either be to schedule meetings with each agency or just reviewing each submission. There will still need to be notice of the contract. Commissioner Rule asked if there would be a cost associated with the consultant before the bond runs. Mr. Laugheed believes there would be a cost. The solicitation indicated that the consultant would be expected to coordinate communication between the preliminary architect/engineering team, bond counsel/municipal finance advisor team and county stakeholders to present a coherent and factually accurate public message and to lead a series of informational public meetings about the process. Commissioner Dale and Mr. Laugheed believe along with previously stated interested parties that it would be good to get the information to all the elected officials, Director Navarro and PIO Joe Decker; Mr. Laugheed will forward the submissions to each party. A meeting can be set for next week to discuss further once everyone has had a chance to review the information.

Zach Wesley brought to the Board's attention the insurance renewal from the Hartwell Corporation; they have processed the renewal for Travelers Casualty insurance company. This is a policy that has been in place for the Healthcare Trustees for fiduciary liability insurance which protects the health insurance funds from potential claims against the fiduciaries. There has been an increase in cost from \$3800 to \$4134. Commissioner Dale has no problem with this renewal. Mr. Wesley will contact the Hartwell Company to move forward with the renewal. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### INFORMAL EMERGENCY SESSION

At approximately 11:00 a.m. on December 13, 2018, the Board received notice that an emailed public safety threat had been received at various canyonco.org email addresses. An informal emergency session convened shortly thereafter with Sheriff Kieran Donahue participating by telephone, and Emergency Management Coordinator Schorzman, Facilities Director Navarro, IT Director Rast, and Chief Civil Deputy P.A. Sam Laugheed physically present with Commissioners Dale, Rule, and White. The Board received information and agreed to implementation of certain emergency measures designed to assess risk in the course of preserving the public safety and County property. No motions were called, and no decisions requiring financial expenditure or other County obligation were made. The session concluded at approximately 11:20 a.m.

#### DECEMBER 2018 TERM

CALDWELL, IDAHO DECEMBER 14, 2018

**PRESENT:** Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$45,108.81, \$38,616.24 and \$45,199.84 for accounts payable.

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 9:20 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:16 a.m., Landfill Director

David Loper left at 9:23 a.m., Facilities Director Paul Navarro, Fair Director Diana Sinner left at 9:30 a.m., TCA Doug Tyler left at 9:16 a.m., IT Director Greg Rast left at 9:16 a.m., Leslie Van Beek and Deputy Clerk Jenen Ross.

***Consider signing a resolution establishing a department of security:*** Mike Porter explained that a committee was appointed by the Board to find a vendor to provide the county with a security master plan and today he is presenting the Board with an executive summary of that report. The resolution for consideration today is to recognize the need for campus security, and to then recognize the partnership between the various stakeholders, most specifically the Sheriff's Office in this situation with certain specific statutory responsibilities in the courthouse. Other important stakeholders include the TCA, Clerk's Office, IT and Facilities to essentially create a coherent plan and department to assess and deal with security needs of the county. This resolution would create a department and a specific person to triage a situation in case of emergency or threat. Chief Dashiell explained that in the past when there has been a security threat it has been an ad hoc response and having a department in place would have the responsibility to create response by creating evacuation plans, have policy in place and be able to do training so that if an event were to occur we're not trying to create a plan on the fly. Some of the recommendations made by the committee is that some existing personnel, from the Sheriff's Office or courts, may be merged into a portion of a security department. This will not be a quick rollout, this will be a strategic plan, and there will be steps involved to move it forward. Mr. Porter said the next steps are outlined in the resolution with the Board creating the department and creation of the position of Director of Security, those are the two main takeaways from the resolution today. They would also recommend to the Board to consider forming a committee to go out and find the person who would have these skills encapsulated in a job description that Director Baumgart and the compensation committee will finalize in the next few days and they ask that the courts, the Clerk and potentially the committee meet to start looking for that person. There is no funding in this fiscal year's budget for the department, one option would be that when the budget is opened in the next calendar year the Board could set aside money at that time for the director position. Otherwise the search could be extended so that it lines up with funding in the next fiscal year. Ideally, the person would be selected and in place at the point the budget is drafted for next fiscal year to give an idea to stakeholders about what FY2020 will look like from a security perspective. Commissioner Dale confirmed that today we are not committing to any dollar amount we are just creating a department and authorizing the committee to begin the search process for someone to oversee the department. Commissioner White made a motion to sign the resolution establishing a department of security. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 18-201).

***Consider signing a resolution increasing the credit card fee for the Pickles Butte Sanitary Landfill:*** Director Loper explained this resolution is to increase the credit card fee from \$.50 to \$1.00 in order to cover the cost of providing credit card payment options. This is just a pass-thru fee, the auditor has determined that the average cost is \$.94 per transaction and this will cover that cost plus a small administrative fee. The new fee will be effective January 1, 2019. Upon the motion of Commissioner White and second by Commissioner Dale the

Board voted unanimously to sign the resolution increasing the credit card fee for the Pickles Butte Sanitary Landfill (see resolution no. 18-200).

***Consider accepting recommendations/issue Notice of Intent to negotiate contract for Fair Expo Building RFQ:*** Zach Wesley presented the Board with the review committee's recommendation letter for the Fair Expo Building which will house non-agricultural events at the fair and other events throughout the year. Proposals were received from ESI, McAlvain and the Wright Brothers Building Company. The committee reviewed each proposal and Director Navarro conducted reference checks. After all of the proposals were reviewed ESI was most favorable amongst the committee. Once the Board accepts the recommendation Mr. Wesley will send a notice of intent to enter into a contract which will then go thru the objection and contract negotiation phases. The contract negotiation will include a schedule of deadlines, including the design phase and if there is potential for any donations those would need to be brought forward during this phase. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to accept the recommendations and issue the notice of intent to negotiate contract for the Fair Expo Building RFQ.

***Consider signing addendum to real estate purchase and sale agreement for Parcel No. 05140000 0:*** A purchase and sale agreement was previously signed for the property at 1218 Albany St., however, the sale was not able to close in the original timeframe. This addendum extends the closing period to December 28, 2019 but Mr. Goodsell anticipates closing sometime next week. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the addendum to real estate purchase and sale agreement for parcel no. 05140000 0 (see agreement no. 18-202).

On January 4, 2019 the Board will consider granting an exemption to Cordova LLC under Idaho Code §63-602NN which requires the Commissioners to advise the taxing districts of the meeting. Mr. Goodsell presented a letter to the Board for signatures.

The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

**PUBLIC HEARING – REQUEST BY LONE STAR LAND, LLC, FOR A REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL**

The Board met today at 9:38 a.m. to conduct a public hearing in the matter of a request by Lone Star Land, LLC, for a rezone approximately 116.63 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, Case No. RZ2018-0019. The property is located west of the intersection of Lake Avenue and Lone Star Road. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Todd Lakey, Jon Cotner, Sam Huff, Lance Warnick, Tracie Kasper, Thayne Warnick, Kathy and Richard Huff, Jim Dux, Casey Coller, Earl Tuckness, Jan Bianchi, Dana Tuckness, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. Canyon County's future land use map shows the area as residential. The subject

property is within 350 feet of Caldwell city limits and is located within Caldwell's impact area. The city designates the land as residential estates on their future land use map. There are 12 platted subdivisions within one mile for a total of 279 lots and those lots within one mile have an average lot size of .52 acres. The development as proposed would create one-acre lots. There is rural residential and R-1 single family residential zoning within one mile. Based on the housing forecasts COMPASS has indicated that household growth is expected to occur in this area. A community water system or city water will be utilized to provide domestic water to the development. Both the City of Caldwell and Southwest District Health have recommended that city or community water be used and that's found in the applicant's letter of intent. Sewer service is not currently available to the site and the applicant has proposed individual septic systems for the project. It is not located within a nitrate priority area. Canyon Highway District will require a traffic impact study prior to the preliminary plat and will require the study to analyze the entire site as one acre single family residential lots. The city has indicated it supports the rezone with certain requirements for approval which will be addressed at the platting stage of the project. Per the joint exercise of powers agreement with the City of Caldwell, subdivisions that are located within the impact area must follow the city's subdivision ordinance therefore there is assurance that Caldwell's requirements will also be addressed. The Idaho Transportation Department had no objection to the rezone. The P&Z Commission recommended approval of the rezone on October 18, 2018. Staff has found the request meets the standards of review for zoning amendment and is harmonious with the comprehensive plan as well as the future land use map for both Canyon County and the City of Caldwell.

In response to Commissioner Dale's question about whether the applicant will be required to annex into the city, Ms. Almeida said we do not have anything from the city that would indicate that but it is typical to annex when properties are contiguous. Todd Lakey, the applicant's representative, testified that the plan is to build upper end custom homes and then use city or community water and individual septic systems. They have to comply with the County's comprehensive plan and zoning ordinance as well as the city's subdivision ordinance and the related ordinances. They may be required to have lots larger than one acre in size but that will be determined at the platting phase when they do the engineering and technical analysis. With the residential designation and with the site being located in the impact area it means agricultural preservation is not the focus at this point, this is an area for growth. The majority of the property is designated as nonprime farm ground and has a slope of about 75 feet moving from west to east. There are 12 platted subdivisions within one mile and 279 lots with an average lot size of a half-acre. The proposal is for twice the average lot size for what is happening in the area and that density level fits well with what's occurred and what is planned for in the area. The city designates it as residential estates which means two dwelling units per acre. The area immediately adjacent to the south is Nampa's comprehensive plan designation and their impact area and that's designated as medium density, calling for four to five dwelling units per acre. They have a half mile of frontage on Lone Star Road which is enough room for three access points. The neighbors to the north were concerned about Florida Avenue being extended across undeveloped portions but those properties and roads will only be developed when that property owner decides to develop their property. There was concern expressed about Highway 55 and the

intersections of Indiana, Lake, Midway, and Middleton but the new signalized intersections with turn lanes have addressed the safety issues on the highway. Mr. Lakey said they have met the zoning amendment criteria and the request fits with the comprehensive plan for the City of Caldwell and Canyon County. R-1 zoning is more appropriate because the site is within the impact area, it's planned for growth, and agriculture is no longer the goal in this area. The request is less dense than existing and planned development that's already occurred. Jon Cotner testified that Canyon County has a culture of one-acre lots and everybody wants their piece of Idaho and he loves to provide for that. He said the market is still strong for this size and value of home, and because the growth in Ada County is more centralized to the cities this type of lot is underserved right now and people want a bigger footprint and they're not getting that inside the cities. Lance Warnick testified that the project details will come into play during the platting process. The highway district has submitted requirements they would like to see as part of the plat and the applicant will comply with those. They are working with a traffic engineer in anticipation of beginning the traffic study, assuming the rezone is approved. They will make sure the road configuration meets the requirements of the highway district and the City of Caldwell. The concept plans shows connectivity and they will have multiple roads coming off the street and will be stubbing to the north and west per highway district requirements. In terms of septic, the site is outside the nitrate priority area so the health department typically requires lots be at least one acre to provide room for both wells and septic systems to get the 100 foot separation. He said in areas like this where there may be just central water the sizing requirement isn't that stringent, it's possible to get down to  $\frac{1}{2}$  acre or  $\frac{3}{4}$  acre lots. Commissioner Dale asked if Mr. Warnick is aware of a requirement with the City of Caldwell that annexation is agreed upon when there is contiguous connection should they end up using city water. Mr. Warnick said in their discussion with the city engineer and planner they have not mentioned that, but that is typically a requirement and it almost comes to the point where you say "I don't object to annexation in the future." He anticipates as they move forward with platting they will know more about those details.

Commissioner White inquired about the three different sources that provide irrigation water to the property. Mr. Warnick said there is a well that's located in the southwest corner of the property and it was built to be converted to a domestic well; Holladay Engineers prepared and created a report and that could potentially be a water source. Also, the property is in the overlap of two irrigation districts – they have a canal and a feeder ditch. Their water rights are from two districts which isn't that uncommon. The delivery to each lot will be detailed on the irrigation plan. Dana Tuckness pointed out that a canal that was drawn on a map showing it goes up the boundary and dumps into Deer Flat is in error, there is no canal in that location. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule said the lack of opposing testimony speaks volumes in this case. The City of Caldwell has this area designated as future residential land use and it is located 350 feet from city limits. He supports the request. Commissioner White supports the project as well. She agrees with Jon Cotner's remarks that there is a need for this type of housing with one-acre lots. She likes the completeness of the packet and believes it's a good fit for the area and is an attractive use of the property. Commissioner Dale said larger homes like this tend to be more effective in paying their own way. The property is located within the Caldwell impact area and so preservation of farm ground is not the chief consideration. He believes the zoning is

appropriate for this area and in his opinion all requirements have been met. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the rezone request for Case No. RZ2018-0019 and adopt the Findings of Fact, Conclusions of Law and Order. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the ordinance directing the change to the official zoning map for Case No. RZ2018-0019 (See Ordinance No. 18-036.) The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

#### DECEMBER 2018 TERM

CALDWELL, IDAHO DECEMBER 17, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

#### APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$27,613.34 for accounts payable.

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing ordinance no. 18-035 amending ordinance no. 14-014 amending chapter 1, article 3, section 7 reserved parking for canyon county issued permit holders and United States Veterans and summary of ordinance no. 18-035 amending ordinance no. 14-014 amending chapter 1, article 3, section 7 reserved parking for Canyon County issued permit holders and United States Veterans:*** Jim Cornwell explained that this modifies the ordinance that initially only covered the 22 permitted parking spaces east of the courthouse. This amendment defines all the parking spaces that are assigned in county parking lots for county vehicles, elected officials, handicap and US Veterans. If the ordinance is adopted the county will have 88 reserved parking spaces. Commissioner White made a motion to sign ordinance no. 18-035 amending ordinance no. 14-014 amending chapter 1, article 3, section 7 reserved parking for Canyon County issued permit holders and United States Veterans. The motion was seconded by Commissioner Rule and carried unanimously (see ordinance no. 18-035). Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the summary of the ordinance as just read into the record. Commissioner Rule made a motion to use the Veterans Purple Heart



Shield as the designation signage. The motion was seconded by Commissioner White and carried unanimously.

***Consider approval/denial of a new alcohol license for Mesa Tacos and Tequila:*** Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution approving a new alcohol license for Mesa Tacos and Tequila (see resolution no. 18-202).

***Consider approval/denial of November 2018 Treasurer's tax charge adjustment by PIN:*** Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the November 2018 Treasurer's tax charge adjustment by PIN. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS JAIL BOND PROJECT OUTREACH COORDINATOR APPLICATIONS FOR REVIEW/COMMENT – POSSIBLE EXECUTIVE SESSION PER IDAHO CODE, SECTION 74-206 (1)(A)

The Board met today at 10:38 a.m. to discuss the jail bond project outreach coordinator applications for review/comment with a possible Executive Session per Idaho Code, Section 74-206 (1)(a). Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Assessor Brian Stender, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Facilities Director Paul Navarro, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Sam Laugheed said on December 6 the Board issued a solicitation of interest for a jail bond project outreach coordinator and statements of interest were submitted by three firms. Today's meeting was scheduled to have preliminary discussion and comparative evaluation of the potential contractors to figure out if there was a consensus pick to move forward with contract negotiation. An Executive Session, pursuant to Idaho Code, Section 74-206 (1) (a), was added to the agenda for the comparative evaluation of potential employees or contractors. It's a courtesy to those who've put in to be an employee or contractor and it also preserves the County's negotiation position and allows for a candid evaluation of their relative merits. He said we could go into an Executive Session not to make any decisions but to have that conversation. There's no action item set for today, it would be coming no sooner than 48 hours to sign a contract. It's up to the Board but he recommended that if we're going to talk about the details comparing the individuals that we do that in Executive Session.

EXECUTIVE SESSION – PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(A)

Commissioner White made a motion to go into Executive Session at 10:42 a.m. pursuant to Idaho Code, Section 74-206(1) (a) for comparative evaluation. The motion was seconded by Commissioner Rule for discussion and said he is comfortable discussing this item because he could keep the details of professional courtesy out of the discussion until it got down to dollars and cents and fees per hour, and like Mr. Laugheed said, there are things that need to be discussed that should be discussed in Executive Session. Commissioner White said the dollars and cents will weigh in somewhat as well as the strategic aspect of the individuals and that's why she would be more comfortable in Executive Session. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into

Executive Session and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Assessor Brian Stender, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Facilities Director Paul Navarro, PIO Joe Decker, and Deputy Clerk Monica Reeves. Commissioner Rule left at 10:55 a.m. The Executive Session concluded at 11:20 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 18, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 19, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 1906

The Board of Commissioners approved payment of County claims in the amount of \$1,680,459.20 for a County payroll.

APPROVED CLAIMS ORDER NO. 12/21/18

The Board of Commissioners approved payment of County claims in the amount of \$26,864.28, \$4306.25 and \$217,490.61 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$10,778.05 for the Facilities department
- Northwest Service Technologies in the amount of \$2950.00 for the Facilities department
- The Marshall Company in the amount of \$14,300.00 for the Facilities department
- BOE in the amount of \$13,940.00 for the Information Technology department
- Dell, Inc. in the amount of \$7086.58 for the Information Technology department
- HP, Inc. in the amount of \$5541.24 for the Information Technology department

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:06 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Pam White, Assessor Brian Stender left at 9:26 a.m., Deputy P.A. Brad Goodsell left at 9:31 a.m., Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A. Mike Porter, Chief Deputy Assessor Joe Cox left at 9:15 a.m., Nampa Economic Developer Beth Ineck left at 9:15 a.m., Parks Director Nicki Schwend left at 9:20 a.m., Lt. Dave Schorzman left at 9:30 a.m., Legal Secretary Shantra Hannibal left at 9:31 a.m., Deputy P.A. Zach Wesley arrived at 9:13 a.m. and left at 9:30 a.m., Steve Neighbors with NxEdge left at 9:15 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing a resolution granting NxEdge Inc. a tax exemption pursuant to Idaho Code § 63-602NN:*** Mr. Neighbors explained their plan for remodeling and moving forward with their business. They anticipate starting the remodel/construction in March or April. Ms. Ineck explained that this project went thru the tax reimbursement incentive program thru the Department of Commerce so there is significant investment anticipated with about 64 new jobs by 2020 and continuing to grow in future years. Mr. Cox said the main reason the county is in favor of this company is that it diversifies the tax base by adding another type of industry with different educational requirements. Mr. Goodsell said the county has received a letter from NXEdge accepting the terms and conditions of the draft resolution. This is a straight 75% exemption as it falls under the previous ordinance. Letters were sent to the other taxing districts notifying them of this meeting but no one was in attendance to offer comment. Joe Cox clarified that the land and the building will remain fully taxable, this exemption is just for the improvements. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution granting NXEdge Inc. a tax exemption pursuant to Idaho Code §63-602NN (see resolution no. 18-203).

***Consider signing grant application to State Historic Preservation Office for rural landscape and agricultural resources survey:*** Director Schwend spoke about when she first became the Parks Director she applied to the State Historic Preservation Office to complete a Canyon County Preservation Plan to guide herself and the Historic Preservation Commission as to what they can do to line out the next 10 years and see what items should

be prioritized. A large part of that was a survey where citizens were able to give input as to how they wanted to see the time and money invested. Last September the Preservation Plan was completed which outlined a number of goals. This grant application is along the same lines as the Preservation Plan which is thru the State Historic Preservation Office and each year receives National Park funding. They get about \$70,000 for the entire state of Idaho to distribute to certified local governments. During the process for the Preservation Plan it was found that all the Historic Preservation grants that are dispersed each year qualify as match for these grants. Director Schwend has been working with Pete L'Orange at the State Historic Preservation Office to figure out a way to move this forward. This Rural Landscapes and Agricultural Resources Survey was one of the direct ones that the Preservation Plan listed as a priority action item. After reviewing all of them in the Preservation Plan it kind of made sense to move forward with this one as we're seeing unprecedented growth in the county with the agricultural land and resources slowly dwindling. This one seemed to be a natural priority to have that surveyed as quickly as possible which will also highlight which properties are eligible for the National Register since Canyon County hasn't had a new National Register listing since the 70's and it could result in further heritage tourism and bring more attention. The request amount being applied for is \$17,000 with \$73,774 in match. Zach Wesley said this is the initial grant phase, it is federal money so there will be an agreement at some point if the grant is awarded. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the grant application to the State Historic Preservation Office for rural landscape and agricultural resources survey.

***Consider signing settlement agreement with Selkirk, LLC:*** Brad Goodsell explained that Selkirk is a local business that the County has had a dispute with over property tax valuations for a while now. Currently there are two years, 2017 and 2018 that were appealed to the District Court and are currently pending. Mr. Goodsell said the County has been working diligently with their counsel and the Assessor's Office and all parties have approved of this settlement agreement. Not only will this agreement settle the two District Court cases related to the 2017 and 2018 tax years it also put into place a methodology for valuation for 2019, 2020 and 2021. After 2021 either party can opt out of this methodology but until then we won't have any disputes with Selkirk. Since the District Court cases name the Board of County Commissioners and the Assessor all the parties have to sign off on the agreement; at this point both Selkirk and the Assessor have signed off on the agreement. Once the Board signs the settlement agreement the documents dismissing the District Court cases will be executed and filed. Commissioner Dale made a motion to sign the settlement agreement with Selkirk, LLC. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 18-204).

***Consider approving annexation of parcels to Upper Deer Flat Fire Protection District:*** Mr. Goodsell said the fire district submitted a request to the Commissioners to certify their annexation of certain properties into their district. The document has been reviewed by the Assessor's Office and all parcels meet the requirements for annexation. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the annexation of parcels to Upper Deer Flat Fire Protection District. A copy of this

document is on file with this day's minute entry and recorded as instrument no. 2018-057171.

***Consider signing Idaho Office of Emergency Management 2017 grant adjustment for Canyon County:*** Lt. Schorzman said this is additional funding at the end of the grant year. At the end of the year they look for extra projects and since Canyon County had expended all of the original money was expended we were granted some extra funds. Two projects were funded with the original monies – Lt. Schorzman's salary and benefits and a couple of contracts with Motorola. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Idaho Office of Emergency Management 2017 grant adjustment for Canyon County (see agreement no. 18-203).

As part of the legal staff update Brad Goodsell presented the Board with a letter to six taxing districts notifying them of a meeting on January 7, 2019 to consider a property tax exemption for Fiberguide. The letter was considered as a ministerial matter and a copy is on file with this day's minutes.

**EXECUTIVE SESSION – PERSONNEL MATTER AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION**

*A request was made to go into Executive Session to discuss a personnel matter and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

**PUBLIC HEARING – REZONE REQUEST BY PAUL AND DIANA SLEIGHT, CASE NO. RZ2018-0022**

The Board met today at 10:08 a.m. to conduct a public hearing in the matter of a request by Paul and Diana Sleight for a rezone from "R-R" rural residential to "R-1" single family residential, Case No. RZ2018-0022. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Paul Sleight, LaDelle Stephenson, Andrew Castagneto, Renee Davis, Dave Dykstra, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report for the property which is located at 840 Sage Creek Road in Nampa. The result of the rezone would allow the applicant to obtain an administrative land division. Anything created prior to September 6, 1979 has an eligible split as long as it meets the lot

size. Rural residential zoning is a two-acre minimum and the subject property is only a 3.34 acre site so the applicant needs the rezone to get the land division. The R-1 single family zone is a one-acre minimum so this technically could allow a split up to three residential lots but based on the request of the land division afterwards, and if they did want a third lot, it would require platting and improvements through the City of Nampa so more than likely it will stay that land division. The surrounding area is rural residential and within 300 feet the average lot size is 1.4 acres. The parcel is 2,000 feet south of the Nampa city limits where the zoning is 6,000 square foot lots. The future land use is showing residential through the whole area, and the City of Nampa's future land use plan is showing medium-density residential which is usually 4-9 units per acre. The P&Z Commission recommended approval of the request, however, there was a concern that the area has conditions, covenants and restrictions (CC&R's) that predate our ordinance. There were also concerns about access to the site. There is a subdivision with smaller lot sizes mixed in with larger sizes sandwiched in between it. The access was reviewed by the agencies and there were no concerns with it being a shared access. Mr. Lister said if the property were located in the city limits it wouldn't need to be rezoned, it would be allowed as a land division in its current configuration. If the rezone request is denied the applicant can get a secondary dwelling in the back without going through an approval process so this doesn't really change the amount of housing except they can get a split with this rezone. Commissioner Dale said as he understands it the only difference is that this would allow Mr. Sleight to sell both portions separately, but without the rezone he would have to sell them together as one property. With the rezone he could have two lots and he could sell one and without he could build another house, but he'd have to sell both houses on the same lot. Paul Sleight testified he has lived on the property for nearly 15 years and he knew there were CC&R's when he purchased it but he was told they were no longer valid because people had been splitting their properties and not adhering to the two-acre minimum requirement. He wants to keep the parcels at 1.7 acres and said it will be a onetime split. His current house is 4,500 square feet and now that he's an empty-nester he wants to sell it and build his dream home on the back of the property. He doesn't anticipate additional traffic that will be noticeable and the impact to the area will be minimal. Andrew Castagneto lives to the east of the applicant and said the previous splits that occurred have access to a main road, Sunny Ridge Road. He's concerned the rezone will create piece-meal development in the neighborhood and will change the estate-style character of the area. Mr. Castagneto said he could potentially do something similar to his property and make a profit but he wants to avoid having a lot of houses coming resulting from multiple splits. Renee Davis testified that she and her husband live across the street from Mr. Castagneto and they purchased in this area because they were seeking a retirement property that was family-friendly that had space around it that would allow them to raise a garden and fruit trees. She said there are plenty of subdivisions in the area that have smaller lots that would accommodate what Mr. Sleight wishes to do. She said the CC&R's should be adhered to and she believes the request will compromise the integrity of the development and set a precedent for others to do the same thing which will be a detriment to the subdivision. Dave Dykstra said he purchased his property 20 years ago because the CC&R's from 1957 said all lots had to be a minimum of two acres. His concern is that this will result in spot zoning and it could affect the value as far as resale on the rest of the properties on that street. He questioned the notification process as he didn't receive notice of the hearing. Mr. Lister said with a neighborhood meeting there is a 600-foot radius for notification and

then a 300-foot radius for noticing for agencies and property owners. Mr. Dykstra said that would only include about two lots on each side so very few people received notice. During rebuttal Mr. Sleight said there are 10 properties that are over two acres and the others in the area range from .75 to 1.00 acre so he we won't be taking away anybody's advantages of living in the area. He mailed a letter to the property owners within 600 feet regarding a meeting at his house, and, the County provided notification of the hearing so he's not sure how Mr. Dykstra didn't know about it. He doesn't want to cause problems with his neighbors he just wants to build a house. He's had a hard time selling his house because it's huge and so it's going to take someone with a high income and a lot of children as well as a desire to take care of four acres. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner Dale asked how CC&R's were created for a subdivision that wasn't platted. Mr. Lister said it was a private agreement between the original landowners and so it's not a County issue, it's between the neighbors. Commissioner Dale said the substantive difference between rezoning or not rezoning is the ability to have two lots instead of one, but the actual building of a secondary house could occur anyway and it could be full house, not just a mother-in-law apartment. Mr. Lister said the only restriction is that the owner lives on site, he'd be able to utilize the secondary dwelling. Commissioner White said regardless of the Board's vote another house can be built there. Commissioner Dale said the average lot size across Sage Creek Road is less than one acre so the applicant's request is almost double at 1.7 acres and once a house is built it can't be split again because you'd have to have a one-acre minimum and between the two parcels there wouldn't be that possibility plus they'd have to do the platting which is expensive. He understands there are larger properties to the southeast where Mr. Dykstra and Mr. Castagneto are but he doesn't think one more house will impact their quality of life nor is there a compatibility issue at stake. Commissioner White said for many people their property is their retirement/savings account so it's difficult to tell someone they cannot do something with their property. Director Nilsson said there was one-acre zoning in this area but the zoning ordinance changed it to a two-acre minimum. Commissioner White would like to have a development agreement that restricts it to 1.7 acres. Commissioner Dale said he appreciates the neighbors not wanting high density, but 1.7 acres is not high density and he's leaning toward approval because he doesn't think the rezone will impact the quality of life out there particularly given the fact that another house could be built out there with no restrictions on size. The only thing this changes is it allows one of the parcels to be sold separate from the other, or, at some point the applicant could sell them both. Director Nilsson said if the Board wants a development agreement the process would be to continue the hearing and have the applicant apply for a development agreement and it would require a recommendation from the P&Z Commission and then it would have to come back to the Board. The process would take a minimum of 2 months. Mr. Sleight said he hasn't surveyed the property to know if it's 1.7 acres, and although he doesn't want to go through another process he is willing to "jump through the hoops." Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to January 7 at 10:00 a.m. for an update on the status of the development agreement. The public hearing is closed but it will be a continuance of the decision and hearing. The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 20, 2018

PRESENT: Commissioner Tom Dale, Chairman  
Commissioner Pam White  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/19/18

The Board of Commissioners approved payment of County claims in the amount of \$56,581.50 for accounts payable.

FILE IN MINUTES

The Board filed Fleet Management Commuter Vehicle Authorization forms for David Richard and Eric Jensen in today's minutes.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Business Interiors of Idaho in the amount of \$2539.00 for the Clerk's Office

MEETING WITH COUNTY ATTORNEYS, DEVELOPMENT SERVICES STAFF AND INDIGENT SERVICES STAFF TO CONSIDER ACTION ITEMS

The Board met today at 9:32 a.m. with county attorneys, development services and indigent services staff to consider action items. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas left at 9:36 a.m., Hearing Manager Kellie George left at 9:36 a.m., Director of DSD Tricia Nilsson left at 9:38 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell left at 9:46 a.m., Controller Zach Wagoner left at 9:46 a.m., Executive Assistant Taryn Peterson, Jill Farwell with Title One, Deputy P.A. Zach Wesley arrived at 9:40 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider approval/denial of indigent decisions:*** The following cases do not meet the eligibility criteria for county assistance: 2019-124, 2019-127, 2019-140, 2019-76, 2019-0126, 2019-16, 2019-136, 2019-132, 2019-129, 2019-125, 2019-123, 2019-128, 2019-230, 2019-231, 2019-131, 2019-149, 2019-130, 2109-109 and 2019-134. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to



issue initial denials with written decisions within 30 days for the cases just read into the record.

Case nos. 2019-87 and 2019-288 (cremation) meet the eligibility criteria for county assistance. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue initial approvals with written decisions within 30 days for the cases as read into the record.

A correction was made to the continuation of case no. 2018-1390. Commissioner White made a motion to amend the continuation date to move the hearing from February 7, 2019 to January 24, 2019. The motion was seconded by Commissioner Dale and carried unanimously.

***Meeting with Development Services staff to consider approval/denial for a refund request for a building permit fee to Beau Bonds; Case No. BP2018-0443:*** Director Nilsson said Mr. Bonds decided against the project he was planning and has withdrawn his application. Development Services staff is recommending a refund of \$1415. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution issuing a refund to Beau Bonds for a building permit fee (see resolution no. 18-204).

***Execute closing documents related to the previously approved purchase of real property located at 1218 Albany Street, Caldwell, ID:*** Brad Goodsell said this really is just a ministerial matter as the Board has already approved the purchase. There were three conditions put forth in the purchase and sale agreement: obtain an acceptable level 1 environment assessment, obtain an appraisal showing the market value in excess of the purchase price or equal to and that the property be vacant. At this time all the conditions have been met so we're ready to close. The fully executed documents will be sent from the title company to Mr. Goodsell.

***Consider signing court interpreter independent contractor agreement with Adrian Florian:*** This contract is for a Romanian interpreter for an upcoming trial. The lists have been checked and there are no certified, conditionally approved or registered interpreters who provide Romanian interpretation in Idaho. This individual is registered by the Washington court system and the Washington Department of Health and Welfare. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the court interpreter independent contractor agreement with Adrian Florian (see agreement no. 18-205).

**EXECUTIVE SESSION – RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION REGARDING EXEMPT DOCUMENTS AND TO COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS**

*A request was made to go into Executive Session to discuss records that are exempt from public disclosure and attorney-client communication regarding exempt documents and to*

*communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 9:49 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONTINUE THE PUBLIC HEARING OF THE REQUEST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC; CASE NO. OR2018-000

The Board met today at 10:01 a.m. to continue the public hearing of the request for a comprehensive plan map amendment and rezone request by Karcher Farm, LLC and SS Karcher, LLC; Case no. OR2018-000. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Attorney Todd Lakey and Deputy Clerk Jenen Ross. Jennifer Almeida stated that in order to have the full Board present it has been requested that the hearing be moved to January 10, 2019. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to continue the case to January 10, 2019 at 1:30 p.m. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS POTENTIAL MAY 2019 JAIL BOND ELECTION INFORMATIONAL CAMPAIGN WITH YSABEL BILBAO

The Board met today at 2:13 p.m. to discuss the potential May 2019 jail bond election informational campaign with Ysabel Bilbao. Present were: Commissioners Tom Dale and Pam White, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Ysabel Bilbao, Ron Harriman, Larry Olmstead, other interested citizens, and Deputy Clerk Monica Reeves. Because a civil attorney was not able to attend today's meeting the Board decided to reschedule it to January 2, 2019 at 10:00 a.m. The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 21, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 27, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 28, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule – out of the office  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

DECEMBER 2018 TERM  
CALDWELL, IDAHO DECEMBER 31, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office  
Commissioner Pam White – out of the office  
Commissioner Steve Rule  
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

THE MINUTES OF THE FISCAL TERM OF DECEMBER 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 21<sup>st</sup> day of February, 2019

CANYON COUNTY BOARD OF COMMISSIONERS  
Commissioner Tom Dale  
Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk  
By: Jenen Ross, Deputy Clerk