

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 2, 2019

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

APPROVED CLAIMS ORDER NO. 1907

The Board of Commissioners approved payment of County claims in the amount of \$1,600,466.17 for a County payroll.

APPROVED CLAIMS ORDER NO. 01/10/19

The Board of Commissioners approved payment of County claims in the amount of \$107,097.02, \$188,848.55, \$114,419.24 and \$106,670.63 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Alexander Clark Printing in the amount of \$1777.41 for the Sheriff's Office
- Priority Dispatch Corp. in the amount of \$1700.00 for the Sheriff's Office
- Hess Construction in the amount of \$5660.00 for the Facilities department
- Paradise Excavation and Construction in the amount of \$20,037.00 for the Facilities department
- Smart Deploy in the amount of \$5200.00 for the Information Technology department
- ESRI, Inc. in the amount of \$11,250.00 for the Information Technology department
- Six States in the amount of \$3492.93 for the Solid Waste department

CONSIDER MEMORANDUM OF AGREEMENT WITH OREGON SOCIAL LEARNING CENTER FOR SUBSTANCE ABUSE RESEARCH IN CANYON COUNTY

The Board met this morning at 9:03 a.m. to consider signing a memorandum of agreement with the Oregon Social Learning Center for substance abuse research in Canyon County. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy PA Zach Wesley, Chief Probation Officer Elda Catalano, and Deputy Clerk Monica Reeves. Ms. Catalano said a couple of years ago the Oregon Social Learning Center approached her about a study they were doing on implementing contingency management practice for juvenile substance

abuse. The approach was developed for clinicians who deliver direct services to youth but the clinicians declined to use it and so the center reached out to the State of Idaho and multiple probation departments to utilize the approach to see if we can be more successful in managing juveniles with substance abuse issues. At that time Ms. Catalano declined to participate because of the number of things that were happening in Canyon County, but the center approached her again and now there are multiple counties who are using it and they've seen a lot of success with getting the juveniles out of the system using this specific approach so she re-visited the research and talked to leadership and determined this would be a good time to participate. The center will provide training to the probation officers to apply the contingency management and they will pay Canyon County for every participating probation officer and every juvenile who participates in the program. Commissioner Rule asked what kind of time commitment is involved. Ms. Catalano said for the juvenile it's for the duration of their court involvement so it could be six months, and for the employee it would be two hours per month for one year. It's a very structured study and the approach probation officers take are already a part of their job. She's talked with the Controller, Zach Wagoner, about it and there will be approved two budget items, one for revenue and the other to account for the spending. It'd be structured not only with the money but with the time each employee spends on the project. Commissioner White asked for information on how the compensation will be handled. Ms. Catalano explained that the proposal is for every probation officer that participates the center will give the County \$250 per year and she has six employees who will participate. For any juvenile that is referred and accepted into the program the County will receive \$425. The families will be compensated directly by the center; they are trying to incentivize them by giving up to \$150 for their time. Parents are already required to be present for all visits with their children, the department is just using a different methodology in tracking that for this research program. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the memorandum of agreement for substance abuse research in Canyon County. (See Agreement No. 19-001.) Zach Wesley said the agreement with the nonprofit provides that they indemnify the County and maintain and provide proof of insurance. As he understands it the funds trickle down from a federal grant and so the payments have to be accounted for and spent on services and so an accounting process will be established with the Controller. The other potential legal concern was the information that would be released from the juveniles and so the agreement requires the families to sign a release for their information and participation in the study. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER CASUALTY LOSS APPLICATIONS UNDER IDAHO CODE §63-711 (CANCELLATION OF TAXES) FOR BHANU PALADUGU AND FOR NICOLE FIVECOAT

The Board met today at 9:32 a.m. to consider casualty loss applications under Idaho Code §63-711(cancellation of taxes) for Bhanu Paladugu and Nicole Fivecoat. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy PA Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Deputy Treasurer Tonya May, and Deputy Clerk Monica Reeves. Tonya May reported that the Assessor's Office has worked out the differences in value of \$49,900 that would be

cancelled from the Paladugu property, and the amount of property taxes that reflects is \$880.14. Assessor Stender said they are not assessing value to the structure for this year, and since the home is under construction they will remove it from the tax roll and then when it's occupied they will put it on the occupancy roll from whenever they move in until the end of 2019. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to grant the casualty loss application for Bhanu Paladugu, Parcel No. 32103282 0. Ms. May reported that the Fivecoat application is for a manufactured home and a value of \$1,150 was written off due to casualty loss and the amount of property taxes that is reflected with that value is \$21.93. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to grant the casualty loss application for Nicole Lee Walker Fivecoat, Parcel No. 7271500 0. The meeting concluded at 9:36 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 - ACTION ITEM: CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR JAIL BOND ELECTION COMMUNICATION AND OUTREACH COORDINATOR

The Board met today at 10:02 a.m. to discuss the potential May 2019 jail bond election informational campaign with Ysabel Bilbao. Today's action item includes the possible signing of the independent contractor agreement for a jail bond election communication and outreach coordinator. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Ysabel Bilbao, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Facilities Director Paul Navarro, Controller Zach Wagoner, PIO Joe Decker, Assessor Brian Stender, Nicole Foy from the Idaho Press-Tribune, Larry Olmstead, other interested persons, and Deputy Clerk Monica Reeves. Sam Laugheed said although no particular process was required, on December 6, 2018 the Board issued a solicitation of interest to persons who might be interested in providing this service and they received several different proposals on December 13, and on December 17 the Board met with its internal stakeholders and advised the proposers of an intent to contract with Ysabel Bilbao. A meeting was scheduled for December 20, but it was continued to today. Mr. Laugheed reviewed the contract noting it is based on the County's standard independent contractor agreement and starts with the general recitations and incorporates a scope of work which is subject to additions and deletions and other revisions that might be mutually acceptable. No change resulting in an extension of the contract term or in an increase of the fee can happen unless there's a written amendment to the agreement so if something comes up in the course of the contract where its believed that additional services are necessary, or the fee will increase, we will have to do an amendment to the contract and come back for it to be executed publicly. The compensation is as set forth in Ms. Bilbao's December 13th proposal of \$3500 per month, which does not include expenses. It's important the parties understand the compensation fee does not include the cost of materials such as printing, postage, domain hosting, etc., and although some of things can be done in-house, we would expect such items to be billed separately. We anticipate there being costs on top of the contractor's fee but those items would have to be identified and approved by the Board

before they are ordered. The contract doesn't give the contractor any authority to speak on behalf of the Board or any other elected official. It empowers the contractor to come up with ideas and messaging and run them through the Board and the other stakeholders for approval and that would extend to things like talking to employees and giving advice. There is the standard language agreeing that the contractor is not an employee. It's important to make sure the contractor is aware of the Public Integrity in Elections Act that prevents elected officials and public entities from expending money for things other than the neutral encouragement of voting. It would be in the contractor's interest to make sure the Board and stakeholders agree about what the messaging is, it has to be neutral and educational, not advocacy. Exhibit A to the contract is the general scope of work framed in terms of minimum requirements. Generally we want the consultant to coordinate the communication between the preliminary A & E team, DLR, bond counsel, and our municipal finance advisor and the County. There are two phases: 1) planning and development, and 2) the outreach. Sheriff Donahue said it's very clear that Ms. Bilbao's fee of \$3500 does not include the cost of the educational program if we go with mailers or those types of expenses, that would be a separate cost to the County and only upon approval by the Board. Commissioner Dale said the Board is looking for Ms. Bilbao's professional and expert help in communicating to the public the need, the plans, and the different options on financing, and he's hoping to have town hall meetings and a working group to help communicate the message and the proposal that's being worked on. It would be led by a citizens group. Ms. Bilbao said she did not have the working group included in her scope of work. Mr. Laugheed said in the scope of work she is asked to help identify key groups and help arrange speaking engagements and during the outreach to host or lead those engagements and to work with whatever volunteer community group is created, not to be instrumental in forming it but to be available to talk with. Commissioner Rule asked if there is a budget or a not-to-exceed number for media advertising and printing costs. Ms. Bilbao said we need to address that. When talking about direct mail or any sort of social media advertising for effective campaigns it takes multiple pieces of mailers and we need to be aware that there are costs to that. The non-air media consists of working with local media on answering reporter questions, getting stories out that need to be told, and making sure the local media is able to tell the story in newspapers, radio or television. There is a mailing component and some advertising buys and those are the pieces that need to be done at an additional cost. Commissioner Rule is concerned about the potential costs of that. Zach Wagoner said under the original agreement with DLR there was an outreach component and \$30,000 remains under that agreement. Commissioner Dale said part of what we're doing with this contract is to understand the cost of a campaign and to look at options of what can be done through social media, the "earn" media, etc., and then through Ms. Bilbao's expertise and guidance we can develop what would be needed. What we would get from her is the potential budget for going beyond the "free stuff." Sheriff Donahue agreed and said he sees Ms. Bilbao helping create that strategy and helping to identify what the costs would be and so she'll have to sit down with the stakeholders and figure out what the best approach is. At an earlier meeting we talked about the \$30,000 that was still available from the DLR contract and an amount of \$50,000 was mentioned and he wants to know if that includes the \$30,000 amount. Mr. Wagoner said it does and if we do not spend the \$30,000 with DLR it would be expending the total of \$50,000 for the outreach and communication. Ms. Bilbao said there are a lot of residents and to get mailers out there will be additional costs involved. Commissioner Dale said that's part of what we'll be

discussing in the initial phases of the contract to figure out what we want to do and how much will work and that's part of what we can discuss today because we don't have that information. Controller Wagoner asked if Ms. Bilbao has a ballpark estimate of what we could be spending on mailers. She said it depends on how many mailers we send out but until we know how many we want to send she doesn't want to guess and mislead anyone. Mr. Laugheed said these are the things that were contemplated in the scope of work as first the development of an educational informational campaign and then an outreach deployment plan and both of those have to have the Board's approval and so it would be developing this plan and developing what it would look like going out whether it's billboards, television, etc. Ms. Bilbao agreed. Commissioner White made a motion to sign the independent contractor agreement for the jail bond election communication and outreach coordinator. The motion was seconded by Commissioner Dale. During discussion Commissioner Rule said his position has not changed and he is not in favor of spending more money on a \$170M jail bond that he doesn't believe will pass. Commissioner Dale said we have known about this need for 15 years and there have been attempts to address the need through three other jail bonds. We only have one tool available and that's through a bond on the property taxes, it's the only tool the legislature allows us to employ. We need to utilize that tool to its maximum effect and in order to do that we need to engage in an extensive educational process to let the people know this need is not going away. The longer we wait the greater the need and the longer we wait the more expensive addressing that need becomes. The motion carried by two-to-one split vote with Commissioner Rule casting the dissenting vote. Ms. Bilbao signed the contract. (See Agreement No. 19-002). The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 3, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Soda Stop to be used 1/11/19 for an employee appreciation banquet.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Plumbmaster in the amount of \$1698.88 for the Facilities department

INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Steve Rule, Pam White, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Indigent Case Manager Angela Papa, and Deputy Clerk Monica Reeves. The following cases do not meet eligibility criteria for County assistance: Case No. 2019-0193, 2019-0099, 2019-0220, 2019-0154, 2019-0160, 2019-0106, 2019-0290, 2019-0197, 2019-0158, 2019-0276, 2019-0116, 2019-0195, 2019-0182, 2019-0263, and 2019-0244. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to issue denials with written decisions 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. 2019-184. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1513

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for Case No. 2018-1513. 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 Angela Papa, Julie Wood from Saint Alphonsus, the applicant and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to deny Case No. 2018-1513. The hearing concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1111

The Board met today at 9:17 a.m. to conduct a medical indigency hearing for Case No. 2018-1111. 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 Angela Papa, Julie Wood from Saint Alphonsus, the applicant and her sister, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to place Case No. 2018-1111 in suspension. The hearing concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1439

The Board met today at 9:37 a.m. to conduct a medical indigency hearing for Case No. 2018-1439. 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 Angela Papa, Attorney Mark Peterson, the applicant and her daughter-in-law, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and second by Commissioner Rule

the Board voted unanimously to place Case No. 2018-1439 in suspension. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 9:52 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Hearing Specialist Kellie George, Indigent Case Manager Angela Papa, and Deputy Clerk Monica Reeves. Neither the applicant nor the hospital appeared to dispute the denial so Ms. George asked the Board to issue a final decision on several cases. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final denials with a written decision to be issued within 30 days for the following cases: Case Nos. 2018-1496, 2018-1428, 2018-1429, 2018-1473, 2018-1380, 2018-1397, 2018-1460, 2018-1482, 2019-0004, 2018-1376, and 2018-1470. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to place Case No. 2018-1363 in suspension pending the resource that would give the applicant linkage to retro-Medicaid. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to issue an amended final approval on Case No. 2018-1289. The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 10:08 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 Monica Reeves. There was discussion regarding an Idaho Human Rights Commission complaint that was sent to Commissioner White. The letter is dated December 13, 2018 but it was not stamped by office staff until January 2, 2019. It cannot be confirmed when the letter arrived at the Commissioners' Office for certain but it is possible it could have been delayed during the Christmas mail rush. It's also possible that the letter, which came to Commissioner White's attention, was placed in her office and wasn't opened until after the holiday. Mr. Wesley said the County is still within the response time and the matter has been tendered to ICRMP for response. He said they can also inform the Human Rights Council of the proper contact information for the Board of Commissioners. There were no other items for discussion. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 4, 2019

PRESENT: Commissioner Tom Dale, Chair
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):

- Data Bank in the amount of \$8815.00 for the Information Technology department
- Premier Wireless Solutions in the amount of \$10,840.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 1/10/18

The Board of Commissioners approved payment of County claims in the amount of \$100,834.10 and \$26,508.10 for accounts payable.

CONSIDER SIGNING RESOLUTION GRANTING A PROPERTY TAX EXEMPTION TO CORDOVA, LLC, PURSUANT TO IDAHO CODE, SECTION 63-602NN

The Board met today at 9:04 a.m. to consider signing a resolution granting a property tax exemption pursuant to Idaho Code, Section 63-602NN. Present were: Commissioners Tom Dale and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, Nampa Economic Development Director Beth Ineck, Doug McMaster and James Smiley from Cordova, Nicole Foy from the Idaho Press-Tribune, Larry Olmsted, and Deputy Clerk Monica Reeves. Beth Ineck said the Mayor of the City of Nampa submitted a letter of support encouraging the Board to grant the exemption to Cordova which is a high-tech cooler business that is relocating its manufacturing business from the Midwest to Nampa, Idaho. The company first had a presence in early 2017 and toward the end of 2017 Scott Campbell, who was a previous owner, he was looking at transitioning their manufacturing facilities from being outsourced in the Midwest and moving them to Nampa. She thought they had applied for the property tax exemption but when she met with James Smiley this fall she realized they had not gone through that process. Cordova made the decision in early 2018 to move forward in Nampa. Commissioner Dale said one of the key questions that must be answered is without this incentive would Cordova have located somewhere else. It is an incentive to encourage businesses to locate here, not something a business gets after they've already decided to come here. James Smiley said it did have an impact on the businesses decision to come to Canyon County. Most of the expertise in the cooler business is in Ohio and Minnesota, so it's a new technology in concept they are bringing to the local market. They are one of a few businesses that manufacture and sell their own product but they do not have expertise with the roto-molding so they have to invest in a lot of education. They have created 39 fulltime positions and the average wage is over \$40,000. Commissioner Dale said the ordinance outlines the levels of exemption qualifications and this one is a 50% exemption. Joe Cox said when they analyzed it and talked

to management they determined that it is more of an existing business and the exemption would apply to their expansion and the equipment that would expand in it. The County's looking favorably upon this exemption because it creates additional diversification to the tax base and the employment base. Historically the County has recruited more of food processing industries so this gives us better diversification. Brad Goodsell said a draft resolution has been prepared which assumes the Board is going to find that all the requirements have been met for the exemption, but it's up to the Board to determine whether those requirements have been met, including whether the project produces significant economic benefits to the County. Also, Cordova has reviewed the proposed resolution and sent a letter agreeing to the terms and conditions of the resolution. A letter was sent to all taxing districts that are affected by this exemption on December 14, 2018 notifying them of today's hearing and their opportunity to provide input. It was noted that no representatives from the taxing districts were present. Doug McMaster said they are looking to double by early June of this year. They have the ability to take that to a 24-hour facility but right now they're getting their capacity and making sales. They competed nationally to become the official cooler of the NRA which was previously held by Yeti and so that takes them from a startup company to being in the top three and it's opened other markets for them. They have sales in 48 states and are on Amazon and they work through distributors. We have tried to partner with local businesses such as Sportsman's Warehouse and Albertsons. Some of their parts are made overseas but they want to do it locally. Currently they can manufacture with a robotic machine but they won't be able to keep up with demand so they have worked with businesses in Nampa and other parts of the Treasure Valley to have local sources. They have been involved with Mission Aviation to partner with disaster relief in Africa, Syria, and Indonesia so they've been a good community partner on the business side and the civic side. Commissioner Dale said the affected taxing districts have been notified and have not indicated there's any negative impact to the granting of this exemption. We are going to receive 50% of whatever the investment is as far as the taxable value for the next five years and then after that 100% which is a win for the City of Nampa, the Vallivue School District and the County. Mr. Smiley said their expansion isn't done. They have \$3 million of infrastructure that needs to be built in the next 18 months in terms of "sticks and bricks" and machinery. Commissioner Dale said they most likely won't qualify for exemptions because they have to stand on their own. Commissioner Rule wants this item continued to a later date when all three Commissioners are present to make a decision and so he made a motion to continue the meeting to Monday January 7, 2019 at 9:30 a.m. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER JANUARY 4, 2019 AGENDA ITEMS

The Board met today at 9:34 a.m. to consider the January 4, 2019 agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Chief Civil Deputy P.A. Sam Laugheed, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider ratifying the re-recording of Annexation of Parcels to Upper Deer Flat Fire Protection District: Brad Goodsell said this is an effort to clean up the record on the Board's approval of the order of annexation for the Upper Deer Flat Fire Protection District. There was an application from the district to annex some properties and the Board signed that order of annexation on December 19, 2018 and it was recorded but a few days later it came to our attention that we neglected to attach a map showing the parcels which is required by the tax commission. Because the order needed to be recorded before the end of the year the map was attached to the Board's previous order and it recorded in order to meet the requirements of the tax commission so now we need to ratify the fact that the map was attached and the order was re-recorded. It needs to be a part of the record so that the Board has the appropriate copy of the order that's been recorded. Upon the motion of Commissioner Rule and the second by Commissioner Dale, the Board voted unanimously to ratify the re-recording of the order with the map. Mr. Goodsell said the Board doesn't need to sign anything today.

Consider signing Resolution Designating Surplus Personal Property with Nominal Value: This item will be rescheduled when Commissioner Pam White is available.

The meeting concluded at 9:36 a.m. An audio recording is on file in the Commissioners' Office.

COUNTY ASSESSOR TO REPORT ON BOARD OF EQUALIZATION MATTERS

The Board met today at 9:36 a.m. for the County Assessor to report on Board of Equalization matters. Present were: Commissioners Tom Dale and Steve Rule, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. Assessor Stender said this year there are zero supplemental appeals that need to come before the Board of Equalization so that expedites the process immensely. The next step will be for the Assessor and the Clerk to sign the abstract and forward it to the state of Idaho. The occupancy value for the supplemental roll was roughly \$133 million of newly built houses and buildings during 2018, and we also had \$49 million on the missed and transient rolls. Those values are substantially higher than the last several years, probably 300% to 400% from five years ago. No Board action was required or taken on this subject. The meeting concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 7, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Paradise Excavation and Construction in the amount of \$6404.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 1/10/19

The Board of Commissioners approved payment of County claims in the amount of \$188,123.60 and \$69,376.69 for accounts payable.

CONSIDER JANUARY 7, 2019 AGENDA ITEMS

The Board met today at 9:06 a.m. to consider the items that were scheduled for 9:00 a.m. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Assessor Brian Stender, John Grady and Patricia Seniw from Fiberguide Industries, and Deputy Clerk Monica Reeves. The following items were considered: a resolution granting a tax exemption to Fiberguide Industries; a resolution designating surplus personal property with nominal value; and a settlement agreement between Canyon County and Sorrento Lactalis. Following comments, it was decided to postpone the items for a few minutes until Commissioner Pam White arrives. The meeting concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER JANUARY 7, 2019 AGENDA ITEMS

The Board went on the record at 9:11 a.m. for a legal staff update and to consider the January 7, 2019 agenda items. Present were: Commissioners Tom Dale and Steve Rule, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Assessor Brian Stender, John Grady and Patricia Seniw from Fiberguide Industries, IT Director Greg Rast, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider Resolution Granting Fiberguide Industries, Inc. a Tax Exemption Pursuant to Idaho Code §63-602NN: Brad Goodsell said the Board previously met with Fiberguide Industries to discuss their plans for expansion where they were considering two locations, Canyon County and New Jersey. A draft resolution has been prepared that would grant a 50% exemption for five years for the expansion and the amount of the exemption would not exceed \$3.9 million per year in property value. Fiberguide has submitted a letter where they agree to the terms and conditions set forth in the resolution. Notice was sent to taxing districts informing them of today's meeting to consider the resolution; however, no representatives from the affected districts were present. John Grady said the company hopes to deploy \$6 million in capital equipment and \$1.8M in building improvements. Patricia Seniw said this is an opportunity to help diversify the County. The company is in fiber optics and photonics which is a huge growth area and enabler for technology growth in general so

they would prefer to do the expansion in Canyon County rather than New Jersey because there is a good source of future employees. The company has been at the East Linden Street site since the year 2000. The exemption tool was a huge part of their decision to choose Idaho. Commissioner Rule made a motion to sign the resolution for a property tax exemption for Fiberguide Industries pursuant to Idaho Code §63-602NN. The motion was seconded by Commissioner White and carried unanimously. (See Resolution 19-002).

Consider Resolution Designating Surplus Personal Property with Nominal Value: Dan Blocksom said the resolution is in regards to a 2016 cell phone and a 2014 laptop and it will take the equipment off the County dole and dispose of it as the Board sees fit. The values listed are what they would reasonably sell for if brand new. Greg Rast said the value fits within the surplus realm and even if we get the equipment back we're probably not going to repurpose it. The laptop, if in excellent condition, would be valued at \$275 but he doesn't expect it to be in excellent condition, and the maximum value of the cell phone is \$229, which is under the \$250 threshold. He has no problem with turning the equipment over. Commissioner Dale said the resolution doesn't say what the ultimate disposition is, which is to give the equipment to Commissioner Rule. Mr. Blocksom, who did not prepare the resolution, said he isn't sure why that wasn't included but there are two ways to handle it: we can either revise the resolution to state that, or the Board can do it by motion after signing the resolution, but the important part is declaring the property as surplus first. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the resolution designating surplus personal property with nominal value. (See Resolution No. 19-003.) Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to offer the surplus property to Commissioner Rule for his use.

Consider Settlement Agreement with Sorrento Lactalis: Mr. Blocksom requested the Board go into Executive Session pursuant to Idaho Code, Section 74-206(1)(d) and (f).

EXECUTIVE SESSION – 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 9:24 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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. Dan Blocksom, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Assessor's Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:36 a.m.

While in open session Commissioner Dale said no votes were taken during the Executive Session. The Board has a potential action item which is to consider signing the settlement agreement between Sorrento Lactalis and Canyon County. Mr. Blocksom said this is a settlement agreement for litigation for Case Nos. CV14-18-04698 and CV14-18-08414. Both cases stem from a difference in opinion between the County and Sorrento Lactalis as to the value of their plant in Nampa. The Prosecutor's Office and the Assessor's Office have spent a

great deal of time working on the case and have reached an agreement with Sorrento Lactalis to set the appraised value of the property for 2017, 2018 and 2019, subject to any modifications that might happen. This agreement would set that at \$45 million and if the Board is inclined to approve the agreement he suggests they approve it in its form. He will obtain a signed copy from Sorrento Lactalis later today that will change the notary state and a minor formatting issue regarding blank spaces. He suggested a motion to approve it to form and not to sign this specific document but rather the one that comes back. Commissioner Rule asked if Sorrento Lactalis is current on their taxes. Assessor Stender said they have been paying their taxes and so the County will have to issue a slight refund to them for both years. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to approve the settlement agreement to form. (See Agreement No. 19-003.) The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION GRANTING CORDOVA, LLC, TAX EXEMPTION PURSUANT TO IDAHO CODE §63-602NN

The Board met today at 9:40 a.m. to consider a resolution granting Cordova, LLC, tax exemption pursuant to Idaho Code §63-602NN. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy PA Brad Goodsell, Nampa Economic Development Director Beth Ineck, Doug McMaster and James Smiley from Cordova, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, Nicole Foy from the Idaho Press-Tribune, Deputy Clerk Monica Reeves. Commissioner Dale said after an in-depth discussion last week Commissioner Rule felt it would be appropriate for Commissioner White to be involved in this discussion so the vote was continued today. Beth Ineck began working with the previous owner of Cordova at the end of 2017/early 2018 and he was considering whether to move the manufacturing facility from the Midwest to Nampa, Idaho so they discussed the incentives that were available. Around the time the decision was made to move forward there was a transition in ownership which contributed to some confusion on the application process for the tax exemption and that's how they got here today when they realized that the application had not been done. Doug McMaster and James Smiley are the new leadership team for Cordova. Commissioner Dale said it's his understanding that if not for the incentive program they would have built in Michigan. James Smiley said that is correct, the decision was documented in email correspondence. They believe there is a competitive advantage to bring roto-manufacturing into the cooler business. In the first phase they've had 39 new positions with an average wage of \$40,000. Commissioner White said the state designed this program for counties to use as an incentive and she feels good about the opportunity to work with Cordova. Mr. McMaster spoke about how they make and assemble the product at their facility on 20th Street in Nampa and how they work with local suppliers to make various pieces for their product. Mr. Smiley said in addition to helping during disaster in the U.S., Cordova also works with Mission Aviation and Hands of Hope in sending their coolers to Syria, Africa, and Indonesia in times of need. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to sign the resolution granting Cordova, LLC, a property tax exemption pursuant to Idaho Code §63-602NN. (See Resolution No. 19-001.) This will be for a 50% exemption

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

CONTINUATION OF PUBLIC HEARING - REQUEST BY PAUL AND DIANA SLEIGHT FOR A REZONE, CASE NO. RZ2018-0022

The Board met today at 10:03 a.m. for a continued hearing in the matter of a request by Paul and Diana Sleight for a rezone, Case No. RZ2018-0022. 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 previously heard this case on December 19, 2018 and after hearing testimony the matter was continued to today so staff could talk with the applicant and see if he would consider a development agreement. Today Director Nilsson reported that just this last Friday the applicant submitted an application for a development agreement. The ordinance requires a recommendation from the P&Z Commission on development agreements and the earliest they can hear it is February 21st, and assuming all goes well at that hearing and then allowing for another 30-day notice she recommended the Board's hearing be continued to late March. Commissioner Dale asked if it will be the same hearing or a new hearing to consider the development agreement. Zach Wesley said the development agreement will come through the channels again and these two hearings will merge but the development agreement will have to go on its own separate path to get back. Director Nilsson said the Board cannot make a decision on the rezone until it has the decision with the same time as the development agreement. Commissioner Rule made a motion to continue the matter to March 28, 2019 at 10:00 a.m. The motion was seconded by Commissioner White and carried unanimously. (It is not a new case, it's the same case with the addition of a development agreement.) The matter concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 8, 2019

PRESENT: Commissioner Tom Dale, Chair
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 Jennifer Crawford.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Corwin Ford in the amount of \$30,895.00 for the Fleet department
- Northwest Service Technologies in the amount of \$15,700.00 for the Facilities department

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

The Board met today at 8:33 a.m. for a biweekly meeting with the Facilities Director and the IT Director 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 Director of IT Eric Jensen, and Deputy Clerk Monica Reeves. Director Navarro reported on the following topics:

- The Veterans parking signs are going up at the DMV and he will notify the Idaho Purple Heart Association about it.
- A neighborhood meeting will be held this Thursday in regards to the special use permit for the fairgrounds expo building.
- There has been a snag with the temporary jail trailer housing units. The City of Caldwell has asked who will inspect the units as they're being built in Missouri. ADS has given us a set of blueprints and once they have been signed by an Idaho licensed architect and engineer they will submit them to the state division of building safety and will go through a plan review process which could take 2-4 weeks. Once we have an approved set of blueprints from the state we are required to hire a third-party inspector to act as the eyes and ears for the division of building safety in Missouri. The city provided a list of people who are certified for international building code that they agree to work with; none are in Missouri, however, they found one in Indiana who's certified in electrical, plumbing, mechanical and structural inspections. The inspector will have to travel to the site and inspect the trailers, and they will get an insignia that says the units have been inspected and meet requirements and then when they come to Caldwell in late February or early March the insignias will be shown to the city. The County will have to pull another building permit to in order to receive occupancy. He doesn't know what the cost will be but he anticipates it costing as low as \$10,000 or as high as \$60,000. He has talked to the Controller about it. The site prep is going well, the last component is the sewer and water lines and then we're ready to accept the trailers. Captain Ward and a maintenance technician are flying to Missouri later this week to see how far along the trailers are. Commissioner White asked about the order of liability. Director Navarro said the liability will be on both ADS and our local architects and engineers.

Director Rast reported on the following topics:

- They are working on putting the Board's meeting minutes into OnBase for a customized solution for staff to quickly find minutes and correspondence. It will be a two-phase project; the first phase includes the minutes from the year 1998 to current day, and the second phase will include the pre-1998 minutes that are stored with the Clerk.
- The Nortel Phone system is coming to fruition; they are phasing in Avaya and Skype over the month of February and hoping to have it done the first week in March. They found a major configuration problem in the core network which had contributed to a lot of the telephone issues we've been having. Chris Everett, the network architect, found the problem and corrected it. Director Rast is going to submit purchase orders that are part of the Nortel system but it will be for network switches that are part of a campus-wide effort.
- Communication room has been completed.
- IT is working on custom ID badges for Assessor's staff, specifically the appraisers who work in the field. Currently they go to ITD for those, but they will now be done in-house.
- IT is working on putting a new virtual private network (VPN) in place as part of ongoing security efforts and a purchase order will be forthcoming. Commissioner White said the BOCC email address had been receiving a large amount of spam emails but that seems to have tapered off and she questioned if that was part of a security issue. Director Rast said it was not, email spam and inappropriate emails are cyclical, it starts around Thanksgiving and then it spikes for holidays and it then tapers off the first of the year. He expects to see it will ramp up again around Valentine's Day and again on July 4th. He spoke of IT's efforts to stay on top of security issues. They are constantly turning on different spam engines, which update every minute.

The items discussed were general in nature and did not require Board action. The meeting concluded at 8:53 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENTS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider signing independent contractor agreements. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Dan Blocksom, Executive Administrator Taryn Peterson and Deputy Clerk Jenen Ross. Dan Blocksom said there has been a delay in getting

these contracts signed and that many were signed by the contractors in the previous fiscal year. These are automatic renewals and the PA and Clerk's Offices are working together to find a way to make the logistics of these agreements more streamlined. Several of these interpreters are not certified due to no test being available because of the rarity of the languages. Ms. Peterson said page 6 of the agreement notes if they are registered or certified, if nothing is noted there is no certification but the Supreme Court will still allow them to interpret as long as they have been vetted. Ms. Peterson uses King County Washington to see what kind of court time the interpreter has had as part of her vetting process. Each name and language was read into the record. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the independent contractor agreements with Hussein Mberwa (agreement no. 19-009), Liban Mahamed (agreement no. 19-010), Pavinee Daniel (agreement no. 19-008), Rogelio Rigor (agreement no. 19-007), Yves Ndayishimye (agreement no. 19-006), Eva Basko (agreement no. 19-005), Abdi Muse (agreement no. 19-004), Abubaker Mohamed (agreement no. 19-014), Barbara Fisher (agreement no. 19-013), Benjawan Terlecky (agreement no. 19-012) and Hua Robinson (agreement no. 19-011). The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO UPDATE ON THE I84 ENVIRONMENTAL CALDWELL TO KARCHER IMPROVEMENT PROJECT

The Board met today at 10:02 a.m. for an update on the I84 Environmental Caldwell to Karcher Improvement Project. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Amy Schroeder, ITD Transportation Program Manager, Kate Reed with RBCI, Mark Campbell with ITD, Bryan Foote with Horrocks Engineers for ITD and Deputy Clerk Jenen Ross. Ms. Schroeder gave a review of what is happening in the I84 corridor.

- \$343M is being invested. Funds are a combination of GARVEE funds, state and federal aid and the \$90M INFRA grant.
- The corridor will be approached in three segments. The environmental analysis has already been done for the Nampa portion from Franklin Blvd to the Karcher interchange and they are ready to put the design out for advertisement. The work will start this summer and go thru next year. They have worked with the City of Nampa to do a full closure of the old Karcher Rd. overpass because the bridge can be replaced in 9 months with a full closure vs. approximately 18 months with only a partial closure. Completion is anticipated by the end of this year.
- The second phase is the environmental study being done for the segment from the Karcher interchange, where the other study stopped, into and thru Caldwell all the way to the Middleton Rd. exit. Some operational issues were found at Middleton Rd. but the auxiliary lanes and interstate beyond Centennial function well in the design year of 2042. The section from Nampa into Caldwell to Centennial has been split which will allow them to advance the center segment with a simpler class of action in their environmental document. This will allow them to go faster and advance the

expansion on I84. This section is funded and design is underway, they plan to continue as soon as they are done in Caldwell in 2021 and will then build the interstate toward Caldwell.

Ms. Schroeder explained that every project that involves federal aid from the Federal Highway Administration includes an environmental review process which is the Nation Environmental Policy Act (NEPA). Some of the disciplines that are involved in every NEPA document are wetlands, environmental justice, noise, historic resources, parks and threatened/endangered species among other things. Some things they are looking at in this piece between Karcher and Franklin Rd. is perhaps a noise wall between Indian Creek Estates and I84. Overall the disciplines are pretty minor which is what is allowing them to advance this piece. It looks like it will be 3 lanes in each direction with the Middleton overcrossing, Ustick Bridge and then Linden when they get there. There is a project already underway to design Middleton and Ustick as one package and will probably be contracted as one package. They can be replaced as early as next year and then they'll have the width they need get the lanes of I84 under those bridges in 2021. Linden will be replaced as I84 is expanded. At this time no other access points (on/off ramps) will be added between Middleton and Franklin. The evaluation process for that is to look at the service they get at existing interchanges and if they can make those work in the design year then a new access point is not warranted. The Franklin Rd. interchange works well beyond the design year. The Karcher interchange had recent improvements and then they are looking at some additional capacity southbound by 2042. In the design year there may need to be some improvements at the Karcher interchange but no additional access point is needed. The improvements needed in Caldwell are still being evaluated. They are not sure if they need auxiliary lanes or 3 lanes in each direction or improvements at 10th – there is still a lot they are looking at. Once they know more they will schedule to meet with the Board again. They are reviewing capacity at Centennial, at this point it looks pretty good in the design year but they are looking at some different concepts for change.

Discussion was had about Highway 16/Emmett corridor and about where it is going and access to it.

Commissioner Dale asked about the rumored Amazon project/Project Bronco and wondered if they have committed funds to doing a partial intersection for their access at the Highway 16 location. Ms. Schroeder said she did not have latest information but her understanding is that they would participate in local road improvements and perhaps some improvements at Ten Mile or Garrity but may not participate at the State Highway 16 interchange but discussions are still happening.

A review of the construction dates for each sections was given as follows:

- Exit 33 to Exit 36 will happen in 2019 - 2020
- Exit 29 to Exit 33 will be from 2021 – 2023/2024
- Exit 27 to exit 29 is still unfunded at this time

Commissioner Rule asked if the Middleton overpass will be expanded to accommodate 4 lanes. Ms. Schroeder said the cities have a typical section of 4 lanes (2 in each direction) but

their traffic modeling is showing that it isn't needed before the end of their design year and planning horizon. They are making sure they are building the bridges high enough that they are not going to have an issue with clearance on I84 and they can be added to in the future. Commissioner Rule said he does not feel that a two-lane bridge is not going to be adequate and feels that they really need to take a look at what is happening just north of the freeway and in Middleton. He feels Middleton Rd. is too small right now and that there really should have been freeway exits at Middleton. Ms. Schroeder explained that the proximity of another interchange too close to the Karcher interchange would be problematic in that you wouldn't even be able to get the ramps tied into I84 with Middleton. The notion of an interchange somewhere between Karcher and the airport is an opportunity that needs to be studied but it's not showing that it's warranted in their design year so it may need to be a standalone study. Right now they are using information from COMPASS showing the growth areas and demographics so in theory they are already anticipating the growth between I84 and the river or what's happening in Middleton. Commissioner White expressed that Middleton Rd. needs to be taken into consideration over the Emmett corridor as it is a much busier area. The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 9, 2019

PRESENT: Commissioner Tom Dale, Chair
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):

- Right! Systems Inc. in the amount of \$26,484.00 for the Information Technology department
- BOE in the amount of \$18,574.00 for the Information Technology department
- HP, Inc. in the amount of \$9279.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$28,194.20, \$19,463.30, \$81,687.53 and \$42,695.57 for accounts payable.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 10, 2019

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

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, Hearing Manager Kellie George, 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: 2019-310, 2019-208, 2019-215, 2019-277, 2019-283, 2019-223, 2019-198, 2019-225, 2019-226, 2019-173, 2019-219, 2019-190, 2019-213, 2019-224 and 2019-295. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial written denials within 30 days on the cases as read into the record. Commissioner White made a motion to place case no. 2019-299 into suspension. 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. 2018-1471

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-1471. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, 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, friend of 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 March 7, 2019. The hearing concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1456

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for case no. 2018-1456. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Case Manager Kelsee Hale, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Amber Jones with 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

approve the case. The hearing concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1448

The Board met today at 9:28 a.m. to conduct a medical indigency hearing for case no. 2018-1448. 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, Julie Wood for St. Alphonsus, the applicant, friend of 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 9:54 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:00 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. Neither the hospital nor the applicant appeared on the following cases: 2018-1474, 2019-5, 2019-23, 2018-1550 and 2018-1551. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final written denials on the cases as read into the record. Commissioner Rule made a motion to continue case no. 2018-1472 to March 7, 2019. The motion was seconded by Commissioner White and carried unanimously. Commissioner White made a motion to approve case no. 2018-1426. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 10:02 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 COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 10:07 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 counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 10:08 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 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, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:18 a.m. with no decision being called for in open session.

PUBLIC HEARING - REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE FOR CASE NO. OR2018-0002

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of a request by Karcher Farm, LLC, and SS Karcher, LLC, for a comprehensive plan map amendment and conditional rezone for Case No. OR2018-0002. 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, Shawn Nickel, David Tuthill, Lamon Loucks, David Palfreyman, Rob Sweikert, Stuart Hurley, Dan Thompson, John Sabala, Greg Bullock, Darryl Ford and Sheila Ford, Claudia Haynes, Dan McConnell, Julie Provost, Botie Magee, Andy Haumesser, Jean McPherson, Kelly Harmon, Joni Jenson, Mert Pratt, William Jenson, Cheyne Weston, Diane Eldredge, John Kernkamp, and Deputy Clerk Monica Reeves.

Jennifer Almeida gave the oral staff report. The subject properties are designated as commercial and agriculture on the Canyon County Future Land Use Map. The property is not within an area of city impact, however, it is adjacent to the City of Caldwell's impact area on the east. There are 25 platted subdivisions within one mile of the subject property and the average lot size within one mile is .82 acres. The property is adjacent to agriculture and commercial zoning districts, and R-1 single family residential zoning is located south of Orchard Avenue. COMPASS indicated this proposal exceeds their growth forecast. The applicant has proposed individual septic systems and domestic wells for each of the proposed residential lots and through this request they are proposing 74 residential lots. They have also proposed individual wells and septic systems for the commercial development. City services are not available to the subject properties; sewer is approximately three miles away from the site and the nearest water line is approximately 2 miles northeast and 1.5 miles to the southeast. The northwest portion of the property is located within a nitrate priority area but the remainder of the properties are not within the nitrate priority area. If approved the applicant would be required to adhere to Southwest District Health requirements including, but not limited to, nutrient pathogen studies at the platting stage. Canyon Highway District has stated the size and scope of the project is anticipated to have significant impacts on the existing and future traffic network. The applicant has completed a traffic study, however, it has not been approved by the highway district or the Idaho Transportation Department (ITD). ITD objects to the proposed application due to traffic and access concerns but they indicated they would withdraw their objection once the traffic and access concerns have been addressed. The City of Caldwell objects due to the availability of commercial platted properties in the area that are accessible to city sewer and water. DEQ recommended the project be served by existing approved waste water collection systems or centralized community waste water systems whenever

possible, or to utilize existing drinking water systems or community drinking water systems whenever possible. The P&Z Commission heard the requests on November 15, 2018 and recommended denial of both elements of the application. Staff has reviewed the proposal and found that it does not meet the standards of review for the comprehensive plan map amendment and conditional rezone.

Testimony in favor of the application was as follows:

Todd Lakey, the applicant's representative, stated this is a request for a conditional rezone which gives an opportunity to establish the zoning and then impose conditions if necessary. The development of the property, the layout of the lots, the lot sizes, the location of the lots, and the location of the access points will be part of the platting process. The proposal is for a high-quality residential estates project that's consistent with the area. The commercial designation by the County is appropriate. The City of Caldwell submitted their objection but they have no jurisdiction in this case. The property is adjacent to the impact area but is not in the impact area so city standards do not apply and their comments should not be given any weight under the ordinance. Mr. Lakey said they recognize there will be traffic impacts but that can be addressed in the platting process. The northern boundary of the property is designated commercial and the portion below it is designated agriculture; however, there has been some confusion where on some maps it's designated as residential. The agricultural designation is only 46 acres and that's surrounded by a residential designation and commercial designation and residential commercial uses and zoning. There is a very clear trend and character of the area that's been established for these residential-type estate lots. Most lots are half-acre to one acre in size. The comprehensive plan requires you to consider population growth trends when making land use decisions but it does not place a limitation that the trends be recent. It's simply a trend, a pattern of change and there's a clear trend of residential uses and development in the areas. The staff report repeatedly uses the word *recent* in limiting consideration of that trend but that's not what the comprehensive plan states. The subdivision can take years to phase develop and to actually build out and then you have the changes in the economy so limitation of a recent trend would not be appropriate and the additional language in the comprehensive plan emphasizes that when it states the residential development should be within areas that demonstrate a development pattern of residential uses. They only have the agricultural use adjacent to this property to the north, across Highway 55 and to their knowledge there is no objection from agricultural users. Most of the property is designated commercial, the remaining agricultural designation is about 46 acres but it's surrounded by the commercial designation, the residential designation and residential uses, along with the existing commercial zones and uses that surround the property. Change in the agricultural designation is more appropriate than the current zoning and the current designation in the comprehensive plan. On the concept plan there is a line where the commercial designation is to the north and based on the comments from the neighbors that they wanted less commercial development and more residential, the applicants moved the commercial adjacent to Highway 55 so that's about 36 acres of commercial and the rest would be in residential. They are essentially one-acre lots, 74 lots on 91 acres. Mr. Lakey said R-1 zoning amounts to an infill development if you consider the comprehensive plan designations of commercial and residential that surround the property and the existing uses. It is not high density. If the city gets out there that's what can be looked at for the property but that is not what is being proposed. There is a high demand for

residential estate type properties. The County has planned this area for commercial development on this site and that's appropriate. You don't have to connect commercial development to city services. From an economic development standpoint you need to have ground that is zoned commercial. If you have businesses that want to locate to Canyon County they need property that's already zoned that reduces their risk and time and those are major factors in a business's decision to locate here. The comprehensive plan recognizes that when it states you should create commercial zoning districts to help attract development. He said Legacy Feed and Fuel south of Nampa is a great example of a commercial project, it's developed on a major corridor on Highway 45 that's on its own water and waste water system. There are commercial uses that exist in the area, immediately adjacent to the west are storage units, a small market with gas pumps, and an RV park. Mr. Lakey said the application fits with the trend in the area, the character of the area, and with the comprehensive plan because it's surrounded by uses that are similar to what is proposed. In response to a question from Commissioner White, Mr. Lakey said they have changed the commercial acreage to 36 acres to the north. The portion outside was the 46 acres of the 130 acres so what they have now is the 36 acres and just under in the 91 acre range of residential.

Shawn Nickel, a land use planner, testified that now is the best time to rezone the property because it allows the developer to market the property and give the agencies the ability to plan for the future and it gives the County an understanding that the zone is in place. ITD, the highway district, and the City of Caldwell have the ability to plan for their futures by recognizing this property as not just a comprehensive plan designation but an actual rezone. COMPASS will have ability to update their traffic analysis and their future traffic zones knowing this property is zoned commercial. Through the conditional rezone and development agreement you will have the ability to ensure that the uses that will go on this property in the future are appropriate to the neighboring properties. Mr. Nickel said they have a basic concept of how the property could lay out with commercial uses in the future. The majority of the intense uses in the C1 and C2 zones are either prohibited or they require a C.U.P. so those uses will have another opportunity to be reviewed for the surrounding property owners to comment and a determination can be made on some of those uses. Prior to the P&Z hearing, he submitted a letter with some self-imposed conditions they wanted to have in the development agreement that addressed future traffic impact studies, waste water and domestic water reviews in addition to storm water and drainage reviews, mitigation of weeds, dust abatement, establishment of a homeowners association, and the assurance that they will not propose any future local improvement districts to pay for this development.

David Tuthill, the owner of Idaho Water Engineering, said this area has some of the best water availability of anywhere in the state. Ample water is available. Surface water is provided from the Boise River transported by the Boise Project Board of Control so there is a surface water system on the property that provides for most of the irrigation. There is also a backup well for supplemental ground water use which is eligible to be used on 40 acres. Single household domestic wells are able to be developed on this property. There is no water right required for single household domestic wells for in-house use and for use up to a half-acre of irrigation although the developer does plan to put in a common irrigation supply which uses the Boise River and perhaps the backup supplemental well that's already there. The primary use of the individual domestic wells will be just for in-house use. The aquifer in this area is fully stable as evidenced by long-term monitoring wells in the area. Lake Lowell

is located to the south and farther south the irrigation districts have protested some applications because there's considered to be perhaps an impact on Lake Lowell or the canal system, but that's not the case north of Lake Lowell. This is not in an area where there are known protests. The Department of Water Resources is not aware of any water availability problems here. The groundwater flow is generally to the west, this area is interlaying between gravels and sands, and clays. It's a mixed aquifer but in general the water tables hold very steady. A domestic well will typically provide less than 1,000 gallons per day and over the course of a year that's a third of a million gallons, which sounds like a lot but it's a little over one acre foot which provides irrigation water for about one-third of an acre so the domestic use is quite small relatively. This is a good area to develop water supplies. In response to a question from Commissioner Rule, Mr. Tuthill said the wells typically encounter water from about 45 feet down to a little over 150 feet.

Dan Thompson, with Thompson Engineers, testified that at the request of the applicant they prepared a traffic impact study based on several assumptions, especially for the commercial part. Typically they do not do traffic impact studies for a rezone or change of a land use in a comprehensive plan, but this was asked for by staff. They are not seeking an approval from ITD at this point in time because that starts a clock and the approval would expire within 18 months so they would have to be much further along with the development application to getting approval at this point, but this has given them a great head start on the traffic study that will be done for the platting stage. ITD has already seen it and given preliminary comments, concerning their access which is a major issue for them. Mr. Thompson said they know they can comply with the IDAPA rules for access and with the corridor study and a lot of the details will depend upon how this site is developed as to how that works out which is why they are not trying to finish it at this time but they know they can mitigate the impacts at the entrances. A traffic signal has been installed at Farmway Road and they designed it with turn lanes and additional capacity and they can make some minor improvements to that intersection and mitigate the impacts. It does align with the highway district's existing streets so the applicants believe they can resolve any issues with that. This is a very preliminary step and they will complete a more detailed traffic study at the platting phase.

Greg Bullock stated the land use issues have been pointed out well by Mr. Lakey. Leaving the land as agriculture is an option but it's prohibitive given what's happening around it; it is not the highest and best use of the land. He referred to the Board's decision last year regarding the Cope Sand and Gravel application where the P&Z Commission and staff recommended approval of the gravel pit but the Board voted unanimously to deny it on the basis that this is where development for rural residential development should take place. According to Mr. Bullock this property is identical to that 40-acre parcel on Lake Lowell Road as far as highest and best use. He said this is a natural growth area for rural residential and commercial development and it will compliment what's around it.

Lamon Loucks testified that he is a developer/builder and a realtor for Bullock and Company. He did a development in Marsing where he was granted approval of a 21-lot subdivision 15 months ago and currently only four lots are available. He said the only reason he brought this project to the other owners is because when he came to the County to go over the project the property was shown on the comprehensive plan map to be residential and commercial. David Palfreyman testified that he owns part of the property on the southwest corner of Farmway Road and Karcher Road and he acquired it in 2004. Several years ago the developer of Moonstruck Subdivision contacted him and asked if they would be willing to

sell the land so he could develop it as residential and he let Mr. Palfreyman know that at some point there would be a commercial need in the area. He said this property caught his attention because there is a major road to the interstate and a route to Oregon and California so he felt like it had strong possibilities. He said there was a comment made at the last meeting about water issues and how if that person continued to have problems with his well it would become Mr. Palfreyman's problem so he asked David Tuthill to get involved given his qualifications. There isn't a water issue, the water has been incredibly stable for many years. He believes one acre lots are appropriate for the area and that there is a demand for this type of project.

Stuart Hurley is a principle engineer with Mountain Water Works which specializes in waste water treatment and for this project their primary focus was the commercial area. It's premature at this point to define what the waste water characteristics and treatment needs are for the commercial area, but that will be defined with the use. There are several potential commercial uses and those uses can vary dramatically from a waste water perspective so if it's similar to a D and B store, for example, it will have a very low water use and very minor waste water production, but if it's a restaurant or a different type of use those conditions change. A nutrient pathogen study will likely be required for the project once the development matures so that will define the treatment requirements that are necessary and once the in's and the out's are known they will know the treatment needs. Mr. Hurley said they are very familiar with the available treatment systems and they tailor design systems as needed. Commissioner Rule said his concern is with the mitigation of waste water because it's already in a nitrate priority area and he asked if they have done any work out there to know where the ground water is moving. Mr. Hurley said they have not. This ground is irrigated and from a water movement perspective there is a lot more water being put on for irrigation than there will be for drainage, essentially subsurface disposal, so if one concern is just water migration he would say now is a good case, there aren't landslides or water shooting out of the south end of the property. Commissioner Rule said there's data out there that residential treatment systems have a tendency to fail and so he asked how they will mitigate that concern. Mr. Hurley said that has been a challenge with the health department and DEQ and they have put some measures in place where there are requirements for operation and maintenance contracts on these facilities so that is something that from a regulatory perspective is being addressed because it is a known issue. If there is a homeowner that is neglecting their system, yes, it can fail. They will work with the HOA that there be a requirement that the systems be maintained. There have been documented failures and they are fully aware of that. He said approximately 15 acres of the total property is within the nitrate priority area and the conceptual plan shows the delineation and all of the residential homes are outside of that delineation.

John Sabala testified that he and his partner own the 46 acres to the west and David Palfreyman owns the 85 acres down below. When Lamon Loucks brought this property to their attention they did their due diligence to understand everything about the property and understand what the comprehensive plan called for, what the map called for, and they understood that the front acres outside of the 46 acres are designated commercial. The map that was provided to him showed the back area was designated as residential which made sense because it's consistent with what is in the area. When you're going to spend a significant amount of money on a piece of property you want to understand what you're up against. After he acquired the property he was informed by staff that the map he originally

looked at was not the official map which he found very frustrating. He said they were okay with the conditions that the neighbors had pointed out, such as dust and weed abatement, traffic, and access. He hopes they will be granted approval based on the time and the expertise of the people they have hired to look at this property and the trends of this area. Commissioner Dale asked staff to explain the conflict with the map. Jennifer Almeida believes it's an internal document used by staff that's frequently updated, but it was not provided by her to the applicants. Nor is it the map that was attached to the resolution that was approved by the Board. Commissioner Rule said there have been many maps printed that are not the official map and this could very well be one that was in development along the way, but the map that was signed by the Board is the official map. Anybody who understands comprehensive plans know they are mercurial and it's not a document that spells out this is the way it's going to be.

Testimony in opposition was as follows:

Sheila Ford testified she bought her property to live in an agriculturally zoned area and she doesn't want to see projects like this moving closer because of concerns with their water, increased traffic and increased property taxes.

Claudia Haynes stated she represents the Canyon County Alliance for Responsible Growth which has a membership of about 50 families from this area. She thanked DSD for one of the best staff reports she's seen noting that the project is not consistent with the comprehensive plan goals and policies nor with the surrounding areas, and it would be a negative impact to the area. In looking at the maps and the layout it looks like it fits beautifully until you look at the infill having to do with the streets and roads and the letter from the City of Caldwell saying the sewer system is three miles away and the water system is two miles away, and so unless the developer plans to pay for that then the taxpayers in the area will be paying for that extension. Ms. Haynes said the property is not within the area of city impact but it very well could be in a short period of time. She said Exhibit #35 lists all of the problems with the project and she urged the Board to consider that letter. She said the highway district did not recommend the proposal due to the significant amount of traffic it would cause, and COMPASS indicated there would be a lot of problems if this amount of housing was put in this area because public services and facilities are not adequate for this amount of housing. DEQ has reported under the IDAPA code, 67-6502, that they would recommend a waste water system instead of individual septic systems and individual wells. Southwest District Health indicates there are extreme levels of nitrates and arsenic in this area so they are recommending a public water system. She said the only thing the traffic study does not address is the commercial vehicles that would be used on this road and the resulting impacts. Dan McConnell testified that he's lived in the area for 10 years and has seen how it's been impacted by the existing homes. He is concerned about the negative impacts the proposal could have on area wells and the aquifer. He believes the development should wait until the city brings water and sewer services to the area.

Botie Magee lives in Moonstruck Subdivision and is concerned about impacts to water and the agricultural character of the area and she is strongly opposed to the commercial aspect of the project. She has a thriving 4H and FFA community on her property and she has up to 20 kids in the spring with their lambs, many of whom walk their lambs to her house. She is concerned about the increased traffic.

Andy Haumesser stated the developers have been unable to provide any specifics as to what type of commercial services would be developed on the property or what infrastructure

would be required to support them nor were they able to address the environmental impacts of 74 additional wells and septic systems, or the impact to the local schools, or DEQ nitrate priority zone, or how much the existing traffic will exacerbate an already serious congestion issue in the area. Developments of this magnitude require city water and sewer services, engineered storm water management, street lighting, accessibility of emergency services and traffic safety improvements funded at the expense of the developers and not the taxpayers. He said nebulous, unneeded and unplanned developments benefit no one but the property owners. Mr. Haumesser said he asked DSD staff what would be happening on the other side of Farmway Road and he was assured that there would be no commercial development in the area in the foreseeable future and now less than two years later a commercial project is proposed.

Mert Pratt, the president of the Moonstruck Subdivision HOA, gave testimony regarding his concerns with water seepage and groundwater contamination. He also spoke of how a nearby farmer who rents the land used a chemical sterilant that contaminated the ground and killed one of his trees and he has been in communication with the out-of-state landowner about the issue.

John Kernkamp said there are serious reasons why this development should not be approved including problems with the ground water drawdown, nitrate pollution issues, traffic issues and the fact that this area is designated as prime farmland all make it very clear that this is the wrong place for this kind of development. The issues with schools and lack of supporting utilities for the commercial part indicate that it's the wrong time. There are more than a dozen currently available development properties between 10th Avenue and I-84, many of which have been on the market for some time indicating there's currently no demand for this type of development in the western part of Canyon County. He urged the Board to vote no on the request.

Cheyne Weston, who lives on Orchard Avenue and owns a winery, said the surrounding property owners believe there is no reason to remove this prime farmland from production at this time and these sentiments were echoed by the City of Caldwell and the P&Z Commission. The Board recently attended a conference that focused on the question does growth pay for itself, and responses centered on the fact that more consideration should be taken to consider the impacts of development on neighbors and the true costs of development and what they really are. He believes blanket rezones without extensive background studies and proper fiscal structure lead to adverse impact in local communities. The issues of fire protection, school capacity, a nutrient pathogen study, aquifer recharge, intersection analysis, and public infrastructure aren't adequately addressed. He spoke of how he had to re-drill his well when other developments came to the area and if there is an adverse impact to the wells he will come back to the County and the developer if further mitigation has to be done. Mr. Weston said water has backed up to his farm several times and there are definite issues that go back to the lake in terms of how the water is distributed. He is concerned how the proposed development could impact his property especially if there's not proper storm drainage.

Kelly Harmon will be moving into Moonstruck West by the end of the month and he is concerned about the lack of city services and school availability as well as the impact the proposal will have on well water.

Rebuttal testimony was offered by Todd Lakey who said a lot of the technical issues, such as infrastructure, wells, lot sizes, and access will be addressed at platting. The primary issue

here is what does the comprehensive plan have in store for that area and what's the character of the area. If people want city water and sewer to come to the area they will be looking at .14-acre and .15-acre level densities for the city-type subdivisions. This project will help protect the residential estate character of the area. The Cotner project was just approved to the east a couple weeks ago and they talked about the benefits of residential estate properties and it was commented that we need more of those projects versus the city development. We talked about studies that have been performed, that higher-end residential estate properties generate more in tax revenue because they are above the property tax exemption that a homeowner gets in a typical city subdivision so there will be more tax revenue to pay for schools and roads as a result of these projects. The highway district and ITD did not have any objection as long as they comply with the requirements and standards. They have appropriate access and may have to put in some improvements and adjust the location of access points or consolidate but that's all part of the platting process and that infrastructure can be addressed but the levels of service out there are appropriate. ITD has made significant improvements on Highway 55 as far as new intersection signalization and turn lanes. Mr. Tuthill testified there will not be any significant impact on the aquifer; the water level in this area is extremely stable. Regarding individual wells, it's an issue of not drilling them deep enough to begin with, it's a well design problem, but these wells will go in those appropriate levels and are more modern in their application. They will primarily utilize surface water irrigation rights on this property and will not be pumping from the aquifer for irrigation, which is different from some of the developments out there so they have those surface water rights that will promote more recharge. The property is not in a nitrate priority area, it's only that northwest corner on a portion of the commercial so the health department will evaluate each individual lot and its appropriateness during the platting process. They have commercial treatment systems and technology that can deal with it depending on the type of commercial project but it's a platting issue that will be addressed at platting. During the platting process it's important to note the agencies are involved and have to sign off so it's a question of expertise and meeting their standards. The proposal is consistent with the character of the area which is the primary consideration when you decide to rezone. The concept calls for 74 residential lots on the 90 acres; they pulled the commercial up closer to Highway 55 so there will be less than one dwelling unit per acre if you're looking at 74 on 90 acres. Commissioner Rule said he likes the project but is concerned about the proximity to the lake and what looks like could be standard septic systems and the nitrate priority area in the top corner. He believes a project of this density should be on city water and sewer and if he was the developer he would take a hard look at how much that's going to cost. He said the City of Caldwell's opinion doesn't weigh heavily because it's biased, they want a developer to run city water and sewer to the lake. He referred to the letter from DEQ and said he will probably vote against the proposal as it stands, but he would approve it with a city water or sewer, or a centralized treatment system. Mr. Lakey said the health department looks at the location and the size of the lots and so the applicants may not be able to have 74 lots. There is a line where the nitrate priority area is and they will include that in their thought process in evaluating the individual septic systems for the particular lots. One individual has already talked about the fact that he has some type of higher, more expensive treatment package that was required but again, these are upper-end residential estate lots, and the owners are going to be fine if the health department says they have to have a higher level of treatment package based on the location and proximity to

Lake Lowell. As far as the possibility of community waste water system, he will need to speak with his client. (A recess was taken from 3:34 p.m. to 3:45 p.m.) After conferring with his client, Mr. Lakey said their preference would be to keep it as proposed but they understand the question and the unique nature of the fact that you have a conditional rezone that allows you to make some adjustments and impose some conditions upon the approval. The challenge is if you put in a community system you are increasing the costs substantially and if you do that then you're also needing to have the mix of development that would support that additional cost whether it'd be density or the commercial aspects of the property. They proposed two alternatives: If you want to require a community treatment system then the applicant's request would be to allow for the commercial development of the property in accordance with the comprehensive plan. Allow more commercial on the frontage and residential farther back that would be roughly 40 lots, fewer lots in development but more commercial. Or, reduce the density and propose a 1.5 acre average lot size to allow larger lots against the lake and have smaller lots farther north on the property and keeping the existing commercial as-is.

Commissioner White asked if the Board can request the applicants to have a treatment system and can there be a requirement to have a specific well depth. Zach Wesley said yes with regard to the treatment system. The process is designed in state law for a conditional rezone and development agreement to allow negotiation between the County and the developer to put conditions in place that could mitigate impact concerns and although it's not something we've used extensively in the past it's in the realm of that negotiation ability. In the past we've not structured a requirement to have a specific depth because they can vary so much depending on the conditions from lot to lot so we've typically just required they have a well that meets conditions of the regulating agencies. Commissioner White said it seems like government is chasing development instead of having infrastructure in place or being prepared for projects. This is a beautiful plan and it will increase the value because of the size of the lots but she doesn't like increasing the commercial aspect. Some of our land use goals include the orderly aspect of growth and with a development like this you want it closer to the impact area because of services. She would like language in the development agreement to address the protection of water because that is a main concern. Mr. Lakey said the fact that they are surrounded by residential development shows that for the County this is orderly development and is consistent with what's out there but if you want city density then you have city services but he doesn't think anybody out there wants city density, they want residential estates. If there is a concern about density they can include that minimum average lot size of 1.5 acres that will reduce it a little and allow larger lots next to Lake Lowell. Commissioner White spoke about finding a balance with the loss of agricultural property and private property rights. Mr. Lakey said we're talking about a piece of ground that is in agricultural use, but there is no objection from agricultural operators in the area. It's surrounded by residential and commercial designations and uses so if we're going to develop rural residential estates of this type this is the right place to do it because it's surrounded by those things. It is adjacent to the impact area so we're not talking about loss of farm ground in an area. Commissioner Dale said the question was asked about a community treatment system and there was an option on the table of backing up the commercial to its present line and doing the remainder in residential which would be a smaller requirement for a community treatment system. Presently it is commercial comprehensive all the way down

to that dotted line. The other option was to reduce the density by requiring a 1.5 acre average lot size. Those are the two options proposed by the developers. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Rule likes the project and the commercial aspect. The options are 1) more commercial and a centralized treatment system, or, 2) a larger average lot size of 1.25 or 1.5 acres and a centralized treatment system and leaving the commercial as it is. He doesn't think the opposition would want more commercial so he tends to think they would choose the second option. He spoke about how he's approved projects south of Lake Lowell but the proximity was not this close. He believes the project can be engineered to naturally put it away from the possibilities of getting into the Lake Lowell issues. He would give the developers the option for city services or a centralized treatment system and an average lot size of 1.5 acres. Having bigger lots against the lake would be okay with him as well. He doesn't like conventional treatment in that area because he's watched a lot of these systems fail. Commissioner Dale said he understood the options to be: 1) an average lot size of 1.5 acres with no community system, or, 2) 40+ lots with the commercial remaining as it is. Commissioner Rule said he misunderstood option 2 so that leaves only one option, however, the Board controls the conditions, not the applicant. Commissioner Dale said if the Board denies this application the commercial stays where it is which is a lot of ground for commercial designation and you don't need a comprehensive land change to put commercial in that area. He's not focused on irrigation drainage or runoff because all drainage must be retained on site so it will not be draining into Lake Lowell. It would be engineered to eliminate flooding issues that have occurred because the water would be retained above the lake. Commissioner Rule said this should have city water and sewer or a centralized treatment system. He's not as "hung up" on the water well side but they may need to have a community well. He then made a motion to approve the project. They can have individual wells and a 1.25 acre average density will give them flexibility on changing that, with either a centralized sewer treatment system, or city sewer. The commercial will be left as-is. Commissioner White asked if that means 35 acres of commercial zoning. Director Nilsson asked if the motion is for the rezone or the comprehensive plan map amendment. Commissioner Rule said his motion is for the design the applicants submitted is Exhibit #3, with a 1.25 acre average density instead of .82 acres. Commissioner Dale said if we're going to just address the comprehensive plan amendment then the motion would be to amend the comprehensive plan to put residential on that lower section and 35 acres of commercial on the northern section. Commissioner Rule rescinded his motion and then made a new motion to amend the comprehensive plan to allow the commercial design as depicted in Exhibit #3. Ms. Almeida said in looking at Exhibit #1, in the findings of fact No. 1, it outlines what the applicants are requesting in the comprehensive plan map amendment which is to change the designation of approximately 44.9 acres from commercial to residential and approximately 45.9 acres from agricultural to residential. Commissioner Dale said the request is to reduce the present commercial zoning down to 35 acres which means you have to take some of that out of commercial and put it into residential, and then the agricultural area that is below the commercial on the map is being suggested to move that to residential. Commissioner Rule said he agrees with the 44.9 acres from commercial to residential. Ms. Almeida said Exhibit #3 also delineates what they are requesting which is further clarified in the findings of fact. They are requesting to change the portion of area that is currently agricultural to residential, and a portion of the area that

is shown as commercial to residential. Commissioner Rule said his attempt was to work with the applicants on the design of commercial so whichever action makes that easier for staff and applicant, he doesn't have a preference. Ms. Almeida said the site plan was based on the application submitted and what they are asking for in the comprehensive plan map amendment. Commissioner Rule said that is his motion. Commissioner White asked for clarification on the motion. Commissioner Dale said the motion is to approve the comprehensive map designation identified in Exhibit #3. Commissioner Rule said that is correct. The motion was seconded by Commissioner White. Commissioner Dale said it needs to be understood that the motion on the table is to amend the comprehensive land use map to add residential to the agriculture and to move some of the commercial to residential as specified in Exhibit #3. Commissioner Rule said that is exactly what he wanted his motion to be. The motion carried unanimously. Director Nilsson said staff will have to bring back revised findings supporting the Board's action. Commissioner Rule made a motion to approve the applicant's proposed conditional rezone and development agreement based on Exhibit #3 but not a .82 acre density but rather a 1.25 acre density to allow some flexibility in lot design. Commissioner White wants to amend the motion. Director Nilsson said we don't have a development agreement to approve so if the Board wants to give staff direction to prepare a revised decision with a draft development agreement and work with the applicant on that that would include the density, lot size, plus the transportation and other things that we've heard testimony on today. Staff needs time to do that, and the development agreement will need to be noticed for public review and comment since we don't have one today. Commissioner Rule said he wants to add individual wells, an average density of 1.25 acres, and a centralized treatment system to his motion. Commissioner White seconded the motion. Commissioner Dale said the piece of land that extends down towards the lake will not always remain agricultural, it's going to change. Half of it is already designated as commercial. The trends are there. COMPASS said this is in advance of their prediction but that's just an estimate, they don't control where growth goes, they just try to predict it. Other road agencies have responsibilities to make those transportation improvements. In their next evaluation of growth he thinks they will see the growth patterns are moving out that direction and it's going to be residential and commercial. A very small corner of this ground is in the nitrate area but if we go to a community septic system it will address that issue whatever level of nitrate it is and with the modern technology that's available and with the help of the health department they can find a system that will work adequately. With an average lot size of 1.25 acres that will be 65 or 68 lots and he's sure there's a community system that can handle that load. A vote was taken and motion carried unanimously. The Board will look for the development agreement to come back for review. Director Nilsson asked if the Board wants to see the revised findings for the comprehensive plan and the rezone at the same time as the development agreement. She said it might be wise to give staff a few weeks to work with the applicant and get a plan of action and calendar it for review so the citizens know what to expect. It was decided that a status update will be scheduled two weeks out. Ms. Almeida said public notice will have to be given for the development agreement. The hearing was continued to January 28, 2019 at 2:00 p.m. Commissioner Rule will no longer be in office on that date, but Commissioner Leslie Van Beek can participate if she wants to listen to testimony from the January 10, 2019 hearing. The hearing concluded at 4:23 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 11, 2019

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

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND 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, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 9:08 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:08 a.m., DSD Director Tricia Nilsson left at 9:12 a.m., Landfill Director David Loper, Executive Assistant Taryn Peterson left at 9:16 a.m., Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution for a hardship waiver fee for Chris & Kathie Honeycutt; Case No. CDEF2018-0139: Director Nilsson explained this is for a temporary trailer for 90 days. If they don't comply after the 90 days the case will be referred to the PA's office. Director Nilsson is in favor of waiving the fee. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution granting a hardship waiver fee for Chris & Kathie Honeycutt (see resolution no. 19-006).

Consider signing a resolution approving to award officer's badge and duty weapon for Lt. Donia Ballard: Chief Dashiell and Mike Porter explained that Lt. Ballard is retiring and per statute the county is permitted to award her duty weapon and badge. Lt. Ballard has served with Canyon County for 27 years and a ceremony will take place today with her last day being January 16, 2019. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution to award Officer Ballard her badge and duty weapon (see resolution no. 19-007).

Consider signing ordinance amending Chapter 7, Articles 1, 10, and 11, Zoning Regulations and summary: Director Nilsson said there was a hearing in October where the ordinance was approved. Legal has prepared the final ordinance and summary for publication. This ordinance is an effort to clean up and improve the sections on non-conforming uses, properties and structures as well as hopefully shifting density so that some transportation corridors can be preserved. Commissioner White made a motion to sign the ordinance amending Chapter 7, Articles 1, 10, and 11, Zoning Regulations and summary. The motion was seconded by Commissioner Rule and carried unanimously (see ordinance no. 19-001).

Consider signing independent contractor agreements for Court Interpreters Adel Kathem and Abdelbari Ali: Ms. Peterson explained these two contracts were signed in the previous fiscal year and noted for the record the languages each interpreter speaks and their qualifications. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreements for court interpreters with Adel Kathem (see resolution no. 19-016) and Abdelbari Ali (see resolution no. 19-015).

Consider signing resolution approving and adopting updates to Pickles Butte Operation and Maintenance Manual: Brad Goodsell said that this resolution will approve updates and revisions to the Pickles Butte Operation and Maintenance manual. Notice was published with a 28 day comment period to SWDH. After that time period it then goes to DEQ for comments and any revisions are made based on comments from SWDH and DEQ. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution approving and adopting updates to the Pickles Butte Operation and Maintenance Manual (see resolution no. 19-005).

Consider signing resolution to waive certain landfill fees for Canyon County residents on April 27, 2019: This resolution will allow for Canyon County residents to use the landfill for one day and have certain fees waived. Upon the motion of 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 27, 2019. After the meeting it was noticed that there was an incorrect date on the resolution so it will be revised and brought back to the Board at a later date.

The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 14, 2019

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

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$63,252.52 for accounts payable.

SWEARING-IN CEREMONY FOR NEWLY ELECTED OFFICIALS

A swearing-in ceremony was held this morning in the public meeting room of the Canyon County Administration Building. The ceremony began at 10:00 a.m. with the following people in attendance: Commissioners Pam White, Tom Dale, Leslie Van Beek, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, department administrators, employees, judicial and city representatives, interested citizens, as well as Deputy Clerks Jamie Miller, Jenen Ross and Monica Reeves. Administrative District Judge Susan Wiebe administered the oath to Clerk Chris Yamamoto. The Clerk of the Board administered the oath of office to the following officials: Commissioner Pam White, Commissioner Leslie Van Beek, Assessor Brian Stender, Treasurer Tracie Lloyd, and Coroner Jennifer Crawford. The oaths of office are on file with this day's minute entry. The ceremony concluded at approximately 10:25 a.m.

CONSIDER APPOINTING CHAIRMAN AND VICE-CHAIRMAN OF THE BOARD OF CANYON COUNTY COMMISSIONERS

The Board met today at 11:01 a.m. to consider appointing a chairman and vice-chairman of the Board of Canyon County Commissioners. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, representatives from the Ambulance District, and Deputy Clerk Monica Reeves. Commissioner Dale said the role of the chairman is to conduct the meeting, control public input, keep the discussion to the agenda items, prohibit personal attacks, and prohibit discussion of issues not before the Board. The chairman retains the right to discuss and vote on every issue. Commissioner Dale made a motion to nominate Pam White to be the chairman and to nominate himself to be the vice-chairman for the coming two years. The motion was seconded by Commissioner Van Beek who said it seems like the obvious choice but she asked if there's any room discussion on looking at rotating it throughout the year to give everyone an opportunity to be chairman. Commissioner Dale said it is an obligation to do this every two years upon the election/re-election of Commissioners and he thinks it's wise to stay with that otherwise the rotation could create some confusion and turmoil. The motion carried unanimously. The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 15, 2019

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

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$85,616.08 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, PIO Joe Decker, Deputy Clerks Jenen Ross, Jamie Miller, and Monica Reeves. Nicole Foy from the Idaho Press-Tribune arrived at 8:57 a.m., and Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, and Deputy P.A. Zach Wesley arrived at 8:58 a.m. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communication issues: KBOI radio interview schedule; he needs to finalize Commissioner Van Beek's bio for the County website; he's worked with Director Loper on the "free day" at the landfill and the household hazard waste disposal events; the courthouse will be closed on Monday for Idaho Human Rights Day; and he will meet with the COMPASS communications director to talk about working together. Commissioner Dale inquired about working with the BSU Public Policy Department to do a survey asking for community input on the jail bond effort so that we can know what the general public thinks about it. Commissioner Van Beek asked if there has been a forum for the public to provide input; she's heard criticism about not allowing the public to comment. Commissioner White said there have been several public hearings and people were allowed to talk. There have also been meetings where the Board was receiving information and did not take public comment. Commissioner Van Beek wants to know where the County is at in terms of expenses because she was told by legal that we are over the amount the Controller included in the budget for the temporary jail housing units. Commissioner White believes the reference is to Paul Navarro's report that a third-party inspector will be needed to assist with obtaining permits for the trailers, and it's her understanding the Controller isn't concerned about that issue. Commissioner Van Beek said the Board should have a running total of what it's costing and where we're at compared to the amount that was allocated. Commissioner White said the Controller keeps her informed and she suggested Commissioner Van Beek reach out to him as well. The Board reviewed the in-house list of boards and committees the Commissioners serve on. Commissioner Dale currently serves on the majority of the boards/committees and he wants to split the appointments between all three Commissioners. Commissioner Van Beek said she has signed up to take a master's class in government budgeting and finance and so she will evaluate how much she can reasonably take on. The Board has a statutory obligation to understand the budget so that's going to be her first priority and then she will filter down the commitments after that. Commissioner Van Beek said she approved a number of claims (invoices) yesterday but she believes the one for the Recorder's/Passport Office in the amount of \$2,539 for office chairs (\$450 for five chairs, and one chair at \$289) is excessive. She will talk to Controller Wagoner about the invoice. Commissioner Van Beek voiced her concern with staff placing a note in the calendar regarding an upcoming land use hearing where the planner emailed a comment about the length of time that should be scheduled given the number of people who testified in opposition at the P&Z Commission hearing, as well as the decision of the P&Z Commission. She does not want staff including notes the calendar appointment because it's the Board's responsibility to read the case packets and come up with their own conclusions and

questions. Commissioner Dale said occasionally there is a note that says whether the case has opposition but outside of that information there doesn't need to be any other information added by staff to the appointment. He finds it helpful to see a note indicating whether there was opposition. Commissioner Van Beek said it's possible some opposition could come in the day of the hearing so necessitates having the complete picture so she proposes leaving out any leading opinions. Chief Civil Deputy P.A. Sam Laugheed said the notes from the DSD planners are intended to have some operational value for scheduling, but there could be another way to achieve that. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:11 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Lt. Ben Keyes, HR Director Sue Baumgart left at 9:30 a.m., Indigent Services Hearing Manager Kellie George left at 9:15 a.m., Indigent Services Case Manager Camille Tilden left at 9:15 a.m., Nicole Foy from the Idaho Press and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution classifying records of the Canyon County Clerk and authorizing the destruction of indigent files/records: Zach Wesley explained this will allow the Indigent Services department to destroy records within a certain timeframe that no longer need to be retained. These particular records, pursuant to this resolution, will be permanently destroyed. Mr. Wesley noted for the record that this resolution is mainly in regards to physical records in order to clear up some cabinet space. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing the destruction of indigent files/records (see resolution no. 19-008).

Consider signing a resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds: Dan Blocksom said this resolution is for the State Criminal Alien Assistance Program (SCAAP) funds and is based on the number of undocumented individuals in the county jail. We submit those numbers to the Federal Government and they in turn cut a check to the county. This is the agreement to officially accept those funds and allows the federal government to release the funds to us. The grant can only be used for specific purposes which are memorialized in the resolution. This grant is specific to undocumented persons in the county's custody after conviction. Even if there are undocumented persons in custody prior to conviction they do not count towards purposes of this grant. Commissioner Dale made a motion to adopt the resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds. The motion was seconded by Commissioner Van Beek for discussion. Discussion was had regarding the dates noted in the agreement of July 1, 2015 – June 30, 2016. Mr. Blocksom said he would confirm the dates. Commissioner Dale withdrew his original motion and made

a secondary motion to approve the resolution pending the clarification of the dates allowing the document to be signed as a ministerial matter once the dates are confirmed. Commissioner Van Beek asked several questions about the fund that the money is received into and tracking of the monies. She would like to be able to track excess revenue received by the County so there can be a well thought out plan as to where we're going with the expenditures that need to be made for public safety as well as other things that are trying to be accomplished. Mr. Laugheed said he believes that when the county receives grant money it is required to go into the general fund and then the budget is reopened for adjustments as necessary. Commissioner White seconded the motion to sign the resolution contingent upon clarification of the dates. Commissioner Dale stated for the record that he has every confidence in the Clerk and Controller in being able to show the exact trail of the monies. Commissioner Van Beek carried with Commissioners White and Dale voting in favor (see resolution no. 19-009).

Consider signing notice of informal public meeting and application for the Canyon County Sheriff's Office Marine Division's 2019 Waterway Improvement Fund Grant application to the Idaho Department of Parks and Recreation: Lt. Keyes said this year they are asking to replace a motor on their 1972 boat. The estimate is for \$15,843 with an \$1800 trade-in which left \$14,043 remaining. The grant requires a match of 25% on any equipment under \$50K. In order to meet that match they are going to use the trade-in and then they have a line item that they will pull \$2160 from, which will equal the \$3961 match requirement. The grant needs to be submitted by January 25th and will be submitted electronically. One requirement of the grant is to hold a public meeting for public input; in addition to the meeting Lt. Keyes' contact information is listed in the notice if the public would like to submit comment that way. Commissioner Dale made a motion to authorize the Board to sign the notice of informal public hearing to occur on January 22nd and to sign the grant application. The motion was seconded by Commissioner Van Beek and carried unanimously.

As part of the legal staff update Mr. Laugheed spoke about some items he's made note of regarding the running and preparedness of meetings. The meeting concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:42 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, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Topics of discussion included the following: budget and permit update, floodplain ordinance status, planner recruitment update, fire impact fee meeting, and P&Z Commission joint meeting. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:00 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

CONSIDER 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, 63-602X

The Board met today at 10:32 a.m. to consider various new property tax exemption applications and renewal exemptions under Idaho Code Sections, 63-602B, 63-602C, 63-602D, 63-602E, 63-602W, 63-602GG, 63-602P, 50-2014, and 63-602X. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Assessor's Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The applications were considered as follows:

Roman Catholic Diocese of Boise Our Lady of the Valley Catholic Church, PIN 05176000

0: Ms. Loutzenhiser said the property is located on Dearborn Street in Caldwell and is owned by the Catholic Church. It was previously partially exemption because it was used by the church but now the church is not using it at all, they are renting it to various other churches and so for that reason this property no longer qualifies for the religious exemption. (She noted that when a property is no longer using it for religious purposes and are only using it for rental property, regardless of who they are renting to, that's when they lose their exemption.) With a religious exemption you have to own the property and use it exclusively for religious purposes. Commissioner Van Beek made a motion to remove the religious exemption from the property because it does not qualify to receive the exemption as an owner non-occupied religious building. The motion was seconded by Commissioner Dale and carried unanimously.

Boise Rescue Mission, PIN 31328012 0: The property is located on Corporate Lane in Nampa and is adjacent to a building the rescue mission already owns; they are expanding their shelter in that area and this property is being used in the same way as the adjacent property that's already received an exemption. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to extend an exemption to the Boise Rescue Mission.

Lifeline Crisis Pregnancy Center, Inc., PIN 15954000 0: They have purchased property adjacent to their current property and are using it for storage and meetings while they continue to renovate it and get it ADA accessible, but in the meantime they are using it for a charitable purpose. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

Urban Renewal Agency of the City of Caldwell, PIN 04555000 0. This property is on Main Street in Caldwell and is adjacent to another urban renewal property that's exempt and is part of a gravel lot downtown. When they initially purchased it there was a building on it that was being leased so it didn't qualify at that time. They are now applying for their first exemption on this parcel and the Assessor's Office is recommending approval. Commissioner Dale made a motion to approve the exemption and Commissioner Van Beek seconded it for discussion and then she asked if they are applying to be in the urban renewal district. Ms. Loutzenhiser said no, the property is in the district and is owned by the urban renewal agency and under this code they can receive an exemption on the property as long as they are not renting it. Joe Cox said the city is automatically exempt but the urban renewal agency has to apply for it. Most of this is based on ownership but if they lease it to a for-profit

business or another business then it becomes taxable again. Following comments, the motion carried unanimously.

Urban Renewal Agency of the City of Caldwell, PIN 35307010 0: The property is located on Highway 20-26 and the Assessor's Office is recommending the exemption be granted because they own it and they are not leasing it. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to grant the exemption.

Rock of the Christian and Missionary Alliance, Inc., PIN 31460000 0: The property is located on Lone Star Road in Nampa. This is a church that was previously exempt under the ownership of a different church so the use of the property hasn't changed, just the ownership. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to grant the religious exemption.

Oregon Potato Company, PIN 30406010A0: The property is located on Treasure Valley Way in Nampa and was recently acquired by the applicant from IdaCold, and it was leased to the College of Western Idaho and Boise State University before that for truck driving classes. The educational use hasn't changed but the ownership has. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemption for the Oregon Potato Company leasing to CWI for truck driving educational purposes.

Joe Cox noted that on any exemptions that are denied the applicants have a right to an appeal process where they can provide additional information to the Board. Ms. Loutzenhiser presented a stack of exemption applications on properties that were previously granted exemption and where there has been no change in ownership or use. There are 11 applications for charitable exemptions under Idaho Code Section 63-602C which qualify for the exemption for 2019. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to grant the extension of the existing exemptions. There are six applications for educational exemptions under Idaho Code Section 63-602E which qualify for the exemption for 2019. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to accept the six applications under the educational exemption because the use and ownership have not changed and because the Assessor has recommended approval. There are four applications for urban renewal exemptions under Idaho Code, Section 50-2014 which qualify for the exemption for 2019. They are owned by the Nampa Urban Renewal District and just like the others the use and ownership have not changed and the Assessor is recommending approval. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to grant the exemption for the coming year. There are 59 applications for religious exemptions under Idaho Code, Section 63-602B. They have not changed in ownership or use and the Assessor is recommending approval for 2019. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale the Board voted unanimously to accept the 59 applications because the use and ownership have not changed under Idaho Code, Section 63-602B. Mr. Cox said the renewal process is done on an annual basis and if the churches don't apply we recommend they don't qualify. Ms. Loutzenhiser may contact them several times to make sure they do get qualified. There about 600 parcels that receive this type of application and the deadline to file is April 15th. Commissioner Van Beek suggested there be a pause before calling for the vote in case she thinks of a question and we can reference the due diligence on the record. Below is list of the following accounts that were granted an exemption:

13415000 0	NAMPA DEVELOPMENT CORP
13415011 0	NAMPA DEVELOPMENT CORP
13333000 0	NAMPA DEVELOPMENT CORPORATION
13335000 0	NAMPA DEVELOPMENT CORPORATION
04865000 0	ANTIOCH MISS BAPTIST CH
12798000 0	APOSTOLIC ASSEMBLY OF FAITH IN JESUS CHRIST INC
	ASSEMBLY OF GOD CH CENTRAL LATIN AMERICAN DIST
02016000 0	COUNCIL
35746000 0	CALDWELL FREE METHODIST CHURCH INC
17607033 0	CANYON COUNTY CHURCH OF CHRIST INC
08575000 0	CH OF THE NAZARENE
08833000 0	CH OF THE NAZARENE
12158000 0	CH OF THE NAZARENE
08573000 0	CH OF THE NAZARENE N NA INC
19191000 0	CHURCH OF CHRIST
20007000 0	CHURCH OF GOD
01577000 0	CHURCH OF GOD APOSTOLIC OF ID
31440010A0	CHURCH OF THE BRETHREN INC
30381000 0	FELLOWSHIP BAPTIST CHURCH INC
17769000 0	FIRST BAPTIST CHURCH OF MIDDLETON
17779000 0	FIRST BAPTIST CHURCH OF MIDDLETON
18469000 0	FIRST BAPTIST CHURCH OF MIDDLETON
18857000 0	FIRST BAPTIST CHURCH OF NOTUS INC
38996000 0	FIRST BAPTIST CHURCH OF ROSWELL
15436000 0	FIRST CHRISTIAN CH
15437000 0	FIRST CHRISTIAN CH-NA
15439000 0	FIRST CHRISTIAN CH-NA
15441000 0	FIRST CHRISTIAN CH-NA
07347000 0	FIRST CHURCH OF CHRIST SCIENTIST
19935000 0	FIRST METHODIST EPIS CH WILDER
18987000 0	FIRST PRESBYTERIAN CH
00330000 0	FIRST REGULAR BAPTIST INC
32186010 0	FIRST ROMANIAN CHURCH INC
32918000 0	FOLLOWERS OF CHRIST
32923000 0	FOLLOWERS OF CHRIST INC
34174000 0	FRANKLIN COMMUNITY CH INC
36241000 0	GREENLEAF FRIENDS CH
36242000 0	GREENLEAF FRIENDS CH
36263010 0	GREENLEAF FRIENDS CHURCH
36264000 0	GREENLEAF FRIENDS CHURCH
33670010 0	HOMEDALE FRIENDS COMM CHURCH
19940000 0	IGLESIA EVANGELICA MEXICANA DE WILDER INC
13490010 0	INVOLVE CHURCH INC

01112011 0	JEHOVAHS WITNESSES INC N CALDWELL CONGREGATION
27472000 0	MIDWAY BIBLE MISSIONARY CH
16765000 0	NAMPA CH OF CHRIST
00087000 0	NEW LIFE BIBLE FELLOWSHIP INC
02815545 0	NW DISTRICT BIBLE MISSIONARY CHURCH
19565000 0	REVIVAL CENTER CH INC
	ROMAN CATHOLIC DIOC OF BOISE SACRED HEARTS JESUS
18975000 0	MARY CHURCH
17503000 0	ROMAN CATHOLIC DIOC OF BOISE MELBA CHURCH
15617000 0	ROMAN CATHOLIC DIOC OF BOISE ST PAULS CHURCH
32334000 0	ROMAN CATHOLIC DIOCESE CEM
15227000 0	ROMAN CATHOLIC DIOCESE OF BOISE
15228000 0	ROMAN CATHOLIC DIOCESE OF BOISE
16238000 0	ROMAN CATHOLIC DIOCESE OF BOISE
17502000 0	ROMAN CATHOLIC DIOCESE OF BOISE
17607020 0	ROMAN CATHOLIC DIOCESE OF BOISE
24564010 0	ROMAN CATHOLIC DIOCESE OF BOISE
02033000 0	SPANISH ASSEMBLIES OF GOD CHURCH ROSA DE SARON
03678010 0	TREASURE VALLEY CHRISTIAN
03683000 0	TREASURE VALLEY CHRISTIAN
03685000 0	TREASURE VALLEY CHRISTIAN
33003011A0	UNITED REFORM CHURCH OF NAMPA
64941025 0	CANYON COUNTY COMMUNITY CLINIC
31304000 0	BOISE RESCUE MISSION INC
31305000 0	BOISE RESCUE MISSION INC
31312000 0	BOISE RESCUE MISSION INC
31328011 0	BOISE RESCUE MISSION INC
16835000 0	BOISE RESCUE MISSION INC @@
29196000 0	IDAHO FISH AND WILDLIFE FOUNDATION INC
15957000 0	LIFELINE CRISIS PREG CNTR INC
11905200 0	LIFEWAYS INC
35790115 0	LIFEWAYS INC
31139000 0	PACIFIC PRESS PUBLISHING ASSOC
61111011 0	TREASURE VALLEY COMMUNITY COLLEGE
36822011 0	CANYON OWYHEE SCHOOL SERVICE AGENCY
11504000 0	EVAN LUTH ZIONS CONG OF THE
76062000 0	GREENLEAF FRIENDS ACADEMY
36241010 0	GREENLEAF FRIENDS CHURCH
29567011 0	LIBERTY CHARTER SCHOOL INC

The meeting concluded at 10:59 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 16, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – attending the legislative committee mtg.
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted.

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$128,342.63 for accounts payable.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 17, 2019

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

APPROVED CLAIMS ORDER NO. 1/18/19

The Board of Commissioners approved payment of County claims in the amount of \$915.00, \$4402.20, \$17,070.31 and \$8370.20 for accounts payable.

APPROVED CLAIMS ORDER NO. 1908

The Board of Commissioners approved payment of County claims in the amount of \$1,732,837.93 for a County payroll.

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$45,610.16, \$70,943.47 and \$52,980.51 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-162, 2019-206, 2019-249, 2019-161, 2019-235, 2019-250, 2019-243, 2019-314, 2019-209, 2019-211 and 2019-234. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases read into the record. Commissioner Van Beek made a motion to approve case nos. 2019-232, 2019-252 and 2019-302. The motion was seconded by Commissioner Dale and carried unanimously. 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 ITEM

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart, Controller Zach Wagoner left at 9:15 a.m. and Deputy Clerk Jenen Ross. Sam Laugheed spoke about the SCAAP Grant that was considered previously. He said that Mr. Blocksom confirmed that the dates of service listed in the grant are correct. Zach Wagoner said that when the SCAAP Grant monies are received they will be credited to the justice fund which will in essence offset the expenditure that has already taken place. Commissioner Van Beek asked if we know if the grant monies for this year have been earmarked for a designated purpose by the Sheriff's Office. Mr. Wagoner believes that money is to offset the purchase of the Iris scanner that has already been received. Commissioner Van Beek's understanding is that the county is not housing undocumented aliens and has some question as to why we're receiving funds. She would like to see an accounting of the number of undocumented persons so that we're clear on providing the answer of 'do we house them or not?' Mr. Laugheed and Mr. Porter explained that if we have undocumented aliens in our custody they are there on either county or city charges. When a person comes into custody on a criminal charge there is a booking process in which they can disclose to the booking officer their nationality so that an embassy can be contacted on their behalf if appropriate. They remain in our custody while they have a bond on their criminal case and an agreement has been worked out with ICE agents and their leadership that once our charges have been resolved they'll be notified, and except for the processing time to take them out of our custody they either remove them from the facility or switch them over to their control and custody. Undocumented inmates will then be watched by county deputies but they are now, for purposes of the law, considered an ICE detainee so that may cause some confusion. Mr. Wagoner clarified in regard to this particular grant no revenue was formally budgeted so that side will show zero and will be tracked at the line item level.

Meeting with Development Services staff to consider signing a resolution for a hardship waiver fee for a temporary use permit for Miguel Benavides: The county land use ordinance prohibits permanent residence in a recreational vehicle, however there is a 90 day

permit available to allow a person to stay in the RV until they can either relocate the vehicle or find other accommodations. Generally people requesting this type of waiver are indigent and cannot afford the \$300 application fee. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution for a hardship waiver fee for a temporary use permit for Miguel Benavides (see resolution no. 19-011).

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 Dale made a motion to go into Executive Session at 9:23 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, HR Director Sue Baumgart, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed 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 ANNE WESTCOTT TO DISCUSS FIRE DISTRICT IMPACT FEES

The Board met today at 10:07 a.m. to discuss fire district impact fees. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Anne Westcott and Ozzie Gripentrog from Galena Consulting, Attorney Bill Gigray, Ambulance District Director Michael Stowell, Kuna Rural Fire Chief Larry Palmer, Wilder Fire Chief Steve Rhodes, Caldwell Fire Chief Mark Wendelsdorf, Commissioner Kemp from the Caldwell Rural Fire District, Caldwell Deputy Fire Chief Steve Donahue, Star Fire Chief Greg Timinsky, Robin Moore from the Star Fire Department, Nampa Fire Chief Phil Roberts, Marsing Fire Chief Brian Showalter, Commissioner Jim Bower from the Marsing Fire Department, Commissioner Liz Bolts and Victor Islas from the Middleton Rural Fire District, Lori Spatley from the Greater Middleton Parks and Recreation, Tim Ulmer from the Greater Middleton Parks and Recreation and Middleton Rural Fire District, and Deputy Clerk Monica Reeves. Anne Westcott said a public meeting was held a year ago to bring the elected officials and fire districts together to talk about fire service in the county. There are 11 jurisdictions for fire protection and emergency medical response who support each other through mutual aid and they are asking Canyon County to consider partnering with the districts in the collection of impact fees. The districts property tax, particularly with the caps that are in imposed, cannot keep up with the

increasing costs of operation. Existing residents are not interested in paying for growth. Impact fees are for capital, not for operating, and they are an equitable way to assign the burden of the cost of growth-related capital. Fire impact fees are already being assessed in Nampa, Caldwell, Boise and Meridian. Ada County is considering the collection of fees. The Canyon County Fire Districts would like to collect impact fees in order to support their growth-related capital needs in order to keep that level of service, but because the districts do not issue building permits there is no point at which they can collect an impact fee. They need cities and counties to collect it for them and that's why they are here today, they would like the county to consider collecting impact fees and disbursing them to the districts so that they can pay for their growth-related capital. A PowerPoint presentation was given and highlights included: service delivery, ideal response times, Treasure Valley target response times, fire district population growth projects 2018-2028, fire district household growth projects 2018-2028, fire district non-residential growth projects 2018-2028, increase in calls for service, growth's impact on level of service, how can districts maintain their level of service in the midst of significant growth, how can districts maintain their level of services in the midst of significant growth, and what the districts are seeking from the county. A review of impact fees and Idaho state statutes, study methodology, fee calculation, current capital assets needed for current level of service, value of 10-year capital improvement plans by district, capital improvement plan for Caldwell/Caldwell Fire District, Kuna Fire District, Marsing Fire District, Middleton Fire District, Nampa/Nampa Rural Fire District, Star Fire District, and Wilder Fire District, proposed impact fees per fire district, impact fee calculations, fee comparisons, and the legal process:

- Fire districts have conducted their impact fee studies and developed 10-year capital improvement plans in compliance with state statute.
- Advisory committees made up of community members in development, real estate, lending, construction, etc., have given their unanimous recommendation to adopt the proposed fees.
- District commissions have reviewed the proposals and have determined they would like to pursue the adoption of fees with the cities and Canyon County.
- The Cities of Kuna and Star have already adopted fees for their rural fire districts; the City of Middleton has indicated its willingness to do so as well.
- All documentation of adoption of impact fees for the respective fire districts has been developed in compliance with state statute and can be provided to the Prosecutor's Office for review.
- Required Steps:
 - Approval of impact fee advisory committee membership
 - County public hearing on each fire district's capital improvement plan and resolution approving each plan
 - County public hearing on the ordinance adopting fire district impact fees
 - County planning and zoning public hearing to amend the comprehensive plan to include the fire district capital improvement plans; resolution of amendment by the Canyon County Commissioners

Administration of fees: Ideally, the county would assess and collect the appropriate fee at the point of building permit. Revenue would be disbursed to the districts on an agreed-upon schedule (i.e., quarterly). Districts would pay the county an administrative fee for processing. Districts would be responsible for managing required reporting to the development impact fee advisory committee and fund/manage the required study updates at least every five years.

Bill Gigray, who represents a number of the fire districts, provided information on the legal aspects followed by roundtable discussion amongst the Board, Ms. Westcott and Mr. Gigray. (A copy of the legal aspects presentation is on file in with this day's minute entry.)

The county, city and Ada County highway districts are the only ones that can do impact fees by ordinance. You can enter into an inter-governmental agreement for the purpose of enacting an impact fee ordinance for a fire district so when the legislature amended the law in 2007 to add that provision they didn't amend any other part of the development impact fee law. The City of Kuna was doing an accommodation to the fire district so they needed a model that had the least amount of administrative and fiscal impact to the city because the benefitted party is going to be the fire district. They also realized that model would have to be followed with Ada County, and Star, etc., but we really don't want to have 16 different models about how this agreement will be put together. The best way to do it would be in your ordinance to have it for participating fire districts which would be defined in the ordinance so if you had one drop out or you had an additional one you'd only have to amend pieces of the ordinance. It makes more sense to do it in one ordinance and identify participating fire districts. The model provides that the fire districts will assume most all the responsibility for administering the development impact fee. The collection will have to be done at the county level, the initial determination of the standard impact fee would be charged on a standard application. If someone claims an exemption it might be easier to let the building inspector make that decision rather than have to worry about referring to the fire district whether an exemption should be there or not. Then you can have a request for a special assessment where they claim there are some benefits coming out of this. If somebody requests a special assessment that would be referred to the fire district for determination. There can be requests for credits and reimbursements which would be referred to the fire district administrator. Then we have to establish the trust fund and it would be administered by the fire districts and that removes a lot of the administrative expense from the county. Each district would establish through policy these trust funds which require you to identify every property, every fee payer, when it was collected and it will be accounted for in that manner by year. We can follow this with the PA's Office from the resolutions approving the capital improvement plan to the public hearing notices. Both the fire district commission and the county commissioners are required to have the public hearings. Commissioner Van Beek asked for more information on the growth rate multiplier. Ms. Westcott said it starts with COMPASS who does all the demographic data and the update of the 4-year plan. Their projections tend to be conservative as they are based on trends which she balances with the down trends and then she goes to the cities and then to Director Nilsson on the building permit activity. Five different sources come together and she makes an educated guess. Having that relationship appropriate makes it not so risky to have those growth projections wrong as long as everyone is paying their share. Commissioner Van Beek asked who absorbs the remaining impact fee for the platted developments that occurred during the recession in 2008. Ms. Westcott said a district can

choose to collect all \$4 million for a station and then build the station, or they can say they feel comfortable that it will be built out in 10 years and they will front it with property tax dollars and pay themselves back, or they can bond for it and pay themselves back. If they take that risk of building before they've collected all the money and the worst thing happens then they are going to have to make up the difference. If nothing gets built at all you have to give that money back. Commissioner Van Beek asked how they are mitigating for the increased prorated cost per house. Ms. Westcott said it doesn't have to be mitigated; in Idaho they don't ask us to do this, she just tries to make sure she's not over collecting. If she puts more growth in it brings the fee down, if she makes a growth projection that's too low everyone has to pay more than their share. Ms. Westcott said there is no fee to the county for her services as the districts have paid for her services. Commissioner Dale said he has been a proponent of impact fees for 22 years because he believes growth should pay for itself, it should not be placed on the existing property taxpayers. He said every taxpayer in this room should be appealing to their legislators to allow school districts to assess impact fees because that would greatly reduce the property tax burden for every property taxpayer in every district in every city in every county. You want impact fees to establish them when you anticipate growth, you don't want to establish them after you see growth coming because you've missed the boat. You want to get that impact fee established so the developer knows going in that they will be helping to accomplish what is needed to protect the homes with fire and emergency medical treatment. He supports this issue but he believes the fire districts should be responsible for those initial discussions and determinations of exemptions, he doesn't want to see that go to the Development Services Department. Commissioner White said she's always believed in impact fees and supported them. She said growth will never pay for itself but we are doing everything we can where they are shouldering a huge load and that's a good thing. Commissioner Van Beek said given that it doesn't generate income immediately what is used as an average time once you decide to assess an impact fee? Ms. Westcott said the statute allows us to start collecting 30 days after the ordinance is in effect. The City of Nampa is unique in that they do police, fire, parks and streets and so that growth will pay everything. The fee has significantly increased so they have allowed 120 days before implementation to give people some time to adjust. You have flexibility, each district is different. Commissioner White wants it on the record that the county will assess and collect the appropriate fee at the point of building permit and revenue will be dispersed to the districts on an agreed up on schedule. Districts will pay the county an administrative fee for processing and will be responsible for managing required reporting to the development impact fee advisory committee and manage the required study updates at least every five years. Bill Gigray said the standing committee has to meet at least once a year and they will staff all of that and they will report what they are doing to the county. The next step is to obtain authority from the Board to send all the documents to the Prosecutor's Office. As far as the required hearings, they can be done all at once on the approval of the capital improvement plan, the ordinance and the new fee, and then the county will have to amend the comprehensive plan to include the capital improvement plan. Ms. Westcott said all of the districts are done through their advisory committee and have been approved by their commission, except for Caldwell Rural Fire, Wilder Fire and Marsing Fire, but that process should be done in the same amount of time it takes the Prosecutor to review the documents. Mr. Gigray said they are working with the Greater Middleton Parks and Recreation District because they need to propose impact fees but they cannot enter into an

inter-governmental agreement with the county because they are not in the statute so we are putting together a process by that which would have some synergy with this but we'll have to do it with a contract services agreement with the district and then there will be an intergovernmental agreement between the City of Middleton and the county. The process will look a little different. Director Nilsson said when we go through the agreements we want to explore how we might set the county's administrative fee so we don't just have an arbitrary percentage. Mr. Gigray said the county determines what its costs are and then you establish it at that point. Phil Roberts said they are already seeing the benefits of impact fees in their community and they are reducing runs by their larger equipment by implementing a squad. They've had some difficulties with the cost of the reduction where they weren't able to collect \$5.5 million in impact fees and it cost them a station they desperately needed. They are already planning for two more beyond that. He greatly appreciates the Commissioners' willingness to hear the information. Victor Islas from Middleton said the people in Middleton deserve the same services as those in Nampa and Caldwell and hearing the positivity from this discussion means there's less stress on what the future will look like. Commissioner White said there's no decision to make, it'd be a consensus of the Board to move ahead and let Mr. Gigray meet with Zach Wesley and put more information together. Commissioner Van Beek reiterated the point that no decision is being made on this matter today. The meeting concluded at 11:24 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 AND CONSIDER SIGNING A RESOLUTION TO MAKE REAPPOINTMENTS TO THE CANYON COUNTY HISTORIC PRESERVATION COMMISSION

The Board met today at 11:30 a.m. with the Parks Director to discuss general issues, set policy and give direction and to consider signing a resolution to make reappointments to the Canyon County Historic Preservation Commission. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley left at 11:34 a.m., Parks Director Nicki Schwend and Deputy Clerk Jenen Ross.

Reappointments to the Canyon County Historic Preservation Commission: Director Schwend provided a background on the Historic Preservation Commission. Commissioner Dale made a motion to sign the resolution reappointing Dr. Mark Plew and Nikki Gorrell to the Canyon County Historic Preservation Commission. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 19-010).

Director Schwend continued her meeting updating the Board on the following items:

- *Grant application workshop:* The workshop has been moved to earlier in the year in order to allow more time to work with the organizations. They will also be tightening up the requirements for providing a project summary at the end of the fiscal year.
- *Waterways Improvement Fund grant:* Recently they were made aware that Idaho State Parks is still seeking applications so they are fast-tracking the Celebration Park Shoreline Stabilization and Dock Replacement application which was originally slated for FY2021.

- *Idaho-Oregon Snake River Water Trail*: Started with a National Parks Service grant in 2009. The idea is to get growing communities on board to make it a resource for recreation and education.
- *Canoe Science Camps*: This is a program being initiated this summer and will be completely funded by grants.
- *Lake Lowell Park – Story Trail*: This was designed as a way to get kids to a park and get them hiking and reading.
- *Winter Desert Ecology Field Trips*: Field trips are continuing to go strong.
- *Southwest Idaho RC&D and Canyon County Historic Preservation Commission Luncheon*: Was held on December 4th at the Crossroads Museum.
- *Crossroads Museum*: The next exhibit is scheduled to be the Return of the Boise Valley People but the government shut down has slowed this down a little.
- *Gun Range*: A corporal from the SILD program has reached out to ask about closing the gun range to do a deep clean. The cleaning will take place on January 26th; notices have been posted and Mr. Decker will post the information on the website. Up until this year the gun range has had no funding and the parks staff does the best job they can in keeping it clean but it is always busy and Ms. Schwend worries about possible altercations. Director Schwend has proposed to close it from dawn to 3:30 p.m. the last Thursday of each month for regular cleaning. Parks will be doing the cleaning but she will let SILD know and if they have crews available the help would be welcomed. Next week she will meet with Paul Navarro to discuss pulling power out there.

The meeting concluded at 12:00 p.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING - REQUEST BY RICH AND RHONDA PICKETT FOR A CONDITIONAL REZONE, CASE NO. CR2018-0004

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 Rich and Rhonda Pickett for a conditional rezone, Case No. CR2018-0004. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The hearing is being rescheduled to a later date for the purpose of having all three Commissioners present to hear the case. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to move the hearing to January 22, 2019 at 11:00 a.m. The meeting concluded at 1:34 p.m. An audio recording is on file in the Commissioners' Office.

JOINT MEETING WITH BOARD OF COMMISSIONERS, P&Z COMMISSION AND DSD STAFF

The Board met this evening at 5:06 p.m. for a joint meeting with the P&Z Commissioners and DSD staff. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planners Jennifer Almeida, Debbie Root, and Dan Lister, DSD Admin. Specialist

Kathy Frost, P&Z Commissioners Rick Fried, Patrick Williamson, Robert Sturgill, John Carpenter, and Rick Hall, Sheena Wellard, and Deputy Clerk Monica Reeves. Commissioner Van Beek arrived at 5:13 p.m. The P&Z Commissioners introduced themselves and offered brief comments as follows: Rick Fried lives in the Middleton community and works for Mountain West Bank; Patrick Williamson, along with his family, owns and operates Williamson Orchards and Vineyards in the Sunnyslope area; Rob Sturgill lives in Middleton and is an engineer for Jabil, a contract manufacturing company; John Carpenter lives in the Parma/Roswell area and is a civil engineer; Rick Hall lives in Caldwell and is in the collection agency business.

The topics of discussion were as follows:

What issues are you observing in your decisions and recommendations that deserve more attention by the County?

Patrick Williamson said he's noticed school districts are not responding to staff's requests for information on how new developments will impact them. It'd be nice to have their input on whether the school can handle adding 100 more students, for example. John Carpenter said that may be applicable to other agencies like ITD and the City of Middleton as their responses are inconsistent, for instance, the city may say they don't support a project because it should be over two acres, but then in the same area they may have a totally different stance where they do support it. Dan Lister said staff reaches out to the school districts, but a lot of time they don't have a number available, they will just say they're not at capacity and that's all they'll say. Commissioner Dale said it's good to ask for information but there is a court case where a city used a school district's feedback to deny a development and it was overturned at the court level because it said the school district's responsibility is to respond to population that comes there, it is not the city's authority to deny a development because it will add students to the school. We have to be careful about utilizing the information in denying or approving an application.

Rob Sturgill said the more general question might be the overall impact of high-density subdivisions and how we balance the density versus the impact to schools, roads, etc. He would like to know the Board's perspective of how it views the impact and where it draws the line between high-density and impact. Rick Fried said at a recent meeting the legislators were addressing the question of whether development funds growth, and the take away from that meeting was we have some issues with infrastructure – roads, highways – but we don't have answers so now we're feeling the impact of growth on all entities yet we have the responsibility of being part of an oversight of planning. He wants to hear the Board's thoughts on how to manage some of the components of growth that are putting seemingly undue pressures on infrastructure and public entities. With regard to the question of high-density growth, Commissioner Dale said it belongs within the boundaries of the city limits. If it rises to that level outside the city limits he doesn't think we should be doing it. Regarding the impact of the growth, he said that comes into some deep philosophical and political concepts. The Board's job is to define what we want to see in the County through land use ordinances where we have clearly defined appropriate uses and lot sizes and that's what we should go by. He is a huge proponent of impact fees and he believes growth should pay for itself. He has encouraged people to lobby legislators to grant that same ability to assess impact fees to schools because there is no greater direct connection between the need for

new schools and new houses. We should assess an impact fee for public safety on the County level and if that had been started 15-20 years ago we'd have a really good head start on what we need to build a new jail. He is not in favor of controlling growth by saying, no to growth. Commissioner Van Beek said she is a proponent of getting more information so we can have a complete picture and so she suggested the County engage in some training with Jerry Mason, a land use planner and land use attorney. As far as high-density projects, they need to be done well so they do not increase the need for fire and other services. If we work together and develop the comprehensive plan we'll have a really good road map of where to go. There needs to be long-term strategic planning, although she is not necessarily a proponent of assessing impact fees for schools. Commissioner White said high-density development belongs in the impact area. The reality is that growth will never pay for itself but we have to develop a way with impact fees and other ways to make it shoulder a majority of the burden. Director Nilsson said she attend a meeting this afternoon of the Association of Canyon County Highway Districts and the air went out of the room when it was reported that in three years the Canyon Highway District budget will be upside down. They will have no money for capacity expansions and barely enough to maintain their system so they have initiated impact fee discussions. She asked if the Board is interested in coming up with a tool to measure the fiscal impact of development. Not that we can predict who to hire for that but it's something Anne Westcott with Galena Consulting could do for us. Commissioner Dale thinks it would be a great tool. Commissioner Van Beek prefers we pursue some kind of training to understand it before we commission that out. Mr. Carpenter, who's in the development business, said there's an obvious difference between the cities and the County. For example, in Nampa it's easier for them to make a decision because they don't have to reach out to highway districts and other agencies for feedback. They're getting ready to implement a new impact fee of \$2,800 per residential unit, which is a huge number but it doesn't seem to be causing the developers to hesitate in moving forward with their projects. We need to get aligned with the different cities in what the impact areas are and figure out what we are going to do in those areas and have a general plan. Commissioner Dale said impact fees are reflective of the actual cost of developing and building in the area, but without it you're getting a false impression of what the cost of living is and you're passing it on to everybody else who's already living there. Impact fees have to follow a very specific and precise formula to assess the true cost of impact and development.

What is working well, and what can be improved, in your role as a P&Z Commissioner?

Mr. Carpenter said more training would be valuable. Commissioner Van Beek said Jerry Mason is willing to provide training. Director Nilsson said he has excellent training videos on IAC's website and she can send the links out. Commissioner Dale agreed that Mr. Mason is a great resource and perhaps when he's in the area we could schedule some time for training. Mr. Sturgill said the Board has done a great job in constructing the makeup of the current P&Z Commission because there are a number of different disciplines represented and it's very helpful when looking at specific cases. Mr. Fried said it would be good to know the reasoning behind the Board's decision when it disagrees with the P&Z Commission's decision or recommendation. Commissioner Dale said it was reported that the Board's decisions differed from the P&Z Commission's decision only 8.6% of the time which is pretty good and perhaps a good process for us would be if an applicant brings in new information and it significantly changes the character it might be good to kick it back to P&Z Commission so they can understand the new information, but the problem with that is timing which can

be a real hardship on an applicant. Director Nilsson said when there are differences they try to hone in but sometimes the differences are gray. She doesn't want the P&Z Commissioners to feel that a difference means there's something wrong; both groups are in a different environment when making a decision. Mr. Williamson made the point that more people seem to attend P&Z Commission hearings because they're held in the evening, as opposed to the Board's hearing which are held during the work day. Commissioner White said all communication, whether email, letter or phone call, carries the same weight with her as those who attend the hearing in person. Commissioner Van Beek said whether they are here or not we should not be making decisions based on emotion; decisions need to be reasoned and defensible by looking at the information and the facts of the case. Mr. Sturgill thanked staff for the excellent reports they provide. Dan Lister encouraged the Commissioners to lean on staff for more information if they need it. Mr. Williamson spoke briefly of the H-2A agricultural housing requirements and how the required wage is \$13.42 an hour. He said there is a federal case trying to overturn that because no one in the northwest region is paying that amount. He noted that Jennifer Uranga with the Marsing Labor Camp would be a great resource on the subject. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 5:55 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 18, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$2800.00 for the Information Technology department
- Amazon in the amount of \$5364.00 for the Information Technology department
- HP, Inc. in the amount of \$1400.00 for the Information Technology department
- HP, Inc. in the amount of \$6207.00 for the Information Technology department
- HP, Inc. in the amount of \$9934.00 for the Information Technology department
- Mountain Home Chrysler Jeep Dodge, LLC in the amount of \$24,097.00 for the Fleet department/Sheriff's Office

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$62,367.83 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell left at 9:17 a.m., Chief Deputy Assessor Joe Cox left at 9:17 a.m., Administrative Analyst Jennifer Loutzenhiser left at 9:17 a.m., Appraiser Greg Himes left at 9:17 a.m., Treasurer Tracie Lloyd left at 9:17 a.m., Deputy P.A. Mike Porter arrived at 9:20 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing corrected resolution to waive certain landfill fees for Canyon County residents on April 27, 2019: Brad Goodsell explained last week a resolution was signed to waive tipping fees at the landfill on April 27th but there was an error in the date and this resolution will correct that. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board signed the resolution to waive certain landfill fees for Canyon County residents on April 27, 2019 (see resolution no. 19-004).

Consider approval/denial of a casualty loss application under Idaho Code § 63-711(cancellation of taxes) for Gene and Janice Powell: Treasurer Lloyd said this application is for a shop that collapsed under the snow in 2017. Generally a casualty loss application will be received in the same year as the loss, this particular application is for both 2017 and 2018. The applicants received an assessment notice in 2018 but failed to object as the statute requires. The building has been demolished so there is no longer any value to it so they applied for the casualty loss under code §63-711. Joe Cox explained that the proper time to apply was when the accident happened in January of 2017, they should have applied under Idaho code §63-602X before the 4th Monday in June then the building could have been removed and there would have been no tax consequences for the taxing districts or for the taxpayer. That deadline was missed and when the applicants received the assessment notice for 2017 they still didn't act, when they paid the 2018 taxes they became aware and reached out to find out what they could do to get some tax relief. The Treasurer and Assessor Offices agree that it would be a courtesy to cancel the 2017 taxes but 2018 taxes would be an overstep. The amounts being requested to be waived are \$422.80 for 2017 and \$458.49 for 2018. Commissioner Van Beek made a motion to waive the 2017 taxes but not the 2018 taxes. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the form showing the action taken by the Board is on file with this day's minute entry. The Assessor's Office has discussed that they will expend space on the back of the assessment notices to make people more aware of the casualty loss and address both codes.

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 Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter arrived at 9:20 a.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session.

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

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 2019 TERM

CALDWELL, IDAHO JANUARY 22, 2019

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

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller and Monica Reeves. The Board reviewed this week's schedule with staff. In reference to last week's fire district impact fee meeting, Commissioner Van Beek asked the Commissioners to hold their personal decisions/opinions rather than lobbying for things and to limit discussion to the agenda items rather than going off topic. She disagrees with lobbying for one more impact fee. Commissioner Dale, who voiced his support for impact fees at last week's meeting, said it's broader than just a single issue and he was only stating his opinion which dealt directly with the property tax burden and it was furthering the discussion of why impact fees are so valuable. Commissioner Van Beek said impact fees need careful consideration before we start lobbying for them and given the current climate of tax burden we need to be really careful. She said if the discussion goes off topic she will respectfully provide pushback and ask the chair to call it back to the attention on the agenda items. Commissioner Dale said he's studied impact fees for 20 years and he understands them very deeply and he was stating his opinion and in no way represented that the Board had

discussed it or agreed upon it. On another topic there was discussion regarding Commissioner Van Beek's schedule for Thursday afternoons while she is pursuing a college course. Commissioner White said in the interest of the people's business she wants to continue scheduling meetings on Thursday afternoons in order to keep things moving. Commissioner Van Beek agreed and said she will have more information after she meets with her college professor this afternoon. Commissioner Dale said things stack up if we don't deal with them in a timely fashion and business needs to be the first priority. There was also discussion about the benefit of having all three Commissioners present for land use hearings. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioner's Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 9:10 a.m., Deputy P.A. Brad Goodsell left at 9:40 a.m., Deputy P.A. Zach Wesley left at 9:35 a.m., Director of Indigent Services Yvonne Baker left at 9:10 a.m., Director of Misdemeanor Probation Jeff Breach left at 9:04 a.m., Tom Bicak left at 9:40 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution classifying records of Canyon County Misdemeanor Probation and authorizing destruction of closed offender supervision files: Jeff Breach explained they are required to keep the paper records for 2 years so this resolution would authorize them to destroy the paper files for offenders that were closed in 2016. The files to be destroyed have no activity such as pending appeals or being on supervision. Upon the motion of Commissioner Dale and second by Commissioner Van Beek 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. 19-012).

Consider signing independent contractor agreement for indigent services with Judy Stephens: Yvonne Baker said this is a standard interpreter agreement which runs from 10/1/18 – 9/30/19. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement for indigent services with Judy Stephens (see agreement no.19-017).

As part of the legal staff update there was discussion regarding the Brownfields Grant. Brad Goodsell and Tom Bicak wanted to update the Board on the grant that's being worked on for the clean-up of the Anderson Corner property. Mr. Goodsell explained that the county acquired the property by operation of law about 2 years ago and that it used to be a gas station but over the years the tanks leaked leaving a contaminated property. The county obtained the property due to the previous owners not paying their taxes and just walking away because they knew it was a liability. At this point all that is left is bare ground and a well. The county has worked closely with DEQ and they have indicated to Mr. Goodsell that they intended to help clean up the property and pay for it thru federal monies however the county would possibly have to have some matching funds. In the past the matching funds has

been done as in-kind by waiving tipping fees at the landfill. Contaminated soils can be taken to the landfill, they can be spread out and aerated and then incorporated into the landfill in accordance with state and federal regulations. This property is going to require a little more work and the state doesn't have sufficient funds to clean it up in the next few years so they have asked the county to apply for the Brownfields Grant to offset the cost. Mr. Bicak has drafted the grant application which they have been reviewing and vetting and it is now about ready to be submitted. In the past the county only had to commit to tipping fees but now it appears there may be more asked of the county in regards to the match. The requested grant amount is \$600K and if that were to be awarded the amount the county would have to match is 20% or \$120K. It's possible that the tipping fees will not cover the total amount and there may need to be some additional cash match if the grant is awarded. If the grant is awarded it could still be declined if they county did not want to do the 20% match but Mr. Goodsell does not think it should affect actually applying for the grant. DEQ estimates the clean up to be about \$617,550 and the county is only obligated to the matching funds if the grant is accepted; simply applying does not commit the county to the match. One major concern is that the contamination has gotten to the ground water but the county is not liable for the contaminated water because the property was acquired by operation of law. All the VOC's are above standard level meaning the tolerance levels have been exceeded. Commissioner Van Beek feels that this type of waste is more offensive than other waste being collected at the landfill and wonders if the fee for this can be increased to help offset the grant match. Mr. Goodsell said it may be possible that we may be able to charge additional fees in addition to the tipping fees. Any fees or costs to the county can be counted towards the \$120K match. The last Mr. Goodsell had heard they were still assessing how far the contamination had moved and considering more test wells on the north edge of the property and reiterated that the county's liability is already determined because it was acquired by operation of law, it wasn't purchased. Ideally, this property would be put back on the tax rolls once it's been cleaned up but it will likely have restrictive covenants which may be a large hindrance to the grant application. Not much could be built on the property – no house, no convenience store/gas station nor could a well be drilled. In order to gain points for the grant you have to do something that will benefit society, specifically the poor, people of color or the sick because that data is reported to congress so it is Mr. Bicak's understanding that putting it back on the tax rolls will reduce the chances obtaining the grant. Many things have been discussed as to what could be put on the land but without a well the options are limited primarily to agriculture; a letter was written to the EPA explaining the importance of agriculture and keeping this property for onion use but the EPA still doesn't think it's enough. In addition to the health regulations the property is on a bad corner with dangerous ingress/egress and the 1.3 acres that it does encompass is chopped up with easements from IDT so there is less than an acre there to work. Commissioner White suggested a flea market type event on weekends but then the county would have to own it and it wouldn't be on the tax rolls. Commissioner Dale said he's not committed to say we have to sell it because he's not sure who would buy it. He likes the idea of it being used as a parking lot where a mobile clinic could set up. The farmer who owns the adjacent property has expressed interest in the property once it's cleaned, that he could possibly use as a staging area for his farm equipment. Before the property can be sold it must be offered at auction then if it doesn't sell at auction it could be sold by private sale. Mr. Goodsell said if we aren't awarded the grant

DEQ will continue to work with the county in getting the property cleaned up it will just take longer, the Brownfields grant would just allow the clean-up process to move faster.

Meeting to discuss Treasurer's reports consider approval/denial of December 2018 Treasurer's tax charge adjustment by PIN: Commissioner Van Beek asked for additional clarification as to what these adjustments are. Commissioner Dale said his understanding is that these come from the Treasurer's Office and as they find errors or omissions in the assessment or taxes collected this is the opportunity to correct those errors. Commissioner Van Beek would like additional clarification from the Treasurer before signing. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue this action item to a later time.

The meeting concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

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

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

The Board met today at 10:32 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman, Sr. Admin Dawn Pence and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: Patrol units are in Mountain Home and will be making their way here before next week and then up-fitting will begin shortly thereafter. Working on installing barriers in transport vans and up-fitting of waterway and landfill trucks. May be utilizing a temp position for a couple of months to help with maintenance while others work on the up-fitting. Shop fees have been greater than originally projected for outside work for the City of Caldwell and the Caldwell Fire department. In response to a question from Commissioner Van Beek, Director Tolman explained the process for acquiring new vehicles and determination of when vehicles are retired and associated costs. The meeting concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY RICH AND RHONDA PICKETT FOR A CONDITIONAL REZONE, CASE NO. CR2018-0004

The Board met today at 11:00 a.m. to conduct a public hearing in the matter of a request by Rich and Rhonda Pickett for a conditional rezone of 17 acres from "A" Agricultural to "CR-RR" Conditionally Rezoned Rural Residential, Case No. CR2018-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, Rich Pickett, Rhonda Pickett, and Deputy Clerk Monica Reeves.

Commissioner Van Beek said she has known Rich and Rhonda Pickett for more than 20 years and is familiar with their property and the area but this knowledge will not bias or unduly influence her ability to objectively or prudently evaluate the request. Debbie Root gave the oral staff report. The request is for the purpose of obtaining two additional development rights on the approximate five-acre parcels which are consistent with the development that's currently in that area along Chicken Dinner Road. The property is zoned agricultural and is agricultural on the comprehensive plan. The 17-acre parcel was initially, in its history by the original property owners, to be divided into five-acre parcels and there is some consistent development in that line of thinking. It's difficult to call the acreage a farm although they are raising some alfalfa on it but it does have short rows. At the P&Z Commission hearing Mr. Pickett indicated the irrigation is limited and they have some difficulty along the east boundary ensuring there is enough water to produce the hay that's there. Staff initially recommended denial based on the agricultural nature of the surrounding properties. Ms. Root said the P&Z Commission held strongly towards a recommendation of approval. Staff, with the findings of the P&Z Commission, has also recommended approval to the Board. The P&Z Commission forwarded recommended conditions and typically staff recommends they be strictly held to the site plan, preserving as much agricultural land as possible. Ms. Root reviewed the surrounding properties and how much acreage is there and how the homes would be placed and there tends to be only one or two acres left that are pasture and still in irrigated production. The P&Z Commission chose to eliminate a condition and allow the flexibility on the five-acre piece to allow for hobby farm type activity. She said the P&Z Commission did not think it was appropriate or necessary to limit where homes and accessory structures can be placed and so Ms. Root is asking the Board to consider modifying Condition #2 which states the subject property, Parcels R33141 and R33141011, containing approximately 17 acres shall be developed into no more than three parcels with each parcel containing no less than five acres. When she was modifying the Findings of Fact, Conclusions of Law and Order and looking through this to consider staff's position along with the P&Z Commission recommendation she noted that in re-reading the highway district conditions they are going to require a number of right-of-way dedications when platting is completed and that's going to reduce the acreage of the parcels. They will require dedication along Chicken Dinner Road and Lonkey Lane for the purpose of the plat and that will reduce the two parcels below five acres and so there's a need to modify that condition to allow some flexibility. It conforms to the highway district's standards and their functional classification plan. Commissioner Van Beek wants to make sure there's not a problem later on with the easement requirement. Ms. Root said the City of Middleton requests a 50-foot dedication and Canyon Highway District requests 40 feet of dedication. The dedications requested by highway district are consistent with the majority of the county plans and with the Association of Canyon County Highway Districts standards manual. The highway district and the County's functional classification map are what dictates the future road right-of-way widths so they go to that map and say this is proposed to be a principal arterial in the future so we need this much dedication. Commissioner Van Beek asked if the width of dedication assumes they are classifying that as a more principal arterial type road, and Ms. Root said that is correct. Commissioner Dale said the Board recently adopted a change to the ordinance which took care of this type of thing so that the dedication of rights-of-way would be included in the acreage for the minimum lot size. Ms. Root said the ordinance was changed but it has not yet been codified. She proposes the Board allow for that by at least

noting it in the condition. Zach Wesley said the ordinance changes take care of that and it is effective but it's not been updated to the County code yet; however, he doesn't see any harm in incorporating some language in the development agreement. Ms. Root said the applicants are proposing to divide 17 acres into three residential parcels of approximately five acres. Currently a home and accessory structures take up about 3.7 acres of the property and there are approximately 12 acres in crop production. Two additional residential development rights are requested. Property isn't located within an impact area although it is adjacent to Greenleaf's impact area. There are similar properties in the vicinity to the proposed five acre lots; this is a reasonable use for the property and P&Z Commission recommended approval and identified conditions they'd like considered and staff agrees with that. Rich Pickett spoke in support of his application and gave a history of the property which has been farmed by his family for many, many years. The ground has short rows and is difficult to irrigate. He wants to divide the property so that he can give his sons a home site. The neighbors have no objection to his request. The 12 acres were farmed but Mr. Pickett did not charge rent to the farmer. Commissioner Van Beek said DSD's policy is to retain more than 50% of the ground but it's also noted that it would be cost prohibitive. She agrees that his conditional rezone is more appropriate than changing the comprehensive plan. The property is zoned as prime agricultural ground because of a soil classification but the request is appropriate because nobody would really benefit from farming it. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale believes this is a good proposal and fits with the area and would be an asset to the community, and then he made a motion to approve the conditional rezone from "A" to "CR-RR" as requested with the conditions as listed, and to approve the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order to amend Condition No. 2 as stated. Also approved is the development agreement as stated and as amended. The motion was seconded by Commissioner Van Beek. The motion carried unanimously. (See Agreement No. 19-018.) Commissioner White said there is information in the packet that made it very clear that the request is a good fit, aside from the fact that there are other properties and aside from the fact that it is a family subdivision. As proposed the development is not consistent with the policy of ensuring that greater than 50% of the property remain in agricultural use and production; however, it is consistent with the development in the area and it's compatible with the area. Mr. Wesley has language to add to the conditions and the development agreement to reflect the change Ms. Root requested. (The Board went off the record at 11:31 a.m. and went back on the record at 11:47 a.m.) Commissioner Van Beek made a motion to amend the zoning map to reflect a change from "A" (Agricultural) to "CR-RR" on Case No. CR2018-0004 and to sign the ordinance. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 19-002.) The hearing concluded at 11:48 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van

Beek, Chief Public Defender Aaron Bazzoli, Assistant Public Defender Scott James and Deputy Clerk Jenen Ross. Mr. Bazzoli provided the following updates to the Board: Review of year to date budget noting specific lines such as psycho/sexual evaluations, conflict counsel, capital crimes defense, computer equipment, software and other improvements. He has one case he will be submitting to the Public Defense Commission for Emergency Litigation Funds (ELF) reimbursement. They currently have one open position that they hope to be filling by the end of the month. Review of active cases by attorney, he recently attending one of the senate judiciary hearings on caseloads/standards, at this point we are under caseload standards. Clearance rate for January 2019 with 423 cases opened and 62 closed; FY2019 clearance rate of 2251 opened and 832 closed; calendar year clearance rate of 8121 opened and 6030 closed; FY2018 clearance rate of 8180 opened and 7017 closed. Breakdown of 2018 total filings: 3248 felonies, 8481 misdemeanors, 635 juvenile and 152 child protection. The meeting concluded at 2:13 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 2:14 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: The new fees were implemented in January and they are working to make sure that all staff and contractors are aware of them, especially in regards to the construction and demolition waste. A discussion was had regarding the Anderson Corner property; Director Loper confirmed the collection rate would be \$14.50. He explained since the county owns the property some extra steps are being taken that wouldn't normally be done for contaminated dirt, generally they would require that the dirt be treated prior to being accepted at the landfill. Commissioner Van Beek would like to find the real numbers for accepting this soil at the landfill as there will be extra work involved. Director Loper said he would run some numbers to find out what the costs would be to treat the soil. In response to a question from Commissioner Van Beek about wood collection, Director Loper explained that they have a clean wood pile and it is picked up and ground bi-annually by a 3rd party vendor. It costs the county about \$24.50 a ton for the wood to be picked up but the landfill only charges \$12.50 a ton. Commissioner Van Beek is concerned that the landfill is losing money by doing this but Director Loper feels they break even because they are trying to save space in the landfill, every cubic yard of airspace is valuable and if that wood is buried in the landfill it would take up that space. He has thought about looking into putting this out for bid and has met with a couple different vendors. There will always be a cost associated to it just because of the economics. Commissioner Van Beek feels that there is potential to reduce the cost that we're paying. With the construction and demo rate change, it appears there is a decrease in the construction/demo coming in and a lot more separation of materials. A discussion was had regarding tire recycling and what can be done with them. The Household Hazardous Waste Event is scheduled for March 13th and he is working with the O'Connor Field House as he'd like to hold the event there; the next one will take place at the Idaho Center in June. April 27th is the free day at the landfill for Canyon County residents. The December 2019 waste rate was a double digit increase from December

2018. The new fee for uncovered/unsecured loads also went into effect January 1st and at this point they've just been having conversations with people about the new fee before actually charging people. The meeting concluded at 2:53 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 23, 2019

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

APPROVED CLAIMS ORDER NO. 1/25/19

The Board of Commissioners approved payment of County claims in the amount of \$54,662.92, \$32,854.48, \$75,162.25 and \$18,307.08 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Commercial in the amount of \$13,963.98 for the Facilities department
- Boise Appliance & Refrigeration in the amount of \$1752.40 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Timberstone Golf Course to be used 1/26/19 for a booster club dinner.

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 Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. A year-end report was provided by Director Rast showing the following statistics:

- 8308 service desk tickets were closed
- 14 projects were completed, 17 are in progress and 69 are planned

- 164 median hours and 169 average hours were spent each week on projects
- 9515 total hours were spent on projects in 2018
- 8661 total hours were spent on projects in 2017
- 7247 total hours were spent on projects in 2016
- 3450 total hours were spent on projects in 2015 (March – December)
- 253,493 pieces of mail were processed for a total cost of \$160,681
- 1,526,133 total printer clicks were counted for a total cost of \$45,949 or \$.03 per page in the print shop

Commissioner White asked about the space in the print shop which has been outgrown. Director Navarro said there really is no place to expand as it is surrounded by alleyways.

Director Navarro updated the Board on the following items: The neighborhood meeting regarding the fair building was held recently but no one attended and it is on the city's planning and zoning schedule for March 12th at 7:00 p.m. They've had the kick-off meeting with ESI and are officially two months behind schedule due to the S.U.P hearing and thus will not make the July deadline for the fair. Another meeting with ESI is scheduled for next week to work out details of the needs and wants of the building. They've been in contact with three manufacturers of metal buildings and the earliest a building could be delivered is 24 weeks. Work being done by the city on Gabiola Field is moving along so the fair midway should be able to be in that space. Brent Orton has asked to meet about the Charolaise Barn, there is not enough power in that building and the city has set aside money for improvements but is asking for commitment from the county in the form of manpower. There is nothing formal in place right now but they will be meeting with Idaho Power to work out details and he will then come before the Board for approval. Before any work is done an MOU will be in place. The sewer and water connections for the temporary jail were started this week and Director Navarro anticipates this portion to be done by next Friday. This is the last obligation to be completed for site preparation for ADS. The drawings are still being worked on, there was an issue with the State of Idaho division of building safety regarding 3rd party inspections in Missouri, the goal with the A&E team is to submit drawings to both the state and the city by February 4th. The intention is to have the trailers at the courthouse campus in March. At the request of Commissioner Van Beek, Director Navarro clarified that because these are being manufactured in another state we have to have someone inspect them as they're being built. The State of Idaho has a list of preferred inspectors, which has been narrowed down to one company, they then get a set of approved blueprints from the State of Idaho and go physically inspect the trailers that are being manufactured in Missouri; they will be inspected there instead of when they arrive here. Once they are inspected an insignia is affixed to the unit that it meets with Idaho's building code. The City of Caldwell will confirm that everything has been approved by a licensed inspector for plumbing, electrical, mechanical, fire and then they put them together and another building permit is acquired and building inspectors from the City of Caldwell will come in and the connections will be made. The 3rd party inspector was not an anticipated cost but Director Navarro is not sure of that cost yet. A purchase order for carpet was presented to complete a few spaces on the 2nd and 3rd floors. A quote for \$1500 was received from Hess Construction to extend the sidewalk on the Commissioner parking

area, this will help with the unevenness of the area. Additionally, this summer he may look into an overlay for those spots to eliminate more of the unevenness.

Director Rast spoke about the jail statistics, they have been monitoring it daily and it is showing to be completely accurate.

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 TO CONSIDER APPROVAL/DENIAL OF A NEW ALCOHOL LICENSE FOR DOS CAMINOS MEXICAN RESTAURANT

The Board met today at 9:06 a.m. with county attorneys for a legal staff update and to consider approval/denial of a new alcohol license for Dos Caminos Mexican Restaurant. Present were: Commissioners Pam White, Tom Dale (left at 9:15 a.m.) and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Commissioner Van Beek asked Mr. Wesley about the number of licenses that are issued in the county and expressed her concerns about how that may correlate to additional public safety concerns. Mr. Wesley gave an overall framework of how these licenses work thru the state. He explained that there are three levels of alcohol licensing. First it has to be obtained as a state license, which is the one with the most criteria. You have to be approved for a state license before you can be granted a county and/or city license. You are required to have all 3 if you operate within a city, if you operate outside of a city only a state and county license would be required. There is an application process for the county license that requires demonstrating you comply with the state law that is administered by the Clerk's Office. The county ordinance outlines how the application is evaluated and typically when there's an issue at the county level it's because the county ordinance is a little narrower than the state licensing requirements. Commissioner Van Beek said she would like to look at the ordinance since the Board is in a position to approve or deny and this license has already been thru a pretty rigorous state application but then the county has a greater jurisdiction in looking at their individual record as the owner of a business for obtaining the license. In response to Commissioner Van Beek's questions and concerns, Mr. Wesley said a copy of the ordinance can be provided for review and he will do some research as to the number of licenses that are issued. Commissioner Van Beek stated she would like additional information before signing this license; she would like to review the ordinance, know what the groupings/concentration are and what the threshold for cities and counties is. The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

After the meeting concluded Commissioner Van Beek had her questions and concerns addressed and signed off on the license (see resolution no. 19-013).

EXECUTIVE SESSION – LEGAL TRAINING AND ATTORNEY-CLIENT COMMUNICATION
PERTAINING TO MEDICAL INDIGENCY CASES PURSUANT TO IDAHO CODE SECTION 74-206
(1)(D)

Commissioner Dale made a motion to go into Executive Session at 3:01 p.m. pursuant to Idaho Code, Section 74-206(1)(d) for legal training and attorney-client communication pertaining to medical indigency cases. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Deputy P.A. Jim Cornwell, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, Case Manager Kelsee Hale, and Deputy Clerk Monica Reeves. The Executive Session concluded at 4:49 p.m. with no decision being called for in open session.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 24, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Michael Dill and Brian McClure.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hess Construction in the amount of \$1500.00 for the Facilities department

CONSIDER MEDICAL INDIGENCY DECISIONS

The Board met today at 8:48 a.m. to consider medical indigency decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2019-0336, 2019-0356, 2019-0233, 2019-0330, 2019-0222, 2019-0274, 2019-0278, 2019-0229, 2019-0285, 2019-0228 and 2019-0286. Upon the motion of

Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial written denials within 30 days. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY MATTERS

The Board met today at 9:03 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the following cases from February 7, 2019 to February 28, 2019: 2019-14, 2019-7, 2019-44, 2019-60, 2019-56, 2019-78, 2019-2, 2019-86, 2019-19, 2018-1572, 2019-72, 2019-71, 2018-1523, 2019-61, 2019-55 and 2018-1563. Case no. 2018-1299 was continued from November 29, 2018 but now meets all the criteria for county assistance. Commissioner Van Beek made a motion to approve the case. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-133

The Board met today at 9:09 a.m. to conduct a medical indigency hearing for case no. 2019-133. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Tim Ryan with St. Alphonsus, Becky Herrera with St. Alphonsus, Applicant, Spouse of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to February 21, 2019. The hearing concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1452

The Board met today at 9:21 a.m. to conduct a medical indigency hearing for case no. 2018-1452. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White arrived at 9:24 a.m., Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Amber Jones with St. Luke's, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to place the case in suspension. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-120

The Board met today at 9:31 a.m. to conduct a medical indigency hearing for case no. 2019-120. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Luke's, Cortney Kriss for St. Luke's, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to April 18, 2019. The hearing concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-58

The Board met today at 9:48 a.m. to conduct a medical indigency hearing for case no. 2019-58. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Cortney Kriss for St. Lukes, Interpreter Mercedes Lupercio, Applicant, Daughter-in-law of the applicant, Daughter of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:06 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-3, 2018-1425, 2018-1390, 2018-1559, 2018-1567, 2019-103, 2018-1546, 2018-1570, 2018-1506, 2018-1544 and 2019-18. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue written final denials within 30 days. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:37 p.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Leslie Van Beek and Tom Dale (left at 1:48 p.m.), PIO Joe Decker and Deputy Clerk Jenen Ross. Mr.

Decker updated the Board on the following items: He has been working with Ysabel Bilbao; she has been requesting talking points and asking for information which he has provided to her. She is going to put together some information that Mr. Decker along with IT will add to the county website on a jail bond education page. Commissioner White would like to see the talking points Ms. Bilbao is requesting. He has been working with Director Loper on the spring clean-up day; he has posted the information on the website and will send a press release as the date gets closer. The O'Connor Fieldhouse has been secured for the household hazardous waste events in March and September and the Idaho Center has been secured for the event in June. Yesterday the Clerk sent an email regarding the Middleton School District letting the county know they will no longer be hosting polling places. He has received a lot of public records requests lately, he has been tasked as the point person for any security camera footage and works with IT to obtain the footage. Channel 2 has reached out about doing a story on Steve Jett, the juvenile detention center and the positive impact he has on students. They originally wanted to find a previous student to speak on camera but so far they haven't had any luck. They will probably move forward with the story and just ask staff to speak about him. 'In Pursuit with John Walsh' on Investigation Discovery will be airing a story about Mike Bullinger on February 20th. The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 25, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Converge One in the amount of \$34,092.63 for the Information Technology department

EXECUTIVE SESSION – RECORDS THAT ARE 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 that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:

Commissioner Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

MEETING WITH MOSQUITO ABATEMENT DISTRICT TO DISCUSS ANNUAL MOSQUITO MANAGEMENT PLAN AND TO CONSIDER SIGNING A RESOLUTION FOR THE ANNUAL MOSQUITO MANAGEMENT PLAN

The Board met today at 10:02 a.m. with the Mosquito Abatement District to discuss the Annual Mosquito Management Plan and to consider signing a resolution for the Annual Mosquito Management Plan. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Mosquito Abatement District Director of Operations Ed Burnett, Mosquito Abatement District Assistant Director of Operations Julie Treasure and Deputy Clerk Jenen Ross. Director Burnett explained that every year they have to do two things: file an annual report, which was done in November and then submit an operations plan for the upcoming year. The operations plan doesn't change much from year to year but it is required to be submitted each year and this year there are a few minor changes. They've decided that when they receive phone calls from residents they will go out on an individual basis to visit the property and figure out what is going on instead of blanket treating. Ms. Treasure explained the new plan saying that they put teams together and trained them to find the problem instead of the blanket larva side teams that handle most of the ag stuff or the teams that spray neighborhoods in the evenings. The teams are trained to know where to look to determine where the problem is coming from and then treat it. Once they analyze a property they will leave notice with the owner letting them know the issue they have and what may be causing it. At the request of Commissioner Van Beek, Ms. Treasure gave a brief review of her background and how she became part of the Mosquito Abatement District. A question was asked about the harmfulness of the chemicals being used for fogging, Mr. Burnett explained that all the products they use for the adult mosquito fogging operation are all considered low-risk insecticides, meaning they are only going out at very, very low rates – approximately 1 ounce of insecticide per acre. Additionally, the product that is used is considered very low-risk. Commissioner Van Beek asked how testing for West Nile is done – Director Burnett said the first step is trapping the mosquitos and then they take them back to be tested, usually they have results within a day. Director Burnett said the biggest changes to this year's management plan is the plan that started last year with him doing the yard inspections and verifying problems so that they aren't treating something that really isn't there. They've had a little bit of push-back with people used to seeing the fogging truck each night but in most cases they've been able to talk with people and explain the new management plan. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution for the Annual Mosquito Management Plan (see resolution no. 19-014). The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JAMES BLAKE FOR A CONDITIONAL REZONE FROM AGRICULTURE TO CR RURAL RESIDENTIAL, CASE NO. CR2018-0009

The Board met today at 10:26 a.m. to conduct a public hearing in the matter of a request by James Blake for a conditional rezone of two parcels R34259011A and R34259011, approximately 12.81 acres from "A" (Agriculture) to "CR-RR" (CR Rural Residential), Case No. CR2018-0009. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, James Blake, Sylvia Blake, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The property is identified as agriculture on the future land use map and is currently in agricultural production so a conditional rezone is an option for the applicant to obtain an additional development right on the 11.68 acres that do not have a building permit. The applicant has provided the plan for keeping the majority of the property in agricultural production while still allowing for a residential development within a defined building envelope. That building envelope restricts the development of structures and accessory uses to the residence to that approximate two-acre area that's part of the site plan which will be attached to the development agreement as a condition of approval if the request is approved. The property is primarily located within an A flood hazard zone and this will require that the applicants obtain a flood plain development permit when they apply for their building permit. It requires that structures be elevated two feet from base flood elevation. Staff has recommended approval of the case. The property lies within Caldwell's impact area and is adjacent to the Nampa impact area and eventually this property is likely to develop as a residential area although the comprehensive plan doesn't have it within the residential district. Both Nampa and Caldwell have it identified as a residential future land use. The P&Z Commission recommended approval with nine conditions that will be included in the development agreement. Commissioner Van Beek said her concern deals with frontage access from the parcel which appears to be narrow. Ms. Root said the total property has over 600 feet of frontage and on the 11+ acres where they are requesting a building permit there is 296 feet of frontage. There is sufficient access to the 11 acres. The onus will be on the Blakes and their family to consider that in their placement and design of the residential additions. Commissioner Van Beek wants to make sure it's consistent with the comprehensive plan for future use and that we don't jeopardize the access. Director Nilsson said there are standards the highway districts adopt and share in their technical manual that deal with spacing. At the time of development the applicants will have to meet those standards. There is a lot of frontage along Madison Road and there is room to make it work but it's dependent on their future decision of where they want to place structures, and they'll have to comply with the floodplain and there are processes in place that help manage that. Ms. Root said the highway district indicated that the agricultural access and the existing driveway will be shared. Commissioner Van Beek said the property is purposed well for the crops they grow and because it's long and narrow she doesn't see a problem with taking out a portion so they can build a house because it would be cost prohibitive for anyone to farm high-dollar crops on it. James Blake testified that he has already talked to the highway district and received their "blessing". There is plenty of space for access. He spoke about how a neighbor objected to the proposal because he thinks too many people are coming into the area. Mr. Blake has been in contact with the appropriate agencies and said he will do whatever the statutory requirements call for. He has looked into FEMA flood insurance and they denied that they will take it out, with one exception. If the land can be of a certain height they can get an elevation certificate and flood insurance will not be required. He said the

property is right at that elevation so they may have to raise it up by one or two feet. The rest will be flooded and it will stay in agricultural production. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said it sounds like the groundwork has been done and the required authorizations have been achieved and then he made a motion to approve Case No. CR2018-0009 for the conditional rezone of Parcels R34259011A and R34259011 subject to the nine conditions of approval that are listed in the development agreement, and, to accept and sign the findings of fact, conclusions of law and order, as well as the development agreement, and ordinance directing amendments to the Canyon County Zoning Map. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Agreement No. 19-019, and Ordinance No. 19-003.) The hearing concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 28, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Leann Axe.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed this week's schedule with staff. The process for this afternoon's land use hearing regarding a request by Karcher Farms for a conditional rezone was reviewed. The matter was continued from January 10, 2019 to see if the applicants would agree to a development agreement. Commissioner Van Beek did not participate in the earlier hearing but she has listened to the audio and reviewed the case file so that she can participate in the subsequent hearing. Testimony will be focused on the development agreement. Commissioner Dale reported on the status of the community crisis center. Funding was received last year from the legislature to set up a crisis center which is a 24-hour facility for people in emotional and mental health crisis. The location will be the former Sears building in Caldwell but it will need to undergo a remodel prior to its opening in late spring/early summer. The ongoing funding has been worked out through partnerships with the County, cities, hospitals, and even insurance companies which is phenomenal because that's not happening anywhere else in the state with other crisis centers. The state has appropriated

\$200,000 for the remodel or purchase of a building, and \$1.5 million or \$1.6 million has been guaranteed for the next two years to fund operations, after that it drops to 50% and the district is expected find the funding and that's where the partnerships come in. Some will come from County funds, some will come from city funds, as well as hospitals and insurance companies, and some will come from savings from involuntary holds. Commissioner Van Beek asked if there is a designated account for the revenue savings and Commissioner Dale said it will go into the indigent fund. Commissioner Van Beek asked what amount the County will be responsible for. Commissioner Dale said he doesn't have the number off the top of his head but SWDH Director Nikki Zogg has that information. We won't need that money this year because we have the state appropriation. He said a question was asked at the SWDH board meeting as to whether it's appropriate to ask for county contributions when the state's paying 100% of it and the board decided no. So, the first time the counties will be asked to contribute money for the operational expenses will be two years from now when we have to start taking over. Next week the Board is scheduled to attend the IAC mid-winter conference in Boise. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioner's Office.

EXECUTIVE SESSION – PERSONNEL MATTER AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

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 a personnel matter and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:38 a.m. with no decision being called for in open session.

ELECTED OFFICIALS' MEETING

The Board met today at 9:40 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, Assessor Brian Stender, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. The following topics were discussed:

Temporary jail housing:

Sheriff Donahue reported that the jail trailer housing unit project is moving along as planned. A team went back to check before they put the roofs on to make sure everything was done according to specs and they found problems that had to be addressed. There was a gap

between the short wall and the ceiling in the attorney-client meeting area and some privacy issues with the female restrooms area but they were able to modify those things. The subcontractors are working on the underground services which will be ready for the arrival of the trailers in mid-March. ADS will send a team to get the trailers in place. We expect to occupy the trailers in June. Commissioner Van Beek asked where we're at with the budget, including subcontractor costs. Sheriff Donahue said we are well within the budget, and we haven't gone over anything that he's aware of in terms of cost. Commissioner Van Beek said she has seen some different numbers so she will meet with Controller Wagoner about that. Clerk Yamamoto said he is not aware of any issues; we are on schedule, there has been approximately \$2.2 million spent so far but that will double when the trailers are occupied. We don't know what some of the expenses will be as far as third-party inspections but that's fairly minor compared to the project in general. Commissioner Van Beek said as she understands it the third-party inspections were not part of the anticipated cost and she would like to work toward getting the costs nailed down. Clerk Yamamoto said we have estimates, but there are certain costs we're not going to get totally nailed down. Due to the timing of what we did with ADS we got in there early and consequently during the time period we first started working with them the price of steel increased significantly and ADS "ate" that and so we are getting this at a discount. ADS wants the Canyon County facility to be a showcase situation so they are eating some costs to deliver a perfect product and he sees that as a discounted cost. Commissioner Van Beek asked the Clerk to provide the Board with what was allocated at the budget hearings last August for completing this project, and also provide the estimated cost of what it's going to cost to complete that project. Sheriff Donahue reported on the jail website project that adds clarity, tracking, and transparency so the general public can see the information. He has been meeting with Ysabel Bilbao, the jail bond consultant, on a regular basis to identify talking points from an educational standpoint and how we package that: what the County needs are, what the criminal justice needs are; jail statistics – classification of jails, where people live and why those numbers can be down on one day. The consultant has done an excellent job and he's been very pleased. They are identifying people within the community to talk to, scheduling speaking engagements with civic groups, town hall meetings are still in the planning stages but we're getting a road map and keeping in constant contact so that's been good and he expects by the end of the week they will have a published document in terms of a press release on an advisory committee that we've formed that we have invited people in and identified in the "communities" about people who are very interested in how the County moves forward. Commissioner Van Beek asked if anyone has called for an amortized payment schedule on the bond amount versus the timeframe. She asked the Clerk if he could reiterate that we are running a \$187 million on a 20-year bond. The Clerk said he has no idea; as the Auditor he plays no role until decisions have been made. Commissioner Dale said bond counsel and the financial advisor will be working on that and it will be hammered out before the language requirement which is 60 days prior to the election. Prosecutor Taylor said the Board hasn't voted on the decision at this stage of what type of bond and the length of bond, nor has bond counsel made that presentation yet. Commissioner Van Beek asked if the Sheriff can address what Ms. Bilbao's message is and how she's staying within the parameters of the contract. Sheriff Donahue said he cannot speak for her but the contract is well defined and if she were to step out of the boundaries of the statute then that's on her, not the County. She is educating people on what the needs are based on the DLR study which is a legitimate study. Prosecutor Taylor said the

Board has already voted on the number of beds it wants to propose in the bond and they have decided on the location, they have also made a decision agreeing on the DLR study. Commissioner Dale said Ms. Bilbao clearly understands the delineation between education and advocacy and she is committed to staying within the law just as the contract provides. The Board has no intention to violating the law and neither does Ms. Bilbao. She is not speaking to service clubs, the Sheriff and Commissioners will do that; she is coordinating to make sure we have accurate information on the needs, the classification needs, the numbers we need for the next 20 years, the options to pay for it, and what that means to taxpayers. Sheriff Donahue said Ms. Bilbao has an incredible reputation and she is professional and he's happy the Board hired her. He left at 10:07 a.m. Clerk Yamamoto said the Prosecutor's Office is in place to make sure the County doesn't do anything unlawful, beyond that if an outreach program goes into advocacy mode that comes under the chief elections officer and that would be a problem. Everyone understands that you can present the facts but you do not ask people to vote yes. When Commissioner Dale asked if he can personally say vote yes, the Clerk said he can state his opinion, but he cannot use any County resources for that activity. Commissioner Van Beek asked if there is a Plan B if the bond doesn't pass. Commissioner Dale said we will regroup and do some public information gathering, polling to find out why people voted no, and ask what people would vote yes on and move forward with that. Prosecutor Taylor said the PA's Office has proposed a roadmap that's been discussed but one of the items on the agenda for new legislation would be local option sales tax. There have been discussions in the past about setting a savings account of sorts to set aside certain monetary aspects, but right now in order to fund a jail we are limited to a bond. The County is focused on a bond but we are still working on the local option sales tax. Treasurer Lloyd said that option will take a couple years. Clerk Yamamoto said in his opinion Plan B is the temporary jail housing units, he does not have a Plan B if the bond fails. Commissioner Van Beek said if that happens we go back to the negotiation process and look again at what we may have missed in the funding or in the process.

Medicaid expansion:

Clerk Yamamoto said they have everything on the table from Medicaid expansion completely filling the gap and county medical indigency going away, to every iteration from there on out. He has no idea how it will end up. He thinks they will probably stage it over two years, but he'd be surprised if County indigent goes away right away, but who knows. There is no answer about how it will be funded. On the indigent side of things we have the \$11,000 cap, but where we're really getting killed is on the involuntary mental holds but nobody is talking about that so he doesn't see that going away. Commissioner White said if there's going to be any type of order in the process they're going to have to maintain an indigency presence at the county level because they have to have somebody make the eligibility determination otherwise it will be a free for all. Clerk Yamamoto said he hasn't heard anything about indigent cremation and burials or non-medical cases so he doubts that will be going anywhere. Commissioner Van Beek asked if he sees any relief with the crisis center being opened. The Clerk said that was his hope but he's heard that won't have a significant impact; if the county is putting money toward it we need to see to make sure it does have a bearing on mental holds. Commissioner Dale said the relief that has been evidenced from that involuntary mental hold is if a police officer responds to a domestic dispute that officer has to make a decision to take them to jail or do a mental hold, they don't have a third option but

this will provide a third alternative to connect them with counselling opportunities to help them avoid crisis in the future. They are now seeing more and more people come on their own without a police officer bringing them and that could be a reduction in our cost either in jailing or involuntary holds so the general answer is yes, there is hope that a crisis center can help reduce the amount of commitment to involuntary holds.

New legislation:

Prosecutor Taylor said the legislation he's heard about comes down to the potential funding components. Medicaid and public defense, there is a big push by the state to do this but the counties will have to pay for it. There has been talk of reducing the counties' revenue sharing. Commissioner Dale said Public Defender Aaron Bazzoli went to the legislative committee meeting last week where they received the report from the Public Defense Commission and he reported that we are already within all of the guidelines so if the legislature adopts those caseload maximums we'll be okay, we won't need to hire extra lawyers. Clerk Yamamoto said they are looking at election law legislation, but it's mostly cleanup. Assessor Stender said there are a few things that change policies a little but it doesn't affect the county business much. He reported on the property tax reduction program available to those over age 65 and who are a widow/widower with certain income limitations where the state will help pay a portion of their property taxes, and they will reimburse up to \$1,320. If you are 100% military disabled there's no income modifier. You can qualify for potentially two programs that would pay up to almost \$2650 every year. The filing deadline is April 15. Clerk Yamamoto said they hope to put the November election to bed this week; they will proofread the language for the March election today and will turn in the ballot language to Caxton's tomorrow. He spoke of the tremendous amount of work that goes into Election Day registrations.

Clerk Yamamoto asked how many employees are working on public records requests. Prosecutor Taylor said he has five support staff and two deputy attorneys who work on requests. Clerk Yamamoto said he has two employees who work solely on records requests and four to six others who spend time on them as well. They had one records request the Controller did himself just to track the time and it took eight hours so they're going to talk about what can be done to make it more efficient and easier to deal with.

The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE; CASE NO. OR2018-000

The Board met today at 2:00 p.m. for a public hearing to consider the approval/denial of a request by Karcher Farm, LLC and SS Karcher, LLC for a comprehensive plan map amendment and conditional rezone; case no. OR2018-000. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, Planner Jennifer Almeida and Deputy Clerk Jenen Ross. Ms. Almeida gave a status update from the hearing on January 10th. At that hearing the Board voted to approve the

request with the conditions of a 1.25 acre average lot size and the utilization of centralized treatment systems for the project. Staff was directed to draft a development agreement and worked with the applicant to do so. Since that time staff has met with the applicants as well as Southwest District Health and based on those discussions it is anticipated that SWDH will provide written comment in regard to individual wells and septic and/or centralized treatment systems. That particular documentation has not yet arrived but they are hoping to receive it soon. As a result, in reviewing Idaho Code and working with the PA's office, the request was originally denied by the planning and zoning commission but the Board ultimately voted to approve it. Since that is considered a material change pursuant to Idaho Code §67-6509, staff is recommending that the case be noticed and heard by the Board in another public hearing in which the development agreement and conditions can be discussed, this will give ample opportunity for the applicant, the Board as well as the public that have been involved in this hearing process to comment and provide testimony for those conditions. At this time staff is recommending that the Board take no action. Once there is a development agreement that has been worked thru the process and is ready to be noticed for a public hearing DSD will work with Board staff to set a new date. Mr. Wesley clarified that the purpose of the new hearing will be to review the development agreement and then the changes the Board has made between their decision and the decision from planning and zoning. He does not anticipate that a full hearing would be required, testimony could just be allowed to the extent it was necessary to examine those limited issues regarding the development agreement primarily. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to take no action today and wait for the drafted development agreement. The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM

CALDWELL, IDAHO JANUARY 29, 2019

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

APPROVED CLAIMS ORDER NO. 2/11/19

The Board of Commissioners approved payment of County claims in the amount of \$56,324.54 and \$47,234.65 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Riverside Trailers in the amount of \$2999.00 for the Solid Waste department
- HP, Inc. in the amount of \$1016.00 for the Information Technology department

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 9:08 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 Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Legal Secretary Shantra Hannibal, Treasurer Tracie Lloyd, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

MEETING WITH DIRECTOR OF JUVENILE DETENTION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER SIGNING MEMORANDUM OF UNDERSTANDING BETWEEN CANYON COUNTY AND BANNOCK COUNTY FOR THE ASSIGNMENT OF STEVE JETT TO CONDUCT PREA AUDIT

The Board met today at 9:56 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction and to consider signing a memorandum of understanding between Canyon County and Bannock County for the assignment of Steve Jett to conduct a PREA audit. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of Juvenile Detention Steve Jett, Training Coordinator Shawn Anderson, Assistant Director of Juvenile Detention Sean Brown, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Consider signing Memorandum of Understanding between Canyon County and Bannock County for the assignment of Steve Jett to conduct PREA audit: Director Jett explained that he is an auditor for the Prison Rape Elimination Act and in a cooperative effort the counties have this contract in place as a way for him to conduct the audit and they will reimburse the county for his time and expenses. Commissioner White made a motion to sign the MOU between Canyon County and Bannock County for the assignment of Steve Jett to conduct PREA audit. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-020).

Director Jett continued with his meeting updating the Board on the following items: They have 21 kids in custody this morning. He will be speaking with the other counties to let them

know that the daily rate will be going up. At the request of Commissioner Van Beek both Sean Brown and Shawn Anderson gave a brief background on themselves and their responsibilities at the Juvenile Detention Center. A female yoga instructor has started conducting classes for the girls on Tuesdays. Four kids have been waived to adult court due to the severity of their crime. On February 7th a group will be coming from California to see how the detention center is run. Renovation will be done on a couple of spaces and paid for with lottery monies. The meeting concluded at 10:15 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 10:15 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano and Deputy Clerk Jenen Ross. At the request of Commissioner Van Beek, Ms. Catalano gave a brief background of herself and provided a packet giving an overview of what her department does. Commissioner White asked about what kind of safety practices are in place for the home visits, Ms. Catalano said that the probation officers carry pepper spray and are taught de-escalation and safety skills. They currently have 385 juveniles on some kind of supervision and 25 kids from Canyon County are currently committed to the Department of Juvenile Corrections. The average case load for a probation officer is 38 but ideally they'd like to be closer to 30. Ms. Catalano was recently part of a peer review, she takes part in a group that is comprised of juvenile justice administrators working to strengthen guidelines in order to have better outcomes for kids and improve safety. She volunteered her department to be the first Juvenile Probation department in Idaho to be reviewed to see how they are faring with the current and the new proposed standards. Four administrators from around the state spent 2 days with her reviewing policies, files, database, interviewing staff and families to see how they are doing. She does not yet have the report back but from what she's heard they are doing pretty well. She will share the report with the Board once she receives it. If there are areas that require improvement the Department of Juvenile Corrections will make some funds available.

Director Breach spoke about the population trends, in January they started with 1072 offenders and in December they finished with 1277 offenders. The maximum amount of time a person can be put on probation is 24 months and most of the people they supervise are doing that amount of time. Their overwhelming population seems to be DUI's, most of which are recurring offenders; the other bulk of their population is domestic violence offenders. Commissioner Van Beek asked if community service is effective. Mr. Breach feels that it is effective but the challenge is that the judges are looking for so many ways to sentence people without putting them in jail that they have people being sentenced into programs that they're not appropriate for. He thinks that they are pretty close to having a solution from the Supreme Court for the out-of-county cost of supervision. A meeting will happen next Thursday where the roll-out will be discussed further. By February he hopes to be able to report back to the Board on how it's going. The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 30, 2019

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

APPROVED CLAIMS ORDER NO. 1909

The Board of Commissioners approved payment of County claims in the amount of \$1,616,303.15 for a County payroll.

APPROVED CLAIMS ORDER NO. 2/11/19

The Board of Commissioners approved payment of County claims in the amount of \$203,121.08 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Motorola Solutions in the amount of \$2622.19 for the TCA/District Court
- Right! Systems, Inc. in the amount of \$31,272.00 for the Information Technology department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND CONSIDER APPROVAL/DENIAL OF DECEMBER 2018 TREASURER'S TAX CHARGE ADJUSTMENT BY PIN

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider approval/denial of the December 2018 Treasurer's Tax Charge Adjustments by PIN. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd left at 9:08 a.m., Deputy P.A. Mike Porter, IT Director Greg Rast, Chief Deputy Sheriff Marv Dashiell, Facilities Director Paul Navarro, HR Director Sue Baumgart and Deputy Clerk Jenen Ross.

Consider approval/denial of the December 2018 Treasurer's Tax Charge Adjustments by PIN: Treasurer Lloyd gave an explanation of the tax charge adjustments by PIN stating that these are administrative adjustments that were discovered after the property tax rolls were closed. They may be errors the Assessor found in homeowners exemptions either giving the

exemption to a property that shouldn't have received one or that it wasn't applied when it should have been. There was also property that was granted to government entities during the tax sale and those adjustments are included, there is a homeowners recovery which is where the homeowner had received the exemption but it was later discovered that they should not have and by code the county has the authority to go back 7 years and recover that tax that was ineligible. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Treasurer's Tax Charge Adjustment by PIN. A copy of this document 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 Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, IT Director Greg Rast, Chief Deputy Sheriff Marv Dashiell, Facilities Director Paul Navarro, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:16 a.m. with no decision being called for in open session.

The meeting concluded at 11:16 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

JANUARY 2019 TERM
CALDWELL, IDAHO JANUARY 31, 2019

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

APPROVED CLAIMS ORDER NO. 2/11/19

The Board of Commissioners approved payment of County claims in the amount of \$92,531.55, \$36,728.82 and \$160,380.82 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$4752.00 for the Sheriff's Office
- Pacific Steel & Recycling in the amount of \$1239.77 for the Fair
- Staats in the amount of \$3350.44 for the Fair

CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0372, 2019-0293, 2019-0292, 2019-0298, 2019-0306, 2019-0301, 2019-0311, 2019-0410 and 2019-0297. Commissioner Dale made a motion to issue initial denials with written decisions within 30 days on the cases as read into the record. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

The Board met today at 9:08 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Mr. Wesley spoke about the collection of signatures on land use matters. Generally, the Board's policy has been that all other parties sign first and the Board signs last. With development agreements, those are not official until after a hearing takes place so the applicant or developer signature wouldn't be collected in advance of the hearing because the documents aren't final and could still be changed. The options would be to either have the applicant sign in the room when the documents are ready or just have them sign and return at a later date. There really isn't any legal need for the Board to sign in any particular order it's just a matter of procedure to alleviate loose ends. Commissioner Van Beek made the request for signatures to be collected in the best way to limit exposure to the Board and county. Mr. Wesley suggested with development agreements that they could be given to DSD to be passed along to the applicant for signatures and notarization and then once it's returned it could be signed by the Board as a ministerial matter.

Commissioner Dale gave an update on the Legislative Committee meeting he recently attended:

- HHS02, Indigent jail medical: working to clarify who is responsible for medical services. There have been cases in the last year where someone has been discharged from the jail and then had a medical issue and the jail/Sheriff's Office is responsible for the cost.

- Public defense: The governor is supporting nearly doubling the state allotted money. Primarily to meet the case load cap that the legislature did adopt. Chief Public Defender Aaron Bazzoli has indicated that the county is in a good place and won't have to do it but Commissioner Dale feels if they retain the same formula the county could stand to gain a fair amount.
- Justice Levy: There are a number of counties that have an inadequate Justice Levy and are requesting an increase to cover the Sheriff and jails. With the Medicare expansion, if county indigent services departments went away that would mean public defense would go back to the Justice Fund in which case many Justice Fund levies would not be able to handle that change. They are talking about trading Justice Levy increase for different types of things.
- Medicaid expansion: There are several ideas being floated around, all involve some sort of rearrangement of the sales tax apportion formula. There is no specific bill yet that has been introduced. The law that has been adopted and signed by the governor, Prop 2, requires a bill to be presented by February 18th.
- A bill to increase mail ballot precinct threshold from 125 to 190 registered voters. That means that if there is a precinct in the county that has fewer than 125 registered voters you can do the entire thing by mail, you wouldn't have to have a precinct polling place. The difficulty is that some counties have combined precincts into a single polling place and if that number goes over 125 then they can't do a mail-in election so there needs to be some additional clarification.
- Flat recording fee of all recording documents.
- A bill to give counties the option of posting public notices and agendas on the website and not in the newspaper. Many counties are in favor of this as the cost for newspaper ads can be substantial, on the contrary, newspapers are very much against this bill.
- Odyssey and county fees: to clarify that pre-trial release and misdemeanor probation can be assessed and collect in Odyssey.
- A lot of people were under the impression that the IAC resolution to support local option sales tax for jail capital improvement was not moving forward, however, with the support of several people a hearing would be allowed if the threshold was changed from 60% to a super-majority of 66%.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner White made a motion to go into Executive Session at 9:26 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

The meeting concluded at 9:52 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH CANYON COUNTY AUDITOR TO RECEIVE THE FISCAL YEAR 2018 AUDIT REPORT FROM EIDE BAILLY

The Board met today at 9:54 a.m. to receive the FY2018 audit from Eide Bailly. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Treasurer Tracie Lloyd, Jody Daugherty and Morgan Browning with Eide Bailly, Michael Stowell from the Ambulance District, and Deputy Clerk Monica Reeves. Zach Wagoner presented the Canyon County Comprehensive Financial Report for FY2018. The County provides the financial statements and Eide Bailly's responsibility is to audit, to examine, to test, review and verify that these financial statements are accurate and provide correct information. Morgan Browning gave the audit presentation. Eide Bailly issues two reports. The primary report is on pages 10-12 which talk about the various levels of assurance. The opinion they rendered is an unmodified opinion which is the highest level of assurance an auditee can receive. In their opinion, the financial statements referred to present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information for the County as of September 30, 2018, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the U.S. The other report is on Page 116. They didn't go in with the objective of rendering an opinion on the adequacy of our internal controls but they do evaluate that from a planning perspective. If there are design flaws in the internal control systems or they test controls and look at things, they don't see signoffs and evidence that control activities are occurring. Eide Bailly is pleased to present that they do not have any audit findings for Canyon County. There are no issues with noncompliance with grant contracts, or laws or regulations. Mr. Browning reviewed some of the financial statement pages and highlights were as follows:

Commissioner Van Beek asked what the \$17 million in unrestricted funds represent. Mr. Browning said the \$17.4 million is the unrestricted net position. It's the cash, accounts receivable less liabilities, categories of deferred inflows of resources and it's minus your invest in capital assets and minus your restricted net position categories. Commissioner Van Beek asked if the amount is truly liquid, the amount of cash on hand. Mr. Browning said it's the liquid portion of the net position as opposed to the hard assets (capital assets, buildings, improvements, net of depreciation, etc.). Controller Wagoner said this is a high-level rollup type statement so within that \$17 million there are dollar amounts for the indigent fund or the justice fund and those amounts are restricted in their use. As we go forward further statements will provide additional detail on that \$17 million. Jody Daugherty said it's a level that's required to be presented but it's not how the County budgets or operates.

There is a landfill closure and post-closure liability of \$8.8 million. The \$7.4 million is what remains after accounting for the closure liability. Overall, the balance sheet is very strong. The County's ratio of cash to current liabilities is about 8.3 to 1 which is really good. The fact that the landfill has \$7.4 million in unrestricted net position over and above its \$8.8 million is a really strong indicator of financial health in the landfill. It doesn't present what this is; it doesn't break out the current and noncurrent so to speak in the separate subtotals where you could easily make that determination but the current ratio is probably 12 of 15. The County is well in excess of the benchmark. It's designed for a global high-level review of the County as opposed to fund level evaluation.

Last year the fund balance for the general budget was \$15.4 million and it decreased to \$11.7 million. There were more expenditures than revenues for FY2018. Controller Wagoner said that decrease is directly tied to the initial upfront \$2.2 million lease payment for the jail trailers. The ending balance of \$11.2 million is 39% of fund expenditures. Commissioner Van Beek requested more detail on this topic. Clerk Yamamoto said with the increase for FY18 and FY19, part of that is the increase we saw in indigent, public defender, health insurance and employee compensation, however, a very large part is because for two consecutive years we were at too high of a level. We tried to burn some off and consequently with what the expenses were that's why we are seeing it coming back into a more of a normal range. That was \$5 million combined for those two years. Commissioner Van Beek asked if the discussion was about using that \$5 million toward the construction of a jail or a capital improvement account. Clerk Yamamoto said yes, there was discussion about that. Commissioner Van Beek asked the Clerk and Controller to follow up and provide detail on that as well as the priority that was determined for the need for the overfunding for the jail. Controller Wagoner said in the past we had \$3 million of fund balance assigned for a jail construction project, but that money has been released to pay for the jail trailers. The general fund is very healthy and they felt it was appropriate to burn down some of that fund balance. The indigent fund had an increase in fund balance of \$1.7 million and they moved the public defender expenditures to the indigent fund. The costs in the indigent fund are very unpredictable and they felt like they needed an additional increase in the fund balance specifically to address indigent related matters. The change in fund balance was purposeful. We target specific funds and look forward to putting each fund in the best possible financial position.

The net position in the self-funded health insurance is \$4.9 million. Controller Wagoner said that fund was nearly bankrupt not too long ago, but the Board increased the funding for health insurance and they are very pleased with that current balance. The funding came from a mixture of current revenues. With prior Boards there were occasions where there were lump sum dollar amounts inserted into that fund. Commissioner Van Beek asked what created the deficit. Controller Wagoner said the employer-provided funding was stagnant and held at the same level for 10 years and so it was not adequately funded. Health insurance costs were increasing rapidly but the revenue side was staying flat. The employee contribution increased during that 10-year span but the employer contribution did not and the increase was not significant enough to cover the increase in costs. Mr. Browning said the actual revenues compared to the final budget in the general fund were \$2.1 million higher

than what was budgeted and that is very good performance in terms of revenues compared to budget.

Commissioner Dale thanked Eide Bailly for the report and he expressed appreciation to the Auditor's Office for their work in keeping the County on a solid and progressive track. It's totally transparent, and it's critical for taxpayers to know we have a finance department that is doing above and beyond what is expected. Clerk Yamamoto said he likes Eide Bailly's work and it gives great confidence that what the Auditor's Office is doing is correct. He also expressed his appreciation to Controller Wagoner for the great work he does. A copy of the report is on file with this day's minute entry. No Board action was required or taken. The meeting concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPLICATION FOR CANCELLATION OF PROPERTY TAXES UNDER IDAHO CODE §63-711 FOR CALDWELL FREE METHODIST CHURCH

The Board met today at 11:17 a.m. to consider the application for cancellation of property taxes under Idaho Code, Section §63-711 for the Caldwell Free Methodist Church. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Pastor Jim Porter, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Administrative Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Tracie Lloyd said the Board met in May of 2016 and January of 2018 to consider the hardship application for property that was not eligible for an exemption in 2015 and 2016. The balance owed is \$7,088.15; \$4246.85 for 2015 and \$2,841.30 for 2016. Pastor Porter said the first time they met Commissioners Dale and Hanson suggested the church take the portion of property that had gone back into its natural state and make it exempt and then come back for another hardship. For six years they raised pumpkins to give to school kids, boy scouts, and others in the community, but there was a year when irrigation water was impossible so the property returned to its natural state and when the County learned they were no longer growing pumpkins they lost their exemption. The church now has two soccer fields which take much less water and maintenance than the pumpkins. Last year the church submitted another hardship but they did not receive a favorable outcome so they came back this year to make another request. They have been making monthly payments of \$100 and to date they have paid a total of \$1,692.24. Commissioners Van Beek and White asked questions pertaining to the use of the property and following comments Commissioner Dale made a motion to grant the hardship waiver of the remaining balance for 2015 and 2016 in the amount of \$7,088.15. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JANUARY 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 26th day of March, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Tom Dale

Pam White

Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 1, 2019

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

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING THE IDAHO DEPARTMENT OF PARKS AND RECREATION REIMBURSEMENT/CLOSE OUT REPORT

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider signing the Idaho Department of Parks and Recreation reimbursement/close out report. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Controller Zach Wagoner, Lt. Ben Keyes left at 9:09 a.m., Deputy P.A. Dan Blocksom left at 9:09 a.m., Deputy P.A. Zach Wesley, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Consider signing the Idaho Department of Parks and Recreation reimbursement/close out report: Dan Blocksom explained that the county was awarded a grant and this is just to report back to the Department of Parks and Recreation. Lt. Keyes said last year they applied for a new marine tow vehicle thru the Waterways Improvement Fund grant. The cost of the truck is \$38,513, the county match was \$9629, leaving a balance of \$28,884 for the grant award amount. The truck is here and is being outfitted at the Fleet shop so now it is time to request the reimbursement. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the reimbursement /close out report for matching funds of the Idaho Department of Parks and Recreation grant WW19-3-14-1 for the purchase of the new marine tow vehicle, a 2019 F350 4x4 crew cab. A copy of the report 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 Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Controller Zach Wagoner, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

MEETING WITH DIRK MENDIVE TO DISCUSS CANYON COUNTY GROWTH

The Board met today at 10:00 a.m. with Dirk Mendive to discuss Canyon County Growth. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Dirk Mendive with Russ Fulcher's office and Deputy Clerk Jenen Ross. Mr. Mendive requested this meeting with the Board to introduce himself and learn more about Canyon County. He gave a brief overview of the territory he covers and is looking for any feedback or concerns. Commissioner White expressed her concern for veteran affairs and making sure they are receiving the benefits they should be afforded. She said she has had very good experiences when she has encouraged veterans to reach out. Commissioner Dale spoke about the Deerflat Wildlife Refuge and some of the history. He would like the congressman to be aware it's hanging in the balance and wonders if there is something that can be put thru congress, thru the Department of the Interior so there is some kind of long-term guarantee the citizens of Canyon County will continue to have use of lake for recreational boating. Commissioner White asked about getting help with the carp issue. She would appreciate any participation to help with the issue. Director Nilsson spoke about growth in smaller towns and their issues with upgrading their infrastructure, transportation funding and the ongoing needs and suggested they pay attention to the long range plan. She encouraged Mr. Mendive to spend some time with Matt Stoll from COMPASS to understand their history. She said that Canyon Highway District has accommodated a lot of growth in the Middleton and Caldwell areas but they say they are going to be broke in 3 years as they have serious financial issues right now. There never seems to be enough money to maintain the transportation system. Commissioner White encouraged him to attend chamber luncheons and that annual IAC conferences would also be good to attend. Director Nilsson said that the H-2A Program has had some struggles and she suggested that he speak with Roger Batt to get more information on the history and needs regarding the housing part of it. The meeting concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

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

At 11:02 a.m. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale, and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Tina Wilson from Western Alliance for Economic Development, project representatives, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:42 a.m. with no decision being called for in open session.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 4, 2019

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

APPROVED CLAIMS ORDER NO. 2/11/19

The Board of Commissioners approved payment of County claims in the amount of \$223,377.02, \$10,619.87, \$73,863.17, \$85,189.73, \$25,051.64, \$7,172.99 and \$2932.03 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller, and Monica Reeves. The Board reviewed the schedule with staff and discussed upcoming meetings and conferences. Commissioner Van Beek advised that due to a personal commitment she will be out of the office on some upcoming Fridays. No Board action was required or taken as the meeting was held for informational purposes only. The meeting concluded at 8:42 a.m. An audio recording is on file in the Commissioner's Office.

FILE IN MINUTES

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

FILE IN MINUTES

The Board filed the Treasurer's quarterly report for October 1, 2018 thru December 31, 2018 in today's minutes.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend left at 9:06 a.m., Jail Captain Daren Ward left at 9:16 a.m., Fleet Director Mark Tolman left at 9:06 a.m., Parks Manager Rodney Tuttle left at 9:06 a.m.,

Elections Operation Manager Lisa Power left at 9:12 a.m., Controller Zach Wagoner left at 9:16 a.m., Clerk Chris Yamamoto left at 9:16 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution designating surplus property personal property with nominal value: Sam Laugheed said there is a mower that no longer has value to the Parks but it does have value to others. Director Tolman said this mower is of really no value to the county anymore but it can be used by the Department of Fish and Game for parts. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating surplus personal property with nominal value be donate to the Idaho Department of Fish and Game (see resolution no. 19-016).

Consider signing a resolution designating polling locations for the March 12, 2019 election: Lisa Power presented a list of sites for the March 12, 2019 election and gave an explanation about some of the site changes. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating polling locations for the March 12, 2019 election (see resolution no. 19-015).

Consider signing Canyon County jail renewal application for medical professional liability insurance: Mike Porter explained this is something the Harwell Group has the county fill out each year. It goes back historically one year and covers this last year's needs so they can update the insurance policies and plans. Controller Wagoner help provide some of the financial data for the jail. Mr. Wagoner addressed section 7, Fee for Service, that is the reimbursements that are received from the inmates and the other funding comes from property tax revenues which are accounted for in the Justice Fund. Commissioner Dale made a motion to sign the Canyon County jail renewal application for medical professional liability insurance. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-021).

EXECUTIVE SESSION – PERSONNEL MATTER, 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. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:17 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 Van Beek, 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 Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:55 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 Commissioner's Office.

PUBLIC HEARING – REQUEST BY BETHEL ROMANIAN CHURCH CORP., FOR A REZONE,
CASE NO. RZ2018-0023

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Bethel Romanian Church Corp., for a rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, Case No. RZ2018-0023. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Rob Smith, Dorel Antimie, other interested persons, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The subject property consists of 5.21 acres. Originally, it was a larger site approved through the Red Fox Estates Subdivision where it was split without going through any approvals. The parcel was eventually approved for a church but the applicants never developed it so the conditional use permit expired. The lot below it was recently rezoned to "R-R" (Rural Residential) and they are going through the platting process to get one building permit to make it a legal site. The applicants want a total of four lots; with the rezone, the worst case scenario would be five lots. Mr. Lister said they recognized it was split wrong but they approved the conditional use permit for a church use. Director Nilsson said that's when the County allowed divisions approved by a conditional use permit. The ordinance was changed in 2011. Mr. Lister said the surrounding area is consistent with the low-density residential type lots with one-acre minimums, however, the only impact that may occur is the Red Fox Estates Subdivision itself which has a 4.5 acre average lot size. During the P&Z Commission hearing they identified that this could have a potential impact to the Red Fox Estates Subdivision so instead of R-1 zoning they recommended R-R zoning because it's already established in that area. It would only provide two lots so the applicants wouldn't be able to get their four lots. Staff is recommending approval of the rezone. The options are to either approve it as recommended by staff, or to modify it to R-R as recommended by the P&Z Commission, or deny the request. The Board could also continue the hearing to request further information or discussion. In response to questions from Commissioner Van Beek regarding the history of the property, Mr. Lister said there were splits that occurred without approval so the applicants have to rectify it through rezoning and they have to subdivide to gain a building permit for that lot. The original house was put in at the time when it was still a legal lot, and it was done prior to the splits that have occurred. Dorel Antimie testified that they purchased the property with the intent to build a church but they were not informed that the permit to build the church was about to expire. Their first choice was to build a church but when they learned that the neighbors were not in favor of it they decided instead to divide the property into building lots so they can get their investment out of it. Currently the property is a vacant lot. Because the permit had expired Mr. Antimie said DSD told them they had to start over. Rob Smith testified that he has lived in Red Fox Estates since 2001 and he is opposed to this project. He said the property has a long history and several attempts were made to try to divide it. The conditional use permit expired in 2002 long before the applicants purchased it. He tried to buy the land numerous times to put it in pasture but the previous churches who owned it denied his offers because he believes they were looking for a big payoff. Mr.

Smith said he could live with a lot size of 2.5 acres. During rebuttal, Mr. Antimie said things are constantly changing in the area and there are subdivisions in the area with one-acre lots. If it's not a possibility to go this route he would be okay with three lots which would bring them close to 1.73 acre per lot. He again said their first choice is to build a church, but the rezone would be the second option. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Van Beek wants to maintain the rural character of the area. She then made a motion to rezone the property from agricultural with a designation of rural residential. Director Nilsson reviewed the options that are available. The P&Z Commission has recommended rural residential zoning which has a minimum size of two acres. Two lots could be rezoned to rural residential, and three to five lots could be created with a rezone to R-1 single family residential. If there's a concern about a certain number of lots the Board can impose a restriction through a development agreement to specify a number of lots. Without an agreement conditions cannot be imposed. If the Board wants to rezone to rural residential that is consistent with the P&Z Commission's recommendation so that would not require a new hearing. Commissioner Dale said it appears that Commissioner Van Beek's motion died for a lack of a second. He is impressed with Mr. Lister's report that the future comprehensive land use map designates this area as rural residential, and Nampa's future land use map has it designated as low density which could have 1 to 3.9 units per acre. If nothing is done on the property and as the city continues to grow this way it will be zoned for 3.9 units per acre which is much higher density than what is being asked for today. He is comfortable going with rural residential zoning since that's what the P&Z Commission recommended. Commissioner Dale made a motion to deny the R-1 rezone request and to designate this application as R-R rural residential zoning. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek asked what the maximum number of lots will be. Mr. Lister said the applicants can only get two buildable lots. He will bring the Findings of Fact, Conclusions of Law and Order for the Board's consideration on February 11, 2019 at 9:30 a.m. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARINGS FOR YAKOB AND LYUDMILA DAMYAN, AND DOORNENBAL TRUST (REQUESTS FOR A REZONE)

The Board went on the record at 10:34 a.m. to reschedule two public hearings in the matter of a request by Yakob and Lyudmila Damyan for a rezone, Case No. RZ2018-0027, and a request by Doornenbal Trust for a rezone, Case No. RZ2018-0021. Present were: Commissioners Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reschedule Case No. RZ2018-0027 to February 15, 2019 at 10:00 a.m. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reschedule Case No. RZ2018-0021 to March 5, 2019 at 10:00 a.m. The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 5, 2019

PRESENT: Commissioner Pam White, Chair – attending IAC Midwinter conference
Commissioner Tom Dale - attending IAC Midwinter conference
Commissioner Leslie Van Beek - attending IAC Midwinter conference
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 6, 2019

PRESENT: Commissioner Pam White, Chair – attending IAC Midwinter conference
Commissioner Tom Dale - attending IAC Midwinter conference
Commissioner Leslie Van Beek - attending IAC Midwinter conference
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 7, 2019

PRESENT: Commissioner Pam White, Chair – attending IAC Midwinter conference
Commissioner Tom Dale - attending IAC Midwinter conference
Commissioner Leslie Van Beek - attending IAC Midwinter conference
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Twin Peaks Restaurant to be used 2/8/19 for a fundraiser.

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 Joshua L. Beach.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 8, 2019

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

No meetings were conducted today.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 11, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Mariscos La Perla to be used 3/22/19 and 3/23/19 for a concert.

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 and Kate M. Dahl.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Trane Supply in the amount of \$19,096.00 for the Facilities department
- Interstate Electric Supply in the amount of \$2390.90 for the Facilities department
- HP, Inc. in the amount of \$1785.79 for the Information Technology department
- Elevate in the amount of \$25,248.00 for the Information Technology department
- HP, Inc. in the amount of \$1400.00 for the Information Technology department
- EDU Business Solutions in the amount of \$1870.20 for the Information Technology department
- Uniforms 2 Gear in the amount of \$6000.00 for the Sheriff's Office
- Hanson Janitorial Supply in the amount of \$2899.40 for the Sheriff's Office
- Able Zebra Communications in the amount of \$1173.00 for the Sheriff's Office

- Curtis Blue Line in the amount of \$29,450.00 for the Sheriff's Office
- American Trailer Sales in the amount of \$4130.00 for the Parks department
- RJ Thomas Mfg. Co., Inc. in the amount of \$3432.00 for the Parks department

APPROVED CLAIMS ORDER NO. 2/11/19

The Board of Commissioners approved payment of County claims in the amount of \$175.30 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 Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. There was discussion regarding Friday's upcoming meeting regarding jail funding options. Ms. Miller asked if the Board wanted to invite Ysabel Bilbao and the other elected officials to the meeting. It was agreed that the elected officials, Ms. Bilbao, Controller Wagoner, and Joe Decker should be invited. Commissioner Van Beek wanted to have a discussion about why the meeting is being called and who is going to present. Commissioner Dale said the purpose is to put on the table everything that's a possibility and see if any of those options are worth pursuing. Commissioner Van Beek asked whose ideas are being presented that we haven't considered before. Commissioner Dale said it will probably Commissioner Van Beek's ideas because we have been through this for the last couple of years and we've come to the conclusion that the bond is where we need to go. He said she doesn't need to go into detail, it's an opportunity to present ideas and say here's how it works. It's not a formal presentation, just the ideas she has discussed with ElJay Waite. Commissioner Van Beek said because of Mr. Waite's position with the City of Caldwell and his history and expertise in funding several municipal projects with the urban renewal district she would like him to be present and stand for questions, therefore she would like the meeting invitation extended to him as well. Commissioner Dale said it's a public meeting so anyone can attend. Commissioner Van Beek said sometimes there are different thoughts about that and so she wants to make sure we're good with that. She said in the event she is asked to present something she wants it on record and the courtesy extended to her from the person who requested the meeting. Commissioner Dale said he's not expecting a formal presentation, he just wants to have the ideas put on the table and if they deserve exploration then we'll explore them. Commissioner Van Beek said she wants to have a reason for calling a meeting; she wants it to start on time, stop on time and she wants an agenda because it should be well organized. She will be meeting with Mr. Waite this week and they will have something to present. Commissioner Dale said maybe it's a definitional misunderstanding, not a presentation, it will be a discussion of ideas between the Commissioners, the Controller, the Sheriff, and an attorney because they have to weigh in on the legality of any ideas that are proposed. Commissioner Van Beek said out of courtesy to the Controller we need to put him on notice that she wants to see the amortization schedule. He has the principal and interest broken out with the amortizations but not totals

and that's information the public should have and it's information he should prepare. Commissioner Dale said that would be if we go specifically for a bond and that's being worked out. The bond is an option we've talked about and he thinks the Controller can provide that information based on what he knows, but the purpose of this discussion is not to necessarily dig into the bonding because we already understand that that's an option. The purpose is to explore any other possible alternatives to bonding. Commissioner Van Beek said she's been calling for numbers and asking if there's a defined length of time for the bond; that information is critical and we should be looking at it. She will develop a reasonable agenda for the meeting and forward it to Commissioners Dale and White. Commissioner Dale said the Controller is aware of the information and is probably anxious to talk about anything that's a possibility. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioner's Office.

MEETING TO CONSIDER THE APPROVAL/DENIAL OF A RESOLUTION TO ISSUE AN ALCOHOL LICENSE TO GRIT

The Board met today at 9:31 a.m. to consider the approval/denial of a resolution to issue an alcohol license to GRIT. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley and Deputy Clerk Jenen Ross. Commissioner Van Beek asked Zach Wesley if he had any idea yet of the number of licenses that are granted. Mr. Wesley said that subsequent to an earlier conversation he has done some research but has not yet gotten back enough information to pass along. He did say that the state does limit the number of licenses available for hard alcohol (liquor by the drink) to 1 per 1500 residents so the county really only has any jurisdictional authority primarily over the areas of unincorporated Canyon County and sale of liquor is prohibited in unincorporated counties, it is only permitted within cities. The county's chief area of potential regulation would be just for the sale of beer and wine. There doesn't appear to be any state created limitation on beer and wine availability. Commissioner Van Beek asked where the liability lies if someone exceeds the legal limit and chooses to drive. Commissioner Dale said some of the liability falls to the establishment but most of it is on the individual. Mr. Wesley concurred with Commissioner Dale's explanation. Commissioner Van Beek said she could not make a motion for the approval/denial of this alcohol license as she is not inherently in favor of it. Mr. Wesley said he would work with the Clerk's office to collect numbers as far as how many licenses are issued but the county's obligation is to follow the ordinance which sets the requirements as to what has to be met in order to receive a license. If they've applied, paid the fee and met the criteria for the license then the process for the Board is quasi-judicial/administrative, if those terms are met the Board should grant it. Commissioner Van Beek said she understands the responsibility with that decision, she would just like to know what the tolerance is. Mr. Wesley said he can get those numbers and will provide a written analysis of what sort of authority the Board has in regulation which would likely be to beer and wine sales within the unincorporated county. Commissioner Van Beek understands that they've met the criteria it is then the Board's obligation to grant the license she just inherently doesn't like it. Commissioner Dale said that no one likes drunk driving and that he only remembers one license being denied and that was to an establishment in Nampa that continually had issues; he believes that is one of the

only reasons you can deny otherwise the county may be open to liability. Commissioner Van Beek understands but feels there is room for being informed on what is happening in the community and how that's established. There was no action taken. The meeting concluded at 9:42. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF A PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY BETHEL ROMANIAN CHURCH CORPORATION FOR A REZONE AND CONSIDER AN ACTION ITEM OF SIGNING THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER AND ORDINANCE; CASE NO. RZ2018-0023 (CONTINUED FROM FEBRUARY 4, 2019)

The Board met today at 9:42 a.m. for the continuation of a public hearing to consider the approval/denial of a request by Bethel Romanian Church Corporation for a rezone and to consider an action item of signing the findings of fact, conclusions of law and order and ordinance; case no. RZ2018-023. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Dan Lister said this is just the revised FCOs that were requested by the Board to show that the initial recommendation was denied and the approval for a rezone to rural residential has been approved by the Board. There is also an ordinance that reflects the rural residential zone. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the findings of fact, conclusions of law and order and ordinance amendment (see ordinance no. 19-004). The meeting concluded at 9:45 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

The Board met today at 9:45 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: She asked if the Board would like her and Mr. Wesley to put together a training on land use hearings or anything relative to staff report review. Commissioners Van Beek and Dale agreed that maybe a one-hour training to start might be beneficial to give a general overview, procedures for public hearings and what the difference is between a quasi-judicial settings vs. other types of decisions. Another RTAC representative will need to be designated for COMPASS as Ms. Nilsson is the only one for Canyon County at this time; she will send a draft letter for the Board's review. An email was recently received from COMPASS regarding a consultant that is working with the City of Star to update their demographics for their draft comp plan; as protocol thru COMPASS it would require approval by this Board because it goes into Canyon County. There is a draft completed of the floodplain ordinance and a hearing date is scheduled at planning and zoning for April 4th and tentatively May 13th for the Board since they are under a deadline of early June from FEMA to have that adopted. A request has been made for Director Nilsson to review Kuna's draft comp plan, once a more formal request is made she will share that with Board. Friday the local house government decided to print a bill that would made county

planning and zoning optional, she will continue to keep the Board updated if she hears more. The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A REZONE, CASE NO. RZ2018-0018

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Lucich Family Ltd., Partnership for a rezone, Case No. RZ2018-0018 from Agricultural to R-1 Single Family Residential. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, DSD Director Tricia Nilsson, Bruce Bayne, Michelle Bennett Neice, Mark Neice, Donna Bernardelli, Renee Pickett, Mark Christiansen, Marcae Lucich, Gary Lucich, Cindy Marino, Rick Thompson, Kurtis Stutz, Melissa Cisler, and Deputy Clerk Monica Reeves.

Debbie Root gave the oral staff report. The applicants are requesting a rezone of Lots 1 and 2 of Block 1 in the Blue Heron Subdivision, approximately 16.55 acres, from "A" (Agricultural) to "R-1" (Single Family Residential). The property is designated residential on the Canyon County Comprehensive Plan Future Land Use Map and it is adjacent to Middleton city limits on the west boundary and Star city limits is in the near vicinity. It is part of a platted residential subdivision although the lots are seven and eight acres. The property is in agricultural production but not significant farmland. Its soils are rocky and small fields but they are irrigated and currently in hay production. There are municipal services in the adjacent development but they've been installed at a level that would not allow flow from the property to the municipal system. If municipal services are brought to the undeveloped portion of that subdivision the line would be installed to allow for flow from the properties to the east. The applicant has discussed this with the City of Middleton and they provided a letter indicating the applicant was amenable to installing services when both water and sewer are available. The timeline for Middleton is in the vicinity of the summer of 2019 but that's dependent on another developer actually completing their project and so although services are scheduled to be there in the future it may not be the summer of 2019. Middleton agreed that installing the services simultaneously is appropriate so they have an agreement with the applicant to annex if and when services are available and if part of the project is not developed at that time they will hook up to services. Although the lots that are currently surrounding the properties are larger lots, it is clearly trending towards residential development. The agencies did not indicate any strong opposition to the project, Canyon Highway District has made a request regarding the unmaintained right-of-way that runs along the south boundaries of the property which is labeled as Kingsbury Road. It is not truly Kingsbury Road so it will be renamed and developed as a private road if the development moves forward. Elko Lane is part of the Blue Heron Subdivision development and the highway district will require that it be abandoned. Staff is recommending approval of the request and the P&Z Commission recommended denial with a split vote. Commissioner Van Beek questioned staff on several issues including services, lot size, and

access. Ms. Root said the intent is to develop one-acre parcels and for each to have access to the new county road that would be developed. Rural residential zoning would require them to develop two-acre minimum average lot sizes which may be more consistent with the immediate surrounding area but less consistent with what the City of Middleton has had in the development to the west, which has both water and sewer available so they can have those .4 acre lots and development. This development has neither water nor sewer available.

Bruce Bayne testified they are requesting a simple rezone to allow for 15 lots on approximately 16.55 acres. Canyon County is growing and requires additional properties in inventory to maintain affordability. The size of the lots is very unique with most of the property in this area being smaller in size. The subject property is immediately adjacent to eastern outskirts of the City of Middleton. He said they were asked to meet with the city and possibly look into annexation. They intend to only have 15 lots, however, they want the neighbors to know that the city has agreed in principle to a 40-lot subdivision in this area although that is not the applicant's vision for the property and never has been. A vote to not allow the rezone will force them to start the annexation process with a subdivision of approximately 40 lots. Their vision for the property is to have a minimum average lot size of one acre; they envision a rural setting and in keeping with the surrounding area they would prefer new homes minimal in height and to have large pastures around the homes. There will be a new paved main access lane that will have simple approaches off the access lane, no streetlights, no sidewalks, it will be a true rural feeling. The highway district has requested they abandon Elko Lane which is the current road system into the properties, and in its place they will improve the unnamed lane which is already a county road as shown on the plans. Mr. Bayne said they were notified by a neighbor that it's actually called Kingsbury Lane and they will update their plans if that is actually fact. They agree with this huge improvement to the neighborhood as the access road in question is a dirt road which is full of holes from one end to the other and they want to improve it to a paved road. Once it's brought up to county standards that means that the county will have to maintain that road, which will be good for all the neighbors in that area. ITD has also reviewed the project and is in favor of the rezone. Power is currently supplied by Idaho Power and that runs along the south side of Kingsbury Lane and they will be connecting to the existing service and will bring in all underground power service so there will not be any overhead powerlines that will be crisscrossing the site. Along with the underground power they are going to have cable services which will be provided in a shared trench system. Intermountain Natural Gas is also in the area, it is located north of the project on Kingsbury Road, close to the Tellaga Lakes project, and they plan to bring it south down to Kingsbury Lane and into the project site. This will also allow the neighbors to join in as well and hook onto that line if they so choose. Irrigation is currently supplied by a pump and that's delivered from the canal under a pressurized underground pipeline which currently goes to the site. The project owns shares for this and has an easement over the pipeline which travels through neighboring properties to the site. They propose to use the same underground pipeline system to feed these new properties, however, they will be installing a new pump at the source so as not to interfere with the neighbors and the current system. The new pump will be maintained by a computerized delivery system which will supply irrigation at preset times for each lot. Prior to implementing any of this they will come to an agreement with the neighbors that are

currently on the schedule, there are two other neighbors that are on there and they will schedule that accordingly for fair use of the water. They have existing rights to the irrigation and they want to use it in the most efficient manner possible. Each of the lots will be supplied potable water from domestic wells and they are currently looking at using shared wells because not having to use it for irrigation may become a possibility. Southwest District Health has already performed tests on the site and agreed to the use of septic systems. This land is very marginal, it's rocky and sandy and the farmer who tried to grow alfalfa has had a difficult time getting water to traverse all the way down because it just goes down into the soil and gives very low yields. Mr. Bayne said staff has provided findings of fact and conclusions of law to support approval which he agrees with wholeheartedly. In conclusion he reiterated that the proposed subdivision is totally within the comprehensive plan future land use for residential development, and as proposed it will maintain a county atmosphere and aesthetics of the current neighborhood on the east side of Kingsbury Road. Commissioner Van Beek questioned the applicant about the irrigation and the access. Mr. Bayne said there will be a shared access road which they will share. They had it on an earlier plan but were told to take it off because it looked too confusing. Their original plan was to put a road through the middle of the project and have lots on each side but because of the canal on the north side they have to have a minimum of 200 feet for septic away from there and that's the reason it ended up being off Kingsbury Lane. Commissioner Van Beek said it looks awkward. Mr. Bayne said the septic has to be down on the south end of those close to the county lane and up on the north side is where they would actually put the residences. Ms. Root said if the rezone is approved the project will have to go through a platting review, and the lots must meet the minimum requirements for lots and access requirements so they will be in compliance with our current Canyon County zoning ordinance for subdivisions. Mr. Bayne said there virtually cannot be a different design. They went through a bunch of different iterations for the septic systems and this is the only one that would meet the requirements.

Michelle Bennett testified that she owns just under 16 acres in the Blue Heron Subdivision and her family is in support of the development. She hopes the one-acre parcels come to fruition and that the property isn't annexed with potentially smaller lots. She spoke of her experience with irrigating in the area and it has a very similar rock bed with a lot of dirt clods, rocks and weeds and it takes a lot of work to get the water to move down in order to have a productive farm. There are a couple of spots that are prime farmland but for the most part it's less than prime farmland and she doesn't have an ethical dilemma with single family homes. In this situation she thinks R-1 zoning would be beneficial to the neighborhood.

Mark Neice testified that he supports the request because he'd rather see it stay one-acre rural lots than to go to the City of Middleton which would be much denser. He would like to have a road into his property and he would like to have natural gas and sewer services as well as the possibility of connecting to pressurized irrigation for his 16 acres. He currently hand irrigates and it's difficult to get water to go down.

Donna Bernardelli offered neutral testimony. She is not opposed to the request as long as the number of homes stays at 15, although she is not excited about it because she enjoys the

quiet living of a rural area. She has concerns about where the road will be placed. She has a 400-foot driveway and a flag lot that sits back but the other two neighbors may have to move their fences depending on where the road goes. The applicants have said they're going to put it on the red line but that's going to decrease the amount of property available to them and she has a fear they're actually putting it on the blue line. Ms. Root said currently the highway district owns the right-of-way between the red line and the blue line, and the improved road will be placed where highway district wants it. Ms. Bernardelli said the applicants have said they're going to pave a portion of the road but she questions what will happen to the rest of it since they're not paving the whole thing. For the last 12 years the neighbors have maintained the road themselves and now it will be up to her and one other neighbor to do it. She said the highway district has put in turn lanes off the highway for other developments and if the applicant wants more than 15 lots they will have to put in a turn lane from the highway. Commissioner Van Beek said the blue line on the map that extends east looks like it cuts into somebody's house. Ms. Root said it's at least a 60-foot wide right-of-way that's owned by the highway district. In response to Ms. Bernardelli's question regarding the extension of the lane, she said it's up to the highway district on whether the applicant will be required to pave to the end of the road, and as far as the turn lane on a state highway, that is ITD's jurisdiction and responsibility. At this point they have not triggered the trip count for requiring improvements at those two locations. If services were to become available, water and/or municipal sewer, the developer could develop the property into much smaller lots down to 12,000 square feet, less than one-acre lots under the current rezone. Ms. Bernardelli said she doesn't want to see Phase 1 or Phase 2, she wants all 15 lots done in one phase. Director Nilsson said a plat will require an additional public hearing process and that's where staff looks at the design of the development and the density issues. This is a straight rezone to R-1 so if they stay with the County they could have one-acre lots or as Ms. Root said if they get city water they can reduce the lot size to 12,000 square feet but the plat still has to come through the hearing process. If the property is annexed the County will not be involved.

Cindy Marino lives across the street from the subject property and is strongly opposed to any lots smaller than one acre because higher density will take away from the country living. She wants to maintain the rural setting and hopes the project has green space similar to the Tellaga Lakes project. Ms. Marino said the loss of farmland and food has to be taken into consideration.

Mark Christiansen testified about the investment property owners have made in their homes and how the quality of construction is important and the beauty of the landscape needs to be consistent with the other developments around it. The surrounding farmland is productive and the yields are high. The diminishment of irrigation water is a concern. He understands the applicants want to make a return on their investment but it cannot be done without some commitment and promises that are intended to be upheld. In response to a question from Commissioner Van Beek regarding the flood area, Mr. Christiansen said he is not required to have flood hazard insurance but the people on that side of the street are in the flood plain. The turn off into Kingsbury from the highway has been an issue, one of the issues the development to the south that's one of those things that has gone by the way.

Melissa Cisler lives adjacent to the proposed subdivision and she grows horse-grade hay on 13 of her 15 acres. She agrees with her neighbors as far as having one-acre properties and she spoke about her concerns with elementary schools that are over capacity and her belief that it would be negligent to approve any other subdivisions with no school bonds to provide proper schooling to elementary school children. Ms. Cisler is also concerned about the increase in traffic and light pollution that 15 additional homes will add.

Kurtis Stutz testified that he owns property on Kingsbury Road and he will be building there within 45 days. He agrees with keeping the lot size at one acre. He does not like the idea of having the City of Middleton coming to the north side of his property, however, he would like a gas line to come in. There is a right-of-way problem on the north side, the Idaho Power line is almost in the middle of the right-of-way at this moment so that will be relocated if they put the road in. Mr. Stutz doesn't like that they are holding leverage against the Board and by saying the property could be annexed into the city and then the County will have no say in what happens with it.

Commissioner Van Beek said 15 septic systems with high ground water could be problematic. Ms. Root said they have to complete a subdivision engineering report so they have to do all engineering to meet the health department's requirements through engineering standards and the review process and that will happen during the platting process.

No one signed up in opposition.

During rebuttal Mr. Bayne said pressurized irrigation has been discussed with the neighbors and once they put in a pump they will come up with an agreement for use of the system. They have a full right to the irrigation shares and will not go beyond those shares. He doesn't want potable water to be used for irrigation purposes. The road will go on the south side and they will comply with highway district requirements which state that an unnamed county lane shall be constructed as a half section local road. They will only build half of the road and the other half will be built if ever there's a development that comes on the south side. It will be a 26-foot wide paved road where the red line is depicted on the map. When development comes on the south side they will have to do the side where the blue line is depicted and at that time they will have to deal with the power poles and fences. It is their intent to do whatever the highway district and ITD ask for. Regarding comments about the future of the area, he said the County has spent a lot of money to do a plan to show where they want residential to be and the entire area is slated for residential use and so they're just trying to fit in. They intend to have only one-acre lots, which is what they wanted from the start. Staff asked them to go to the city and ask about annexation so they did that, but it was always their intention to have one-acre lots and he is willing to sign a development agreement that states that. Mr. Bayne said a question was asked about the sewer on the site and as Ms. Root mentioned, they went to the city but there is no way to get sewer from the city at this time; however, there may be a development in the future that would bring sewer to Kingsbury Road where they could then connect to it, but that is out of his hand as the property is owned by someone else and it's not developed. He has approached the health department and did 15 test holes on the site for septic and they have approved it but the applicants still have to

go through entire plans. Mr. Bayne said the property is not in a flood hazard area. As to the issue of school overcrowding that is out of his hands. With regard to light pollution concerns he said they are asking for a rural setting so they don't want streetlights. If it is annexed into the city there will be light pollution because there will be streetlights. They are not trying to hold anything against the Board. They were asked by staff to go to the city which they did, and if the rezone is not approved by the County that will force them to go to the city.

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

Commissioner Dale said the neighbors have said they are not opposed to the proposal if the lot size is one acre, and that is the owner's intention so it sounds like we need a development agreement. The issue of school capacity gets brought up frequently in land use hearings but that is not something the Board is authorized to consider. Of course we want to have adequate schools, but if we made a decision to not allow a land use decision based on school capacity we could be challenged in court and probably overturned.

Commissioner Van Beek said we have explored what is represented fairly well and in-depth and she understands one-acre lots and the challenge in trying to manage lot size and have it be consistent. Developers have done a nice job across the street with the half-acre lots and so it would appear a one-acre lot size is best suited for this development to go forward. She likes the idea of a development agreement so that regardless of which phase happens it is limited and restricted to fulfill the promise of what was represented here today in keeping it manageable and attractive for the people who live there. There was concern with Highway 44 turning right onto Kingsbury and it dead ends at Foothill Road and so she asked if there's a way to mitigate some of that. Ms. Root said the County does not have jurisdiction over ITD or the highway district's road system.

Commissioner Van Beek proposes that the change is consistent with the comprehensive plan and the future development for this area, whether it's productive or not she doesn't know but she is familiar with the Quenzers who farm in the area. It's an agricultural area but at some point in time adequate services will be available. We want to make sure the road improvements, whether it is the closure of Elko Lane or the improvement to pavement on the unnamed Kingsbury Lane, will be properly taken care of. There should also be a better marketing plan to mitigate for the impact on the schools. She then made a motion to approve the rezone with one-acre lots with a development agreement to restrict future development and maintain the rural feel of Blue Heron Subdivision Lots 1 and 2. Commissioner Dale asked if staff is clear on the motion to go with the R-1 zoning with the development agreement. Ms. Root said she understands. Commissioner Dale seconded the motion and said he believes the request is compatible with the area. There is an adequate supply of irrigation water rights for this land. Generally when you put a house on a portion and the rest is in pasture your water usage will go down because you're not watering where the house sits. As far as green space, you're not going to put a whole acre under asphalt. When people buy a one-acre lot they are going to put something on it and we cannot tell them it has to be a minimum dollar amount. State statutes are clear on county planning and zoning as far as jurisdictional ability over a city. Once a city annexes something they become responsible for the size of those lots and they do the minimum standards which usually include streetlights, sidewalks, curbs and gutters. We do not want to try to impose over city's jurisdictions. If a person

wants to annex there is much more they can do than if they stay in the county and he thinks the development agreement will answer the issue of potential future splits. Ms. Root pointed out that staff requested the applicant work with City of Middleton for annexation, but it was not their first choice. The motion carried unanimously. A new hearing will be held on March 15, 2019 at 11:00 a.m. where the development agreement and the findings of fact, conclusions of law and order will be considered. The hearing concluded at 11:25 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 2:06 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend update the Board on the following items:

- A review of the Crossroads magazine and the SWID RC&D 2018 Annual Report were provided.
- Idaho State Parks Grants were submitted for the Lake Lowell West End Upper Dam Fishing Dock Rehabilitation and Celebration Park Shoreline Stabilization & Dock Replacement; Director Schwend anticipates finding out if the grants will be awarded in a few months. These are reimbursement grants so the monies may need to be added to her FY2020 budget and then request the reimbursement.
- Future exhibit for the Crossroads Museum: Idaho's 100th Anniversary of Women's Right to Vote.
- Historic Preservation Plan: \$12,000 has been awarded for the Agricultural Resources Survey of Canyon County project from the State Historic Preservation Office.
- HPC Grant workshop: will be held tomorrow night. Applications are due by April 30th. The HPC will review applications at the May 14th meeting and will have recommendations to the Board in June.
- Celebration Park fire rings and signage: new fire rings will be installed around the park make sure fire spaces are clearly defined.
- Clean-up at the gun range: two roll-off containers of trash were taken out. They are planning a regular clean-up time – at the suggestion of Commissioner Van Beek, Director Schwend will speak with the Sheriff's Office about having a deputy accompany the parks staff on the clean-up days.
- Idaho-Oregon Snake River Water Trail Steering Committee: the next meeting will be March 4th at Three Island Crossing State Park at Glenns Ferry.
- Map Rock area update: a discussion regarding concerns about protection and what can be done to protect it.

- Deer Flat National Wildlife Refuge federal closure and tree update: no major changes to the operation around the refuge due to the lake and Lower Dam Recreation Area being closed to the public. 4 trees have been cut down for safety reasons, 1 tree blew over, a new burn pile is in use, and additional tree removal is dependent on the federal government re-opening.
- The visitor center at Celebration Park has been recently renovated.

The meeting concluded at 3:13 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 12, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grainger in the amount of \$2534.30 for the Solid Waste department
- HP, Inc. in the amount of \$5290.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 2/25/19

The Board of Commissioners approved payment of County claims in the amount of \$61,059.49, \$24,489.72, \$27,474.47 and \$37,339.40 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Retirement Plan, LLC dba The Steel Horse Saloon. See resolution no. 19-017.

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van

Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker left at 9:15 a.m. and Deputy Clerk Jenen Ross.

Consider signing independent contractor agreement with HBS of Meridian, LLC doing business as Cottonwood Creek Behavioral Hospital for psychiatric services for indigent patients: Dan Blocksom said this is to lock in a rate for involuntary holds at \$975 daily charge plus some supplemental costs as needed. After review and negotiation by legal and Indigent Services the contract is what is presented today. Ms. Baker said this rate may work out better than just using the basic Medicaid rate which is why a contract was pursued. The average daily rate right now is \$1650 with the average length of stay being 5 days. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement with HBS of Meridian, LLC dba Cottonwood Creek Behavioral Hospital for psychiatric services for indigent patients (see agreement no. 19-022). This contract runs for the fiscal year but will automatically renew each year for one-year terms and can be renegotiated at any time.

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

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

Commissioner Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, 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.

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

PUBLIC HEARING – PRELIMINARY PLAT, FINAL PLAT, IRRIGATION AND DRAINAGE PLAN FOR RADFORD RIDGES SUBDIVISION NO. 2

The Board met today at 10:04 a.m. to conduct a public hearing to consider the preliminary plat, final plat, and the irrigation and drainage plan for Radford Ridges Subdivision No. 2, Case No. SD2018-0006. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, TJ Wellard, James Radford, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The applicant has complied with the County requirements and state statutes for platting. The property was

rezoned a few years ago to rural residential and the lot sizes comply with the two-acre minimum average. The property lies within an "A" flood hazard area, it contains less than five acres so it's not subject to FEMA's requirements for a detailed study. At the time of development the applicants will apply for those residential permits and will be required to meet the flood plain development standards. The homeowners will likely be subject to FEMA flood insurance requirements because they're in the "A" flood zone, but they can reduce their premiums by elevating structures and that would be determined at the time of development for their particular requirements. They will be required to obtain a flood plain development permit from the County. The irrigation and drainage plan is in compliance. Keller and Associates has reviewed the preliminary and final plat, and the applicant is in accordance with ordinance requirements. Commissioner White said it's odd that it's considered an "unstudied area". Ms. Root said the ordinance could require them to do a detailed flood study which would then give the base flood elevations and more than likely remove them from that flood zone, but the applicants have chosen not to do that study. In an "A" flood hazard zone the base flood elevation is not determined, it's unstudied. TJ Wellard testified that this is a simple short plat, a two-lot subdivision with individual wells and septic. Access will be via a private road that was already approved as part of the first subdivision, and the approach has been approved by the highway district. He said the Hartley Gulch would have to rise over 20 feet to flood the property but it's extremely expensive to do a study to get it removed. Of the options available to them the best one for this project was to put it on each homeowner. Commissioner Van Beek said she believes part of the problem that originated from this was when 40 years ago a plugged culvert resulted in the property being flooded and it was deemed a flood plain but outside of that she thinks that with the swales and with the areas being deep enough they will not present a flood risk. Ms. Root said Black Canyon Irrigation District responded to phase one of this project but they did not comment on the second phase of this project. Commissioner Van Beek asked how the applicant will make sure the swale is not destroyed during the construction phase. Mr. Wellard said the lots do not cross a body of water, the property itself does not actually abut Hartley Gulch. James Radford testified that he has lived on Freezeout Road for 39 years and he was there when the flood occurred on his property, not the subject property. The problem was caused by an unmaintained culvert going under Freezeout Road. Mr. Radford said he clears it himself and every 8 to 10 years the irrigation district will assist by clearing debris. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner White said this is a straightforward case and she made a motion to approve the preliminary plat, the irrigation and drainage plan, and the final plat as conditioned and to approve the findings of fact, conclusions of law and order. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 13, 2019

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

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 Lori Berry.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Commercial Tire in the amount of \$2143.68 for the Solid Waste department

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

The Board met today at 10:07 a.m. with county attorneys for a legal staff update and to consider and action item. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing legal notice of entering into personal services contract with HBS of Meridian, LLC d/b/a Cottonwood Creek Behavioral Hospital for psychiatric services for indigent patients: Dan Blocksom explained this notice is a follow up to the contract that was signed yesterday. Notice is required for contracts that have the potential of going over \$10K. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the notice of entering into personal services contract with HBS of Meridian.

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 Van Beek made a motion to go into Executive Session at 10:10 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 White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed and Deputy Clerk

Jenen Ross. The Executive Session concluded at 10:53 a.m. with no decision being called for in open session.

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

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 14, 2019

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

APPROVED CLAIMS ORDER NO. 2/15/19

The Board of Commissioners approved payment of County claims in the amount of \$26,319.80, \$4925.91 and \$6129.52 for accounts payable.

APPROVED CLAIMS ORDER NO. 1910

The Board of Commissioners approved payment of County claims in the amount of \$1,727,184.01 for a County payroll.

APPROVED OCTOBER 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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.

APPROVED NOVEMBER 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2019- 332, 2019-432, 2019-294, 2019-427, 2019-305, 2019-334, 2019-435, 2019-326, 2019-329, 2019-313, 2019-327, 2019-419, 2019-324, 2019-321, 2019-316, 2019-317, 2019-333, 2019-328, 2019-325, 2019-335, 2019-323 and 2019-318. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial written denials within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to place case no. 2019-331 into suspension pending a resource. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial approvals with written decision within 30 days on the following cases: 2019-322, 2019-425, 2019-434 and 2019-462.

The following cases were in suspension pending resources, those issues have been resolved and now meet the criteria for county assistance: 2017-1145, 2017-1404 and 2018-520. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final approvals with written decisions on the cases as read into the record.

The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Treasurer Tracie Lloyd left at 9:10 a.m., Sr. Deputy Treasurer Tonya May left at 9:10 a.m., Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution authorizing transfer of excess sale proceeds to the State Treasurer pursuant to Idaho Code § 31-808: Brad Goodsell explained this is the final act associated with tax deeds from last year. After a property is taken for tax deed an auction is typically held so the property may be auctioned or transferred to other government entities. Any excess sale proceeds are offered to parties-in-interest and anything left is sent to the State Treasurer and goes into unclaimed property. For the auction in November there were

no claims submitted to the county from any parties-in-interest. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing transfer of excess sale proceeds to the State Treasurer (see resolution no. 19-018).

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

A request was made to go into Executive Session to discuss a records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:32 a.m.

At the conclusion of the executive session Commissioner Van Beek made a motion to continue legal staff to 10:00 a.m. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 9:33 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 10:07 a.m. for a continuation of the legal staff update.

A request was made to go into Executive Session to discuss a records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:08 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief

Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:08 a.m.

At the conclusion of the executive session Commissioner Van Beek made a motion to deny the resolution issuing an alcohol license to GRIT. Zach Wesley provided context stating that the primary owner/operator of GRIT has a previous felony conviction. The public records pertaining to the conviction indicate that the probation sentence was not complete until April 30, 2017 and based upon the County's ordinance qualification section the applicant does not qualify for the license which would be the basis for the motion made by Commissioner Van Beek. Based on the information provided by Mr. Wesley, Commissioner Van Beek made an amended motion stating that the applicant does not meet qualification for obtaining a liquor license under that and moves to deny based on the information read into the record. Commissioner White seconded the motion. The motion carried with Commissioners White and Van Beek voting in favor of the denial. Mr. Wesley said a modified license will be prepared as the one for consideration today is written for approval. The meeting concluded at 11:12 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING – REZONE REQUEST FOR DENNIS AND CHRIS HECK, CASE NO. RZ2018-0029

The Board met today at 9:36 a.m. to conduct a public hearing in the matter of a request by Dennis and Chris Heck for a rezone from "RR" (Rural Residential) to "R1" (Single Family Residential), Case No. RZ2018-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, George Tallabas, Mike Williams-Black, Heidi Black, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The subject property consists of 49.6. acres and is currently zoned rural residential. It was zoned many years ago to RR which at the time allowed a one-acre minimum parcel size, but today the RR zone has a two-acre minimum. The applicant is seeking R1 zoning which would allow for one-acre parcels. The future land use map has identified this area as residential and the City of Middleton has also identified it for residential. There are 40 subdivisions within one mile of the property. In the past year the County has rezoned the property to the north from RR to R1 to allow for flexibility in design concept and smaller lots. There have been some concerns expressed by the neighbors along the east boundary of the property regarding drainage and the use of a road. The applicant has provided a concept plan for the property and the highway district has made comments regarding the plan but we're not yet in the review of the plat. The concept plan has identified larger lots adjacent to the larger properties along the east boundary and as they move to the west the smaller parcel sizes are more in alignment with the existing platted developments. Staff is recommending approval of the requested rezone from RR to R1 which will allow flexibility in design concept and will be consistent with what the original rezone requested. In response to a question from Commissioner Van Beek, Ms. Root said at the time of platting the developer will have to address the runoff from the site, it cannot have runoff from the site onto other properties. There is a road that runs down the

east boundary of the property and the neighbors were concerned there would be development traffic onto that gravel road. The concept plan does not indicate they will run a road down that boundary line and the letter addresses that they don't want them having access there. The lots that access along the east boundary are accessed from the road that is further east and comes back towards that so it's just about privacy. Commissioner Van Beek asked if we need a development agreement in place. Ms. Root said this is a straight rezone and the developer may come back with a completely different concept plan so that's a discussion the Board can have with the applicant. A development agreement is an option to have some substantial development in compliance with the concept plan. Again, the highway district has made comments regarding road access and what they want to see and that may change their development plan, but there is the opportunity to enter into a development agreement with the applicant to somewhat be consistent with the concept plan. Commissioner White said the property is in a nitrate priority area and the applicants will have to meet health department requirements which will likely result in lots ranging between 1.3 and 2 acres. Ms. Root said they have to complete the subdivision engineering report for the nutrient pathogen study, and that was a conversation she and Director Nilsson had regarding if we were to do a development agreement that subdivision engineering report be completed prior to the preliminary plat being submitted so that we knew what the lot sizes had to be. George Tallabas testified that he is the real estate broker and he represents the Hecks who rezoned the property in 2005 to rural residential which allowed one-acre lot sizes. The Hecks sold that property in 2006 or 2007 on contract to a developer who later filed bankruptcy and then the Hecks got the property back. Mr. Tallabas said when he sold properties for hobby farms in the 1980s and 1990s he sold a lot of two to five-acre lots, but today they are finding that two acres are too large for a lot of people. He spoke of the developments in the area and how the one-acre lots are selling but the two-acre lots are not. The Hecks have tried to rent the land but farmers don't want to farm a little place in the middle of a bunch of developments. A nutrient pathogen study has been done, and they are working with an engineer and if they have to change the lot sizes they are willing to do so. The reason they wanted to do the larger lot sizes on the east is because the neighbors to the east have lots that are between two and five acres and they wanted to protect the integrity of the area. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close the public hearing. Commissioner Dale said he understands the desire of the applicants to move forward with the R1 zoning particularly since there has been a change in the ordinance from the time this was originally zoned. He agrees that two-acre lots are unmanageable, too large to mow and too small to farm. Regarding nitrate monitoring, that is within the jurisdiction of Southwest District Health and they will stipulate the plat development based on what they find when they do an extensive evaluation of that ground. Commissioner Van Beek agrees with Commissioner Dale's comments and she appreciates the clarification that Southwest District Health has the jurisdiction over the platting process in making sure the wells and septic systems are appropriately placed on the property. She then made a motion to approve Case No. RZ2018-0029, a rezone of Parcels R34490114 and R3451301, from rural residential to R1 single family residential, and to accept and sign the findings of fact, conclusions of law and order, and to sign the ordinance for map amendment to modify the county zoning map. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 19-005.)

The hearing concluded at 9:58 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 15, 2019

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

APPROVED CLAIMS ORDER NO. 2/25/19

The Board of Commissioners approved payment of County claims in the amount of \$92,255.34 and \$22,215.52 for accounts payable.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Chief Deputy Juvenile Probation Officer Elda Catalano left at 9:18 a.m., Juvenile Probation Project Coordinator Mike Davidson left at 9:18 a.m., HR Director Sue Baumgart, Deputy P.A. Zach Wesley left at 9:18 a.m., Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing exterminators' general liability insurance application: Zach Wesley explained this is a supplemental insurance policy that the county has maintained for several years. The Hartwell Group recommends this supplemental policy to help cover gaps in the ICRMP policy for weed and gopher. Coverage policy starts March 17, 2019 and will run for a full year. Coverage is for liability of use of chemicals on private property. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the exterminators' general liability insurance application (see agreement no. 19-024).

Consider signing acceptance of the Idaho Department of Juvenile Corrections Sub-Grant for the Information Technology project: Ms. Catalano said the Idaho Department of Juvenile Corrections announced last year that they have many grants available to different counties specifically for technology to be utilized by the probation departments. She applied for the grant to get more computers to be used for the GED program. With the funds that she has been awarded she would like to purchase 7 Chromebooks which she has worked with the IT department on. There are no matching funds required for the grant. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously

to sign the acceptance of the Idaho Department of Juvenile Corrections sub-grant for the Information Technology project (see agreement no. 19-025).

Consider signing the JobScore Employer Service agreement: Currently the HR department uses email as a tracking system for applicants. This system would allow for job postings to be posted to several sites all at once, integrates with calendars and ADP, can assist in sending job offers and scheduling interviews. The cost of \$15,499 is the annual fee that will be billed monthly with the regular ADP program. Director Baumgart said there are funds available as they had originally budgeted for another program that was much more expensive. A discussion was had about the cost difference and how the cost savings affects the budget. Controller Wagoner said this is an efficient use of county resources and money, it will save time, effort and energy. Legal has reviewed the contract and is satisfied with it. There is an option to renew yearly and Mr. Wagoner said that the service will be monitored to see if it is meeting expectations. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the JobScore Employer Service agreement (see agreement no. 19-023).

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

PUBLIC HEARING – REQUEST BY YAKOB AND LYUDMILA DAMYAN FOR A REZONE, CASE NO. RZ2018-0027

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Yakob and Lyudmila Damyan for a rezone from “RR” (Rural Residential) to “R1” (Single Family Residential), Case No. RZ2018-0027. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Admin. Specialist Kathy Frost, DSD Planner Dan Lister, Yakob Damyan, Russ Damyan, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The property is located primarily in an area full of rural residential zoning with pockets of R1 zoning. The future land use plan is showing residential throughout the area; it's within Nampa's impact area so their future land use plan is showing it to be low-density residential which allows one to 3.9 units per acre. It has a 28-foot access easement. The property is 3.53 acres and the applicant wants to divide it into a total of three parcels. They will have to go through the platting process to split it into buildable lots. There are three rezones for R1 in the area so it's in compliance with some of the approvals that have been done in the area, and it's in line with the forecast for population. On December 20, 2018 the P&Z Commission heard this item and recommended approval. In response to Commissioner Van Beek's question about available building permits, Mr. Lister said right now it's a vacant lot that has an available building permit because it was split off through a land division process. The County ordinance says you can have up to four splits before you have to plat it, but the City of Nampa is stricter with its subdivision requirements so in order to get more building permits they have to plat it after the rezone is approved. Russ Damyan testified in support of the request. He and his father are trying to split the property into three parcels so they can each build on a lot and keep one for family to build on in the future. They

are not planning to resell it. He spoke with the highway district before they purchased it and they told him he could do a road all the way to the end. He has a 28-foot easement and he can go all the way to the end and do a "T". It does not have to be paved, it can be a gravel road. He will have to make the area in front bigger so he will talk to the highway district about how they want it done. The property is vacant and they have a shared well which they allow the neighbors to use. Commissioner Van Beek asked about the 28-foot wide easement noting that it's normally a 60-foot easement. Mr. Lister said it was approved at 28 feet, and it was a Director's decision to see if it could be reduced without any impacts to neighbors or existing access. The road itself will have to meet private road requirements. The driveway only has to be 20-feet wide per County code, but it also has to meet the requirements of the Nampa Highway District and the City of Nampa, which are less restrictive than ours when it comes to sizing of the private road. They will have to put an apron at the front and then after that it just needs to be paved through compacted gravel. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said he is familiar with the area enough to know it's a designated residential growth area for the City of Nampa and it's surrounded by home sites. Commissioner Van Beek said she's in favor of families that want to build together. Commissioner Dale made a motion to approve Case No. RZ2018-0027, the request to rezone the parcel from RR to R1 and to accept the findings of fact, conclusions of law, and order and direct the ordinance to amend the map. The motion was seconded by Commissioner Van Beek. (See Ordinance No. 19-006.) The hearing concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 19, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Lost West Winery to be used 9/15/19 for a tour.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Lost West Winery to be used 2/28/19 for a tour.

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. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Facilities 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:

Fiber optic: On the 30th the courts went down due to a fiber optic cable being cut out on I-84. Courts were able to get back online the next day with assistance from the Supreme Court.

Coroner/crime lab cameras: The current cameras are pretty dated and the footage they collect is not usable for the most part. There was an opportunity to add a few cameras and storage availability and they were able to get the old system updated without having to purchase a whole new system. In regards to a question from Commissioner Van Beek, Director Rast explained that each year there is \$2500 budgeted for security which is where these improvements were paid from.

ID cards/badges: The print shop is able to produce professional looking ID cards/badges for any office or department doing fieldwork. They have also started creating cards for retired CCSO to conceal carry in other states.

A discussion was had about the 'Secure the Human' training. Commissioner White understands that the Board does not actually need to complete the training. Director Rast said the training is indeed optional for elected officials. Further discussion was had about safety training. Director Navarro spoke about the security master plan and the need for safety training. In the master plan some easy things were identified such as lighting which has been addressed. Other items included security training for new employees, directors and up to elected officials which is something to be addressed by the new director of the security department once that comes to fruition.

RFP for weed and pest: Fiber optics extension project was allocated in the FY2019 budget and estimated to cost about \$77,000 but it will be paid from the pest fund which is state funds.

Ambulance District: VPN from their site back the county is being worked on. Everything is in place on the county side so there is not much cost to the county but the Ambulance District may need to come before the board to discuss their budget. The upgraded connection will allow them a better connection to the Spillman system.

Nortel phone system project: Friday night the system for the animal shelter, jail and a few other locations will be cut over. A handful of other locations will be changed over thru the week.

Director Navarro updated the Board on the following items:

Fairgrounds: They have heard back from ESI and received budgets for both 45,000 and 35,000 square foot buildings. All the information has been forwarded to Director Sinner and Zach Wesley who will probably be meeting with the Board in the near future. The 45,000 sq. ft. building came in right at \$2M. The 35,000 sq. building come in at about \$1.7-\$1.8M. They also provided a breakdown of costs for the concrete and different build-outs that Director Navarro believes can be done by the county as either a general contractor or bidding it out to leverage the county's buying power. The cost is just for the building and does not include the A/C system but does include the fire sprinkler system, bringing in of the natural gas and plumbing.

Sheriff's Office: Carpet was upgraded over the weekend, dispatch is currently being done and the training lab is almost done.

IT office: furniture is being installed today.

The meeting concluded at 8:59 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 LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 9:43 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 Dale made a motion to go into Executive Session at 9:44 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:11 a.m. with no decision being called for in open session.

PUBLIC HEARING – CONSIDER PRELIMINARY PLAT, FINAL PLAT, AND IRRIGATION AND DRAINAGE PLAN FOR PALOMINOS SUBDIVISION, CASE NO. SD2018-0007

The Board met today at 10:13 a.m. to conduct a public hearing in the matter of a request by Simon Palominos for a preliminary plat, irrigation and drainage plan, and final plat for Palominos Subdivision, Case No. SD2018-0007. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Tricia Nilsson, DSD Planner Debbie Root, Simon Palominos, David Johnson, and Deputy Clerk Monica Reeves. Debbie Root gave the oral report. This project is a two-lot residential development on approximately 6.487 acres. The subject property is zoned rural residential and the lots are

in accordance with the two-acre average minimum lot size. The applicant has met the requirements for the irrigation plan and for the preliminary plat. The access has been approved by Canyon Highway District directly onto Old Highway 30 and the shared access agreement has been put in place. The road users' maintenance agreement has been recorded. Staff is recommending approval of the preliminary plat, irrigation and drainage plan, and the final plat. In response to Commissioner Van Beek's questions regarding the easement, Ms. Root said there is a utility easement around each parcel and the easement for the shared access was added in compliance with Keller and Associates review. An irrigation and drainage easement was also included in compliance with Keller's review. Commissioner Van Beek asked who will monitor the 2500 gallon limit per day on water. Ms. Root said she spoke with the Idaho Department of Water Resources a couple of times regarding the proposed use from the single-family well for the limited use that the nursery may have but they were not concerned that it would exceed the 2500 gallons per day based on the drip irrigation and the limited nursery acreage. David Johnson offered testimony in support of the request. He said Simon Palominos bought the property he understood he could have two parcels but when he applied for a building permit he found out he couldn't do that and he would have to go through the subdivision process. Mr. Palominos will live on the property with his family and his sister will build on the other parcel at some point. Commissioner Van Beek asked what will happen if they decide they don't want to share a driveway. Ms. Root said it would require a replat in order to not share that driveway. The access point is very specific and the highway district has approved and signed the plat for that. The road users' maintenance agreement is in place to ensure that the shared access is maintained and open. Commissioner Van Beek asked if there is a potential to split the property further for a higher density; she wants to make sure it's not a piecemeal project. Ms. Root said the applicant would have to rezone in order to get higher density than the three that were potentially available. A replat would be required if that were the case. The two lots are consistent with the property itself and how it's laid out. Commissioner White asked if storm water will be retained on site via retention ponds. Ms. Root said the plat notes indicate it will be retained through berms/swales when development occurs. Currently it's being percolated and absorbed. According to Mr. Johnson they had the soil tested for percolation and for septic tanks and they are well within what they need for two pieces, but they may be a little short to get three. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said this is a good plan and he appreciates the work that has been done and then he then made a motion to approve the preliminary plat, irrigation and drainage plan and final plat for Palominos Subdivision and to sign the findings of fact, conclusions of law, conditions of approval, and order. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:27 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 11:07 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and

Leslie Van Beek, Juvenile Detention Director Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: Numbers are currently down. He will be meeting with the other counties to let them know that the daily rate will be going from \$170/day to \$191/day next fiscal year. As a cost savings measure they have recently decided that they will leave one clerical position unfilled so Director Jett, Sean Brown and Shawn Anderson will share those responsibilities. A yoga class started a couple weeks ago and is going well and Canyon Springs School now provides a teacher on Thursdays for either an art or yoga class for girls only. The garden is going well. Craig Olsen applied for a grant thru Scott's Miracle Grow and they should know if they will receive anything on March 8th; Director Jett believes the grant can be used for anything garden related. Muntaga Bah's weight-loss challenge is getting ready to start and so far he's had about 20 people come over to weigh in. Commissioner Van Beek said that she really enjoyed the tour of the Juvenile Detention Center that she took last week and asked Director Jett to expand on the conversation they had about his management philosophy, the importance of longevity and the need to look at ways to make kids better when they leave the facility than they were when they came in. The meeting concluded at 11:24 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 11:36 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, 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: In the month of January they had 352 kids they were responsible for supervising on probation, informal adjustment or diversion. Of those 352, Probation Officers visited with the kids 577 times. 370 hours of community service were completed in January and quite a bit of restitution and cost of supervision were collected. At her next meeting she plans to present a larger overview of the statistics from the previous year. Ms. Catalano requested input from the Board on the fees being charged to juveniles. For kids that were put on probation or informal adjustment the court would order them to pay a \$25 monthly fee for the duration of their probation. A \$50 one-time fee is assessed for juveniles assigned to the diversion program. This practice has been in place for the past 9 years and the fees often serve as a form of incentive and accountability to complete the program. At the request of Commissioner Van Beek, Ms. Catalano spoke about the diversion program and how it operates. Ms. Catalano explained that juvenile Judge Onanubosi was notified that Odyssey will no longer track the cost of supervision so if we want to continue the practice then they needed to find a way to track and account for the fees. Judge Onanubosi has confirmed that he would like to continue collecting the fees. Ms. Catalano said they have the CMS (Case Management System) that accounts for the fees on a monthly basis and in cooperation with the auditor's office any monies that are received are receipted in the CMS system and then deposited at the county. She would like to know if the Board would like to continue this practice. In response to a

question from Commissioner Van Beek it was explained that monies are held in the Juvenile Fund account vs. the general fund as there are designated funds for Juvenile Probation. Although about \$50K is collected annually these fees do not cover the cost of supervision but it does make juveniles accountable. Commissioner Dale would like to see the fees continue to be collected as they help offset some of the cost and provide a source of accountability and consequence to the bad behavior. Commissioner Van Beek asked if the fee is enough or if it would hurt to increase them to \$30 or possibly even \$60. Ms. Catalano said with the \$25 fee if people are going to pay it, they'll pay it and if not they won't. Even at \$30 it's just \$5 more dollars and it really just collectively up to the entity what amount to set as there is no statute in place. Currently Ada County charges \$35 and Bingham County charges \$30. Ms. Catalano feels that we should continue charging \$25 but is also not opposed to increasing it by \$5-\$10. The cases are screened and with the poverty level in Canyon County \$25 seems to be a huge amount. Commissioner Van Beek expressed that she would like the Board to consider that when it costs something she does think that's right – that both the parents and children may be more incentivized and that a nominal increase may not necessarily be a bad thing if it's the first time in 9 years that it's been done. Ms. Catalano said she will touch base with Zach Wesley and update Judge Onanubosi that the Board is in support of this and that we need to get the ball rolling to update this and make the change since Odyssey will no longer support receipting these types of monies as of July 1st. Commissioner Dale confirmed that if nothing is done the current resolution for fee collection will continue to stay on the books and doesn't expire with the fees remaining at \$25 and \$50. Commissioner White said that if it's all new people entering the program they will not know the fees were \$25 and \$50, so it could be something that could be introduced to new juveniles entering the programs and juveniles currently in the program would be grandfathered in. Ms. Catalano confirmed that anyone on probation now would continue paying the \$25 fee for the duration of their sentence, if they were to come back another time they would then be required to pay the higher fee. Starting July 1st instead of going to the Clerk's Office to pay the fee juveniles and their families will pay their fee at Juvenile Probation and it will be receipted in their case management system. The Board will wait to get something back from Ms. Catalano.

Director Breach updated the Board on the following items: The Supreme Court is very close to rolling out the out of county cost of supervision process, there is no date yet but they have put in the business model practice that they'll be using. Last month they ended with 326 offenders in the program which is up from 291 in December. Of the offenders that completed their community service in January 70% of the cases closed successfully. On the probation side of things in regards to active supervision they finished January with 1276 offenders on active supervised probation which is basically the same number as the prior month but they did see an increase in the bench warrant cases which went up to 455. The cost of supervision revenue for this year is at \$105K and based on the projected budget they are on track at this point in the fiscal year. Recently three people graduated from DUI court. In December he reached out to all the magistrates to get feedback about how the probation officers and the probation department is doing, the feedback he got was good with the caveat of the large caseloads and limited resources.

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

PUBLIC HEARING – PRELIMINARY PLAT, FINAL PLAT, AND IRRIGATION AND DRAINAGE PLAN FOR TWO CLEGG SUBDIVISION, CASE NO. SD2018-0024

The Board met today at 1:31 p.m. to conduct a public hearing to consider a request by Engebritson Land Surveys, PLLC/Sam and Denise Clegg for a preliminary plat, irrigation and drainage plan, and final plat for Two Clegg Subdivision, Case No. SD2018-0024. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Mike Engebritson, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is for a two-lot development in a rural residential zone. Currently there is a home on one parcel and this will allow for a second buildable lot. The plat is in compliance with the county and state requirements for subdivisions and platting. Staff is recommending approval. In response to questions from Commissioner Van Beek, Ms. Root said the property is in an area where there are a number of mineral extraction sites, including one directly to the north of this property, however, it does not affect the subdivision or the platting process. She also noted that the applicant has accounted for the Keller and Associates list of required stipulations. There's just one access point to the road where the approach is already constructed and in place and another lot on the vacant parcel is not going to affect that existing access approach and swale. Ms. Root said the current irrigation system is a pump from the ditch if they choose to irrigate the property. Mike Engebritson testified in support of the request. He is the surveyor for the applicants and they have met all requirements, including those from Keller and Associates. They have a water users' maintenance agreement and a joint road users' maintenance agreement that have been recorded and noted on the plat.

The existing irrigation system is a gravity system where a canal runs through the property and in order to extract that water it needs to be pumped to the lot. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Dale said it looks like all requirements have been met and he appreciates both staff and Mr. Engebritson for making sure that all issues have been taken care of. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the preliminary plat, irrigation and drainage plan, and the final plat for Two Clegg Subdivision, a two-lot residential development subject to the conditions of approval. The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 20, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
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 Robert Thomas Curl and David Delyea.

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 9:28 a.m., Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Fair Director Diana Sinner, Treasurer Tracie Lloyd left at 9:36 a.m., Facilities Director Paul Navarro, Juvenile Detention Director Steve Jett left at 9:28 a.m., Deputy P.A. Zach Wesley, Jail Captain Darin Ward left at 9:28 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing request for proposals for Detention Center Medical Services: Mike Porter said this is the culmination of several months' work between Director Jett and Captain Ward related to a request for proposals for medical services. This is to ask vendors who currently provide comprehensive medical services to detention centers to offer proposals to the county in anticipation of considering those proposals for adoption in a future fiscal year. When all factors were considered in the county providing medical services it was realized that contracting with a private vendor who can offer the necessary services may be more efficient and cost effective. Discussion ensued regarding the type of medical that would be included in these services, how inmates are moved about to obtain the services and what kind of areas are set up within the jail and juvenile detention center to provide the service. Mr. Porter clarified that the actual contract is a separate part of the RFP process that comes at the end after a vendor, budget and all other pertinent items that make the Board, Sheriff's Office and Director Jett comfortable with moving forward with the process are identified. At the contract phase all details and concerns would be negotiated. At this point we are just asking professionals to come in and based on our numbers, demographics and county size to identify what can be done to meet all of the needs. In response to a question from Commissioner Van Beek, Darin Ward said the list of medical providers he provided to the PA's Office is a nationwide list and Mr. Porter said the intention is to target the companies they're aware of but then to also publish a notice in order to bring in as large a group of people as possible. Zach Wesley explained that there may be proposals that fit the jail but not the detention center and Mr. Porter said that the RFP allows for submissions for services in either the jail or the detention center or both. Upon the motion of Commissioner Van Beek and second of Commissioner White the Board voted unanimously to sign the request for proposals for Detention Center Medical Services.

Consider approval/denial of January 2019 Treasurer's tax charge adjustment by PIN: Treasurer Tracie Lloyd said these are tax dollar adjustments for the years 2017 and 2018. This report reflects the tax charge and penalty and interest on the date of which the adjustment is made. Penalties and interest are not considered a receivable until it's actually

collected so the amount on this report may be more than what we're adjusting off. Commissioner Van Beek had some additional questions about the adjustments and settlement to the Sorrento Lactalis, Inc. account. Mr. Goodsell said that further discussion would be appropriate for an executive session. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the Treasurer's tax charge adjustment by PIN for January 2019.

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 Van Beek made a motion to go into Executive Session at 9:36 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 White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Fair Director Diana Sinner, Facilities Director Paul Navarro, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:41 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 ASSESSOR'S OFFICE STAFF TO CONSIDER NEW PROPERTY TAX EXEMPTION APPLICATIONS AND RENEWING VARIOUS EXEMPTIONS

The Board met today at 1:30 p.m. with Assessor's Office staff to consider 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, 50-2014, and 63-602X. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The applications were reviewed as follows:

63-602X, casualty loss application:

PIN 13695000 0

Ms. Loutzenhiser said the applicant did not file on time. The exemption can only be granted for the year that the damage occurred, and the deadline is the fourth Monday in June. The property had fire damage on March 15, 2018. The Assessor's Office mailed the application on March 19, 2018 and unfortunately the application was not returned until January of 2019 and so for that reason they cannot recommend the exemption be granted. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted

unanimously to deny the request for Parcel No. 13695000 0 because it fell outside of the timeframe.

63-602B, religious exemption:

PIN 33401000 0; 33409000 0; & 33472000 0

The three parcels are owned by the LDS church and a portion of the acreage (orchard farms) has been removed from welfare program and is thus removed from the exemption so the Assessor's Office is recommending they go from a fully exempt status to a partially exempt status. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to remove a portion of the exemption under 63-602B for Parcel Nos. 33401000 0; 33409000 0; & 33472000 0.

PIN 13715000 0; 15426010 0; & 13718000 0

The three parcels are owned by the Christian Faith Center Assembly of God. It's one campus, with a church and two parking lot parcels. The organization owns multiple church locations; this location is the Sandstone building on 12th Avenue in Nampa. They have vacated the building and it's up for sale. Ms. Loutzenhiser has been in contact with the CFO and he understands the property will lose the exemption since they are not using it for religious purposes. Commissioner Van Beek made a motion to remove the exemption from the three parcels as they do not qualify under ownership. Commissioner White seconded the motion and said at one time she attended the Christian Faith Center. The motion carried unanimously.

63-602C, charitable exemption:

PIN 04587000 0

The Caldwell Elks have disbanded and turned the property over to the Nampa Eagles. The property is vacant and has been for sale. She's been in contact with the secretary who filled out the paperwork and she is aware that since it's not being used exclusively for charitable purposes they will lose the property tax exemption. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to remove the exemption on Parcel No. 04587000 0.

63-602E, educational exemption:

PIN: 00851000 0, 00862000 0, 00860000 0, 00861000 0, 03818000 0, 00837000 0, 03957000 0, 03959000 0, 00850000 0, 03953000 0, & 03820000 0

These are dwellings owned by College of Idaho that are vacant and closed for maintenance. She's been in contact with the C of I Controller and he said it's likely the dwellings will be turned into something else altogether. The Assessor's office is recommending denial on these 11 parcels. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to remove the following parcels from exemption as they fail to qualify: 00851000 0, 00862000 0, 00860000 0, 00861000 0, 03818000 0, 00837000 0, 03957000 0, 03959000 0, 00850000 0, 03953000 0, & 03820000 0.

The Assessor's Office recommended the exemption status be granted to the following organizations whose property description and PIN's are listed below:

50-2014, urban renewal: There are eight parcels owned by Caldwell Urban Renewal and all parcels were exempt last year and the Assessor's Office is recommending an exemption for 2019 as well. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to extend the exemption to eight applications for the Caldwell Urban Renewal Agency.

63-602E, educational: There are 29 applications for various property owners that were exempt in 2018 and the Assessor's Office is recommending they be exempt again for 2019. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the educational exemption under Idaho Code, Section 63-602E.

63-602C, charitable: There are 32 applications for parcels that were exempt in 2018 and the Assessor's Office sees no reason why they shouldn't be exempt for 2019. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to extend the charitable exemption under Idaho Code, Section 63-602E.

63-602B, religious: There are 148 applications for parcels that were exempt in 2018 and the Assessor's Office is recommending they be granted an exemption for 2019 as well. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the religious exemption under Idaho Code, Section 63-602B for the 148 applications.

Below is list of the parcels that received an exemption for 2019:

04556000 0	URBAN RENEWAL AGENCY OF CALDWELL CITY	606 MAIN ST CA ID
04557000 0	URBAN RENEWAL AGENCY OF CALDWELL CITY	612 MAIN ST CA ID
04558000 0	URBAN RENEWAL AGENCY OF CALDWELL CITY	114 S 7TH AVE CA ID
04559000 0	URBAN RENEWAL AGENCY OF CALDWELL CITY	116 S 7TH AVE CA ID
04561000 0	URBAN RENEWAL AGENCY OF CALDWELL CITY	617 ARTHUR ST CA ID
35294000 0	URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL	5221 E LINDEN ST CA ID
04649010 0	URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL IDAHO	205 S 6TH AVE
35300017 0	URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL IDAHO	E LINDEN ST
61111002 0	SALT & LIGHT CATHOLIC RADIO	506 S KCID RD
04686000 0	ANCHORED CHURCH OF GOD INC	314 S 6TH AVE
04656000 0	CALVARY TEMPLE INC	0 ARTHUR ST CA ID
04657000 0	CALVARY TEMPLE INC	200 S 6TH AVE CA ID
28875000 0	GREENHURST BIBLE CHURCH INC	5423 E GREENHURST RD NA
31408000 0	KARCHER CHURCH OF THE NAZARENE INC	2515 W KARCHER RD
76061000 0	KARCHER CHURCH OF THE NAZARENE INC	2515 KARCHER RD

15459000 0	SOVEREIGN GRACE FELLOWSHIP OF NAMPA INC	1311 6TH ST S NA ID
29233000 0	BETHEL CH OF THE NAZARENE	3001 12TH AVE RD
08588000 0	GOOD NEWS COMMUNITY CHURCH INC	1203 7TH ST N NA ID
13681000 0	GRACE EPISCOPAL CH OF NA	911 4TH ST S NA ID
31793395 0	CROSSROADS COMMUNITY CHURCH	4170 E AMITY AVE
31793394 0	CROSSROADS COMMUNITY CHURCH INC	4152 E AMITY AVE NA ID
31793399 0	CROSSROADS COMMUNITY CHURCH INC	4286 E AMITY AVE
		819 N MIDLAND BLVD
14656000 0	GRACE TABERNACLE INC	NA ID
	JEHOVAHS WITNESSES INC NAMPA EAST	2313 SOUTHSIDE BLVD
26438000 0	CONGREGATION	NA
	JEHOVAHS WITNESSES NAMPA EAST	2313 SOUTHSIDE BLVD
26436000 0	CONGREGATION	NA
	BIBLE MISSIONARY CHURCH OF GREENLEAF IDAHO	
70230000 0	INC	20489 TUCKER RD
36165000 0	BIBLE MISSIONARY CHURCH OF GREENLEAF INC	20495 TUCKER RD
01772000 0	CALVARY CHAPEL CALDWELL INC	911 EVERETT ST CA ID
		2515 SUNDANCE RD NA ID
14990002 0	WEST VALLEY BAPTIST CHURCH INC	
19936000 0	CALVARY HOLINESS CHURCH INC	310 AVENUE B WI ID
29230010 0	FIRST UNITED METHODIST CH	2717 12TH AVE RD
78392000 0	FIRST UNITED METHODIST CHURCH	2717 12TH AVE RD
37012000 0	FREE HOLINESS CHURCH	526 PRINCE AVE
37021000 0	FREE HOLINESS CHURCH	203 7TH ST
33715011 0	HOMEDALE CHURCH OF NAZARENE	26515 USTICK RD
		730 W ROOSEVELT AVE
15234000 0	LUTHERAN BRETHREN CH NA INC	NA
		2715 CARNEGIE ST CA ID
32546104 0	MERIDIAN MISSIONARY BAPTIST CHURCH INC	
	MIDLAND CONGREGATION OF JEHOVAHS	
30895000 0	WITNESSES	5315 MIDWAY RD
32510010 0	CENTENNIAL BAPTIST CH INC	3610 E USTICK RD
08712000 0	CH OF GOD PROPHECY	208 9TH AVE N NA ID
32595000 0	FIRST CH OF THE NAZARENE	0 USTICK RD CA ID
32596000 0	FIRST CH OF THE NAZARENE	817 W USTICK RD
		400 LAKE LOWELL AVE
31968000 0	FIRST UNITED PRESBYTERIAN	NA ID
31971000 0	FIRST UNITED PRESBYTERIAN	0 S STATE ST NA ID
04774000 0	NEW LIFE CELEBRATION	1201 ARTHUR ST CA ID
04778000 0	NEW LIFE CELEBRATION	1205 ARTHUR ST CA ID
04945000 0	WORD OF TRUTH FELLOWSHIP INC	521 N 9TH AVE CA ID
	NAMPA FIRST ASSEMBLY OF GOD OF THE CITY OF	
13034011 0	NAMPA	575 N BROADMORE WAY

07275000 0	NW LATIN CONFERENCE OF THE INTL PENTECOSTAL HOLIN	1523 EVERETT ST CA ID
73546000 0	THE WAY ASSEMBLY OF GOD INC	303 S HAWTHORNE AVE
17999000 0	WAY ASSEMBLY OF GOD INC	303 S HAWTHORNE AVE
01136000 0	APOSTOLIC ASSEMBLY OF THE FAITH IN CHRIST JESUS	708 E FREEPORT ST CA ID
01143000 0	APOSTOLIC ASSEMBLY OF THE FAITH IN CHRIST JESUS	705 E ELGIN ST CA ID
25279000 0	CORP OF PRES BIS OF THE CHURCH OF JESUS CHRIST OF LDS	2110 E AMITY AVE
34324000 0	CORP OF PRES BIS OF THE CHURCH OF JESUS CHRIST OF LDS	11792 LINDEN RD
29411100 0	CORP OF PRESIDING BISHOP	927 RUTH LN
14926000 0	CORP OF PRESIDING BISHOP	142 SMITH AVE NA ID
29179000 0	CORP OF PRESIDING BISHOP	1201 E GREENHURST RD NA
34443011A0	CORP OF PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LDS	1749 WILLIS RD
25279010 0	CORP OF PRESIDING BISHOP OF	2106 E AMITY AVE NA ID
32900101 0	CORP OF PRESIDING BISHOP OF	15782 FARMWAY RD
00631000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	3015 S KIMBALL AVE CA ID
00632000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	3015 S KIMBALL AVE CA ID
01367000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	522 S 13TH AVE CA ID
01368000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	1215 EVERETT ST CA ID
01369000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	519 S 12TH AVE
01379000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	519 S 12TH AVE CA ID
04100010A0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	3221 INDIANA AVE
04152000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	2800 S MONTANA AVE CA ID
08988000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	504 11TH AVE N NA ID
14096000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	208 LAKE LOWELL AVE NA ID
16101000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	101 N CANYON ST NA ID
16195000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	1500 SMITH AVE NA ID

19148000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	307 E ANDREWS AVE PA ID
20155000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 SUNNY RIDGE RD NA ID
20157000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	3007 SUNNY RIDGE RD
23934019 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	22500 LANSING LN
24709010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	97 S HAPPY VALLEY RD NA ID
25279011 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	2212 E AMITY AVE NA ID
28688000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	112 RANDOLPH AVE ME ID
29336013A0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	607 W LOCUST LN
29729000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	7809 DEER FLAT RD NA ID
30666011 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	88 S HAPPY VALLEY RD
31065000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	6111 BIRCH LN
32041010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	11288 W ROOSEVELT AVE
32400000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	3904 E GREENHURST RD NA
32558010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	4509 S MONTANA AVE CA ID
32566010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	5622 S MONTANA AVE CA ID
33388000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 HOSKINS RD CA ID
33395010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 PEAR LN CA ID
33400010 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 SUNNY SLOPE RD CA ID
33408000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	PEAR LN
33483000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 HWY 55 CA ID
33912000 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	309 W MAIN ST MI ID
33945011 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	1332 CORNELL ST
34349100 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	18486 MIDDLETON RD

34356011 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	18463 NORTHSIDE BLVD
34366201 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	8255 LINDEN RD
34513011 0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	23644 OLD HWY 30
38686011A0	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF LDS	0 U OF I LN PA ID
32419253 0	CORP OF PRESIDING BISHOP-CHURCH OF JESUS CHRIST OF LDS	2100 S CHURCHILL DR NA ID
27439000 0	FIRST CHRISTIAN CHURCH OF CALDWELL DBA CALDWELL CHRISTIAN CHURCH	3211 E USTICK RD
27440000 0	FIRST CHRISTIAN CHURCH OF CALDWELL DBA CALDWELL CHRISTIAN CHURCH	3223 E USTICK RD CA ID
11081000 0	NAMPA 1ST SOUTHERN BAPT CH	1311 E SHERMAN AVE
28615014 0	ASSEMBLIES OF GOD S ID DIST	1263 HWY 45
17047000 0	BOWMONT CH OF THE BRETHEREN	3RD AVE
17048000 0	BOWMONT CH OF THE BRETHEREN	7231 2ND ST
05096000 0	CH OF GOD OF PROPHECY REGIONAL OFFICE INC	803 MAIN ST CA ID
17042000 0	CHURCH OF THE BRETHREN	7263 2ND ST
33158000 0	FREE METHODIST CHURCH OF NORTH AMERICA	17703 BEET RD
15216010 0	JEHOVAHS WITNESSES NAMPA ID INC LAKE LOWELL CONGREGATION	611 LONE STAR RD NA ID
18689000 0	MIDDLETON CH OF NAZ INC	3 CONCORD ST
22926000 0	WAT IDAHOPHOXAIYARAAM INC	4812 HOWARD LN NA ID
16040000 0	WESLEYAN HOLINESS CH OF NA	1305 W ORCHARD AVE
78097000 0	WESLEYAN HOLINESS CHURCH	1305 W ORCHARD AVE
32003000 0	CHRISTIAN FAITH CENTER ASSEMBLY OF GOD INC	31 S MIDLAND BLVD NA ID
35797000 0	CHRISTIAN FAITH CENTER ASSEMBLY OF GOD INC	301 S 34TH AVE
10954000 0	EVANGELICAL LUTHERAN ZION CH OF NA	412 S NECTARINE ST
29261011 0	GENERAL ASSEMBLY AND CHURCH OF THE FIRST BORN INC	550 W LOCUST LN
35616000 0	GRACE EVANGELICAL LUTHERAN	2700 S KIMBALL AVE
29578012 0	LAKE SHORE DR BAPTIST CHURCH NAMPA	8885 LAKE SHORE DR
32135000 0	MESSIAH EVANGELICAL	534 W IOWA AVE NA ID
73481000 0	MESSIAH LUTHERAN CHURCH	534 W IOWA AVE
32097010 0	NEW HOPE BAPTIST CHURCH INC	1829 W IOWA AVE
19367000 0	PARMA MISS BAPTIST CH	406 E GROVE AVE PA ID
01413000 0	TREASURE VALLEY CHRISTIAN CENTER INC	611 S 13TH AVE
01414000 0	TREASURE VALLEY CHRISTIAN CENTER INC	615 S 13TH AVE
02759000 0	TREASURE VALLEY CHRISTIAN CENTER INC	506 W SIMPLOT BLVD
02748000 0	BETHEL	306 PAYNTER AVE CA ID
03684000 0	FAITH EVAN LUTH CH OF CALD	0 COLORADO AVE CA ID

03686000 0	FAITH EVAN LUTH CH OF CALD	2915 S MONTANA AVE
35666000 0	CHURCH OF CHRIST CALD INC	CA ID
		4012 S 10TH AVE
35080000 0	EVERGREEN HEIGHTS	701 N INDIANA AVE CA
	ROCK OF THE CHRISTIAN AND MISSIONARY	ID
31460000 0	ALLIANCE INC	11220 LONE STAR RD
35252000 0	SALT AND LIGHT RADIO INC	S KCID RD
		8 S MIDLAND BLVD NA
31999000 0	TRINITY EVANGELICAL LUTH CH	ID
74415000 0	CROSSROADS ASSEMBLY OF GOD	20444 HWY 95
09006000 0	THE CHURCH OF THE ROCK INC	0 10TH AVE N NA ID
09013000 0	THE CHURCH OF THE ROCK INC	903 6TH ST N
37097000 0	WILDER ASSEM OF GOD CH	20444 HWY 95 WI ID
33945000 0	CANYON SPRINGS CHRISTIAN CHURCH INC	1444 CORNELL ST
12514000 0	CH OF THE NAZARENE	807 S CANYON ST NA ID
35436000 0	FIRST FRIENDS CHURCH OF CALDWELL INC	521 E ELM ST CA ID
04001000 0	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	2106 E LINDEN ST CA ID
17902114 0	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	421 CEMETERY RD
	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	
05032000 0	INC	901 ALBANY ST CA ID
	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	2685 CALDWELL BLVD
24428010 0	INC	NA ID
	ROSA DE SARON PENTECOSTAL HOLINESS CHURCH	
12829000 0	INC	301 1ST ST N
	SOUTHERN IDAHO CORP OF SEVENTH DAY	
09491000 0	ADVENTISTS	307 W IOWA AVE NA ID
	SOUTHERN IDAHO CORP OF SEVENTH DAY	
09492010 0	ADVENTISTS	1515 CHECOLA ST NA ID
	SOUTHERN IDAHO CORP OF SEVENTH DAY	
09492010A0	ADVENTISTS	0 CHECOLA ST NA ID
	SOUTHERN IDAHO CORP OF SEVENTH DAY	16613 GARNET RD WI
25909000 0	ADVENTISTS	ID
	SOUTHERN IDAHO CORP OF SEVENTH DAY	
38837011A0	ADVENTISTS	1 E MC CONNELL AVE
	SOUTHERN IDAHO CORP OF SEVENTH DAY	902 N PIONEER WAY PA
38837117 0	ADVENTISTS	ID
		5420 SOUTHSIDE BLVD
29527000 0	SOUTHSIDE BLVD METHODIST	NA
		0 SOUTHSIDE BLVD NA
29542011A1	SOUTHSIDE BLVD METHODIST	ID
64941254 0	DESERET INDUSTRIES	1370 CALDWELL BLVD
14820000 0	FLEET RESERVE ASSOC BRANCH 382	POWELL AVE
14822000 0	FLEET RESERVE ASSOC BRANCH 382	1012 11TH AVE N NA ID

67336800 0	SHEP ROCK FOUNDATION	121 MUNICIPAL DR NO
	LAMBDA-CHI CHAPTER OF KAPPA SIGMA HOUSE	650
00855000 0	CORP	1818 E OAK ST
04699000 0	MT MORIAH LODGE 39 A F AM INC	818 BLAINE ST
05087000 0	CANYON COUNTY PET HAVEN INC	619 MAIN ST CA ID
		333 W ORCHARD AVE
16046000 0	CANYON COUNTY PET HAVEN INC	NA ID
17607030 0	AMERICAN LEGION DIVEN SLONECKER POST 126	304 4TH ST ME ID
	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF	
27333105 0	LDS	1370 CALDWELL BLVD
	CORP OF PRESIDING BISHOP OF JESUS CHRIST OF	0 CALDWELL BLVD NA
27333106 0	LDS	ID
05779000 0	IDAHO CHAP PEO	114 E LOGAN ST
13286000 0	AMERICAN LEGION JOSEPH H MURRAY POST 18	1504 2ND ST S NA ID
		310 CARRIE REX AVE
17540000 0	MELBA VALLEY HISTORICAL SOCIETY	ME ID
22891000 0	MISSION AVIATION FELLOWSHIP	112 N PILATUS LN
31730000 0	MISSION AVIATION FELLOWSHIP	4411 AIRPORT RD NA ID
		107 N PILATUS LN NO
67165204 0	MISSION AVIATION FELLOWSHIP	2450
		101 MUNICIPAL DR NO
67165255 0	MISSION AVIATION FELLOWSHIP	2396
		122 W GEORGIA AVE NA
32109010B0	WITCO INC	ID
35865010 0	WITCO INC	0 E USTICK RD CA ID
35865011 0	WITCO INC	0 E USTICK RD CA ID
35865012 0	WITCO INC	3919 E USTICK RD
	CALDWELL MODEL RAILROAD CLUB & HISTORICAL	807 DEARBORN ST CA
04735000 0	SOCIETY	ID
14442000 0	NAMPA VALLEY GRANGE #131	0 5TH AVE S NA ID
		2900 E RAILROAD ST NA
31822011 0	SAINTS FOR CHARITY HOLDING CORP @@	ID
		4917 AVIATION WAY CA
67120000 0	WARHAWK AIR MUSEUM INC	ID
67120113 0	WARHAWK AIR MUSEUM INC	4321 AVIATION WAY 260
67120114 0	WARHAWK AIR MUSEUM INC	4321 AVIATION WAY 270
67120154 0	WARHAWK AIR MUSEUM INC	4321 AVIATION WAY 223
67120154A0	WARHAWK AIR MUSEUM INC	4321 AVIATION WAY 233
		201 MUNICIPAL DR NO
67371500 0	WARHAWK AIR MUSEUM INC	0610
67371501 0	WARHAWK AIR MUSEUM INC	145 MUNICIPAL DR
35287105 0	THOMAS JEFFERSON CHARTER SCHOOL INC	1209 ADAM SMITH AVE
29454010A0	LEGACY PUBLIC CHARTER SCHOOL INC	4015 S LEGACY WAY

29567011A0	VICTORY CHARTER SCHOOL INC	9779 S KRIS JENSEN LN
07311000 0	COLLEGE OF IDAHO	1923 EVERETT ST CA ID
		2112 CLEVELAND BLVD
07314000 0	COLLEGE OF IDAHO	CA
00841000 0	COLLEGE OF IDAHO INC	2111 S ILLINOIS AVE
00842000 0	COLLEGE OF IDAHO INC	0 E OAK ST CA ID
00843000 0	COLLEGE OF IDAHO INC	0 E OAK ST CA ID
00845000 0	COLLEGE OF IDAHO INC	1721 E OAK ST
00847000 0	COLLEGE OF IDAHO INC	2212 WISCONSIN AVE
00866000 0	COLLEGE OF IDAHO INC	1902 E OAK ST
03952000 0	COLLEGE OF IDAHO INC	1610 E OAK ST
03955000 0	COLLEGE OF IDAHO INC	2214 S ILLINOIS AVE
03956000 0	COLLEGE OF IDAHO INC	2218 S ILLINOIS AVE
03958000 0	COLLEGE OF IDAHO INC	1601 MAPLE ST
		0 CLEVELAND BLVD CA
07216000 0	COLLEGE OF IDAHO-CAMPUS	ID
34320000 0	VISION CHARTER SCHOOL INC	19291 WARD RD
78145000 0	VISION CHARTER SCHOOL INC	19291 WARD LN
08631000 0	IDAHO ARTS CHARTER SCHOOL	1220 5TH ST N NA ID
08890000 0	IDAHO ARTS CHARTER SCHOOL	423 13TH AVE N NA ID
08891000 0	IDAHO ARTS CHARTER SCHOOL	419 13TH AVE N NA ID
08900000 0	IDAHO ARTS CHARTER SCHOOL	420 12TH AVE N NA ID
08901000 0	IDAHO ARTS CHARTER SCHOOL	424 12TH AVE N NA ID
08991000 0	IDAHO ARTS CHARTER SCHOOL	511 12TH AVE N NA ID
13034012 0	IDAHO ARTS CHARTER SCHOOL	525 N BROADMORE WAY
13034013A0	IDAHO ARTS CHARTER SCHOOL	NORTHSIDE BLVD
	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	14522 KARCHER RD CA
32716000 0	INC	ID
	IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS	
32717010 0	INC	14702 KARCHER RD
	IDAHO CONFERENCE OF SEVENTH DAY	
00925000 0	ADVENTISTS@@	2317 WISCONSIN AVE

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

CONSIDER REAPPOINTMENTS TO SOUTHWEST DISTRICT BOARD OF HEALTH

The Board met today at 2:18 p.m. to consider reappointing Adams County Commissioner Viki Purdy and Payette County Commissioner Georgia Hannigan to the Southwest District Board of Health. Present were: Commissioners Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. Commissioner White said both Commissioners have already gone through

the process and have been serving on the board. Commissioner Van Beek said Commissioner Purdy is a former dairy farmer in the Treasure Valley and is serving her first term as a Valley County Commissioner and she appears to be very involved in her community. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the ballot to reappoint Commissioner Georgia Hannigan to the Southwest District Board of Health. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reappoint Commissioner Viki Purdy to the Southwest District Board of Health. The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 21, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- National Tactical Officers Association in the amount of \$1260.00 for the Sheriff's Office
- Precision Rifle Workshop, LLC in the amount of \$1300.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 2/25/19

The Board of Commissioners approved payment of County claims in the amount of \$32,359.22, \$144,772.07, \$22,363.80 and \$70,634.03 for accounts payable.

APPROVED DECEMBER 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger, Customer Service Specialist Amy Brown and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2019-0342, 2019-0345, 2019-0159, 2019-0378, 2019-0364, 2019-0367, 2019-0362, 2019-0365, 2019-0371, 2019-0312, 2019-0461, 2019-0347, 2019-0350, 2019-0291, 2019-0319 and 2019-0485. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue initial written denials within 30 days. Commissioner Van Beek made a motion to approve case nos. 2019-0373 and 2019-0471 with written decisions to be issued 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.

MEDICAL INDIGENCY MATTER

The Board met today at 8:58 a.m. to consider a medical indigency matter regarding case no. 2006-147. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Customer Service Specialist Amy Brown, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Scott Noriyuki w/Northside Development on behalf of the applicant and Deputy Clerk Jenen Ross. Mr. Noriyuki is a representative of the applicant and spoke about potential issues that may arise for the applicant due to the lien currently on her home and possible settlement with the county in order to remove the lien. At this time no action was taken by the Board. The meeting was for information purposes only. An action item will be placed on the agenda for consideration at a later date. The meeting concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-77

The Board met today at 9:28 a.m. to conduct a medical indigency hearing for case no. 2019-77. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Dan Jenkins for the applicant, Todd Childs for St. Alphonsus, Interpreter Mercedes Lupercio, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to April 18, 2019. The hearing concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-104

The Board met today at 9:45 a.m. to conduct a medical indigency hearing for case no. 2019-104. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Amy Brown, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Interpreter Mercedes Lupercio, the applicant and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to deny the case but it died for lack of a second. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to continue the case to March 21, 2019. The hearing concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1571

The Board met today at 10:47 a.m. to conduct a medical indigency hearing for case no. 2018-1571. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Amy Brown, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Todd Childs for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to place the case into suspension. The hearing concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-149 AND 2019-209

The Board met today at 10:51 a.m. to conduct a medical indigency hearing for case nos. 2019-149 and 2019-209. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Amy Brown, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Todd Childs for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the cases to April 18, 2019. The hearing concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 11:03 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George, Customer Service Specialist Amy Brown and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-26, 2019-101, 2019-111, 2019-46, 2018-1562, 2019-31 and 2019-85 (this case no. was read into the record as -185). Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decisions within 30 days. Commissioner Van Beek made a motion to issue a final approval with written decision within 30 days on case no. 2018-1573. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue a final denial with written decision within 30 days on case no. 2019-70. Commissioner Van Beek made a motion to place case no. 2019-50 into suspension. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final approvals with written decisions within 30 days on case nos. 2019-84 and 2019-133. The meeting concluded at 11:08 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 11:14 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 risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:14 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 and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, commissioner Tom Dale arrived at 11:25 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:43 p.m. with no decision being called for in open session.

CONSIDER CASUALTY LOSS APPLICATION FOR DAVID TUCKER AND RHONDA PRICE

The Board met today 1:31 p.m. to consider a casualty loss application under Idaho Code §63-711 (cancellation of taxes) for David Tucker and Rhonda Price for Parcel No. 19027000 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Treasurer Tracie Lloyd, Assessor's Admin. Analyst Jennifer Loutzenhiser, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Ms. Loutzenhiser said the applicants incurred a total loss of their home during a fire on August 5, 2018 and they are requesting tax cancellation. The net taxable value to calculate the tax forgiveness is \$36,600. Treasurer Lloyd said the taxes on that amount are \$773.08. Commissioner Dale said this is a catastrophic loss and he appreciates the opportunity to help the applicants and then he made a motion to grant the request for cancellation of taxes in the amount of \$773.08. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 1:33 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR M&M MOUNTAIN VIEW ACRES NO. 2, CASE NO. SD2018-0029

The Board met today at 2:30 p.m. to consider the final plat for M&M Mountain View Acres No. 2, Case No. SD2018-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, the applicant, and Deputy Clerk Monica Reeves. Jennifer Almeida said the request is for approval of a replat of a lot in an existing subdivision. The purpose of the replat is to accurately depict the location of a city water line. On the original plat it was not put in the correct location and so the amended plat shows the water line as verified by the City of Nampa to be approximately 115' north of the southern property line. The City of Nampa has recorded their letter verifying the location of the water line and it's recorded as Instrument No. 2018-03783. The final plat has been reviewed by staff and Keller & Associates and was found to meet the requirements of the Canyon County Zoning Ordinance as well as Idaho Code. The applicant has obtained the required signatures on the final plat and staff is recommending the Board approve and sign the final plat. Commissioner Van Beek made a motion to approve the final plat for M&M Mountain View Acres No. 2, Case No, SD 2018-0029 as presented by staff. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 22, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Amazon in the amount of \$1567.58 for the Information Technology department
- Norbryhn Equipment Company in the amount of \$6672.00 for the Facilities department
- Norbryhn Equipment Company in the amount of \$9555.00 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 Kate Dahl and Dawn Mathis.

APPROVED CLAIMS ORDER NO. 2/25/19

The Board of Commissioners approved payment of County claims in the amount of \$58,569.17 and \$15,344.26 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$42,570.03 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for MFM Group, LLC dba Sizzler Restaurant. See resolution no. 19-021.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO 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 Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell left at 9:10 a.m., Deputy P.A. Mike Porter left at 9:13 a.m., Deputy P.A. Zach Wesley, Interested citizen and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution awarding officer's badge and duty weapon to Corporal William Jarrett and Deputy Ronald Love: Chief Dashiell said Corporal William Jarrett has been with the Sheriff's Office for over 27 years and Deputy Ronald Love has served the Treasure Valley Community for over 28 years. Deputy Love's current duty weapon is a SWAT issued pistol but he will not be receiving that actual firearm but another firearm of similar design will be awarded instead. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolutions awarding badge and duty weapons to Corporal William Jarrett (see resolution no. 19-019) and Deputy Ronald Love (see resolution no. 19-020).

Mr. Porter provided clarification about when it is appropriate to award a duty weapon and badge to a retiring officer. The statute reads that if they are members of the PERSI program, which by interpretation is 5 years of vested service, and are intending to retire under that program then upon the Sheriff's recommendation the Board may retire to them their duty weapon and badge. In the past there had been some discussion about the length of service requirement but that is not required by the statute.

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 Dale made a motion to go into Executive Session at 9:13 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 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 – REQUEST BY CANYON COUNTY FOR A ROAD NAME CHANGE, CASE NO. RD2018-0022

The Board met today at 9:30 a.m. to conduct a public hearing in the matter of a request by Canyon County for a road name change for a portion of Ward Road, Case No. RD2018-0022. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Richard Roedel, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. Canyon County is requesting a road name change for approximately 661 feet of Ward Road which runs east and west. This portion of Ward Road is in general alignment with Joplin Road and pursuant to Canyon County Addressing Ordinance 06-05-13(3), the portion of Ward Road that's in general alignment will be renamed Joplin Road. The north/south portion of Ward Road that terminates at Marble Front will be renamed to Ware Road which is approximately 1270 feet. Canyon County is requesting the road name change to comply with the addressing ordinance and also at the request of the City of Caldwell to comply with their addressing ordinance. Property owners within the city limits of Caldwell who have frontage on the affected streets were notified as well as those who are still within Canyon County jurisdiction. No written comments from the public or agencies were received. New road name signs will be installed by the city. Staff is recommending the Board approve the road name change. Commissioner White asked if the change is because it's a lane. Ms. Almeida said initially it was the road versus lane designation. The City of Caldwell traditionally uses the lane suffix for private road designations, but these are public roads. Commissioner Van Beek asked if the name change is in preparation for future city development. Ms. Almeida said she is not aware of any plans for that. The addressing ordinance requires if a road is in general alignment with an existing road that it be named and that is typically because of anticipation of future extension of that road at some point. Where those alignments take place is where you want to have the road names to be consistent. Commissioner Van Beek asked where the proposed road name came from. Ms.

Almeida said the north/south portion was a name picked by the DSD Director because they did not receive a private road name application from Mr. Roedel on this portion they selected a name that was unique and not a duplicate. Richard Roedel said the proper name is Ward Lane, not Ward Road, and it is a private road that he owns. He said the County was going to close it off three years ago but they wanted Mr. Roedel to pay nearly \$1,500 for an application to close the road. There is a 50-foot easement from his property line for an access road along the drain ditch. Mr. Roedel wants to have Marble Front Road closed and he wants the portion of Ward Lane, where the County wants it named Joplin Road to his house, designated as a private lane. By doing that it will close the road off to the Head Start school because the road is on his property. Ms. Almeida said it's her understanding the roads in question are public roads. Mr. Roedel said it's not a public road. The highway district tried to move the road 25 feet onto his property but they found out he owns the entire road. Commissioner Van Beek asked what his proposal is for accessing state-owned land (which the school sits on) if the road is closed off. Mr. Roedel said that's why he left Ward Lane like it is; he has allowed them to have access up the road but he doesn't think it will be a Head Start school forever. He believes the road should be closed because it comes out on the base of a hill on Middleton Road where there have been accidents because of poor visibility. Commissioner Dale said the Board should get some clarification from legal and DSD on the issue of road ownership and jurisdiction. Ms. Almeida said the issue at hand comes down to the change of direction of these road names. She will request written information from the Canyon Highway District and the City of Caldwell on who has jurisdiction over some of the areas in question. Commissioner Dale asked her to also find out what the status is on Marble Front Road from Ward Lane down to Middleton Road since Mr. Roedel says he owns it. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to March 11, 2019 at 10:00 a.m. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 25, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- AAA Cow Comfort LLC in the amount of \$3388.39 for the Fair
- Interstate Electric Supply in the amount of \$1327.29 for the Fair
- Intermountain Pet Hospital in the amount of \$2006.27 for the Sheriff's Office

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

The Board met today at 8:36 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell left at 9:04 a.m., Deputy P.A. Mike Porter left at 8:48 a.m., Chief Deputy P.A. Sam Laugheed, Assessor Brian Stender left at 9:01 a.m., Clerk Chris Yamamoto left at 9:04 a.m., Controller Zach Wagoner left at 9:04 a.m., P.A. Bryan Taylor left at 8:45 a.m., Coroner Jennifer Crawford left at 8:48 a.m., PIO Joe Decker left at 8:48 a.m., Nicole Foy with the Idaho Press left at 9:02 a.m., Daryl and Sheila Ford left at 8:48 a.m. , Representatives for GRIT left at 9:01 a.m., Keri Smith-Sigmund left at 9:01 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution rescinding resolution no. 06-173 regarding methods of Canyon County communication: Commissioner White noted that Ms. Ford wanted to offer comment on the subject but that this meeting is not a public hearing. Commissioner Van Beek said she would like to allow Ms. Ford to present her thoughts. At the recommendation of Mr. Laugheed, Commissioner White asked if there was anyone else in the room who would like to offer comment – at that request, Ms. Ford was the only person wanting to speak. The Board offered Ms. Ford three minutes to express the following comments. Sheila Ford feels that it's appropriate to retain this restriction to English only, if we do not do that she wonders how many languages will have to be accommodated, how many languages would require an interpreter. Her grandparents came here from Russia and Romania and had to learn English for which they were both proud and pleased to do. Her uncle was immersed in an English speaking school when he was 12 years old and later became a professor of math. Her other uncle was immersed in an English speaking school when he was 6 and at the age of 14 he stood in front of the Los Angeles City Council and convinced them to build a park, he later became a pharmacist. It is not a handicap to be required to learn English and it is something that is done in America, we speak English in American and we should expect that of people who come here. She does not think that it's appropriate to accommodate people of all different languages, she believes it fragments our society. Commissioner Dale clarified that this resolution does not commit the county to pay for any additional interpretation services beyond what is already required of the county in courts and indigent hearings and those types of things required by state law. He cited the paragraph in the resolution that noted where language requirements which are not governed by state or federal law that it should be determined by the Board and County Elected Officials, it is not requiring anyone to do anything beyond, it's just not restricting and he is very much in favor of that language. Commissioner Van Beek supports Commissioner Dale's comments and stated that a savings could be realized by the county in that if people are notified in a language they are able to read and understand it will minimize the need for rescheduling of county business. She does not see the county expending addition dollars in order to accommodate this, she believes it tries to be fair with equal treatment. Commissioner Dale made a motion to sign the resolution rescinding resolution no. 06-173. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 19-024).

Consider signing letter of commitment for INFRA grant funding for the I-84 Caldwell to Nampa corridor improvement project: A letter of support for the INFRA grant was made by COMPASS to submit with their application. This is a similar grant to what was received last year to help with the construction of more lanes of traffic on I-84 from Nampa to Caldwell. Commissioner Dale said we are not committed to pay the funds unless the grant is awarded, it's just a letter of commitment to pay \$125,000 if the grant is awarded. Commissioner Van Beek said she is in support of a second year of providing funding although she would like the word "minimum" removed from page 2 of the letter as she feels it could indicate the county may commit more money. Mr. Laugheed said removing the word will not change any of the terms of the agreement to the offer the county is making and that it is not a requirement of the grant to have it set as a minimum. Commissioner Van Beek made a motion to sign the letter of commitment for INFRA grant funding for the I-84 Caldwell to Nampa corridor improvement project in the amount of \$125,000. The motion was seconded by Commissioner Dale and carried unanimously. Legal will revise the letter to remove "minimum" and it can then be signed as a ministerial matter. A copy of the letter is on file with this day's minute entry.

Consider signing an ordinance and summary amending Chapter 5, Article 1, Alcoholic Beverages; of Canyon County Code of Ordinances; and severability clauses; and an effective dates: Zach Wesley explained this is a modification to the existing alcoholic beverage ordinance. The modification is to chapter 5, article 1, section 13 regarding qualifications; it removes the county's qualification related to felony convictions and replaces it with the state law. The primary change is in regards to the way timing is counted for certain felonies. The current county ordinance counts from the conclusion of a probation term whereas the state law counts from the end of confinement or date of conviction. This amendment will bring the county ordinance into congruence with the state law so that if someone applies for a state license they will then meet the county requirements as well. Commissioner Dale is in agreeance with amending the ordinance, he feels it's a much more fair way of doing things so that when an applicant applies to the state and is investigated and a background check is done it should also be sufficient at the county level. Commissioner Dale made a motion to sign the amendment to the ordinance and summary amending chapter 5, article 1, alcoholic beverages of the county code of ordinances. The motion was seconded by Commissioner White. The motion carried in a 2-to-1 split vote with Commissioner Van Beek voting against the motion (see ordinance no. 19-007).

Consider approval/denial of a new alcoholic beverage license for GRIT: Mr. Wesley said this application qualified for a state license and based on the public records that we have available and the investigation that has been done shows that it qualifies according to the amended ordinance. Commissioner Van Beek said she has not had a chance to review the public record and would like an opportunity to review that before signing the license. Zach Wesley said that the records from Ada County regarding a probation violation have not yet been received but based on the amended ordinance those violations would not impact the applicant's qualification for a license. Commissioner Van Beek feels that there is an unknown out there that could potentially be incriminating and she would like to expedite the request from Ada County before it's signed. She does not feel comfortable signing something when she doesn't have all the information. In response to a question from Commissioner White,

Mr. Wesley clarified that neither the information we've already received nor the information still remaining would preclude this applicant from qualifying for the license, it would simply be more details. Commissioner White feels that since this license has already been approved by the state and now that our ordinance is consistent with the state she doesn't see a reason not to approve. Commissioner Dale pointed out that the city has already vetted and approved this application, it has been thru the city council, police department and all the investigation has been accomplished as well; two investigations have been done on this application and have come to approval. Commissioner Dale made a motion to approve the alcohol license for GRIT. The motion was seconded by Commissioner White. The motion carried in a 2-to-1 split vote with Commissioner Van Beek casting the dissenting vote (see resolution no. 19-023).

Consider approval/denial of a transfer alcoholic beverage license for Maverik Store #595: Clerk Yamamoto explained that this Maverik store purchased the property next to their existing store then tore everything down and rebuilt, however, with the purchase of the property it changed the address so they are asking for a modification of the address. This modification has already been done by the City of Caldwell and State of Idaho but it got held up at the county because we don't have an option for modification. This application was brought to the Clerk's attention last week and Maverik is now coming up against their grand opening date. Since no modification option is available we are using the transfer option but it has a \$10 fee associated with it. The Clerk is requesting that the transfer be approved and that the fee is waived. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the transfer and waive the fee (see resolution no. 19-022).

Commissioner Van Beek asked for clarification on the two documents that were provided on amending the alcoholic beverage ordinance. Zach Wesley explained that the first document is the actual ordinance amendment which is in the formal ordinance form so it has the reference to the section, description of what we're doing and then it goes thru the ordinance and the strike-out lines show the changes and provides for severability, effective dates and clauses. In order for the Board to enact an ordinance, with the exception of certain circumstance such as zoning, the only requirement is to follow the regular meeting and agenda guidelines. In order for the ordinance to be effective it has to be published within 30 days of signing so the second document provides a summary of the ordinance. The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING

The Board met today at 9:36 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, Assessor Brian Stender, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. The following topics were discussed:

Commissioner Dale encouraged everyone to attend the upcoming IAC Spring County Officials' Institute which will be held in Weiser and the purpose is to review legislation that has passed that impacts county functions and there are potentially quite a few of those.

Jail bond update:

Commissioner Dale said the Board had a meeting last week to talk about draft bond language. The term, whether it's a 20, 25 or 30-year bond, has yet to be determined but it needs to be decided so it can be submitted to the Clerk's Office by the end of March. Ysabel Bilbao is on board and she is careful to make sure anything that she is taking part in is educational not advocacy. Commissioner Van Beek said the jail bond information provided doesn't have a total indebtedness at the end of what's proposed, which is 20 years so she wants that included. Commissioner Dale said we are working through that. Joe Decker said they are working on finalizing the language and making sure there are endnotes or citations for the stats we're showing. They should have another draft for board approval this week. It will include a jail update, facts and figures, proposed new jail which has information on the DLR study and the link to the full report from DLR; information on the past jail bonds; a public outreach page with photos and past outreach and information on upcoming town hall meetings; and a news page which will include links from local news articles. Clerk Yamamoto said with regard to ADS, nothing has changed since the last meeting; they are on schedule for the temporary jail pods. Commissioner Van Beek said on Friday the Board will meet with bond counsel and she asked if that's when we'll talk about how it's worded. Commissioner Dale said it's anticipated to be an executive session so no action items are anticipated. Prosecutor Taylor said the Board will have to decide on the length of the bond, the total amount, and the bond language and that decision will have to be a public discussion. Commissioner Dale said that final decision will not occur on Friday. Commissioner Van Beek said she's asked for an amortization schedule but they don't have the totals. Clerk Yamamoto said his office won't do any work on it until we get the number hammered down.

Commissioner Van Beek said the preliminary bond information talks about total indebtedness versus total bond indebtedness and those are different. It's listed differently in two different places.

Elections update:

Clerk Yamamoto said there are three items for March 12 election: Vallivue school bond, the Wilder levy, and the Kuna levy. They have polling locations for the March election, but with the loss of the Nampa and Middleton schools they have a severe issue with finding locations for upcoming elections. One option may be having multiple polling places in one location, but he doesn't necessarily like that but they're trying as best they can. They are trying to get two LDS churches in Nampa which would be a great help, but he thinks some voters will be unhappy that they're driving past one location to get to another. Commissioner Van Beek said the superintendent for Nampa schools contacted the Board and she was designated to speak with her. She feels that from a public relations standpoint it might help mitigate the anger or the misunderstanding to know that they evaluated each of their campuses for security and it was stated that they are trying to remove all of the modular buildings and incorporate students back into the main campus as a matter of safety and security. That could take the heat off the elections office if we could roll it back to an issue of a safety

Legislative issues:

Prosecutor Taylor said the biggest issue is whether they will take money away from our revenue sharing in order to pay for the Medicaid expansion. There are pros and cons; if they take the current plan then the counties and the state would not have to pay, the county would not have medical indigency or mental commitments, anything to that aspect would be eliminated. The amount we put into indigency would be the same amount taken away with Medicaid expansion so from our point of view we'd be good, but other counties are not in such good shape. Treasurer Lloyd said some of the little counties could really get hurt by this. Commissioner Dale said there's an interesting proposal to change the formulation for the sales tax sharing where it goes much more on the population base whereas right now it's based on two or three different factors. The proposal is to base it strictly on population and in that scenario, Ada, Canyon, Kootenai, and Madison Counties gain, but everybody else loses. Assessor Stender said it's House Bill 174 and it started today in the revenue and tax committee. Prosecutor Taylor said another big one is the consolidation of campaign financing because it will shift the burden to the counties. It's a centralized aspect to the state but for anyone that is tardy it will fall on the clerk's office to start doing all the collection. Clerk Yamamoto said on the state side of things they've left out the county and if we want online reporting at the county level we have to do our own. Treasurer Lloyd said some of the small taxing districts don't even know they have to report. Clerk Yamamoto said the secretary of state's office was kind of lax and there were people who were habitually late and it would take numerous repeated reminders to take care of it. There are people within the legislature who take exception to that and that's part of why they are trying to take a shot at the secretary of state's office by saying you weren't doing your job so we're going to see to it that it's done, but they're passing it down to the county clerk. Assessor Stender said the agriculture exemption was readdressed this year for the personal property it applies to. Last year he sent personal property declarations to the hop owners who were putting in more modern facilities and they ended up going to the legislature and getting a two-year hiatus on it. They worked with the Farm Bureau, the Mint Association, the Hop Association, dairies, and apiaries. It was heard in the senate last week and he believes it will go through. They are basically changing the language to reiterate that they believe the equipment should have been exempt back with the original in 2001 when it was the personal property for ag equipment. They haven't put any of the new value on those facilities so it will stay off the tax roll going forward and any personal property in dairies, apiaries or distilleries will not be assessed. After board of equalization finalized last year the State Tax Commission determined that two counties set their agricultural land values too low and so they had several hearings and adjusted the values in those counties. Their agricultural land values were significantly lower than ours. New legislation has been introduced where they are trying to set up a notification procedure where the tax commission should notify the assessor first and if the assessor doesn't adjust the values to what it should be they will let the commissioners know and if the commissioners do not do anything then the tax commission will step in and adjust accordingly.

Commissioner Dale said last week he testified to the health and welfare committee regarding the fees that are charged for the food safety inspection program by the health department in all seven health districts. A resolution was passed in 2017 to investigate removing feed fee

schedules from state statute. The current status is that 10-12 years ago the food industry, hoteliers, grocery stores, and restaurateurs, successfully lobbied to have a fee set in statute (\$150 maximum) for licensing and inspection of all those establishments. This pays for one-third of the actual cost of the inspection and the rest is being paid for by county and state taxpayers so the question was asked why are we subsidizing this sector of private industry, for-profit businesses, and after a year of studying and removing that from statute it was determined that you didn't need to take it out of statute. The health districts had the authority within current statute to set fees appropriate to cover the cost of services. Last year they presented those findings and the board voted to delete that resolution and let each health district do what they thought was appropriate based on a uniform methodology that was provided and developed by all seven of the environmental health directors of all seven districts so using that information District 3 developed some fees and passed a new fee schedule for those types of services that brought it up to 50% of the cost of providing the service and they negotiated with the food industry lobbyists, hoteliers, grocers, and they had a representative from the farmers market association. They had a public hearing to adopt those fees, and subsequent to that Representative Blanksma didn't like what they did and thought the state should control those so there was proposed legislation that was backed by the food industry to set some new fees. They raised the fees more than what the health department was proposing but there was some language in the last part of the bill that restricts local health districts from raising those fees at any time. They met as the executive board of the health districts and voted to support the concept of this bill; however, there is concern about the language that restricts the ability of health districts to set their own fees. He was encouraged to testify at that bill hearing. He didn't express opposition, just concern regarding the part of the bill that restricts local governments from acting and he encouraged them to remove that portion of the language. The bill passed as-is out of the house with a do pass recommendation to the floor so it will probably pass there. It does raise the fee, it relieves a little bit of property tax burden for subsidizing those businesses. That money can be used for clinical services that Southwest District Health provides which was the motivation behind the whole effort.

Clerk Yamamoto said he believes something might happen with Medicaid expansion because the Governor gave it a huge push, but who knows what it will look like. It was reported that Gary Hout is going to retire from the state tax commission and Alan Dornfest is considering another job.

We lobby for election law changes every session with mixed results. A lot of what we have in election law is stupid timing issues and one of those issues is that we have to mail out the UOCAVA's (Uniformed and Overseas Citizens Absentee Voting Act), if there's a federal election and the absentees prior to the close of write-ins which means they have to include a write-in on every race and that often means they have another page and it's expensive. They have tried to do it before with no success and they talk about the money involved at county expense but it appears the state doesn't care much about it so it will be interesting to see if we gain anything there. They have some help this year with election times. It ranges anywhere from eliminating the March and August elections to doing the city elections in even years instead of odd years but that would be a complicated ballot. There is also talk of creating election days as holidays so with kids not being in school it would free up schools.

In the past the school districts have stopped things in its tracks and he suspects we'll see that again this year. Assessor Stender said there is a proposal to designate a portion of Highway 20 as a Medal of Honor Highway. Commissioner Dale said there is a bill about removing the requirement that cities and counties publicize all events, agendas and schedules in newspapers. He believes there are people who depend on the newspaper for those kind of notices and if there's a way to reduce the burden of publishing word for word but still have information he think it's worthwhile. Clerk Yamamoto said every time that's come up he has lobbied against it because it would kill local newspapers. Commissioner Dale said we're seeing incredibly heavy snowfalls in the mountains and the potential for flooding problems. Assessor Stender said the property tax reduction program is going full steam, and last year the state reimbursed Canyon County close to \$4 million. There is another program for disabled Veterans who receive an additional \$1,320 off their tax bill.

The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM

CALDWELL, IDAHO FEBRUARY 26, 2019

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

MEETING WITH COUNTY ATTORNEYS FOR A 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 Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd left at 9:14 a.m., Deputy P.A. Brad Goodsell left at 9:14 a.m., Deputy P.A. Mike Porter, DSD Director Tricia Nilsson left at 9:18 a.m., Planner Jennifer Almeida left at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing notice of surplus property auction: Brad Goodsell said this is for a property in Parma that was pulled from the auction in November due to a bankruptcy stay. The bankruptcy has since been dismissed due to lack of action by the property owner. There is no longer a stay in place so this notice is to hold an auction to sell this one piece of property. In response to a question from Commissioner Van Beek, Mr. Goodsell said that it is possible for the property owner to file for bankruptcy again, however if he does the courts will consider it fraudulent and the stay would only last 30 days unless he can get the courts to extend it. If this were to happen again the Board could simply continue the auction to a point outside of the 30 days. Any cost incurred pertaining to this property and auction are added onto the minimum bid. Upon the motion of Commissioner Van Beek and second by

Commissioner Dale the Board voted unanimously to sign the notice of surplus property auction.

Consider approval/denial of a resolution to issue a refund to Refugio Vidales for rezone and comp. plan amendment application fees: Director Nilsson said they applied for a rezone and comp. plan amendment but the access to the property has been problematic and they have chosen to withdraw. This case has been taken all the way thru P&Z so she feels that a refund of about 50% of their fees would be fair and cover the costs incurred by the county. Ms. Nilsson understands they intend to reapply for a conditional rezone as this is an ag property that they would like to have additional splits for family members. Ms. Almeida had originally suggested a conditional rezone but they decided they just wanted to change the whole property to residential but that wasn't going to be supported in addition to the issue with access with the neighboring property. Commissioner Dale made a motion to sign the resolution to issue a refund in the amount of \$1675.00 to Refugio Vidales. The motion was seconded by Commissioner Van Beek. The motion carried in a 2-to-1 split vote with Commissioners Van Beek and Dale voting in favor and Commissioner White voting against (see resolution no. 19-025).

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 Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

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

The Board met today at 1:32 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: Two new people have been hired which will make his office at full staff. A snapshot of the year-to-date budget was given with discussion regarding lines that are over budget such as psycho/sexual evaluations, transcripts and conflict counsel. A review was provided of cases opened from January 1, 2019 thru February 26, 2019, clearance rates for January and February and attorney active cases as of today. He recently met with the Public Defense Commission to fill out their compliance information and according to Brianne McCoy the county is doing really well. Based on their algorithm it showed Canyon County needs 25 attorneys but at this point we're right where we should be based on their guidelines for caseloads. All the public defenders are compliant with the 7

hours of education that the PDC requires and one of the only counties with everyone under contract. The meeting concluded at 1:58 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 2:03 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: Waste amounts were up 7.53% for January; FY2019 is up 11.56%. With the new fee structure in place the numbers were down about 20-25% for construction/demo waste, but the numbers are up 50-55% in the clean wood area now that there is incentive since the charge is less for clean wood vs. general waste. At the request of Commissioner Van Beek, Director Loper gave an overview of the costs associated with clean wood collection and removal and possible options for changing vendors for the collection service. The quarterly household hazardous waste event will be held on March 13th at the O'Connor Fieldhouse. Another press release will be sent out along with being posted on the county website and Facebook page; businesses can participate but they need to pay the disposal fee. The contract with Tetra Tech has been revised and will be revised each year with the services or areas of work lined out for each fiscal year. Instead of change orders Director Loper will sign work authorizations based on the budget and the projects that are lined out. The site certification is being worked on, ideally he would like to move the western boundary farther out to match up with the actual property boundary line. The farther out the boundary line is moved out the more air space is opened up. DEQ will be involved in the expansion plans along with possibly Development Services in order to update the conditional use permit. Tier II gas sampling has to be done every 5 years to make sure we're complying with the air quality rules and not producing too much landfill gas, once he receives those results back he'll share them with the Board. The meeting concluded at 2:32 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 White made a motion to go into Executive Session at 2:37 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 White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Caldwell Economic Developer Steve Fultz, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Daryl Gustafson and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:53 p.m. with no decision being called for in open session.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 27, 2019

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

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$104,500.06 and \$44,773.31 for accounts payable.

APPROVED CLAIMS ORDER NO. 1911

The Board of Commissioners approved payment of County claims in the amount of \$1,607,578.99 for a County payroll.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, Indigent Services Director Yvonne Baker left at 9:04 a.m., Parks Director Nicki Schwend, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross.

Consider signing a settlement offer for indigent services case no. 2006-147: Director Baker said this is in regards to the decision that was discussed last week pertaining to the Clifford case. This settlement states that a reduced settlement will not be offered, the lien will not be lifted but that the order for reimbursement is being waived. Director Baker said they will still have the option of pursuing a refinance as the county would consider subordinating our lien. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the settlement offer for indigent services case no. 2006-147. A copy of this settlement is on file with this day's minute entry.

EXECUTIVE SESSION – PERSONNEL MATTER RE: NAMED PERSONNEL, 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 re: named personnel, records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, HR Director Sue Baumgart, Parks Director Nicki Schwend, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:53 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 – REQUEST BY MICHAEL AND HEIDI BLACK FOR A REZONE, CASE NO. RZ2018-0024

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Michael and Heidi Black for a rezone of approximately 27.55 acres from an “R-R” (Rural Residential) zone to an “R-1” (Single Family Residential) zone Case No. RZ2018-0024. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Mike and Heidi Black, Connie Brandau, Don Hopkins, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is currently zoned rural residential, and Canyon County's Future Land Use Map designates this area as residential. It is located within the Middleton Impact Area; it is not located within a flood zone. The applicant is requesting to rezone the property from its existing rural residential zone to an R-1 single family residential zone. The average minimum lot size in an R-1 zone is one acre. The city designates this area as residential, however, on December 5, 2018 the city council changed the designation on their land use map to mixed use. The area as it currently exists is a mix of agricultural and residential uses. Within one mile of the subject property there are 32 platted subdivisions for a total of 596 lots. The platted lots within one mile have an average lot size of 1.37 acres. The proposed rezone to R-1 would be commensurate to the lot sizes that currently exist in the area as well as those adjacent to the property. The property is bordered on the north by Desert Pine Estates Subdivision No. 1 and the lots within that subdivision have an average lot size of 1.31 acres. The proposed rezone would not introduce an incompatible land use. The predominant zoning district in the area is rural residential, however, there is R-1 zoning located approximately ½ mile east of the subject property. It is located within a nitrate priority area and as part of the platting process the applicant will be required to adhere to Southwest District Health requirements, including nutrient pathogen studies. Canyon Highway District will require that the proposed subdivision utilize Enchanted Pine Court which is a public road that abuts the property and it will be required to be extended as a public road to serve the development. The City of Middleton noted that the property is approximately 2.5 miles away from city water and sewer services. The P&Z Commission

recommended denial of the request on December 20, 2018. Staff has found that this request meets the standards of review for zoning amendment and is also harmonious with the Canyon County Comprehensive Plan and Future Land Use Map. Staff is recommending approval of the request.

In the city's response they noted that typically they wouldn't allow residential density next to an interstate and Commissioner Van Beek asked if that's state code or if it's the city's interpretation. She asked if the city can stand in the way of development if this is an R-1 zone rather than an R-R zone. Ms. Almeida said it's her understanding that the City of Middleton prefers two-acre lot sizes, however, the County's comprehensive plan, zoning ordinance and subdivision ordinance applies in the impact area. Commissioner Van Beek asked what the enforcement arm would be for the City of Middleton putting people on city services if they already have well and septic in place. Ms. Almeida said typically a connection is not required until you are within the city limits and your domestic well or septic system fails and you have city services available, that's typically when the health department would require you to hook up to city services rather than issuing an additional septic permit on that lot. Director Nilsson said that's why Southwest District Health requires a replacement field on the property so if it does fail there's a replacement. City services are 2.5 miles away. Commissioner Van Beek said it looks like the city is anticipating charging for the use of roads and potable water. Director Nilsson said we don't have impact fees that apply in the county or the impact area so if they wanted to impose fees they would have to work with the Board and we would have to adopt them and apply them when issuing building permits but we have not been asked to do so. Commissioner Van Beek referenced a letter from the city regarding utility fees for main line extensions to distressed properties. Director Nilsson said they see that language a lot with letters from the City of Middleton, but this is just a rezone, not a plat. Utility companies were notified. If there was any undue burden on utility companies they would notify us and when it comes time to plat utility extensions would be addressed at that time. Water and sewer are the only utilities the City of Middleton requires. With regard to the city not supporting suburban residential densities next to an interstate, Director Nilsson said ITD did not raise any concerns that residential use at this location would be a problem. Mike Black testified they are seeking a rezone so they can build on one of the lots and sell the rest. They want one-acre lots because two-acre lots are too big to maintain and they haven't been selling in the area. In response to the concerns raised about Highway 30 and Highway 44, Mr. Black said he doesn't believe all traffic will flow directly to those two highways because there are alternate routes that can be taken. The previous owners had concerns about the irrigation and so he is going to offer to put a pressurized irrigation stub to their property so they will continue to have irrigation water. Commissioner Van Beek asked about the alternate routes that were mentioned. Mr. Black said the Desert Pine Subdivision, which they will access through, has an exit to Highway 30 and it also has an outlet to Purple Sage Road. He's driven the route to Purple Sage and then down Farmway Road to the freeway and it is only one minute longer. Purple Sage Road and Willis Road can be taken to get to the City of Middleton. Commissioner White asked what concerns were raised at the neighborhood meeting. Mr. Black said the neighbors didn't have concerns about the development, but they want to make sure it will be a continuation of their subdivision, they do not want small homes to be allowed. Mr. Black said this property platted at one time for the second phase of that subdivision but it was never recorded so it went

away. Commissioner Van Beek wants the laterals in place before development commences. Ms. Almeida said once the applicant turns in a plat for the project the Black Canyon Irrigation District will review the plat and the irrigation plan to verify the required easements are shown for any of their laterals and making sure they have no concerns with the layout of the lots and how those fit with their easements. If they raise concerns staff tries to get that remedied before the plat is taken to a hearing. If there are items that need to be addressed before the Board signs the final plat those would make their way as conditions on the preliminary plat. There are avenues to make sure that their requirements are satisfied and their easements are shown. Mr. Black said they had planned to build sooner but they didn't want to put a kink in everything by building in the wrong spot so we thought it was better to go through the process. Connie Brandau, who represents the Les and Flo Hopkins Trust, said what Mr. Black is doing is what her father intended when he bought the property 50 years ago and even though she signed up to offer neutral testimony she supports what the applicants are proposing. Her main concern is with irrigation. She spoke about the Conway lateral which is a buried line that used to be open and it's under the jurisdiction of Black Canyon Irrigation District. She explained how her father used to irrigate the property and she stressed the importance of making sure the delivery of water is maintained so that her mother can access the water she is paying for to irrigate her corner of the land. Ms. Brandau said if the Blacks put something on the plat or on the record that they are willing to do that she would be all for it. She has no problem with the proposed one-acre lot size. She spoke of her father's preliminary plat from 2007 and how he intended to have a stub in place in case Phase 2 needed to be extended to Highway 30 for access. Commissioner Dale said those things will be taken care with platting. Ms. Almeida agreed and said typically the highway district requires stub roads, especially when there are vacant parcels that may be developed in the future. During rebuttal Mr. Black said they are willing to put pressurized irrigation to the property and they will meet any other requirements during the platting phase. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Van Beek said she wants to reinforce Ms. Brandau's position that we make sure the irrigation entry/exit points are protected during the platting process. Commissioner Dale made a motion to approve the rezone and the Findings of Fact, Conclusions of Law and Order, and to approve the ordinance directing amendments to the Canyon County Zoning Map. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-008.) The hearing concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2019 TERM
CALDWELL, IDAHO FEBRUARY 28, 2019

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

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$82,884.78 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Nemo-Q, Inc. in the amount of \$7899.00 for the Information Technology department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, 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: 2019-0400, 2019-0430, 2019-0307, 2019-0047, 2019-0395, 2019-0415, 2019-0467, 2019-0512, 2019-0482, 2019-0528 and 2019-0408. Commissioner Van Beek made a motion to issue initial denials on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:00 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to issue a final approval with written decision within 30 days on case no. 2019-7. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final denial with written decision within 30 days on case no. 2019-61. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1563

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2018-1563. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell,

Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, Cortney Kriss for St. Lukes, the applicant, acquaintance of the applicant 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 April 4, 2019. The hearing concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1523

The Board met today at 9:28 a.m. to conduct a medical indigency hearing for case no. 2018-1523. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Todd Childs for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to continue the case to March 7, 2019. Commissioner Dale then rescinded his original motion and made a new motion to continue the case to March 21, 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-86

The Board met today at 9:38 a.m. to conduct a medical indigency hearing for case no. 2019-86. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Todd Childs for St. Alphonsus left at 9:41 a.m. and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to April 4, 2019. The hearing concluded at 9:41 a.m. The Board went back on the record at 9:42 a.m. and concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:46 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-14 (this case no. was read into the record as 2019-4 but is listed on the paperwork provided by Indigent Services as noted), 2019-44, 2019-60, 2019-56, 2019-78, 2019-2, 2019-19, 2018-1572, 2019-72, 2019-71 and 2109-55. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decision within 30 days on the cases as read into the record. The meeting concluded at 9:47 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 10:06 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 Dale made a motion to go into Executive Session at 10:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:19 a.m. with no decision being called for in open session.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for January 2019 in today's minutes.

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

The Board met today at 11:01 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following items: He is continuing to work on the jail information/education website and will present a paper copy to the Board for review. Raena Bull won the 2018 Kramer award which is given for excellence in judicial administration. Mr. Decker has spoken with Ms. Bull and will put together a press release. Start by Believing day is April 3rd; the proclamation is scheduled to be signed by the Board at the end of March. He has been working on a presentation for the Sheriff to give at the National Sheriff's Association conference on cartels. An election is coming up on March 12th. He has been working with Director Loper to get notices out about the Household Hazardous Waste Event. Commissioner Dale said he spoke with the Caldwell Economic Developer, Steve Fultz, about a story he's working on regarding the economic development incentives and asked Mr. Decker to reach out to Mr. Fultz. The meeting concluded at 11:10 a.m. An audio recording is on file in the Commissioners' Office.

The minutes of the fiscal term of February 2019 were read and approved and found to be a proper record of the proceedings of the Board of Canyon County Commissioners, Canyon County Idaho. Dated this 4th day of June, 2019. Canyon county board of Commissioners Tom Dale, Pam White and Leslie Van Beek attest: Chris Yamamoto, Clerk by: J. Ross, Deputy Clerk

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 1, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Right! Systems in the amount of \$5127.80 for the Information Technology department
- Commercial Tire in the amount of \$5499.96 for the Solid Waste department
- A-Gem Supply in the amount of \$4023.00 for the Facilities department

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider signing a medical professional liability insurance renewal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner left at 9:15 a.m., Chief Marv Dashiell left at 9:15 a.m., Captain Daren Ward left at 9:15 a.m., Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross.

Consider signing Medical Professional Liability Insurance renewal: Chief Dashiell explained this is the renewal of the jail medical insurance rider, however they just noticed in the contract it notes services provided solely at the Canyon County Jail but they have a nurse who provides services at the Juvenile Detention Center so they would like to postpone signing until they can get further clarification. In response to a question from Commissioner Van Beek, Chief Dashiell spoke about claims and that there are a couple different kinds of coverage – this one being for malpractice but claims against the county in tort fashion are covered by ICRMP. Additionally, if the county were to go out to a vendor for detention center medical services they would be providing their own insurance specifically to the medical side. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue this signing to March 5, 2019 at 9:00 a.m.

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 Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:27 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.

PUBLIC HEARING - REQUEST BY LANSING INVESTMENT PARTNERS, LLC FOR A REZONE,
CASE NO. RZ2018-0026

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Lansing Investment Partners, LLC, for a rezone from an R-R (rural residential) zone to an R-1 (single family residential) zone, Case No. RZ2018-0026. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson arrived at 10:15 a.m., Alan Mills, Tyler Hess, Spencer Kofoed, Dave Rogers, Lane Ranstrom, Mary Munson, Zach Porter, Monty Bell, Jon Rhodes, Jolene Zirbes, Jackie Grayson, and Deputy Clerk Monica Reeves.

Jennifer Almeida gave the oral staff report. The subject property consists of 69.95 acres and is currently zoned rural residential. Future land use for this area is also rural residential and is within Middleton's impact area. Middleton designates this area as residential as well and it's currently a mix of agricultural and residential uses. Within one mile there are 32 platted subdivisions for a total of 398 lots, with an average lot size of 2.46 acres. The proposed lot sizes, although smaller, would not create an incompatible land use. The zoning classifications in the area are primarily rural residential, however, there is R-1 zoning located approximately one-half mile northwest of the subject property. A portion of the property is located within a nitrate priority area. The applicant has conducted a preliminary nutrient pathogen evaluation of the site and it will need to be updated to reflect actual design conditions once the proposed lot layout is established, however, the preliminary evaluation found that the site could support 52 residential home sites. The highway district stated no objection to the rezone but did provide standards that would have to be met when platting is initiated. A traffic impact study would be required for the project and the scope of the study will be determined prior to the preliminary plat request. The Idaho Transportation Department indicated that future development of the parcel will require submittal of trip generations and may require a traffic impact study. Southwest District Health stated the applicant should schedule a predevelopment meeting to discuss the project. The property is located 1.5 miles from city sewer and water systems. No written concerns received from property owners. The P&Z Commission recommended denial of the rezone December 20, 2018. Staff has found the request to meet the standard of review for zoning amendment and is harmonious with the comprehensive plan and future land use map. The primary reasons the P&Z Commission recommended denial is because it did not meet the standards of review,

specifically noting that the proposed zoning map amendment was not compatible with surrounding land uses, and also that the proposed zoning map amendment would have a negative impact on the character of the area by introducing smaller lot sizes than those that currently exist within the vicinity. It also noted that the R-R zoning was more appropriate than rezoning the property to R-1.

Alan Mills testified on behalf of the applicant. In 2006 this property was zoned to R-R and at that time the designation allowed one-acre lots. Subsequent to that in 2010 the zoning ordinance changed and the R-R zone went from a one-acre average to a two-acre average but the owners of this property weren't aware of that until recently. Since 2006 the southern portion of the property was in the nutrient pathogen area and so they had to do a study on the entire property and the study is what determined the 52-lot potential. It was found to be compatible by a unanimous decision at that time. A nutrient pathogen study has been done and the final design will use that as the final determination of density. The property is identified as a transition area and is surrounded by R-1 density. In 2006 there was a large development to the north and east of the property that contemplated bringing sewer from Middleton and they were hoping it would come up Lansing Lane and be connectable but since then the developer annexed into the City of Star and their opportunity to bring sewer this way never did materialize. The owners of this property spent \$600,000 on that sewer line extension in Middleton and they won't get any of it back. When platting takes place the owners of this property will be giving up nearly 10% of the land for various public uses. The city wants roundabout right-of-ways and widths on those that are exceeding the highway district widths. There are some irrigation issues; the head gate serves five properties and they intend to bury it and realign it which will help save water because it's an open ditch now and it will take into consideration all the different users. Mr. Mills said they will work with the highway district on alternatives for access. A neighbor requested that the larger lots be placed adjacent to their property and the developer as agreed to do this. The average lot is 1.35 acres if the entire 52 lots are built out. With regard to irrigation, Commissioner Van Beek said there needs to be an agreement on who's going to service the ditch and keep it cleaned out. Mr. Mills said it will be highly regulated and will meet the Bureau of Reclamation's standards.

Commissioner Dale said we've had a number of these come through where in 2006 they were zoned to R-R which allowed one-acre lots and then after the ordinance changed the zone changed, and he asked if there's a way we can draft an amendment to that ordinance so that the lots that were deemed one-acre appropriate prior to the ordinance change would be grandfathered in. Zach Wesley said that is within the Board's authority and it would be equal to changing the R-R zone from two acres back to one acre, but maybe there are some exceptions to that depending on the map change. Commissioner Dale said maybe that's a discussion for another time because it doesn't pertain exactly to this, but perhaps it can be addressed at another time with some suggestions. Commissioner Van Beek said it appears the area is still heavily agricultural. Mr. Mills said it's in transition, it's been in the Middleton impact area for many years and it's been slowly developing and right now it's developing a little faster because of demand and growth. A lot of the properties were done by conditional use permit prior to rezoning so there's more out there than what it looks like. Commissioner White said there's less farmland than what is portrayed because there have been other rezones that have been submitted for that are already underway. Mr. Mills said there is a loss of farm ground, but it's not a total conversion because if this were to go into the city and

go into four units per acre that would be a total loss, but there is a use of hobby farming so it's still being utilized. There was a study done by the National Association of Homebuilders that showed for every \$1,000 increase in lot costs you eliminate 482 people that cannot buy it so if you have two-acre lots that are \$30,000 more than the one-acre lots there are 15,000 people that cannot handle the price increase. That's one of the reasons for the demand for more one-acre lots. With one acre by the time you build a home, a shop, driveway and a lawn you don't need as much maintenance, but it increases exponentially as you get more acreage and it demands more time, effort, and equipment. If someone is a serious hobby farmer they would probably have more than two acres.

Tyler Hess is a partner on this project and he grew up in the area. Last year he rezoned an R-R zone to an R-1 zone because builders and homeowners are looking for one-acre lots because they don't require as much maintenance. A two-acre lot is too small to farm but too big for those looking for one acre. Mr. Hess said there is a high demand for the 3-5-acre lots as well, but by densifying this a little more they are saving more farmland. They have a good reputation for building a quality product and they have a great connection with great builders. They have an average of 1.35 acres and will do some one-acre lots with some two-acre lots along the larger parcels adjacent to the site.

Spencer Kofoed lives south of this area and has a great desire for Middleton to become a beautiful community and to contribute to that. The people who own this land have owned it for 13 years and they approached him last year to partner on a quality project. He has developed and helped build out several projects that in R-1 zones. The type of product they develop are those that are sustaining to the area and pay for themselves and the infrastructure. They have a reputation for working well with neighbors and as stated they will try to work with the ones to the north that have larger lots and place their larger lots next to them. They have worked with Middleton and will help out with some roads and make sure they meet all the comprehensive plan, and they will build roads where required so that the city will connect in the future. They have met with the highway district and irrigation district. The neighbors had concerns about wells and septs and his response was those things will be engineered and addressed by professionals. All West Engineering did the nutrient pathogen study that verified the 1.35-acre average was sustainable here. Commissioner Van Beek said the letter from the City of Middleton's letter referenced the property has to be two acres to meet well and septic requirements. Director Nilsson said we rely more on the health district standards and their technical review.

Mary Munson lives at the corner of Lansing Lane and Purple Sage Road and she donated land to the highway district to be able to get a building permit and they told her the district couldn't put a roundabout in because it was too low. She also said there is a problem with the internet where the cell towers are jammed and you get very little cell service out there and she's concerned the development will put a lot more on it.

John Rhodes, who has a well system, asked if the homes will be on wells and septs or will public water be brought to the property. He is concerned about the impacts the development will have on the aquifer. He is not aware of any meetings the developers have had with neighbors. He loves the rural area and feels more subdivisions will ruin the ambiance, and he does not think the roads are able to handle things now, therefore, he said the infrastructure needs to be put in before development occurs. He asked if the rezoning will preclude people from having farm animals because some may not want to live near them.

Monty Bell testified he moved to the area for the rural setting and is concerned about the quality of life being negatively impacted, and the effects the project will have on the wildlife habitat as well as adding to the existing traffic problem. He asked if there are plans to extend Gray Hawk Drive to be an entry in and out of this project. Mr. Bell's main concern is the water situation and the possibility they will run out of water. He also noted that the internet service is terrible out there.

Jolene Zirbes lives on 9 ½ acres adjacent to the proposal and her main concern is water and the number of septic tanks. She spoke with Spencer Kofoed and he said he would try to accommodate her concern and put larger lots adjacent to her property. She also spoke of her experience in the banking industry and her concern that we may be entering another recession which could impact this project and how it could become a blight in the community and affect the property values.

Jackie Grayson said the property was granted R-R zoning in 2006 for one-acre lots but at that time the agreement was that city water and sewer would be supplied and so it passed with the understanding that they were not going to drill 60 new wells and septic tanks. She moved to the area over 20 years ago for the quality of life and she understands there will be development but the reality is they are sacrificing the quality of life for the existing homeowners for the new buyers coming in and she's not sure that's a fair tradeoff. Ms. Grayson said there is a major traffic issue in the area, in fact, they passed a fatality at the corner of Lansing Lane and Highway 44 as they were on their way to this morning's hearing. She has concerns about the density and the infrastructure not being done until after development commences.

Rebuttal testimony was given by Mr. Mills who said the Idaho Department of Water Resources conducted a nine-year study of the Treasure Valley and it was noted that this area is one of the best areas in the entire valley for aquifer. It has both quantity and quality. This area is in transition, it's a growth area that is not going to stay the same and if the request is denied the property will go into city densities at some point in the future, but that's not what anybody in this area wants. Mr. Mills said a traffic study will be done before platting takes place and it will identify the needs and that will have to be considered and dealt with at the platting level. It is yet to be determined where the roads will be built, but the highway district is anticipating a connection from Purple Sage Road. A traffic study will be completed. He said there's a misconception that the developer is going to get rich off of selling right-of-ways, but in reality the developer is giving away 10 acres for public infrastructure without a penny in return. In regards to the concern that was raised Mr. Mills said farm animals are allowed in the R-1 zone and spoke of the importance of 4-H and FFA projects and how they are a big part of living in the country. A traffic study will be completed before the design layout is done. The lot/home packages are anticipated to be between \$400,000 and \$700,000 so they are going to be a plus to the tax base.

Commissioner White inquired about the complaint of spotty internet service in the area. Director Nilsson said that is dealt with by the private sector service providers. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White said properties are a person's investment/retirement and she cannot tell them can't get the maximum benefit of their property. With sales price that will range between \$400,000 and \$700,000 the neighbor property owners will not have to subsidize those homes. A traffic study will be required and the results will have to be addressed by the developer. She believes the proposal is a good

fit for the area and is not spot zoning. Commissioner Van Beek understands the concerns raised by the neighbors, but if this were to be annexed into the city the density would be much greater. She believes the developers are people who care about the quality of construction and they are increasing lot sizes to bring diversity and interest to the subdivision. There are traffic issues on Highway 44 and she wants to see how the mitigation takes place. She understands economic conditions may change, but we have someone presenting a plan that meets qualified development; the plan is well thought out and will add value to the community. Commissioner Dale appreciates the comments regarding the potential for a recession and he agrees that there will be another one at some point but we cannot make decisions based on what ifs. If a recession does come the risk is on the developer, not the present homeowners. A low density development within a city limits is 3-4 units per acre and so approving this at its original designation in 2006 of a one-acre average preserves the very low density that's desired here. The Board has no jurisdiction over internet/cell service or streets. He believes this is an appropriate request and he wants to honor the original zoning designation approve this to an R-1 zone. Commissioner White said there will be no driveways allowed directly onto Lansing Lane so perhaps that will give some peace of mind. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to approve the rezone request to R-1 and approve the findings of fact, conclusions of law and ordinance, as well as the ordinance directing the change to the zoning map for Case No. RZ2018-0026. (See Ordinance No. 19-009.) The hearing concluded at 11:40 a.m. An audio recording is on file in the Commissioners' Office.

MEET WITH BOND COUNSEL – EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) TO DISCUSS RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION - NO ACTION ITEMS

The Board met today at 1:34 p.m. with bond counsel for a discussion in Executive Session to discuss records exempt from public disclosure and attorney-client communication. No action items will be considered. Commissioner Dale made a motion to go into Executive Session at 1:35 p.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Bond Consultant Ysabel Bilbao, Bond Counsel Nick Miller, Christian Anderson from Zions Bank, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:55 p.m. with no decision being called for in open session.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 4, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$11,619.70, \$176,789.72, \$84,327.74, \$26,157.93 and \$8931.00 for accounts payable.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley left at 9:38 a.m., Controller Zach Wagoner, Ysabel Bilbao, Kathy Alder left at 9:38 a.m., Larry Olmstead left at 9:38 a.m., Nicole Foy with the Idaho Press left at 9:38 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Bond Election Ordinance - New jail facility - May 21st election: Sam Laugheed said this ordinance was prepared by bond counsel, Nick Miller at Hawley-Troxell, who the county engaged last summer along with the county's municipal finance advisor, Christian Anderson from Zions Bank. It is a legal requirement for the county to sign such an ordinance or resolution prior to calling for a bond which includes all the relevant details. It includes the preamble, the normal recitals, and six sections. The first section is where the bond election is called for on Tuesday, May 21, 2019 and that the County Clerk will administer the bond election including scheduling and polling times and getting those notices published which have to be 12 and 5 days out of the election. The language of this ordinance has to be finalized 50 days out so we are well in advance of that but trying to give as much notice as possible. Section 3 is the form of the ballot which includes the relevant details of the actual ballot language that will be offered, the relevant financial details and even the way it will appear on the ballot. Section 4 is the notice of bond election that will be published and has the details and dates and will again cover the relevant financial details. Sections 5 and 6 are legal necessities, section 5 has to do with how the bond will require 2/3 of qualified registered electors of the county and section 6 addresses what would happen should bond election pass. Mr. Laugheed stood for questions providing they are in his realm of knowledge regarding this issue.

Commissioner Van Beek asked if section 6 about repayment could be clarified further. Mr. Laugheed doesn't believe he would be the person to clarify further but does think that it depends in part on how much is issued, when it's issued and he believes it would be built into the bond language itself. If in the event the bond election were to pass he thinks that certainly could be clarified down to a particular date range. Commissioner Dale said it is his understanding that at the issuance of the bonds is when you start being responsible for

payments. Zach Wagoner confirmed that is his understanding as well. At issuance it would be built in based on the property tax collections of the county. December and June are when significant property tax collections are received and that would be specified in the language and be tied to the collection of revenue that would go to pay for the bonds.

Commissioner Van Beek asked when the first call would be, if there is a time period for the first payment. Mr. Wagoner said that at present he does not know exactly what the call provisions would be.

Commissioner Van Beek said depending on whether or not that passed and the amount of the sinking fund you could potentially pay the first payment with proceeds from either, if she understands it correctly, if we did not reach the amount of the bond you could use that difference, between what it cost and what you actually called for, to make the first payment and then use portions of the sinking fund thereafter to meet the general obligation. Mr. Wagoner gave an example stating that if \$187M were approved but it only cost \$150M you can only go to the market for \$150M or you could go for \$187M and then you'd have in essence \$37M to put into the sinking fund.

Commissioner Van Beek asked, for the sake of conversation, if they passed this and then we would call for the architectural and engineering portion and get a more definitive cost at that point. Is that how you anticipate this would go? Mr. Wagoner said that is his understanding.

In response to Commissioner Van Beek regarding interest on the sinking fund Mr. Wagoner said that the county will begin paying interest after the issuance of the bonds. Construction would carry over for multiple years so the full \$187M would not have to be asked for on day one, it could be issued in portions if that route was chosen but that the interest rate is determined at the time of issuance based on market conditions.

Commissioner Dale stated that in his opinion the preferable option is to get authorization and then go out for an initial amount. In a previous meeting Mr. Miller and Mr. Anderson had suggested maybe \$100M so that you make sure you have enough for the architectural and engineering needs and those kinds of things and then you can pinpoint more exactly what the cost will be of building the structure. What we have today is an estimate and once you get those construction documents you'd have that zeroed in and then you can know for sure what you need to do. Mr. Laugheed said that is his understanding as well. He thinks to get a fully engineered set of construction documents would cost upwards of \$10M so the county could spend \$10M and have a plan to take or go thru this process where we have a concept design and a needs analysis that comes up with the number of approximately \$187M and then should we get the authorization thru the bond election to move forward to the next step we could narrow down that cost. We could do the value engineering and those sorts of things with the construction manager/general contractor working with an architect to narrow down a cost and then we could get into the issuance issues on a phase by phase basis for construction and finance. He thinks those could be tied together in a way that would maximize the county's position.

Commissioner Dale spoke about his thoughts on the matter stating that it's been more than 15 years that we've known that the Canyon County jail is inadequate for providing public safety. 13 years ago the first jail bond was proposed but it failed to meet the required super majority. Since that time two more jail bonds have been proposed and those attempts have also failed, the last being in 2010 at the depth of the recession. While it would have been very nice if we could have built at that time because construction costs were at their lowest level in years that didn't happen. Since that last attempt there have been no bonds proposed. Since that last attempt the need for adequate space has continued to grow and it continues to grow with the growth of population we see happening at a very robust level in Canyon County and throughout the Treasure Valley. Since that last attempt the cost of construction has climbed exponentially and will continue to climb. Since that last attempt counties in Idaho have been given no additional tools with which to fund building a jail. When he ran for this office 5 years ago he stated that any plans for a new jail that did not include getting us out of the old jail as a place to house inmates was short-sided and still believes that today. He believed at that time that an in-depth strategic needs analysis was needed. There had been some needs analysis done, some evaluation done in the past but nothing of great depth like what was accomplished with the DLR study and that was the first step in presenting to the voters the need based on an unbiased, scientifically based analysis. The result is quite intimidating, it is what it is though. He also believes that when committing the public's money to build needed infrastructure, as public officials, they must build for the future. It is always cheaper to build today for the needs that we will have tomorrow. The \$187M cost is intimidating but we know one thing for sure, it'll continue to get more as we wait. His understanding is that the projected growth and construction costs and materials is around 5% which will just add more and more to the cost of building a jail that we need today and that need will not go away. He wishes there were other tools with which to fund jail construction but the only source he's seen for doing this type of a project is the property tax. You can talk about different ways to utilize that property tax such as lease/purchase or different types of things like that if that were to happen but it is still property tax. We considered in the past year utilizing some sort of approach with the great value that we have out in the landfill but the bottom line is that you still have to bring it back to the property tax because it wouldn't be enough to build a jail. By statute the only method allowed to access that source is a bond approved by 66 and 2/3 % of the voters. Today we are considering setting the amount and language for asking the voters to consider approving a bond to build a jail that would serve the public safety needs in Canyon County for the foreseeable future, we're talking 30, 40 years into the future plus room for expansion at that site; we already have the land free and clear. Infrastructure, water and sewer, are out there. This site was chosen 10 years ago to build a jail on and he still believes the folks that were involved with that selection committee made a wise choice. Commissioner Dale asked "can we do this?" "Can the voters approve this?" And he believes that yes, it can be done. Once the ordinance and bond language is approved there will be a very extensive educational process that will let people know what this will cost them. If someday we have the authority to ask for local option sales tax, if people were to approve that we could apply that to this and lower the cost. The bond language lays out that the approximate cost to taxpayers would be \$7.88 per month per \$100K of assessed value. Commissioner Dale said he is in favor of approving this resolution and made a motion to do so.

Commissioner White seconded the motion for discussion.

Commissioner Van Beek said she has spent a lot of time looking at this and would like to address the points of agreement. She realizes the need for need for public safety is real. She has toured the jail with Captain Ward, she understands the limitations and agrees that a new facility is needed. She also agrees that she would not want to add to the current facility as the long range plan. She appreciates that the Clerk and Controller have kept the debt low and that the county is in a good position financially but we also need to take into consideration what this is going to do long-term. She believes that there are other sources of financing this which the Clerk and Controller have agreed to work with her to put heads together and try to identify some of those; some of those options may include tax incentives that are coming off of their exemption period and urban renewal dollars that are going to be returned to the county and how we use those. Due to the economic up-tic some other options may include permitting and other revenue sources than property taxes that she believes are available and need to be ferreted out before we ask taxpayers to pay more. She understands that Commissioner Dale's statement of it only costing about \$7.88 a month per \$100K of assessed value doesn't sound intimidating when broken down but in the meeting last week with Christian Anderson of Zions Bank the levy rate for the bond will carry its own levy as a line item on taxpayers' statements. It represents $\frac{1}{4}$ of the current mill-levy rate of 40 mills so that 40 mills is how we got to \$52M, it's public information, it's what we looked at for the 2018 budget year. And so 10 mills is $\frac{1}{4}$ of 40 and that's the reality, it is going to be a 25% increase to taxpayers of Canyon County on their property tax line. She does not agree that costs are going to continue to escalate; everything is cyclical so just like you don't buy stocks when they're high in, this instance you would wait for the market to cycle. We have a project in motion that will provide some space elevation by classification for inmates at the jail. The needs are real and we need to build at a time when it makes sense. You build in a market when you're not at the high. Amazon also announced last week that they will be pulling back and waiting 18 months on the construction of their new facility due to anticipated downturn in the economic climate and that would be to our benefit if it were true. Commissioner Van Beek would like to see a comprehensive plan developed so that there is a consistent plan from Commissioner to Commissioner and we can go to the future in perpetuity. She recently had a chance to review Ada County's annual financial report and in that report they have 32 pages of capital construction projects where they have utilized the capital construction fund as they are no longer bonding for their municipal projects. She feels that statutorily it is incorrect information to say there is only one funding option, we have more than one option available. One option would require that we set that up by ordinance, which she would hope that we could do a portion of that. The other one would be less restrictive but we could run excess revenues into that account to start building for the future and her position has always been that we need to look at what we can afford on an annual debt service. She feels that the other glaring issue is that the total maintenance and operation cost of the new facility has not yet been identified and that number is critical because that will also increase the amount that the taxpayers are expected to pay. As we look at how to present this best and easiest to taxpayers she would propose that most people do not live in a \$100K taxable house, her understanding is that it is closer to \$287K and a lot of homes being built are between \$400K and \$700K. If you take your total taxable value on your tax statement and multiply it by the mill rate of .001 you're going to get really, really close to what that looks like for your impact.

We have to consider in this environment what that's going to do for people on fixed incomes, people raising children, the impact of the school bonds. There are a lot of facts, this is not just a left and right balance scale, this is an equilibrium and it has to be maintained and with thoughtful consideration to the taxpayers. This is her position and she will not vote for this proposal, not because she doesn't believe in public safety but because she believes there are too many unknown factors and areas where we have not ferreted that out to the point where she can represent the people that put her in office.

Commissioner White addressed Commissioner Van Beek's comments stating that this board has acknowledged she has alternative ideas with regard to financing and have also acknowledged that the Board is willing to hear them. So she believes that part of the disagreement with moving forward on the bond is because we have not heard those issues yet and as the chairman she has said that time will come. This jail bond is already in motion and she is not going to have it look like a convoluted mess to the citizens yet one more time. Public safety matters and she has recently heard frustrations from law enforcement that they cannot fully do their job because there is no room to incarcerate. Taxpayers are paying for training, equipment, uniforms, vehicles, salaries and benefits for these individuals and they deserve the public safety. She believes that there has been a lot of due diligence put into this project, the DLR study was the first of its kind that was done for a needs assessment and the methodology that was used is indisputable. She does not feel any of this, including the cost, is a surprise to Canyon County taxpayers. Her feeling is that if this bond doesn't pass the only thing that will change is that the cost will go up and continue to go up. It doesn't matter what funding option is used the cost will continue to rise and there is the possibility that some of those funding options may no longer be viable. There are so many unknowns as we move forward with this but what we do know is that we need a new jail, this county knows that and the people in this county know that. The things we do know is that there was a study and that we have numbers that are substantiated by research and by studies that are defensible, that we own the property, that the infrastructure is in to the property and that we don't have the money to pay for this. We are using a financing tool that is available to cities and counties to fund this and that is a GO Bond, a General Obligation Bond to pay for it. She is the number one cheerleader for local option sales tax because that way everybody pays and we're not going to give up on that. She does not have a closed mind on other funding mechanisms, all options are on the table, but what we have today is in front of us and there has been a motion and a second to consider signing the bond ordinance for the new jail facility for the May 21st election.

Commissioner Dale offered some additional thoughts saying that in his earlier statement he said that we only have one source available for us today to do something of this nature and it is property tax. Perhaps there are different ways to use property tax - the tax incentive drop offs that were mentioned by Commissioner Van Beek, the urban renewal that's going to come from the city to the county when that sunsets in a couple years, new growth, new construction, that's all true, but all of those are property taxes. We can institute a capital construction fund and we could conceivably commit those tax incentive drop offs and those urban renewal funds that are going to come to the county after the urban renewal sunsets and we could commit new construction growth to pay off this bond, but that's all property tax and the bottom line is that Canyon County residents are the ones that are going to pay for

this jail, it's not going to be the federal government, not going to be the state government, it's going to be Canyon County residents. Commissioner Dale posed the question to Mr. Wagoner asking that if we had \$4M-\$5M total of tax incentive drop offs, urban renewal coming back, new growth coming into the county year by year, would that allow us to not have as large a tax levy to pay the bond? Mr. Wagoner said that those proceeds could be used, that when you have a GO Bond the increment value gets added back in to the taxable value, for adding that increment value back in on a GO bond lowers the levy rate the tax payers will pay and that that levy rate could be lower thus reducing the yearly \$94 per \$100K of assessed value. Commissioner Dale stated that some wonderful things were able to be built in Nampa during the depth of the recession but we really don't have the luxury of waiting for every 'what if' scenario because the need is so great today and believes we need to move forward with what we know today. Commissioner Van Beek agrees there are a number of variables out there including a proposal from the legislature to cap property tax at 5% and remove new construction which would have about a \$750K negative revenue to the county. Her position remains, she understand the need for public safety and that Commissioner Dale is correct, it's mitigating for the increase in property taxes, there are some revenue sources that are not property taxes so that is a true statement that it would be a blend and understands that new construction added to the tax roll that would lower the levy rate but it will not lower the amount that's set. Mr. Wagoner confirmed that it would lower the levy rate but the payment amount would remain the same. A vote was taken on the motion with Commissioner White and Commissioner Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote (see ordinance no. 19-010).

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 Van Beek made a motion to go into Executive Session at 9:38 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek, Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Controller Zach, Wagoner, Ysabel Bilbao and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:40 a.m.

Once out of executive session Commissioner Van Beek made a motion to continue the meeting to consider approving bond election educational outreach messaging to March 5, 2019 at 9:00 a.m. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JAY WALKER/ ALL TERRA CONSULTING FOR A REZONE,
CASE NO. RZ2018-0032

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Jay Walker with All Terra Consulting for a rezone from "A" (Agricultural) to "R-1" (Single Family Residential), Case No. RZ2018-0032. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jay Walker, Brett Wilson, Corey Blaine, Craig Clapier, Mark Gilbert, Linda Overman, Stacie Humpherys, Larry Biederman, Mark Henderson, Robert Gray, Suzanne Overman, Ben Maxwell, Steven Squellat, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 35.22 acres and is currently zoned agricultural. The future land use map shows this land as residential. The property is not within an impact area. City limits are located two miles southeast of the property. The area is currently a mix of agricultural and residential uses. The property is adjacent to Hollandia Estates Subdivision No. 1 and No. 2, and within one mile there are 30 platted subdivisions for a total of 422 lots with an average lot size of 1.17 acres. The proposed rezone would create lots similar to those that exist within one mile. It is adjacent to rural residential zoning. There is also R-1 zoning located south of Purple Sage Road. The property is located within a nitrate priority area. The applicant will be required to adhere to Southwest District Health requirements which will include a nutrient pathogen study to determine how many lots can be supported on the site with individual wells and septic systems. The property has frontage on Freezeout Road which is a public road. Canyon Highway District indicated that a single road approach generally located in the center of the property would be acceptable. They also recommended that a stub road be provided to the parcel to the north in an effort to provide neighborhood connectivity. The highway district also indicated that the project trips would be below the threshold that would require a traffic impact study. ITD has no objections. The P&Z Commission recommended approval on January 17, 2019. Staff has found the rezone meets the standard of review for zoning amendment and is harmonious with the comprehensive plan and future land use map.

Testimony in support was as follows:

Jay Walker with All Terra Consulting testified in support of application by Oak River Homes, LLC. The property is in the land use residential growth area although it is north of Purple Sage Estates and is outside the Middleton impact area. They have noted the requirements by the highway district; they requested a stub road to the north and they are willing to extend that right-of-way if that requirement is retained. They will do a temporary cul-de-sac for the turnaround at that location touching the north property boundary. They will split the property with an access onto Freezeout Road. To the south are one-acre lots and although that's zoned appropriately as R-1 and to the west is Hollandia Subdivision which was zoned as R-R (rural residential) the lot sizes range from .47 acre to one acre. The development was grandfathered in and so they don't have to adhere to the current zoning regulations. Mr. Walker said this would be a very good transition with 1+ acre lots, and that's why they are asking for an R-1 rezone. They agree that the local road is under classified and in the near future would be classified as a collector road and they are prepared as an ownership and development team to dedicate that additional needed right-of-way, whether it be 30 feet or 40 feet in addition to the prescriptive right-of-way that's 25 feet today. The public right-of-

way and the prescriptive 25 feet on either side of centerline and any additional dedication would be outside the flood map zone and will not be impacting buildable lots. They have proceed with a nutrient pathogen study by MTI and they have provided what's needed for individual septic and wells and they have also determined through test pits the ground water and listed all of the specifications that are needed in order to meet DEQ and SWDH regulations. There were no concerns. They met with Black Canyon Irrigation District and have a concept irrigation plan in place. They have spent time coordinating with all agencies as well as staff. On the northerly property boundary there will be an easement provided for irrigation. Mr. Vandenberg has recently piped all of the facility through his property and constructed a beautiful estate lot and he's also piped the tail water from a new pivot that goes to the south of the property which will continue through the backs of these properties and discharge in the historic location of discharge. There will be an access road to the pump station location and to any manhole locations. Mr. Walker said they have done a significant amount of well log studies. DEQ and SWDH require 100 feet of separation between wells and septic systems and the developers have accommodated that with the larger lot sizes. They do not plan on having any shared wells on the 27 lots. The patterns show the aquifers and water-bearing strata are sufficient for what is planned and through those insulators they will protect the ground water in both applications. At the neighborhood meeting they stated that if R-1 zoning was allowed they would pipe a facility that has been on the shared boundary between Hollandia and Blaine Estates and they would tile that overflow drain ditch which would pick up the overflow from the pump station and some runoff from their lots as well as the overflow from the property to the north and they would convey that rather than create problems with water in their backyards. Commissioner White asked what the neighbors' concerns were. Mr. Walker said there were concerns about the impact to their wells and the tiling of the common drain that hadn't been maintained in years, in fact, it had silted over and many owners adjacent to the parcel were being flooded through the conveyance of water or the lack thereof. He said there were well logs that showed there's plenty of water-bearing strata and given the depth and appropriate ceiling there shouldn't be any problem. There were comments about traffic and that's why they committed to dedicate right-of-way and appropriately plan for the future transition from a local road to a collector road. In response to Commissioner Van Beek's question about why the ditch hasn't been cleaned, Mr. Walker said a 15-inch pipe has been determined to take all those flows. They have been forthright in their approach to make sure they know what the irrigation district needs. He is not sure previous owners or downstream users understood the amount of discharge from Hollandia Subdivision into this coordinated drain ditch and everybody just let it go until it impacted some of the farming activity and backyard mowing of adjacent owners. He said the developers are actively involved in helping them resolve that problem. Commissioner Van Beek asked about the neighbors' concerns about their right to farm being protected as well as their concerns that aerial spraying could be impacted. Mr. Walker said there is no farming agreement on this property and he doesn't know if anybody controls the crop dusting and what goes on there. It was indicated that most of it is occurring on the east side of Freezeout Road. If they are spraying that needs to be addressed by whoever is spraying in those areas because there is development of subdivisions and properties to the south.

Brett Wilson testified that he is an owner of the property with his brother-in-law, Corey Blaine, and they have been working with Jay Walker to meet the requirements in order to

build homes on this parcel of land. He believes R-1 zoning fits the surrounding area with the lot sizes.

Corey Blaine testified that he has relied heavily on Jay Walker who has been involved with some high-end projects and he has a great portfolio of past history which is why they hired him. Their proposal is to have high-end custom homes. Mr. Blaine farms and ranches 840 acres north of Eagle. He does not believe the additional homes will impede farming operations or aerial spraying. Commissioner White asked if the developers have considered larger lots. Mr. Blaine said he will defer to Mr. Walker, but in order to pipe for the Hollandia development they really need the R-1 zoning "for it to pencil." They have told a resident that they will take care of his flooding issue and he was pleased to hear that, and, that will benefit all of Hollandia. They have no plans to tile the drain.

Neutral testimony was as follows:

Mark Gilbert lives in Hollandia Subdivision and his backyard abuts the subject property. He asked if the development will have a one-acre minimum or whether there will be an average lot size of one acre because there's an important distinction between the two. When he purchased his property last year his well was found to be in violation of the nitrate standard and it was suggested that he install a special filtration system to clean up his water. Ms. Almeida said R-1 zoning calls for a one-acre average minimum.

Craig Clapier testified that he is a real estate agent and his client owns property to the south of subject property and he is here today to see how they can market it for the best use. He said the Hartley Gulch was a cattail patch this summer and it needs to be tiled to allow water to exit out to Purple Sage Road. Mr. Clapier also wants to know what the density for the proposed development will be.

Opposition testimony was as follows:

Linda Overman lives on Freezeout Road east of the subject property and she and her mother have an 80-acre farm, which is their livelihood and they are concerned about the impact the proposal will have on their farming operation by inhibiting their ability to use aerial spraying and by impacting the water table. Other concerns include increased traffic and the already overcrowded schools. Ms. Overman would like the number of houses to be limited to 8-10. She spoke of how her family has used aerial spraying on their crops for 50 years and they are very worried about the potential for that to be discontinued due to housing developments. She said Caribou Acres and Arroyo Court have recognized the need for aerial spraying and they utilized larger lots and building envelopes to ensure that FAA clearances have been met. They also recognized the right-to-farm act. Ms. Overman is concerned about the rural quality of life being severely impacted by development and she asked the developer and owner for a compromise of lots that are 5 to 7 acres in size. She has farmed this ground and she understands the drainage situation and the water backing up and has even cleaned out the ditch. In talking with the irrigation district the tile that was put in for Purple Sage Road was two feet higher than what it needs to be and if it's not maintained and cleaned out it will back up. The property to the north is owned by Bill Vandenberg and he put in a pivot which has eliminated a lot of the surface runoff from siphon tubes. By using sprinklers you won't have near the runoff so that's going to be a major help as well. Ms. Overman testified that she and other area farmers use Freezeout Road to move their farm equipment rather than using Highway 30.

Stacey Humpherys testified that she lives in Caribou Acres, a development with 10 homes. When it was developed in 2002 there was extensive discussion about aerial spraying and

they made concessions to have a corridor for safe spraying. The development also recognizes the right-to-farm act. Freezeout Road looks very different than El Paso Road which is more suburban, there is a lot of agriculture even with the smaller lots and they want to keep it that way. She wants to make sure the Overmans can continue to farm, and she also wants the rural lifestyle maintained.

Larry Biederman testified that the area from Purple Sage and on to the north is a very different than the surrounding areas. The area on Freezeout Road has five-acre or larger parcels along the road. Caribou Acres has some one-acre lots but they are set back to west of larger parcels that are along the road and it was designed that way so that aerial spraying could be possible. They did allow some one-acre lots to set back away from the road so they would not be affected by the aerial spraying that goes on down the road. Development is imminent but the area would be better suited if at least along the roadway there were five-acre parcels adjacent to the road and, if desired, smaller parcels could be placed behind it to maintain the style of the neighborhood. Mr. Biederman believes one-acre lots will impact traffic, aesthetics, farming operations and aerial spraying and it would be contrary to the lifestyle of the neighborhood. He said the Treasure Valley is rapidly growing and we know there is a need for new houses but at the same time we should not make the mistake and get so carried away with rapid growth that we lose the character and beauty.

Robert Gray testified that he lives on five acres on Freezeout Road, north and east of the subject property, and he moved there to get a rural setting and not have close neighbors. On Freezeout Road, from Purple Sage to Galloway, it's a mile stretch and there are only six houses. It's a very rural area with little traffic, but there is large farm equipment, and spray planes. He is opposed to one-acre lots; he prefers to see three to five-acre lots or larger. He is worried about some of the issues with irrigation on his property. He will be the only one from the southern portion of the section clear to the north that's going to get water out of the open area not being piped. He is also worried about the effects on his well. He spoke to his neighbor, Cliff Cordova, who is opposed to the rezone. Commissioner White said the Board received a letter from Michael and Suzanne Cordova, which she read aloud and which states, in part: *"...As residents we are directly impacted by this decision. We are strongly against the rezone. Freezeout Road is a quiet rural road that is primarily used by farmers and horse and dog enthusiasts. Most parcels are still primarily for agricultural use and are a minimum of five acres plus. This rezone is going to eliminate the farming and livestock rural appreciation of the community we have enjoyed for years. There are better locations for this growth. As previously stated we will be extremely discouraged and disappointed to see this agricultural area become over-populated by this dense rezone. It will be a direct impact as adjacent property to our rural pasture, barn and roping arena."*

Ben Maxwell testified that he is the agricultural pilot who services the area. It's an intense area and there are several plots that are hard to identify and for those who own small, isolated acreages their only option is to use Mr. Maxwell's aerial spraying services but when properties get boxed in he has to tell them, sorry he can no longer spray. He lives at the corner of the Overman property and he services the entire area. He flies every field and most of the open ground. The subject property is located directly under their low-level take off and approach path for all of their northern customers. It's their main flight path; it is also under the main approach for the Caldwell airport so it is an area for intense air traffic. They use the area for turnaround to service several people that are just to the east of the Overman property. From June through September they conduct night operations from 9 p.m. to 6 a.m.

The smallest area they spray is 60 feet wide by 60 feet long so we can hit a small patch of ground and he can hit it accurately.

Steve Squellat testified that he lives on Elk Way in Caribou Estates and his main concern is the density of the development because it will destroy the character of the neighborhood and the view.

Commissioner Van Beek asked Zach Wesley for his thoughts on right-to-farm statement. Mr. Wesley said we've heard a lot of comments about the commitment to right-to-farm and sometimes the statement will be included on the plat but that doesn't impact the application of the right-to-farms laws. It's commonly done to provide notice that those platted areas will comply with the right-to-farm but what the right-to-farm act does is limit a local government's authority to respond to agricultural nuisance complaints so as long as a farmer or agricultural operator is in compliance with modern agricultural practices. If a resident has a complaint about the smell of a dairy across the street, the local government is restricted from taking action on that complaint.

Rebuttal testimony was offered by Jay Walker. There is a misconception about this area because of the flood map. With regard to Caribou Subdivision, he said the only reason the developer didn't develop more one-acre lots closer to Freezeout Road is because of the flood mapping, it wasn't because of buffering Freezeout Road by any means. Some of the area to the north is difficult because of that flood map designation area otherwise there would be more one-acre lots contiguous to the acre lots that are available. He said the applicants are not doing anything outside of what's occurring in this area; most of the backyards were placed up against Freezeout Road so there is that buffering and they made that concession after hearing from the neighbors. This is a beautiful area and they need to keep it that way with larger estate lots. They are planning on doing larger lots than even the one-acre minimum average and providing that transition to the properties circuitous. According to Mr. Walker, aerial spraying is going to happen and they can make adjustments to avoid areas of concern in the drifting and discharge of spray. He said they moving the houses away from Freezeout Road and away from the out parcels on the perimeter. This is the right of the property owner to provide large estate lots, including for themselves. If somebody wanted to buy this ground they should have bought it and continued to farm it but unfortunately that wasn't the case. In response to a question from Commissioner White, Mr. Walker said the largest lot will be 1.24 acres, and there are other lots that are 1.19 acres in size. The lot size is governed by the nutrient pathogen study and the separation of meeting the requirements of DEQ and SWDH. He said they have provided not only the dedication of additional right-of-way but for future road expansion. The homes will be buffered equal to or greater than the Caribou Subdivision where the developer didn't develop down in the flood zones. Commissioner Van Beek asked Mr. Walker to address Mr. Gilbert's concern about lots being divided in a non-proportionate way. Mr. Walker said if they go with the larger lot size of 5+ acres you run the risk of redevelopment in the future and then you end up with even more density than the protected feel of the larger estate lots. It's a Catch-22. If you go larger it's highly likely somebody will want to redevelop it into smaller ½ acres. In this case it's big enough to maintain that open feel and provide for the viewing corridors yet small enough that they won't redevelop again. Commissioner Van Beek asked how that can be restricted. Ms. Almeida said if they were developed into 5 or 10 acre lots the owner would be within their right to develop it further if they chose to but they would have to go to public hearing to attempt to replat it. She heard mention of CC&R's but said they are not enforced by the

County. Commissioner Dale said one of the biggest concerns for neighbors is aerial spraying and he asked if the applicants would be willing to work with Ben Maxwell to ensure that wherever the homes are placed there's enough clearance so it does not impact aerial spraying. Mr. Walker said they would and they will also honor the right-to-farm statement on the deeds for the CC&R's that says that there is a right-to-farm clause so residents cannot complain about aerial spraying or impact any of the neighboring farming operations. Commissioner Dale suggested a development agreement for the location of buildings on the lots that would allow for the proper separation, but it would have to be worked out with the expert, Mr. Maxwell, so that it does not impact Linda Overman's right to spray her ground which is the only ground adjacent to this. He wants a willingness to enter into an ironclad agreement that makes sure they are still able to aerial spray that piece of ground. The rest of it is not in question, it's just Ms. Overman's ground for spraying. He wants to see that before he approves this request. Mr. Walker is opposed to a development agreement because it takes away some of the freedom of the property. The County does a great job of having setbacks and providing those necessary buffers and oftentimes with larger lots people don't want to spend more to build long driveways and so the homes are tucked up towards the local roads so there will naturally be larger backyards to buffer any of those spray zone areas. Commissioner White doesn't want to impose something that restricts private property rights making it cost prohibitive where they have to spend thousands of dollars to redo things. She wants to find the most workable way to preserve the ability for that. Director Nilsson said once they have a plat they can be more precise and write those enforceable restrictions to the specific lots and that would be part of the public hearing process. Commissioner Dale said wants to make sure aerial spraying can continue in that area. Mr. Walker said they would be happy to do whatever is necessary to make that right and protect the adjacent homeowners. Commissioner Dale asked staff what would be the best way to do that, through a development agreement or during the platting phase. Ms. Almeida said when we have a plat we can condition it as such when we see the plat design. Commissioner Dale said as they develop their plat he wants to see the coordination with Valley Air to make sure we get the right separation distance and then we'll see it at the platting stage. Mr. Walker said they are agreeable to that. Commissioner Van Beek asked what will be the method of cleanout on the tiled ditch. Mr. Walker said they have discussed it with Black Canyon Irrigation and it would be a coordinated effort between Mr. Vandenberg, the HOA of Hollandia Subdivision, and the HOA of Blaine Estates. They are strategically locating those necessary manholes at the delivery points from Hollandia Subdivision which have to be a minimum of 400 feet apart. The manholes are for cleaning purposes and removal of debris. It will meet all engineering standards and best practices. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale said it was referenced that Hollandia Subdivision was designated as R-R (Rural Residential) zone with a minimum lot size of one acre, but when the ordinance was changed in 2010 the minimum acreage for an R-R zone was two acres and that's where we're at today. Regarding Mr. Gray asking how the piping would affect his irrigation, Commissioner Dale noted that the piping is for a drain, not for a supply line. State law requires that the supply line has to be maintained. He wants an accommodation to make sure aerial spraying will not be detrimentally impacted to the east. He believes the request fits the general trending of the area. One-acre lots will protect this area from going into higher density because if it ever

goes to the city they can put four to five units per acre so in some ways this rezone does protect the rural nature. He said it's difficult to juggle the private property rights versus impact on other properties, and he sees both sides of the issue but he's leaning toward approval if we can get it worked out at the platting stage. Commissioner Van Beek said both sides have presented well today. This property is outside of an impact area, but she is hearing Mr. Walker say some of the larger lot sizes may be due to the flood zone and so it prohibits building in some of those but on the other hand she likes the area which has farms all around it as well as large lots in the five to ten acre range. She struggles with the size of the lots in this case and how to preserve certain components of agriculture. Aerial spraying is a real concern. She has concerns with the heavy equipment that will travel Freezeout Road and the ability of the farmer to manage the movement of that equipment. At some point the number of homes will impact an already at-capacity school district. She does recognize the private property rights of the landowner. Commissioner White said within one mile of the subject property there are 30 platted subdivisions for a total of 442 lots with an average lot size of 1.17 acres. This rezone would create lots that are similar so the request is not going to be incompatible. She believes a one-acre lot is perfect because it's a manageable size. Commissioner Van Beek said the Board heard a case in January where there were larger lots and the property owners were starting to split off some of the acreages within the subdivision which created a quandary because the layout can become messy and unorganized. Mr. Walker provides a good product for the market but she is struggling with the request. Commissioner Dale made a motion that based on the findings of fact, conclusions of law and order, that the Board approve Case No. RZ2018-0032, and with the expectation that at the time of platting the Board will see an accommodation made in writing for the aerial spraying. Zach Wesley said the only way to make a commitment of that nature at this point would be through a development agreement, but what staff has pointed out is that during the platting phase they can also address something like that in the design of the subdivision so that would mean the Board would hear it again and if you still held that opinion at that time and wanted to place that condition on the plat you could but those would be two distinct decisions. Commissioner Dale said he wanted to withdraw for a moment and have discussion. He is ready to make a motion but he wants a hardcore guarantee that we're going to have aerial spraying continue in that area and if the development agreement is the best way to do that at this phase then it's just a development agreement with one condition. Mr. Walker said he's not too happy about development agreements but he saw the applicant indicate he is willing to make sure the accommodations are made so maybe the best way to do that is through a one-condition development agreement that says we will see that at platting. He wants to include in the motion of approval a one-condition development agreement to ensure the corridors for aerial spraying. Director Nilsson said we'll have to continue the hearing and have a development agreement prepared and then re-noticed because the agreement will have to "catch up" to the Board's final action. Commissioner Dale considered making a motion to continue the hearing but decided against it when he learned it would have to go back to the P&Z Commission for recommendation and the applicant would incur more fees. Staff assured him the issue of aerial spraying will be reviewed during the platting phase. Commissioner Dale said he is standing on his original motion to approve the rezone to R-1 for Case No. RZ2018-0032, as presented, and to approve the findings of fact, conclusions of law and order, and to direct the ordinance change. Commissioner White said the motion fits within the zoning amendment criteria. The property is designated as

residential on the 2020 future land use map and approval of the request would not introduce an incompatible use to the area. There are 30 platted subdivisions within one mile of the subject property with an average lot size of 1.17 acres. The request is compatible with what's going on in the area. Commissioner White seconded the motion. A vote was called and Commissioners White and Dale voted in favor and Commissioner Van Beek voted against the motion to approve. The motion carried by a two-to-one split vote. The hearing concluded at 3:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 5, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$37,400.00 for the Information Technology department
- Acco Engineered Systems in the amount of \$1692.00 for the Facilities department
- Hess Construction in the amount of \$2500.00 for the Facilities department/Animal shelter

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. with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following items: He has about 30 gallons of extra courthouse paint that he'd like to use on the CCOA/Guardians ad Litem building. Everything in the courthouse has been painted and the paint does expire and is not returnable so he would like to put it to good use. The paint should last about 12-15 years on the building and his staff can complete the project in just a few days. The Board is in favor of using the paint on the building. He is getting ready to submit building permit fees to the State of Idaho and the City of Caldwell for the jail pods. Third party inspections are still to be done; blueprints were received in late January and all the engineers have reviewed them. Director Navarro believes they have found one inspector who will be able to complete all of the inspections as far as both electrical and mechanical although he does anticipate the inspector having to make more than one trip and the county will be responsible for those costs including flight,

hotel, per diem plus his professional fees. At this time he doesn't have a schedule of the costs but he will once he has the building permit. Commissioner White clarified with Director Navarro that the project is not over budget as such but that the \$2M down payment was not accounted for in this fiscal year due to scheduling and contracting. Commissioner Dale asked about the fair building, Director Navarro said he believes Director Sinner is in contact with R&M Steel and that Zach Wesley is working on an amended contract to be considered by the Board. Parks and Facilities will be scheduling a meeting with the Board to further discuss personnel issues.

Director Rast updated the Board on the following items: A PO for \$37,400 was presented to the Board to purchase a booklet maker for the print shop. This printer was budgeted and approved for fiscal year 2019 and has actually come in under budget with NASPO pricing. This new printer will replace one that has been in use since 2011 and is worn out. The queuing system on the driver license side of DMV recently went down and it was discovered that the contract was up for renewal in November but was not paid. The vendor graciously agreed to accept the late renewal and payment and the computer should be back up today. Additionally, it was discovered that the vendor does not do a back-up of the configuration so the IT department is taking precautionary measures to image those machines. The Nortel system is now done, it will be unplugged on Monday. Recently there was an agreement signed with JobScore and there are some technical aspects of this project that Director Rast has some concerns with. He feels there should have been a technical review of this product and he asked for the Board's help in watching for any hardware or software that'll be introduced into the county and ask if it has been evaluated by IT. Overall he likes 95% of the product but they want to integrate a cloud service into the email system and how they do that he feels is a security problem, also he feels it may be an issue for Title VII. Commissioner White would like to see there be a meeting between IT and the other departments/Offices involved in this new program to see what can be worked out. Tomorrow there will be a technical call with the vendor where Director Rast hopes to get some more answers. Commissioner Van Beek said she will be meeting with Mike Porter tomorrow as she has some questions about this agreement also. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Pam White, Tom Dale, and Leslie Van Beek, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell left at 9:11 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter left at 9:11 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Other interested citizens and Deputy Clerk Jenen Ross

Consider signing Medical Professional Liability Insurance Renewal - Continued from March 1, 2019: Mike Porter said there is no document for signing today and that he is here to answer any questions. This will need to be continued again as we have not yet received the updated paperwork. On Friday there was request to include the Juvenile Detention

Center within the policy coverage and Hartwell was able to go out to the underwriters and they were able to expand the coverage to include that facility at no additional cost. In response to questions posed by Commissioner Van Beek, Mr. Laugheed clarified that this is the profession liability in case one of the retained medical staff provided negligent medical coverage, this is in addition to whatever coverage the medical providers have themselves. Mr. Porter noted that this policy references the umbrella general policy so this is just additional. For the most part doctors are excluded because of the contract that is in place with Argyll to provide their own medical insurance. This is to cover errors and omissions for the jail medical staff acting under the direction of a doctor. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue to the signing to March 7, 2019 at 8:30 a.m.

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

As properly noticed the Board met today at 9:00 a.m. to consider approving Bond Election educational outreach messaging which was continued from March 4, 2019. 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 Dale made a motion to go into Executive Session at 9:13 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:07 a.m. with no decision being called for in open session.

At the conclusion of the executive session Commissioner White made a motion to continue the consideration of approving the Bond Election education outreach messaging to Wednesday, March 6th at 2:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:08 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY DOORNENBAL TRUST FOR A REZONE, CASE NO. RZ2018-0021

The Board met today at 10:15 a.m. to conduct a public hearing in the matter of a request by Doornenbal Trust for a rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, Case No. RZ2018-0021. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, DSD Admin. Specialist Kathy Frost, DSD Planner Jennifer Almeida, Norm Brown, Pete Doornenbal, Caleb LaClair, Abbey Stover, and Deputy Clerk Monica Reeves. Today's hearing was rescheduled from February 4, 2019. Dan Lister gave the oral staff report. The request is for a rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone which is a one-acre

minimum lot size. In 2005 the property was approved for a 24-lot subdivision, but it has expired so they are requesting a rezone to subdivide it into 40 lots. The future land use shows it as residential, there is a predominant area of agricultural zoning and rural residential (R-R) zoning is located nearby with sporadic R-1 zoning in the area. The property is located within the Middleton impact area. A lot of subdivisions were created at a time outside of our current comprehensive plan and outside of our current zoning ordinance and it was done at a time with different regulations and requirements, however, a lot of them still meet that predominantly two acres or more. COMPASS reports are showing over 1,000 acres in the area that are still farmable it's still predominantly agricultural or rural residential so the P&Z Commission recommended denial because they felt the rezone could impact the area, especially the traffic. In the past the City of Middleton has denied projects that are less than two acres, but in this case the city supported the change. The Traffic and Analysis Zones (TAZ) provided by COMPASS shows the area for traffic analysis but it gives a forecast of population and housing in the area and it shows in 2017-2018 there was a population of 528 people with housing of 171 and by 2040 it's expected to increase to only an additional 31 people and 20 new houses. The applicant is proposing 40 new houses so it's going over what the TAZ is forecasting in that area but it doesn't mean it's going to be a regional impact because the city surrounds it and they have a higher population and a higher housing forecast so it doesn't necessarily affect the traffic regionally but locally it could have an impact. The development could potentially generate 542 average daily trips along Purple Sage Road so there would be improvements required at the time of subdivision and this was another reason the P&Z Commission recommended denial but they also alternatively recommended that if the Board were to change the zone to R-R they would be agreeable to that. Staff's recommendation is to deny the proposed rezone to single family residential and approve the rezone to a rural residential zoning district. Caleb LaClair from T-O Engineers testified on behalf of the landowner and said the application is a proposed rezone of Mr. Doornenbal's parcel to R-1. The P&Z Commission recommended denial based on three main reasons: 1) it is incompatible with surrounding land uses; 2) the proposed rezone may negatively affect the character of the area; and 3) it may cause undue interference with existing or future traffic patterns. The applicant does not agree with those conclusions. The finding that rural residential and agriculture are the dominating zones around this property is true but it doesn't tell the whole story when you look at the actual land use. There are a number of subdivisions around the property and a lot of those were allowed to subdivide into smaller lots as a result of the code that was in place at that time which allowed for smaller lots within rural residential and agricultural zone designations. As a result almost half of those subdivisions (16 of the 33) within one mile of the property have an average lot size of less than two acres. Of the 487 total subdivision lots, 54% of those are less than two acres. Directly adjacent to this property are two subdivisions to the south and to the west that have lot sizes that are averaging approximately one-acre in size. The P&Z Commission recently recommended approval for two rezones to R-1, one was for 49 acres and is located 1.2 miles southwest of the site (the Heck rezone), and the other was for 35 acres located to the northwest, and both of those projects are proposing lot sizes of about one-acre in size. The proposed subdivision for the Doornenbal project has an average density of about 1.45 acres per lot. The character of the area is changing and will continue to change to be more residential. Given that the proposal is in conformance with Middleton's comprehensive plan the city does not object to the proposed rezone, it's also noted there are similar subdivisions

adjacent to this property. The applicant believes the rezone is compatible with surrounding uses and the character of the area. Regarding the effect on existing and future traffic patterns, neither the highway district, ITD or COMPASS objected to or expressed concerns about the proposal. The findings associated with the conclusions of law were based on the COMPASS traffic analysis zone population forecast, however, COMPASS indicated the proposal did not exceed their communities in motion forecast. The findings also stated that the rezone could potentially create 57 new homes resulting in 542 average daily trips, while this is true based solely on zoning the proposed subdivision is only for 40 lots and that's due partially to restrictions on septic systems for the area. The proposed project does include elements that are conducive to smart traffic planning and is consistent with city and the highway district's requirements, including a dedication of 50 feet of right-of-way along Purple Sage Road as well as 40 feet of right-of-way along Ranch Road. There will be no direct lot access to Purple Sage Road, instead access is proposed to come from Ranch Road which will be widened and paved as part of the project. These improvements will be extended all the way to the southerly boundary which will provide connectivity to properties to the south. The proposed layout provides further connectivity to the west to allow for development that might happen in that direction. With the R-1 zone there is potential for more lots, but the owner would be very supportive of establishing a development agreement with the rezone that would restrict the total number of future lots to 40, along with any other conditions that might be deemed appropriate. Norm Brown testified that he has done market research on what's selling and 50% of the one-acre lots that are out there have sold while only 25% of the two-acre lots have sold. They met with the highway district because the traffic study came up and they said they are fine with it. One-acre lots in this area are selling for \$82,000. According to Mr. Brown the neighbors have not objected to the proposal. Pete Doornenbal testified that he owns a dairy on 40 acres on Galloway Road where they milk 900 cows; his brother milks the same amount two miles to the northwest. They moved to the area in 2008 and between both families they farm 1,000 acres. Mr. Doornenbal has a son and three daughters, and it wasn't their plan to sell when they moved here but since then there has been a change in plans. When his family bought the land it was platted for 26 lots and he put pivots on the property and was reclaiming it from development and because there's not a lot of money in row cropping or in dairies he had to make a decision and it's not something he's taken lightly. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Commissioner Dale said the only opposition raised was by staff and most of the time he agrees with them but in this case he disagrees with their recommendation. There is a broad mix of different types of uses out there and there is sufficient R-1-type development, and the property is next to a large subdivision that's basically R-1. The applicant is agreeable to having a development agreement, but they will be more restricted by the ability and proximity of wells and septic more than by the one-acre size, additionally the health department will ensure those things are safe and workable. Whether it's R-1 or R-R this ground is not going to be farm ground, and in his opinion R-1 zoning is better than R-R zoning at preserving farm ground because it takes up twice as much space for each lot. He is leaning towards approval of the requested R-1 because it's more in line with preserving farm ground and it helps with the bigger picture as one-acre lots are more appropriate for this than chopping it into two-acre lots. Commissioner Van Beek agrees with the staff report. There are concerns for preserving prime agricultural farm ground and it is in the area of impact where it will eventually be

developed but she believes it is premature at this time. She understands the applicant has mitigated some of the traffic concerns onto Ranch Road but that's still going to pour onto Purple Sage Road and that area is full of valleys and hills and there have been a lot of traffic accidents. The County has been approving new subdivisions in the area and she is compassionate toward the applicant's comments about farming, but this is premature and she doesn't think they will mitigate for the traffic. The area is problematic because of its rural nature and in this case it makes sense to follow staff direction. She will not support R-1 zoning or R-R zoning. Commissioner White appreciates the owner's forthright comments on selling the property and she recognizes personal property rights are very important. The request is for 40 lots which doesn't put it over any of the agency recommendations, she also noted that when this is built out it will not have ingress/egress off Purple Sage Road. She understands the concerns about traffic and the roadways in the area and suggested the landowners meet with the highway district and raise their voices about the situation. She believes the 1.45-acre lots fits with the area as it is "smackdab" in the middle between the two zones. Commissioner White supports the request and made a motion to approve the request by Doornenbal Trust for a rezone, Case No. RZ2018-0021, and also to sign the FCO's and ordinance. Commissioner Dale seconded the motion for discussion. Zach Wesley said there are procedural issues in that the P&Z Commission gave alternative recommendations, one was for denial of the R-1 zoning and the other was for approval of R-R zoning. There is a motion for approval of R-1 zoning without a development agreement so there needs to be a motion and vote to go forward and if there is a vote for R-1 zoning that will be a material change from the P&Z Commission's recommendation so we'll have to have a second hearing and then FCO's will have to be prepared. Commissioner Van Beek said her position remains the same, however, if the Board is going to support development she would like to adhere to the guidelines established by the P&Z Commission for R-R zoning which would minimize it to two acres, and not reduce it, in order to help mitigate for the traffic concerns. She still believe the project is premature. Commissioner White appreciates that comment but said at 1.45 acres it's exactly in the middle and nestled next to it are properties that are less than one acre. Commissioner Dale is supportive of R-1 zoning and asked if a development agreement is required to limit the project to 40 lots, or, can it be part of the motion to limit the project to what was presented in the applicant's conceptual plan. Mr. Wesley said procedurally it wouldn't change anything today because the R-1 zoning with a development agreement is a material difference from the P&Z Commission recommendation so we have to have a second hearing, also, there is a fee associated with the creation of a development agreement. Commissioner Dale offered an amendment to the motion that it include a development agreement limiting the development to 40 lots. Commissioner White seconded the amended motion. The amended motion carried by a two-to-one split vote with Commissioners Dale and White voting in favor and Commissioner Van Beek voting against it. Next, a vote was called for on Commissioner White's original motion with Commissioners Dale and White voting in favor and Commissioner Van Beek voting against it. The original motion carried by a two-to-one split vote. A new hearing date for the second hearing will be scheduled approximately 30 days out. The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

CALDWELL, IDAHO MARCH 6, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Mancuso.

APPROVED CLAIMS ORDER NO. 3/7/19

The Board of Commissioners approved payment of County claims in the amount of \$270.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$68,226.22, \$147.30, \$62,524.73, \$7205.45, \$48,110.30, \$60,956.20 and \$5346.84 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$4210.56 for accounts payable.

ACTION ITEM CONTINUED FROM MARCH 4, 2019 AND MARCH 5, 2019 TO CONSIDER APPROVING BOND ELECTION EDUCATIONAL OUTREACH MESSAGING

The Board met today at 2:04 p.m. for a continued meeting to consider approving bond election educational outreach messaging. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker, Chief Deputy P.A. Sam Laugheed, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner, Ysabel Bilbao and Deputy Clerk Jenen Ross. Discussion ensued regarding the information to be included within the bond election educational outreach messaging. Commissioner Dale made a motion to approve the content of the fact sheet. The motion was seconded by Commissioner White and carried unanimously. Mr. Decker will work to have the website go live in coordination with the fact sheet distribution. Ms. Bilbao will forward a copy of the completed information sheet to the Board and stakeholders once she finishes the revisions. Town hall meetings will take place starting mid-April thru May.

The meeting concluded at 2:39 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 7, 2019

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

APPROVED CLAIMS ORDER NO. 3/8/11

The Board of Commissioners approved payment of County claims in the amount of \$3388.39 for accounts payable.

APPROVED EMPLOYEE MOBILE DEVICE OPTION AUTHORIZATION FORM

The Board approved an employee mobile device option authorization form for Jeff Breach.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Combined Systems in the amount of \$1590.00 for the Sheriff's Office

ACTION ITEM CONTINUED FROM MARCH 5, 2019 TO CONSIDER SIGNING MEDICAL PROFESSIONAL LIABILITY INSURANCE RENEWAL

The Board met today at 8:32 a.m. for a continued action item to consider signing the medical professional liability insurance renewal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. Mike Porter explained the contract has been revised to include the Juvenile Justice Center but there was no cost change with the addition. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the medical professional liability insurance renewal (see agreement no. 19-026). The meeting concluded at 8:38 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT DECISIONS

The Board met today at 8:53 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services

Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The following cases do not meeting the eligibility criterial for county assistance: 2019-0396, 2019-0417, 2019-0421, 2019-0429, 2019-0518, 2019-0540, 2019-0431, 2019-0315, 2019-0428 and 2019-0465. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days.

The following cases meet the eligibility criteria for county assistance: 2019-0320, 2019-0523 and 2019-0498. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue initial approvals with written decisions within 30 days.

The meeting concluded at 8:55 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 Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to continue case no. 2018-1471 to April 4, 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final approval on case no. 2018-1446 with a written decision to be issued within 30 days. Commissioner Dale made a motion to correct the record to issue a final denial on case no. 2019-14 (this case was read into the record as 2019-4 at the February 28, 2019 hearings). The motion was seconded by Commissioner Van Beek 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. 2019-122

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for case no. 2019-122. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Donna Sharp for St. Alphonsus, Applicant, Applicant's former spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to May 2, 2019. The hearing concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-226

The Board met today at 9:38 a.m. to conduct a medical indigency hearing for case no. 2019-226. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, 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 Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-213

The Board met today at 9:48 a.m. to conduct a medical indigency hearing for case no. 2019-213. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels, Donna Sharp for St. Alphonsus, applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-82

The Board met today at 10:22 a.m. to conduct a medical indigency hearing for case no. 2019-82. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-126 AND 2019-249

The Board met today at 10:34 a.m. to conduct a medical indigency hearing for case nos. 2019-126 and 2019-249. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, the applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and

second by Commissioner Van Beek the Board voted unanimously to approve case no. 2019-126 with a written decision to be issued within 30 days. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve case no. 2019-249 with a written decision to be issued within 30 days. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-57

The Board met today at 10:48 a.m. to conduct a medical indigency hearing for case no. 2019-57. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Donna Sharp for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to place the case in suspension. The hearing concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-197

The Board met today at 10:59 a.m. to conduct a medical indigency hearing for case no. 2019-197. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Becky Herrera for St. Alphonsus, the applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 11:04 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 Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to issue a final denial with a written decision within 30 days on case no. 2019-99. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue case nos. 2018-1472 and 2019-195 to April 4, 2019. The meeting concluded at 11:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 11:16 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 11:31 a.m., Deputy P.A. Zach Wesley left at 11:52 a.m., Deputy P.A. Nicki Schwend left at 11:52 a.m., Deputy P.A. Zach Wagoner left at 11:52 a.m., HR Director Sue Baumgart left at 11:52 a.m., Facilities Director Paul Navarro left at 11:52 a.m., Assistant Facilities Director Rick Britton left at 11:52 a.m., Clerk Chris Yamamoto arrived at 11:33 a.m. and Deputy Clerk Jenen Ross.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 11:16 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 Van Beek made a motion to go into Executive Session at 11:16 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Controller Zach Wagoner, HR Director Sue Baumgart, Parks Director Nicki Schwend, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:33 a.m.

At the conclusion of the executive session a discussion was had about the Facilities Department taking over maintenance of the Parks grounds and facilities. For the remainder of FY2019 Directors Navarro and Schwend would like to move the supervision of the two Park Technician positions under Director Navarro but salaries would remain to be paid from the Parks budget as we are in the middle of the fiscal year. Directors Schwend and Navarro will work with HR Director Baumgart to reevaluate the current job descriptions and make changes and adjustments as necessary for FY2020. At this time there is no action required by the Board but the Board does support the changes and agree this will be beneficial to the county by eliminating duplication of efforts and materials. The Board is okay with the Directors approaching staff about the changes.

Clerk Yamamoto spoke about the 'Stand Down' event happening on April 27th. There is a large population of homeless veterans here in Canyon County and there is a gentleman in the area helping to find and identify them. On April 27th they will provide transportation to the Caldwell Veterans Memorial Hall where they will be offered medical and dental care, haircuts, personal garments and supplies among other things.

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

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 8, 2019

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

No meetings were conducted today.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 11, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Randall Falkner.

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$7900.61, \$81,427.96, \$72,930.45 and \$53,252.14 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- A-Core of Boise, Inc. in the amount of \$2960.00 for the Juvenile Detention /Probation departments
- Western Building Supply in the amount of \$2886.74 for the Juvenile Detention/Probation departments

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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 records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 8:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:58 a.m. with no decision being called for in open session.

PUBLIC HEARING - CONSIDER REQUEST BY CANYON COUNTY DEVELOPMENT SERVICES FOR A ROAD NAME CHANGE, CASE NO. RD2018-0022

The Board met today at 10:02 a.m. to conduct a continued public hearing in the matter of a request by the Canyon County Development Services Department for a road name change, Case No. RD2018-0022. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Richard Roedel, and Deputy Clerk Monica Reeves. Today's hearing was continued from February 22, 2019 so that staff could obtain further information on the ownership and maintenance issue. Jennifer Almeida provided additional exhibits for the Board's review which are summarized as follows: Exhibit 8 is an agreement between Canyon Highway District and the City of Caldwell dated March 4, 2008 which outlines that the city is responsible for maintenance of Ward Road from the north side of Highway 20-26 to the south side of Marble Front Road. Exhibit 9 is a deed for 1.352 acres, which is Richard Roedel's property, and it outlines the parcel as subject to a prescriptive road right-of-way along the western and northerly boundaries of the properties. Exhibit 10 is an ordinance from the City of Caldwell in which the city council voted to change the road names as also requested by the County to comply with their city code. The ordinance was approved by the council and mayor on March 4, 2019. To be compliant with the County's addressing ordinance as well as the city's recently adopted ordinance staff is requesting the road name change be approved to mirror Caldwell's recent approval. Commissioner White asked for the reason the city is requesting the road name change. Ms. Almeida said in short it's the same reason DSD is requesting which is to change the suffixes as well as the road names so that there is compliance with both the city and the County addressing requirements. Commissioner Van Beek said she sent an email to the County Parks Director to see if the name Ward Lane is tied to the Ward Massacre Park which has significance to the Oregon Trail. Director Nilsson said staff could not find a tie to the history of why the road was named Ward. She pointed out that road names are not historic, the places are. The issue is if Ward Road gets extended there will be two parallel roads with the same name; however, the name's not totally going away, it's just the one segment to prevent duplication in the future.

Commissioner Van Beek asked about the reason to go from Ward to Ware, and said it almost looks like a typographical error where you have a consonant to a vowel. Director Nilsson said they can sympathize with the readdressing effects on a property owner and they're trying to minimize it since there's only one home that would be changed. The house number doesn't have to change, just the street name. It's a change of just one letter and because it passed muster with the Sheriff's Office they suggested it to the City of Caldwell. Richard Roedel is opposed to the road name change and questioned why it was renamed from Ward Lane to Ward Road. He said we shouldn't take a historical road that's been there since 1920 when his grandfather put it there for access to the school, not for all the traffic to go down. Commissioner White asked if there is a difference in the use of the terms *public* and *private*, and *road* and *lane*. Ms. Almeida said with the City of Caldwell the lane suffix is typically a private designator. The road was changed from lane to road and because of the change in direction and to be compliant with both Canyon County's addressing ordinance and the City of Caldwell's addressing ordinance the jogs in the road need to have their own road name. It was Ward Lane and then it changed to Ward Road because of the designators and because of the change in direction that Ward Road takes at that jog it will be named Joplin Road. When it changes direction again travelling north south, along Mr. Roedel's property, it will be changed from Ward Road to Ware Road. Commissioner Van Beek asked if there are any plans to expand the portion that is to be named Ware Road. Director Nilsson said typically the City of Caldwell would require road improvements when that property gets developed. She doesn't know if they required a half section or full section be designed and built but that's typically how that would happen versus a COMPASS funded project. Commissioner White asked why it's a pressing issue to change the name now given that there's only one house on Ward Lane. Director Nilsson said we start with a request from the city because we share this duty. If Ward Road gets extended to the north to serve that development you would have two duplicate names so you need to resolve the address inconsistencies. Even though it might be one occupied structure we want to make sure that the E911 system can point to that so there's no confusion. Commissioner Dale said he doesn't see the problem with leaving Ward Lane as-is at this point. Mr. Roedel said if the property to the west gets developed they won't have an access on Ward Lane because he owns the property and he won't allow access. He said Ward Road, as proposed in 2008 by the County, was supposed to go straight through the property and down across Marble Front to Lincoln and he believes that's the way it will be developed 10-15 years from now. Ms. Almeida said the city's ordinance has an effective date of 90 days from March 4, 2019 and their approved road name changes will take effect and they mirror what the County is requesting. The city will be installing road signs at those locations so from staff's standpoint in EMS there may be some confusion once those new road signs are installed if that's not actually the addresses that are along that section of roadway. She noted that Ware Road is owned by the City of Caldwell. Mr. Roedel said the entire road is on his property and there's an easement going down the road for an irrigation ditch. People used it to get to the Marble Front School. Canyon Highway District has taken the culvert out of Marble Front Road and taken the waste water ditch from him. He said the city told him that he will have the option to change that lane to whatever he wants to name it, but now he finds out it is Ward Road from Highway 20-26 to where Joplin is proposed. Director Nilsson said it's a prescriptive easement and it is considered public highway. There's a lot of prescriptive easements throughout Canyon County and its dedicated typically upon development of the right-of-way but that would be

a legal issue between the property owner and the highway district. Commissioner Van Beek said there appears to be a point of difference as to who owns what is proposed to be Ware Road/Ward Lane. Ms. Almeida said Exhibit No. 8 describes the area the city maintains for Ward Road, and it outlines what Caldwell maintains for Ward Lane, which is now Ward Road, on the north side of Highway 20-26 all the way to the south side of Marble Front Road so they own and maintain that entire area. That was a 2008 agreement between the highway district and the City of Caldwell. Mr. Roedel wants the name left as-is until development comes and then perhaps it could be changed to Roedel Lane. Director Nilsson said the ordinance doesn't allow the use of names of people. DSD sent Mr. Roedel a certified letter and gave him an opportunity to request a name but the letter was returned unclaimed. Mr. Roedel said he responded to the letter he received from the City of Caldwell and when he asked about the name change the city told him they knew nothing about Ward Road going on to the north. He also said he was out of town when the County sent its letter. Commissioner Van Beek asked if there's an opportunity for Mr. Roedel to weigh in on a suggested road name. Director Nilsson said if Mr. Roedel would respond in writing of what his priorities for a name would be then DSD could start with that. She suggested the hearing be continued for 30 days. Commissioner White said it needs to be inside of 30 days because the city is going to do road signs in 90 days so the sooner the paperwork is submitted the better. Commissioner Van Beek asked Mr. Roedel if he could submit three suggested names to DSD within 10 days. Commissioner Dale said it cannot be a surname but it there isn't anything precluding a proper noun. Ms. Almeida said the ordinance excludes names of property owners to be used for road names. The application will allow three suggested names and then staff will review and make sure they're not duplicates and that they comply with the ordinance. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner White asked Mr. Roedel to submit three suggested road names to the County within 10 days. Director Nilsson said names cannot be used. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to April 5, 2019 at 10:00 a.m. The hearing concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION: LEGAL TRAINING AND ATTORNEY-CLIENT COMMUNICATION PERTAINING TO TAX EXEMPTIONS – IDAHO CODE 74-206(1)(D)

The Board met today at 11:04 a.m. for an Executive Session for legal training and attorney-client communication pertaining to tax exemptions. Commissioner Dale made a motion to go into Executive Session at 11:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records that are exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The Executive Session concluded at 12:08 p.m. with no decision being called for in open session.

MEETING WITH TINA WILSON FROM WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT TO DISCUSS ECONOMIC DEVELOPMENT DISTRICT 3

The Board met today at 2:10 p.m. with Tina Wilson from the Western Alliance for Economic Development to discuss Economic Development District 3. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Tina Wilson from WAED and Deputy Clerk Jenen Ross. Ms. Wilson provided background information on reformation of Economic Development District 3 and how it came to be. For several years the Department of Commerce from the federal level and the Economic Development Agency out of Seattle (EDA) attempted to work thru the University of Nevada-Reno in order to recreate a 10 county district region 3. About a year in the University of Nevada-Reno thought they could do a 10 county comprehensive economic development strategy for \$250K but that the 10 counties would need to come up with at least \$50K in match. At that point it was decided they would not be sending that amount of money to the University of Nevada-Reno when they felt they had resources to do what needed to be done and not send the money out of state. In November Ms. Wilson was approached by Carlene Herring who is part of the Region 4 Economic Development District to ask if she was interested in doing something on a smaller scale, working directly with USDA Rural Development. It was requested by USDA Rural Development that they put in an application for the Rural Economic Development Innovation initiative (REDI) to have one of their technical assistants do a regional economic development strategy at no cost. USDA Regional Development put out an RFP last year and have contracted with 5 different regional people to provide the technical assistance to create the regional strategy. The area that serves Idaho is the Rural Community Assistance Corporation (RCAP) and Idaho's Board member is Joe Herring. RCAP has endorsed the WAED to put in an application for this assistance which will be submitted on behalf of Owyhee, Canyon and Gem counties. At this time Ms. Wilson is looking to collect letters of support from the three counties which she doesn't need until April 1st. She has reached out to the Department of Commerce and the Department of Labor and both have agreed to provide support letters; a letter of support has also been secured from the Associated Canyon County Highway Districts. Ms. Wilson may need to do town hall meetings in each county to collect information in order to create the regional strategy which is the document that they'll receive at the end of the grant period. Once the document is received anything that's identified as a project or concern would be able to make grant applications for low cost loans thru the federal EDA. The Economic Development District would be able to help the smaller communities with planning and packaging of financials and help them go thru the bonds and applications but because they're not local Ms. Wilson will be the one to be able to assist with this. She will also be helping with some of the planning and will start with a review of the comprehensive plan. There are communities and projects that are going unserved because there is no development district. There is no financial obligation for the REDI initiative at this point. A discussion ensued regarding the role Ms. Wilson will play in the development district and the benefits of being part of it. A support letter will be composed by Ms. Wilson or Director Nilsson and after legal review will be presented to the Board for consideration. The meeting concluded at 2:49 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:49 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Tina Wilson for WAED and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following: A new Planner III started today and a Planner II will start next Monday. Jennifer Almeida was recently given a promotion and Director Nilsson would like to have Joe Decker draft a notice to let the community know who their planners are. She is going to draft a letter designating herself, Kate Dahl and Dan Lister as representatives for RTAC. Agencies received an email last week from the consultant for the City of Star regarding a meeting schedule for the month of March with the council adoption in April for a new comprehensive plan however there are some questions about noticing requirements. Further discussion ensued regarding plans for the City of Star and what, if any, role the county has. The floodplain ordinance has been noticed and is scheduled to be heard at P&Z on April 4th and is scheduled to be heard by the Board on May 13th. Director Nilsson thought it may be beneficial to schedule a meeting beforehand to review the ordinance with the Board as it's a big ordinance. She said the whole basis of these regulations are to make Canyon County property owners eligible for flood insurance; without a floodplain ordinance property owners would not be able to obtain flood insurance. Recently Ms. Nilsson met with Mr. Goodsell and Director Loper to discuss the landfill CUP; they would like to do a final CUP and make sure everything is updated to the proper use and take it thru a CUP modification to get it where it needs to be. Director Nilsson said she's had a couple of requests for comment regarding House Bill 127, she hasn't seen that the IAC has taken a position. Commissioner Dale confirmed that the legislative committee is taking a neutral position because there is one county that is out of agreement. Recently she did a site visit to Garrett Ranch with Director Schwend and three people from the State Historic Preservation office. The Garrett family may be doing a CUP to create an event center from their old fruit packing building. They may also be interested in pursuing a National Register nomination. Ms. Nilsson wants to make sure they get good information in pursuing the CUP as not to jeopardize the potential of the National Register process. The meeting concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 12, 2019

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

APPROVED CLAIMS ORDER NO. 3/15/19

The Board of Commissioners approved payment of County claims in the amount of \$140.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$9360.00 for the Sheriff's Office
- The Sign Shoppe in the amount of \$2316.00 for the Development Services department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Leslie Van Beek, Clerk Chris Yamamoto left at 9:12 a.m., Facilities Director Paul Navarro left at 9:14 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter left at 9:14 a.m., IT Director Greg Rast left at 9:14 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., HR Director Sue Baumgart left at 9:14 a.m., Controller Zach Wagoner, Lt. Keyes arrived at 9:16 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving Security Director Job description: Mike Porter explained that the security committee has been working for a couple years on county security issues. They were originally tasked with selecting a vendor to consult and give a recommendation on the security needs of the county, it then continued to facilitate the creation of a department and the transition of the various responsibilities held by several different offices and departments. They have worked with HR Director Baumgart to draft a job description that would reflect the person they are looking for to fill the position of Security Director. Commissioner Dale thinks this position may be hard to fill due to the level and amount of requirements and wants to make sure appropriate time is taken to find the right person. Clerk Yamamoto clarified that this position has not been budgeted for this year and would like to see a cost analysis done. Commissioner Dale understands this will not be a rushed process but just wanted to make sure when we do solicit for a candidate that there is a broad net cast. Commissioner Van Beek spoke about how the salary portion of this really seems to be the tip of the iceberg as there are PERSI benefits, staffing requirements and a remodel project to be considered. She would anticipate having those numbers since it will need to be a coordinated effort between the Clerk, Controller, Commissioners, the Facilities department, Sheriff's Office, IT and PA's Office. She spoke with Mr. Porter yesterday and has several questions that she would like answers to. In her meeting yesterday she requested that the consideration of this resolution be delayed in order for her to become more familiar with this issue and have some of her questions answered. Mr. Porter said there is a meeting tomorrow of the security committee and they will review Commissioner Van Beek's questions at that time. There was discussion about what kind of timeframe for coming back the Board would be appropriate, it was decided that something within the next 3 weeks would work well for everyone. Chief Dashiell expressed concerns about pushing it out too

far because it could limit the timeframe to do a thorough search and get processes set up. It was originally thought that perhaps this person could be brought in mid-year but it is now looking more and more like it won't be something that happens until the new fiscal year. Mike Porter said at this point it's not necessary to continue this meeting but based on how tomorrow's committee meeting goes they can set a new agenda appointment. Mr. Porter said he received a list of questions from Commissioner Van Beek and was able to provide short answers but has gotten permission from her to share the questions with the group in order to get more complete answers.

Consider signing grant application for boating safety grant monies from the Idaho Department of Parks and Recreation: Mr. Blocksom said this is essentially asking the Board to give Lt. Keyes permission to submit the application, once the application is submitted then there will be an agreement for the Board to consider signing stating how the money will be used if it is awarded. The grant does require a 50% match but the funds have already been allocated. Zach Wagoner said the county has a waterways fund which is restricted to waterway activities; it is a self-balancing set of accounts. Funds are matched with monies from registration fees. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the application for boating safety grant monies from the Idaho Department of Parks and Recreation (see agreement no. 19-039).

The meeting concluded at 9:17 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 9:31 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items:

March Madness wellness program just started, it is the first one of the New Year. Each week participants will be entered into a raffle and the winner will win a Fitbit. The next challenge will be a water challenge in June. Tracking activity can be done thru the BlueCross website or tracked on a spreadsheet and submitted by HR. Commissioner Van Beek asked about other incentives such as monies added to an FSA account, Ms. Baumgart said several things have been discussed in the past but there can be a certain amount of liability that would need to be vetted first. Commissioner Dale asked about smoking cessation programs and wondered how many employees are smokers. Ms. Baumgart didn't know the answer but said possibly the question could be asked on the health survey. Director Baumgart said her department is working on some SOP's to make things consistent in regards to background checks, annual driving checks and random drug testing. Currently random drug testing is done for positions considered 'safety sensitive' such as people operating heavy equipment or working with juveniles among some other positions. In response to comments from Commissioner Van Beek, Ms. Baumgart said if someone gets into an accident in a county

vehicle they are supposed to be tested but she doesn't think the procedure is being followed or maybe isn't as consistent as it should be and they are looking at making it more standardized. They are looking at safety training, possibly thru ICRMP. Ms. Baumgart has contacted them but she has not yet heard back. Commissioner Van Beek suggested looking at the organization ASMARK as a possibility for training. Commissioner Dale said he really likes the ICRMP training because if a certain percentage of the employees complete the training there is a discount offered but there has been some pushback due to the amount of time it may take employees to complete the training. They are also looking at pre-employment physicals for heavier labor positions. The HR department is continuing to work on the department 'smart-goals' as well as their individual smart-goals. They are also in the process of creating their HR SOP along with a front desk SOP. The limited English program has been implemented; the survey has gone out, the programs are out and everyone has the phones and the 'I speak...' cards. They have sent reminders to the departments/offices who still need to complete the training. The second leadership training class will take place on Thursday. Commissioner Van Beek referenced the training and that although she would have liked to have had the training as part of the Board she understands Commissioner White's desire to table it for now due to the cost. It was suggested by Commissioner Van Beek to use the 16 Personalities program which is a free program/assessment and feels it could help people understand others better, especially in regards to elected officials. Ms. Baumgart said she would look into the program. They are still working on the employee manual revisions and are getting very close to being finished. Commissioner Van Beek had questioned the issuance of credit cards and feels there isn't a lot of policy or training behind it; she feels this is something that could be included in the employee manual. Ms. Baumgart said she'd heard Commissioner Van Beek was looking for credit card policies of other municipalities and will look at the other policies and speak with the PA's Office about adding something in. The compensation plan is continuing to be worked on. The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 13, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Oracle-SQL in the amount of \$4000.00 for the Information Technology department
- National Tactical Officers Association in the amount of \$1420.00 for the Sheriff's Office
- InterOp in the amount of \$2699.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 1912

The Board of Commissioners approved payment of County claims in the amount of \$1,693,557.08 for a County payroll.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 3/30/19 for a wedding.

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 JC Nissen, Megan Thomas, Henry Claassen, Javiar Guizar, Mary Bybee, Keana Wininger and Jessica Sweeny.

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

Note for the record: As properly noticed the Board met today at 10:01 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 communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:02 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 White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Fair Director Diana Sinner, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:52 a.m. with no decision being called for in open session.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 14, 2019

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

APPROVED CLAIMS ORDER NO. 3/18/19

The Board of Commissioners approved payment of County claims in the amount of \$33,933.20 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-433, 2019-448, 2019-411, 2019-440, 2019-550, 2019-541, 2019-585, 2019-455, 2019-460, 2019-409, 2019-454 and 2019-457. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Case no. 2019-0438 meets all eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with a written decision within 30 days. The meeting concluded at 8:47 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 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. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

OFFICE STAFF MEETING

The Board met today at 9:32 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerk Jamie Miller and Deputy Clerk Jenen Ross. Deputy Clerk Miller asked for direction regarding the schedule for budget meetings. Discussion ensued about how the budget process works. A review and discussion was had about each outside agency and the time to be allotted. Commissioner White suggested

reaching out to the elected officials and department administrators a couple weeks before their scheduled budget meeting time to see if the times allotted will be sufficient. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 15, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$5648.77 for the Facilities department

PUBLIC HEARING – REQUEST BY JASON KNOPP FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Jason Knopp for a comprehensive plan map amendment and rezone, Case No. RZ2018-0031 and OR2018-0006. Present were: Commissioners Pam White and Tom Dale, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Jason Knopp, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report and said the request is for a comprehensive plan map amendment to change the designation from agriculture to rural residential, and a rezone from agriculture to rural residential which is a two-acre minimum lot size. The lot was created through a land division and adjusting to that change the original lot that it came from was split further so it wouldn't be able to go through a land division again, it would have to be platted if this gets approved. The future land use map shows this as agricultural, it's in the Melba impact area and they show it is low-density residential. It's a 6.5 acre lot. When the City of Melba reviewed it they said it meets their low-density requirements if it were to be annexed into the city. The traffic analysis zone shows the area is forecasted for a population of 21 with a household of 6 but between now and the year 2030 we will be looking at a population of 259 and 84 households. The request is in line with those forecasts, it's not increasing beyond what is being forecasted. The property consists of moderately suited soil and it is prime farmland if it's properly irrigated, but in this case the access to irrigation and its shape makes it difficult to be agricultural land. The property is not far from subdivisions in Melba. Staff is recommending approval of the comprehensive plan and rezone, and if approved staff recommends the Board sign the ordinance and resolution reflecting the change. Jason Knopp said the land has not been farmed for five years, currently it's an eyesore and has weeds. Because they are in the impact zone he decided to split the property into a couple lots. He spoke of development and the growth the Melba area

has experienced. Director Nilsson noted the City of Melba recently upgraded their water system, prior to the upgrade they did not have water connections. No one was present to testify in opposition to the request. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said this is a very straightforward case and it's a good plan and then he made a motion to approve the comprehensive plan map amendment as provided in the findings of fact and conclusions of law, and also to approve the requested rezone as provided in the findings of fact and conclusions of law. The motion was seconded by Commissioner White. Commissioner Dale amended his motion to include the approval of the resolution ordering the comprehensive plan land use map change and the ordinance. The amended motion was seconded by Commissioner White and carried unanimously. (See Resolution No. 19- 026, and Ordinance No. 19-012.) The hearing concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

GO ON RECORD TO CONTINUE PUBLIC HEARING – REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A REZONE, CASE NO. RZ2018-0018

The Board met today at 11:03 a.m. to go on the record and continue the hearing in the matter of a request by Lucich Family, LTD Partnership for a rezone, Case No. RZ2018-0018. Present were: Commissioners Pam White and Tom Dale, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The matter had been continued from February 11, 2019. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the hearing to March 26, 2019 at 1:30 p.m. at which time the Board will consider the development agreement and the conditions of approval. The proceeding concluded at 11:05 a.m.

CANVASS ELECTION

The Board canvassed the March 12, 2019 Election results today which are on file with this day's minute entry.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 18, 2019

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

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley left at 9:09 a.m., Chief Deputy Sheriff Marv Dashiell, Juvenile Detention Director Steve Jett left at 9:05 a.m., Fair Director Diana Sinner left at 9:09 a.m. and Deputy Clerk Jenen Ross.

Consider signing Southwest Idaho Juvenile Detention Center maintenance agreement with DataWorks: Director Jett said this agreement is for maintenance and support of the digital fingerprint machine. This is the 5th year of this agreement and Mr. Wesley believes it is the last year that they'll provide warranty and service. The machine will need to be replaced next year as the equipment becomes obsolete. A new machine will be budgeted for next fiscal year. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center maintenance agreement with DataWorks (see agreement no. 19-028).

Consider signing 2019 Canyon County Fair entertainment contract with: James Johnson/World Record Balloon Stunt Show; Rhys Thomas/Up For Grabs, Inc.; Jeff Evans; Rico Weisman/Boise Arts & Entertainment; Comedic Hypnotist Joshua Seth c/o Fusion Talent Group; Billie Madison aka Bubbie The Clown; Monique Duarte; Norma Lopez aka Pansy The Clown: Mr. Wesley explained that all of the contracts for consideration today all use the same entertainment agreement which is a form agreement used for entertainment at the fair. Each agreement specifies the rates and the standard terms and conditions. In response to Commissioner Van Beek's question, Director Sinner anticipates coming in under budget for these agreements. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the 2019 Canyon County Fair entertainment contracts with the following: James Johnson/World Record Balloon Stunt Show (agreement no. 19-029), Rhys Thomas/Up For Grabs, Inc. (agreement no. 19-034), Jeff Evans (see agreement no. 19-033), Rico Weisman/Boise Arts & Entertainment (agreement no. 19-031), Comedic Hypnotist Joshua Seth c/o Fusion Talent Group (agreement no. 19-032), Billie Madison aka Bubbie The Clown (agreement no. 19-035), Monique Duarte (agreement no. 19-030), and Norma Lopez aka Pansy The Clown (agreement no. 19-036).

Consider signing resolution approving the award of officer's badge and duty weapon to Lieutenant Todd Herrera: Sheriff Donahue has written a letter requesting that Lt. Herrera's badge and duty weapon be awarded to him. Lt. Herrera has worked for the county for about 28 years and has been in law enforcement for over 32 years. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the award of officer's badge and duty weapon to Lt. Todd Herrera (see resolution no. 19-027).

A discussion was had regarding CERT vests that were recently replaced due to the manufacture's expiration and warranty of 5 years. Commissioner Van Beek asked if there is anything that can be done with the expired vests in order to recoup some of the expense of replacement. Chief Dashiell said they'd really only be useful as a secondary device, possibly

used as pocket panels to be put in the cars as secondary protection but they could never be re-issued to a person or donated to another agency.

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 Van Beek made a motion to go into Executive Session at 9:20 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 White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:49 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 FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:32 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: One of the big projects they're working on is moving equipment from the Parks Department to Building Maintenance. Pictures were shown of the start to finish process of up-fitting the utility vehicles. The meeting concluded at 10:47 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 11:04 a.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, ADJ Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Wiebe and Mr. Tyler updated the Board on the following items: There are two new judges, both are from Payette. Judge Burrows will be in Canyon County and Judge Darrington will be in Owyhee County. There will be another magistrate opening in April. Odyssey will soon be rolling out an update. The priority of payments portion is done but the Supreme Court is now looking at what is appropriate to be collected thru Odyssey and what is not as far as "misc." fees. One big problem from the county standpoint is that when a payment is collected thru Odyssey getting it into the priority of payments and divided out accordingly. A discussion was had about pre-trial release and how that is worked thru between the courts, prosecuting attorney's office and the jail. Commissioner Van Beek asked Judge Wiebe's opinion on the

legalization of marijuana and/or medical marijuana to which she replied that she is not opposed to the use of medical marijuana and understands the usefulness of it in pain management but that it's not something that can be used in Idaho at this time. Commissioners Van Beek and Dale spoke about their understanding of this being a gateway to other law enforcement issues. In response to a question from Commissioner White, Mr. Tyler identified each specialty court coordinator. The meeting concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 19, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Company in the amount of \$2555.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 3/20/19

The Board of Commissioners approved payment of County claims in the amount of \$6335.77 for accounts payable.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider and action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing independent contractor agreement - Pickles Butte Landfill waste screener training: Mr. Goodsell explained that Director Loper would like to provide some additional training to the screeners at the landfill in order to keep certain things out of the land, it will provide them with more information on what to watch for and what to do with items that shouldn't be going into the landfill. Great West Engineering will conduct the training in 3 separate sessions. Commissioner Van Beek asked what kind of enforcement is at the landfill if there are violators – Mr. Goodsell said there are code enforcement officers that can write citations. This training is not an insurance requirement but more for risk

management to help limit liability. Mr. Goodsell said there is no legal reason not to sign the agreement. Total cost for the training is \$5800. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement for Pickles Butte Landfill waste screener training (see agreement no. 19-037). The meeting concluded at 9:11 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 10:05 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following: recertification for use of force training happened recently and yesterday Taga Bah and Carlie Reynolds provided the training for probation officers. Mr. Jett will be meeting with the other counties we have contracts with to let them know of any changes such as the daily rate or programming; this year the daily rate will go from \$170 to \$191. A couple remodels will be happening with money from the lottery tax monies; they are changing a couple small rooms into visitation/interview rooms and creating a secure visitation area. Sean Brown and Shawn Anderson are currently attending the ILETA conference and a couple people will be attending instructor development soon. They now have a new video arraignment system that should work much better than the previous system. They should find out tomorrow the results of the garden grant they applied. A smoking cessation program is happening this week and they now have two different classes coming in just for girls – a yoga class and an art class. The numbers continue to fluctuate, today they are at 26; in order to reduce some costs their administrative person has moved over to probation. The meeting concluded at 10:20 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 10:20 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen Ross.

Ms. Catalano updated the Board on the following: She is continuing to work on workload numbers and plans to have that information for the next meeting. She spoke about the partnership with First Tee of Idaho and how the program works. August is truancy prevention month and for the past several years her department has organized the Kickin' off School event to promote kids in starting school off right and staying in school. In the next couple of months she will present to the Board the partnership with the United Way of Idaho to make this event happen. There will soon be a home opening in Boise to help prevent human trafficking; the organizers of this home will be here in April to give a presentation to

which Ms. Catalano has invited the Board, courts, detention and all of juvenile probation to attend.

Director Breach updated the Board on the following: His department finished last month with 1289 people on active supervision which is a growth of 217 offenders. They are at 458 bench warrant cases and finished last month with 324 people in the community service program. Next budget year they may ask for an additional PO and remodel their break room into an office to accommodate the additional staff. They are continuing to try to get the domestic violence court up and running again. There are several PO's on the domestic violence task force who are working on the sexual violence awareness month which happens in April. Commissioner Van Beek asked if the presentation of 'What was she wearing?' is something that could be presented at the high school level. Director Breach said it's something that could be brought to the attention of the task force. Cost of supervision was really good last month with a revenue of \$43,830. The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:22 p.m. with the County Agent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, County Agent Jerry Neufeld, Extension Educator Carrie Johnson and Deputy Clerk Jenen Ross. Mr. Neufeld updated the Board on the following: Discussion about the conclusion of the winter programs. Expressed his appreciation for maintenance and IT staff. They are currently looking to find a horticulture educator, this will be the third round of searching but they do have 6 applicants. There is also an open 4-H educator position. At the request of Commissioner Van Beek both Mr. Neufeld and Ms. Johnson gave backgrounds on themselves. Commissioner White spoke about a potential additional position for the County Agents' office which she will address at budget time. Ms. Johnson spoke about the following: barriers keeping kids from being a part of 4-H and how to reach those youth. Spring break day camps will be starting soon. She will be teaching a babysitting class for the Caldwell Parks and Recreation this Saturday. For 10 weeks this summer she was able to get an intern thru the university. The FCS educator, Jackie Amende, sent a booklet for the Board on their upcoming classes. The meeting concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 20, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Combined Systems, Inc. in the amount of \$1590.00 for the Sheriff's Office
- Carousel Industries in the amount of \$39,825.00 for the Information Technology department
- Master Environmental in the amount of \$3086.00 for the Solid Waste department
- ESRI in the amount of \$9000.00 for the Sheriff's Office

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Captain Daren Ward left at 9:05 a.m., IT Director Greg Rast left at 9:23 a.m., IT Operations Manager Don Dutton and Deputy Clerk Jenen Ross.

Consider signing addendum 1 to request for proposals for Detention Center medical services: Mr. Porter explained that after the proposer's conference they received many questions that they need some additional time to answer. This addendum will address the questions about timelines, allow three additional weeks to answer questions and reset the calendar dates. Addendum no. 2 will address the questions that were received from the proposers. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 1 to the request for proposals for detention center medical services.

Consider signing approval/denial of a new alcohol license for Tobacco Connection #37: Commissioner Dale made a motion to sign the resolution approving a new alcohol license for Tobacco Connection #37. The motion was seconded by Commissioner White. Commissioner Van Beek asked if know anything yet about the number of places selling alcohol. Commissioner White said she had not seen anything yet. A vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. See resolution no. 19-028.

Consider signing Canyon County and Carousel Industries Statement of Services agreement: Director Rast said this is a 3 year agreement for telephony services. Mr. Blocksom said they've negotiated with Carousel and they have accepted all the conditions with a non-appropriation clause included, and if for any reason the county needs to get out of the contract we have 30 days. There is no legal reason not to sign. Mr. Blocksom explained there is no need to go to bid because this qualifies as personal/professional services, additionally each year of the contract is under the \$30K procurement threshold. Director Rast clarified for the record that the account representative is not a friend but a professional contact/acquaintance. The county has 5 systems that integrate together and Carousel is the

only vendor that will take accountability and service all 5 systems. In regards to concern about security Carousel will only be able to see telephony equipment, they will not have access to anything else. A breakdown of rates are included in the contract. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Carousel Industries Statement of Services agreement (see agreement no. 19-038).

The meeting concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR SADDLEBACK RIDGE ESTATES SUBDIVISION

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by Rock Solid Civil, LLC, on behalf of R&C Development, LLC, for a preliminary plat, and a preliminary irrigation and drainage plan for Saddleback Ridge Estates, Case No. SD2018-0015. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Derrit Kerner, Glenn Koch, Bill Whiteley, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report noting the P&Z Commission has recommended approval of the request. The property was rezoned to rural residential by the Board of Commissioners in 2007. The project is proposed to have 15 lots on 35.8 acres, and public roads are proposed and will be dedicated to the Canyon Highway District. The average lot size is 2.06 acres and each lot will be served by individual septic systems and wells. Based on the review by Southwest District Health of a level 1 nutrient pathogen study, it demonstrates the lots are adequately spaced to hold well and septic on site. The City of Middleton supports the use. Pressurized irrigation will be installed, they have water shares that support this subdivision and they'll have to do some improvements such as the existing lateral will have to be tiled and realigned. Drainage will be handled by barrow ditches along the road as well as storm water catchment areas on a few properties. A nutrient pathogen study was done which included some environmental review which the engineer can discuss. During the P&Z Commission hearing neighbors expressed concern about environmental impacts of residential development; however, the land is already rezoned for residential use. Staff is recommending approval of the preliminary plat as conditioned. Commissioner Van Beek asked about the five acres that were unmerged from the subject parcel. Mr. Lister said the five acres are not part of the subdivision. Originally when the subdivision came in it included the five acres but during the process the applicant realized that it's an original lot that was separated from the larger amount so they decided to do an administrative division according to the ordinance to split those off and not be a part of the subdivision. It went through a land division process to create two lots which have been sold for development, and when the project is approved there will be a public road which will serve those properties. Commissioner Van Beek asked if the conditions of approval have been met. Mr. Lister said some have been addressed and the ones added as improvements need to be addressed prior to the final plat being submitted. Commissioner Van Beek had questions related to the maintenance of the irrigation as well as other engineering issues. Derrit Kerner of Rock Solid Civil Engineering testified on behalf of the applicant. A nutrient pathogen study has been performed. The existing pond was

historically used for drainage of irrigation water but it's been dry for some time since the field has not been watered. It's massive and they do not need that much pond area in order to handle the runoff. The easement is much smaller and the highway district is okay with that, and the applicant provide them with construction documents after the preliminary plat has been approved. They will need a portion of the pond to always be available to take some overflow water. The remainder of the pond that isn't covered in the easement is largely open to that lot owner to do with what he/she wants. Both ponds are manmade and are non-jurisdictional so if there are wetlands on the neighboring pond, which there likely is, it is permanent water and would not be jurisdictional to the Army Corps of Engineers. Mr. Kerner said they were concerned about them tiling the canal because they had to beat the water getting turned on so they got that approved for the Bureau of Reclamation. They also had to obtain a 404 permit. With regard to the road name, there is enough of an angle of the road in between what was called Leather Ridge Road and Lattigo Lane that it warranted a name change. The highway district asked them to keep the name the same. Instead of having three road names on this project there will be two. Commissioner White asked if the drainage will be maintained on site. Mr. Kerner said it will be. They have to account for certain drainage getting to the roadway system and out falling to the pond so he included that in his calculations of the entire property. Commissioner Van Beek asked about the 78-foot radius horizontal curve at the end of Lattigo Lane which does not meet highway district standards for the 25 mph speed designation. Mr. Kerner said they will comply with what the district asked for on the construction documents.

Testimony in opposition was as follows:

Glenn Koch, who has lived on Freezeout Road for 62 years, said this has been a very controversial subdivision and there are five important unanswered questions that need to be answered:

- 1) At the January 17 P&Z Commission hearing 12 property owners adjacent to the property signed a petition objecting to the subdivision, three of the owners gave testimony to having three of their wells malfunction and having to drill new domestic wells. He wants to know what made these three domestic wells go bad and he believes only an environmental impact study can provide the answer.
- 2) What affect will 17 new wells have on the existing 20+ wells that are immediately adjacent to the subdivision? He doesn't believe the health department has the equipment or the expertise to answer this question.
- 3) How will 17 new septic tanks affect groundwater quality? He's lived on his property for 62 years and he's planted over 100 trees on his property but there's only 7-10 inches of topsoil before running into several inches of clay hardpan.
- 4) In light of the hardpan problem how will runoff from a newly paved street affect the natural drain that runs the full length of Saddleback Estates. The drainage flows in and through his two-acre pond, his adjoining neighbor's pond and the pond adjacent to his neighbor's pond.
- 5) What do we know about the aquifer? According to the Idaho Department of Water Resources they have determined the underground aquifer in the Treasure Valley only

has a capacity to support a population of 700,000. By 2035 the population will exceed 1 million. The county commissioners in Elmore County recently petitioned to be able to pump water from Arrow Rock Dam into their depleted aquifer and he said we need to be protective of our water and what flows into the Boise River.

Bill Whiteley lives on Freezeout Road and he testified the he shares the concerns expressed by Mr. Koch, specifically related to traffic, wells and septics.

During rebuttal Mr. Kerner said he's not a well expert but he's talked to contractors about the issue and it's hard to say what causes a well to fail. The Idaho Department of Water Resources and Southwest District Health will allow a well on up to a one-acre lot. The environmental impact study was done because they had to move the canal because it was in the dedicated right-of-way. The highway district required a 40-foot strip of land on the east side of the property because at some point in the future there may be a road there. Commissioner White asked if the impact study addressed any of Mr. Koch's concerns. Mr. Kerner said it doesn't go into that much detail. They look at the property and address to the Bureau of Reclamation if there are any environmental concerns about relocating the ditch. He said they do environmental impact studies for a lot of projects and most of the time they are triggered by the canal company and they want to make sure that if we move their facility that it's environmentally safe to do so and that there aren't any hazards on the property. The bottom line is there were not any environmental hazards found on this site, nothing that would be a red flag for development of any kind. The nutrient pathogen study helps us determine the nitrogen loading of a septic system and how dense they can make a development and whether it will work. That document was provided to staff and it's in favor of the development as proposed. The request is for two-acre lots so it wasn't difficult to prove the density can be supported. One of the results of the nutrient pathogen study was we have to do advanced treatment systems on the septic tanks themselves so that is comforting. All the homes will have the most advanced treatment systems on their septic. With regard to runoff, historically there has been an overflow for the pond but he doesn't know if it's shared with the neighbor's pond, but there is a ditch that goes south and it's culverted under the road. He'll work with Mr. Koch and Mr. Whiteley to see if they want a continuous flow of water to go into their ponds. Commissioner Van Beek said Mr. Koch's concern dealt with the impermeability of the ground with the clay layer and so maybe the right study is a hydro-geologic study for evaluating strata and ground water and what's below the surface. Director Nilsson said that was raised as a concern and that's likely what led to having advanced treatment systems for septics but she doesn't know that it would stretch to the runoff issue. In the context of wells that's when you usually look at the strata of where the water bearing zones. Commissioner Van Beek asked about the three wells that have failed. Mr. Kerner said they have done a geo-technical report (hydrology, geology) and they've dug a 15-foot test pit on every lot so they know what kind of strata is down there and that's what we used to design the septic. Mr. Lister said this is within the health department's minimum standards for this type of development. Mr. Kerner said if they were to drag sewer and water there would be much smaller lots and a lot more density than the two-acre lot size and so the proposal is much more acceptable to the area than bringing utilities in. Commissioner White said the applicant is a good neighbor in that he is attuned to the aesthetics and the environment and wants to protect what is already there. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted

unanimously to close the public hearing. Commissioner Dale said this is not a hearing for a rezone which is where a lot of the heavy lifting happens, this is a request to approve the preliminary plat, irrigation and drainage plan and he believes the questions that are required at this phase have been answered and have been proven to be sufficient. He then made a motion to approve the Findings of Fact, Conclusions of Law and Order for Case No. SD2018-0015 and to approve the preliminary plat, irrigation and drainage plan for Saddleback Ridge Subdivision. Commissioner Van Beek seconded the motion for discussion and said the engineer has done diligence on obtaining information from the health department and she appreciates that he has obtained a lot of the required reports in light of the concern with the failed wells. She is sympathetic with and appreciates the questions asked by Mr. Koch and she encouraged him to get a copy of the hydrogeologist's report. A lot of work has been done on this project and the reality is the valley is changing and if we wait for septic hookup from the city the density will be a lot greater and so in order to preserve the integrity of the rural character they are going with two-acre lots. The motion carried unanimously. The hearing concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 21, 2019

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

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$20,324.00, \$109,483.74, \$4160.63, \$68,529.60, \$19,715.18, \$66,402.03, \$42,125.81 and \$36,214.11 for accounts payable.

CONSIDER INDIGENT DECISIONS AND MATTERS

The Board met today at 8:46 a.m. to consider indigent decisions and matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, 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: 2019-385, 2019-476, 2019-615, 2019-463, 2019-490, 2019-444 and 2019-481 upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue written initial denials within 30 days on the cases read into the record. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue written initial approvals for case nos. 2019-573, 2019-466 and 2019-477. Commissioner Dale made a motion to continue case no. 2019-182 to April 18, 2019 at the request of the hospital, the

motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days for case nos. 2018-1571 and 2019-215. Commissioner Dale made a motion to issue final written approvals within 30 days for case nos. 2019-104, 2019-125, 2019-230 and 2018-1523. The motion was seconded by Commissioner Van Beek 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. 2019-198

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for case no. 2019-198. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Kelly Herrera for St. Alphonsus, the applicant, daughter of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the denial. The hearing concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: as properly noticed the board met today at 10:02 a.m. for a legal staff update. A request was made to go into executive session to discuss records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The executive session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:25 a.m. with no decision being called for in open session.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 22, 2019

PRESENT: Commissioner Pam White, Chair

Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ProForce in the amount of \$1897.50 for the Sheriff's Office
- Salt Lake Wholesale Sports in the amount of \$35,244.48 for the Sheriff's Office
- Skyline Silversmiths, LLC in the amount of \$4350.00 for the Fair
- Consolidated Supply Co. – Nampa in the amount of \$4706.85 for the Fair
- Rodda Paint in the amount of \$5139.00 for the Fair
- Wall 2 Wall Flooring in the amount of \$2881.57 for the Facilities department
- Caxton in the amount of \$2251.20 for the Prosecuting Attorney'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 Kristina Reishus.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley left at 9:07 a.m., Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross.

Consider signing a Declaration and Notice of Sole Source Procurement Services from Tetra Tech, Inc., as All Hazards Mitigation Plan Consultant: Zach Wesley explained that this notice of sole source comes on behalf of the Canyon County Sheriff's Office Emergency Management division. They've received a grant and are working on an update to the All Hazards Mitigation Plan which is a disaster response organizational tool. Tetra Tech has done work for the landfill and other work for the county as well as Ada County. This could be a cost savings due to Tetra Tech being familiar with county processes. The reason for the sole source is that there is only one vendor for the services and such further competitive solicitation, if otherwise required, would be impractical, disadvantageous or unreasonable under the circumstances including but not limited to the fact that the county believes Tetra Tech to be the only company with local presence that has the resources to adequately perform the required services. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the declaration and notice of sole source procurement services from Tetra Tech, Inc. as All Hazards Mitigation Plan Consultant.

Meeting to discuss Treasurer's report and consider approval/denial of February 2019 Treasurer's tax charge adjustment by PIN: Treasurer Lloyd said this is the report showing the tax, penalty and interest adjustments for February 2019; there were no major adjustments. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the February 2019 Treasurer's tax charge adjustment by PIN. A copy of this report is on file with this day's minute entry.

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

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 25, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hess Construction, Inc. in the amount of \$3265.00

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 3/30/19 for a rodeo event.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING LEGAL NOTICE OF ENTERING INTO PERSONAL SERVICES CONTRACT WITH CAROUSEL INDUSTRIES

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider signing a legal notice of entering into personal services contract with Carousel Industries. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Consider Signing Legal Notice of Entering into Personal Services Contract with Carousel Industries: Mr. Blocksom said this is just a publication noticing that the county has entered into a contract that may be above \$10K. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice of entering into personal services contract with Carousel Industries.

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner Van Beek made a motion to go into Executive Session at 9:08 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 Van Beek, 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 Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

At the conclusion of the executive session Clerk Yamamoto provided the Board with a couple of legislative updates:

House bill 270: Language was added that schools will provide facilities to the counties for election purposes. This has made it thru both house and state affairs. Senator Lodge said she will carry the bill in the senate. The vote will happen this week. Currently elections is out of all Nampa public schools but they are talking with area churches to be used for polling places.

Medicaid: The Clerk and Controller sent a letter thru the IAC directed to the legislators. They are going to try passing the main Medicaid bill but the funding portion was put on hold to be done by committee work this summer although it remains to be seen what the governor will say. Questions still remain about county indigent services and involuntary mental holds.

The meeting concluded at 9:58 a.m. Audio recordings for this meeting are 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 1:31 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following: The transition with Parks and Facilities is going well. The Idaho Oregon Snake River Water Trail Steering Committee meeting no. 2 was held at Glenn's Ferry on March 4th; the next meeting will be later in the spring in Fruitland; Laura Barbour was invited to present at the Boise Valley Fly Fishers group. The 3rd Annual Master Naturalis Chapter at Deer Flat National Wildlife Refuge kicked off in February. IdEEA conference was held on March 1st and 2nd. Water Quality Workshop was held on March 15th at the College of Western Idaho. They will be interviewing this coming week for interns to help develop and implement curricula for Canoe Science Camps. The Celebration Park Recreation Site Improvement Plan decision record has been signed by Amanda Hoffman, the National Conservation Area Manager; it is currently in the appeal period. On March 29th Park staff will

meet with BLM Morley Nelson Snake River Birds of Prey Manager Amanda Hoffman and her staff to discuss upcoming programs and agency priorities and to discuss a possible MOU. The annual pre-season meeting at Deer Flat National Wildlife Refuge was held on March 22nd. The annual Historic Preservation grant workshop was held on February 12th. SHPO Grant award was increased from \$12K to \$13K. Garrett Ranch inquired about a National Register nomination – a site visit happened on February 27th. Return of the Boise Valley People Exhibit & Indigenous Peoples of Idaho exhibit is up at Celebration Park; Kathy Kershner and Director Schwend attended the Indigenous Peoples of the Boise Valley conference recently. Interpretive Specialists received safety training. A new Kiosk was built at the visitor center at Celebration Park. The gun range had its second cleaning recently. A contract with TRS (Total Range Solutions) will be coming soon; a site visit has been done and they provided some good information. Director Schwend is now officially part of the National Association for RC&D Council as the new Board of Director. The meeting concluded at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO REVIEW 2018 ANNUAL JUVENILE JUSTICE REPORT

The Board met today at 2:07 p.m. to review the 2018 annual juvenile justice report. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Juvenile Probation Officer Elda Catalano, Joe Langan with the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross

Mr. Langan reviewed the following information:

- Juvenile Arrests graph for 2014-2018
- Juvenile Petition filing graph for 2014-2018
- Offenses listed on petition broken down by felony, misdemeanor and status offenses
- Canyon County offenses 2018 broken down by percentage
- Intakes and releases for 2014-2018
- Average age at point of intake for 2014-2018
- Gender at point of intake 2014-2018
- Intakes by race and ethnicity for 2014-2018
- Community service hours performed for 2014-2018
- Restitution collected for victims for 2014-2018
- Juveniles who successfully completed probation for 2014-2018
- Recidivism for 2018 at 6, 12 and 24 month intervals
- One day snapshot of juveniles on county probation on September 30th
- Juveniles in IDJC custody on September 30th
- Number of suspended commits on September 30th
- Juvenile Justice budget
- County financials showing dollar amounts from JCA, Tobacco & cigarettes, lottery and SUDS SFY18 expenditures; information was provided on how monies can be spent from each fund
- Canyon County Ancillary funding breakdown for CIP, MHP and REP
- Agency 2017 crime report

A copy of the report that was provided to the Board is on file with this day's minute entry. The meeting concluded at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 26, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Otis Elevator in the amount of \$3966.32 for the Facilities department
- Norbryhn Equipment Company in the amount of \$2654.00 for the Facilities department
- Commercial Tire in the amount of \$8781.86 for the Solid Waste department

APPROVED JANUARY 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of January 2019 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 – 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 Dale made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Leslie Van Beek,

Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

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

The Board met today at 10:06 a.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following: A review of budget numbers and specific line items. Review of attorney active caseload numbers; the PDC would like cumulative numbers but that may be hard to calculate due to the nature of how cases roll out. Review of cases opened since October 1, 2018, clearance rate for the month of March, fiscal year 2019 clearance rates, and number of preliminary hearings each day. Mr. Bazzoli said all conflict attorneys are in compliance and are under contract. A discussion was had about the ACLU lawsuit regarding the public defense system. The trial is scheduled to start in April and last for about 4 months. Mr. Bazzoli anticipates being subpoenaed and let the Board know that they may also be subpoenaed to testify. The judge has asked both sides to appeal the Supreme Court in order to receive guidance as to which standard to use. At the request of Commissioner Van Beek, Mr. Bazzoli discussed the different ways public defense offices are run and funded. The ACLU examined the data they've collected over the past several years regarding the funding and running of public defense and filed lawsuits against counties they didn't feel had systems that operated properly. The meeting concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. RZ2018-0018

The Board met today at 1:36 p.m. to conduct a public hearing in the matter of a request by Lucich Family Ltd., Partnership for a conditional rezone and development agreement, Case No. RZ2018-0018 from Agricultural to R-1 Single Family Residential. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Dan Blocksom, Bruce Bayne, Gary Lucich, Marcae Lucich, Cindy Marino, Mark Christianson, Jamie Robbins, and Deputy Clerk Monica Reeves. On February 11, 2019 Commissioners Dale and Van Beek approved the rezone request with one-acre lots with a development agreement to restrict future development and maintain the rural feel of Blue Heron Subdivision Lots 1 and 2. The Findings of Fact, Conclusions of Law and Order (FCO's) and development agreement were continued to a new hearing date of March 15, 2019, and subsequent to that date the matter was continued to today's date. Director Nilsson said with Commissioner Van Beek's absence the safest way to proceed is to have the hearing on the development agreement and then continue the deliberation and signing of the ordinance and other documents to a date when Commissioner Van Beek is present because she was part of the rezone decision so we don't want to sign the FCO's until she is available. Commissioner White explained that today's hearing is for the development agreement. Debbie Root gave

the oral staff report. Today we are here to consider the conditions of approval for the rezone of the two Lucich properties totaling approximately 16.55 acres and the request to rezone it to R-1 single family residential. The Board previously agreed to that with the caveat of a development agreement to restrict development to a total of 15 residential lots total. There shall be pressurized irrigation and they shall abide by Canyon Highway District requirements for the completion of the public road that is currently known as Kingsbury Lane but will be renamed to Winter Horses Drive. The development is not required to connect to municipal services unless they are immediately adjacent to Kingsbury Lane at the time of development otherwise it will be on individual water and septs which captures what the Board requested for the development agreement. Bruce Bayne testified that they are in full agreement with the conditions of approval. Gary Lucich testified that he agrees with the development agreement. Mark Christiansen said he is in favor of the development but he has concerns about septic systems in terms of the quality that comes. He said there are sewer connections in at the Lakes at Telaga subdivision and wants to know when this development might institute city water and sewer. Ms. Root said based on conversations with Mayor Taylor and the developers the water is not currently available along Kingsbury Road. She said Mayor Taylor indicated to the applicants that he agreed that without water and sewer being available at the same time it would not be efficient or effective to force them to connect to water and then have to bring sewer in. The current connections are not available to this development so it would have to be a new connection coming from the south side of the undeveloped property that's in that current development. Ms. Root said she told the applicants to go the city and ask because they are adjacent to the city limits and it lends itself to annexation and but those connections are not a feasible solution right now. They will not necessarily have to connect unless the services are available on Kingsbury Road to this development. Mr. Christiansen said it's his understanding that it is connectable but he doesn't know at what level. The subdivision that's being developed to the north has water that's being brought to that site. Commissioner Dale said he understood it would be individual wells and septs and in to the future once water and sewer become available, or if a well or septic system fails, the health department will require them to connect to city services. Ms. Root said the Mayor agreed that it's not economically feasible for a single developer to pull water and sewer individually at different times to the development and he indicated he would not force them to annex at this time. Commissioner Dale said the development agreement states that if municipal services are not reasonably available to the subject properties at the time of development then individual wells and septic systems shall be allowed in accordance with Southwest District Health and the Idaho Department of Water Resources requirements. If the development agreement gets postponed for a couple years and services catch up to it then they'll have to hook up to the services. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said all issues have been thoroughly vetted and he appreciates the work staff has done as well as the effort of the developer to meet the concerns of most of those who spoke at the last hearing where there were concerns about density. It was brought up that if services are available then this could be platted with city services and the density could be four or five units per acre. He appreciates the willingness of the applicant to commit to the process of a development agreement. Commissioner Dale made a motion to approve the development agreement for Case No. RZ2018-0018. The motion was seconded by Commissioner White and carried unanimously. Upon the motion

of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the hearing April 2, 2019 at 9:30. The applicant signed the development agreement today. The Board will consider the agreement and other documents associated with this case on April 2, 2019. The hearing concluded at 2:03 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:31 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Kate Dahl and Deputy Clerk Jenen Ross. Director Nilsson discussed the following with the Board: They are ready to start working with the smaller cities on community planning. They have prepared a letter that they would like to send out to see what kind of interest comes back, previous efforts have not had much success. Included with the letter will be a memo outlining the services that can be provided and the contracting details. Contracts would include the scope of work, the set amount of hours not to be exceeded each month and the rate among other things. Director Nilsson said they have worked with the Controller to set the hourly rate and have identified that the city would be responsible for any other costs. Ms. Nilsson and Ms. Dahl will draft a letter for Board review and approval to be sent from the BOCC. Thursday night they attended the Farm Bureau federation meeting. She spoke for about 15 minutes just sharing information and had a brief discussion on the FEMA floodplain. The meeting concluded at 2:44 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 3:04 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper update the Board on the following:

Waste amounts: Amounts were down 6.35% for February but FY2019 is up 8%.

Quarterly Household Hazardous Waste Event: Event was held on March 13th at the O'Connor Fieldhouse. The next event will be held on June 12th at the Idaho Center.

CUP/ Site Certification: The conceptual design for landfill expansion showed that moving the line to the west would provide another 40% of airspace so he is in the process of getting that started. DEQ has a site certification process that has to be gone thru and that application is pretty well put together. The last CUP that was done for the landfill was in 2010 but they'll need to go outside of that boundary so he'll need to start the process of moving the boundary to the west. He will work with Director Nilsson and Brad Goodsell on that in order to get it

done before submitting the site certification application to DEQ. Director Loper spoke about the gun range and the two parcels it sits on – he thinks it might be worth considering transferring those parcels out of the enterprise fund and change it over to just county owned property; he has spoken with legal about the situation. Additionally, it may be worthwhile looking into combining all the landfill parcels into two (due to two different taxing districts) instead of seven.

PO for scraper tires: A PO for two scraper tires will be coming before the Board for consideration, they have been budgeted for in FY2019. He will budget for another 2 tires in the next fiscal year.

Free day: Free day at the landfill is coming up on April 27th.

Saturday business: There have been over 800 car trips the past two Saturdays, they have had to tweak some of the flow processes to reduce the wait as much as possible. A discussion was had regarding ways to possibly stay open later during longer spring/summer hours and the affect it could have on staffing. Commissioner Dale would like to see the hours adjusted and since this is an enterprise fund he feels Director Loper has the freedom to do what he needs to do to accommodate any adjustments.

PB-3, final abandonment: The well has already been sealed and everything has been approved so the contractor will be in to do the final abandonment on April 3rd.

PWS Inspection: The public water system inspection was done recently. There were just a couple minor deficiencies but overall the inspection went really well.

The meeting concluded at 3:45 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 27, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ADS in the amount of \$69,789.28 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 1913

The Board of Commissioners approved payment of County claims in the amount of \$1,621,083.98 for a County payroll.

APPROVED CLAIMS ORDER NO. 4/2/19

The Board of Commissioners approved payment of County claims in the amount of \$28,234.34 and \$51,002.31 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$13,165.84 for accounts payable.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Jail Captain Darin Ward, Controller Zach Wagoner, Clerk Chris Yamamoto and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Progressive Engineering, Inc. plan review and inspection agreement:

Sam Laugheed said this agreement has been signed by the Executive Vice President of All Detainment Solutions but it has not yet been signed by Progressive Engineering, Inc. although he doesn't expect that to be a problem. Director Navarro explained that the State of Idaho is adjusting the mobile home code to accommodate these units. This third party acts as an extension of the State of Idaho to ensure that the buildings are mostly completed to code, Uniform Building Code and the International Fire Code. Once they arrive here another building permit will be pulled thru the City of Caldwell to ensure they are put together up to the rest of the code. The total cost for the two inspections to happen in Missouri is \$3600. Mr. Laugheed and Mr. Navarro said that once the units arrive here they should be "plug and play" but we still have to hire local tradesmen, have local permits and have them locally inspected. Captain Ward and Director Navarro have met with the state and these units fall into a very gray area so they are referring back to code on mobile homes as the units have an axle and a wheel. Commissioner Van Beek asked Captain Ward about "dead space" that was a concern in the attorney visitation room. Captain Ward explained the issue has been addressed and is no longer a concern. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the contract with Progressive Engineering, Inc. for plan review and inspection (see agreement no. 19-040).

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 Van Beek 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 Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Clerk Chris Yamamoto, Captain Daren Ward, Facilities Director Paul Navarro, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 28, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$4425.00 for the Information Technology department
- Agri-Lines Irrigation in the amount of \$2627.91 for the Parks department
- HP, Inc. in the amount of \$3311.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 3/28/19

The Board of Commissioners approved payment of County claims in the amount of \$50.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/29/19

The Board of Commissioners approved payment of County claims in the amount of \$4620.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/2/19

The Board of Commissioners approved payment of County claims in the amount of \$69,371.36 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$2822.45 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0530, 2019-0413, 2019-0503, 2019-0532, 2019-0501, 2019-0502, 2019-0640, 2019-0478, 2019-0519, 2019-0533, 2019-0529, 2019-0526, 2019-0527, 2019-0504, 2019-0584, 2019-0459 and 2019-0531. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Commissioner Dale made a motion to issue initial approvals for case nos. 2019-0464 and 2019-0514 with written decisions within 30 days. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 8:50 a.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 9:31 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following: Proclamations for Child Abuse/Prevention and Awareness and Start by Believing will be considered Monday and press conferences will be held next week with the Super Hero March on Saturday April, 20th. The Idaho-Press Editorial Board is scheduled to tour the jail on April 2nd. Mr. Decker has been working with a reporter from CBS 2, Lauren Clark, a couple weeks ago she interviewed Director Jett and is going to be doing a story on him and the role he plays at the Juvenile Detention Center. She has also asked for stories on the jail bond which he is hoping to push to late April or early May. Channel 6 did a story last night with Captain Ward and Sheriff Donahue and the Idaho Statesman has reached out. There seems to be some misconceptions that some of the offenders being held in the jail are there for a simple marijuana arrest so they are trying to get numbers together to show how many people have spent a night in the jail on a simple misdemeanor marijuana arrest with

no underlying charges. He has had a couple calls recently with a group out of the UK working for TI Media who produce documentaries – they are interested in the bail system and cash bail system in America; Sheriff Donahue has agreed to speak with them next month. Ysabel Bilbao is setting up some town hall meetings to get the word out about the jail bond from the County's perspective. Carl Erickson was in yesterday and said he would be willing to advocate for the jail as a Canyon County taxpayer. Tricia Nilsson has reached out about the United Way book drive that starts next week and wanted permission to put collection boxes in lobby areas. The Board is okay with the boxes being set out. The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY PAUL SLEIGHT FOR A REZONE AND DEVELOPMENT AGREEMENT, CASE NOS. RZ2018-0022 AND DA2019-0001

The Board met today at 10:00 a.m. to conduct a hearing in the matter of a request by Paul Sleight for a rezone from an "R-R" (Rural Residential) to an "R-1" (Single Family Residential) zone. The application also includes a development agreement. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Paul Sleight, Renee Davis, Jim McElya, and Deputy Clerk Monica Reeves. Today's hearing was continued from December 19, 2018 and January 7, 2019. Zach Wesley said Commissioner Van Beek was not a Commissioner when the rezone request originally came before the Board and was initially approved, but sent back for consideration of the development agreement. The action that will take place today is a hearing to consider the agreement and then the Board will consider signing written findings on the prior decision. He asked Commissioner Van Beek to address her knowledge of this case. Commissioner Van Beek disclosed that she had ex parte communication after the original hearing where she met with Dave Dykstra, a local realtor, and Andrew Castagneta with whom she had a former knowledge and friendship with and he disclosed to her, unsolicited, that the Sleights had built some kind of structure on the property that was not permitted or approved by DSD. She doesn't believe the Board had knowledge of that code enforcement issue and believes it needs to be ferreted out because it's going to be noncompliant whether the request is approved today or there's a continuation to investigate. There either needs to be restitution if that's accurate information, or some type of adjustment in the boundary because you cannot just build on somebody's property. She has reviewed the case packet and was present for the hearings but she doesn't believe that that will interfere with her ability to make a recommendation or a qualified decision in this case. Commissioner Van Beek also disclosed that her sister lives across the street from the subject property. Mr. Wesley asked for a recess in order to review a legal issue in relation to Commissioner Van Beek's disclosure. Commissioner Van Beek made a motion to take recess to review legal documentation. The motion was seconded by Commissioner White and carried unanimously. The Board went off the record at 10:07 a.m. The hearing resumed at 10:23 a.m. Mr. Wesley said he wanted to review Idaho Code, Section 67-6506 regarding conflict of interests that are prohibited. A member of this Board, or the P&Z Commission, or an employee is prohibited from participating in any proceeding or action where the member or employee has a relationship as follows: business partnership, business associate, or any person related to him by affinity or consanguinity within the second degree, and then that

person has an economic interest in the proceedings. Within the second degree is the relationship of a sibling and so the question is does the sibling in this case have an economic interest. Because this section not only requires disclosure of any potential conflict but has the potential consequence of a misdemeanor violation for participating in a hearing like this with the relationship known, he and Commissioner Van Beek agree that she will recuse herself from the hearing process, but prior to that, without engaging in deliberations, she will further state on the record the issues she identified in her review of the proceedings. Commissioner Van Beek said with every land use decision she looks for findings of fact and conclusions of law on which to base competent decisions, but because there is some issue with Idaho Code she will recuse herself after stating her objections on the record with the hope that at least a continuation will be granted in order for DSD and the Board to further review the issues. No person shall be deprived of private property without due process of law and her statement to that would be that private property rights extend to everyone and not just to one. This request was heavily opposed at the neighborhood meeting. She's read the exhibit provided by DSD which is the original private agreement signed in 1957. This subdivision was developed with two-acre parcels in mind, it was occupied by professional community made up primarily of doctors and that's important that the intent of the law is upheld as much as the strict reading of the law. Regarding new development, there needs to be an interpretation of what that means because in the strictest sense this is not new development, this is well established subdivision and people stated at the P&Z Commission hearing that they specifically moved to this area because they liked the nature of the area. She would have supported leaving this as an R-R designation. People have lots of choices in what size lot they choose to live on and they are given a three-day right of rescission when signing a mortgage so you have time to evaluate what it is you're doing so in that process she thinks everyone in this room is old enough to understand when they sign a mortgage what it is they are signing on for. Is the tenure of the vision of the comprehensive plan longer than the tenure of the private agreement? If the applicant has placed a structure on the neighboring property that would merit a continuation to make sure he was allowed to do that. There still is no response from Southwest District Health showing the layout for the septic, and there are issues with having a shared driveway. Road improvements have to take place. Commissioner Van Beek said this case is fraught with a number of problems, and not to undermine the Board's original decision, there's been additional information that's come to light that would call for a closer examination and maybe a reopening of public testimony. If the development is allowed she thinks it will set a precedent for additional subdividing and will violate the property rights of those who live there. A piece-meal development does not fit because it wasn't zoned or platted for that. With regard to services, we do not have weigh-in from some departments on that yet, including the health department. She asked that a continuation be granted in order to examine this and make sure it's in the best interest of comprehensive plan, and of existing subdivisions so that we don't open ourselves up to having an onslaught of people wanting to benefit economically. Commissioner Van Beek left the table at 10:34 a.m. and sat in the audience. The Board then proceeded with the hearing on the development agreement. Director Nilsson reported that on December 19, 2018 the Board had a public hearing and requested the property have a development agreement applied to it to restrict the lot size and ability to further divide the property. Mr. Sleight has requested a rezone from R-R, a two-acre minimum lot size, to an R-1 zone which has a one-acre minimum. During that time a development agreement was applied for and reviewed by

the P&Z Commission on February 21, 2019 and they recommended approval with the following conditions: 1) The development shall comply with all applicable federal, state, and county laws, ordinances and rules; 2) The subject parcel shall be divided in accordance with the administrative land division section and it has the following restrictions: A. It shall be in substantial conformance to the applicant's site plan; the shared access easement shall comply with the driveway and private road requirements; the division of the parcels shall not exceed a total of two parcels. B. Since it is more than three theoretically he could have three lots so this would be a way to just limit it to what was requested, unless annexed into the City of Nampa. C. Further restricts the property in that secondary dwellings, which are provided in the zoning ordinance, are prohibited. There can only be one dwelling on each parcel. Without that restriction theoretically there could be a total of four on the property. That condition shall be noted on the land division review and approval. And, 4) References the time requirements in the zoning ordinance in that they have to commence within two years of the approval of the Board, which is defined as the submission and approval of a land division application and fees. Paul Sleight testified that when he bought the property he was told there was a bunch of building material left on site so a homeowner built a fence. There's a greenhouse built in the corner and so when Andy Castagneta bought property he wanted to keep the access because there's a road to get back to his pasture and Mr. Sleight liked the idea of keeping the fence line so they agreed to do a "jog" up to the original property line which allowed Mr. Sleight to keep the greenhouse on his property. He did not build the greenhouse, it was there when he moved in. The access was originally on his property and he agreed to a rezone that Mr. Castagneta paid for which moved the property line and allowed him to keep four acres. If they had gone with the fence line it would have reduced the Castagneta property to 3.75 acres. Mr. Sleight said when he bought the property he was told the HOA's no longer applied so he thought he would be able to split his property and build a home without any concerns. Commissioner Dale asked if he understands the provisions of the development agreement that restrict him to no more than two lots and that they shall be in conformance with the site plan. Mr. Sleight said he understands that, he just wants to build a house there and he is doing everything he can to not impact his neighbor's view. Commissioner White informed Mr. Sleight that the development agreement limits what he can do with this property. Mr. Sleight said he understands.

Jim McElya testified that he has lived west of the property since 2009 and he will likely be the one who's most affected by this decision. When buying property in this subdivision the CC&R's were in place and they had to sign that they would not subdivide the community. He said Mr. Sleight is not legally bound to build a house on the property, and he didn't need to go through this process to build one, but does need it in order to sell the property. Mr. McElya believes Mr. Sleight will sell this parcel once he gains approval and the neighbors will be left to pick up the pieces. There's a tennis court that's pretty much entirely on Mr. Sleight's property but everybody in the community paid to have it built. There is a makeshift fence separating his property from the Sleight property and so whoever moves in there will need to have a fencing agreement. He believes if the rezone is approved it will set a precedent and result in a domino effect. Commissioner Dale said Mr. Sleight can already build a secondary house in the back, but as long as the property remains outside the city limits the development agreement will restrict the property to only two houses on this property. Mr. Sleight said he intends to build a fence between the properties. There is no fence behind the tennis court but he plans to build a fence to contain whatever animal he might put back there. When he

first moved in he talked with Dr. Birkeland who said he wanted to build a house on the front portion, which would have been less than an acre, and that's what gave Mr. Sleight the idea to split the property and build a house. It's a choice piece of property and he's trying not to take away from anybody's quality of life. He loves where he lives and he will not split this off and sell it; however, he will sell the house he's currently living in because he doesn't need two houses. Mr. Sleight said he has not read the development agreement but based on the discussions he agrees to it as outlined by Director Nilsson. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said the purpose of today's hearing is to determine the status of the proposed development agreement. The conditional rezone has already been approved and it was the proper decision. What-if's are always problematic and the Board tried to consider those but they are called on to make decisions based on facts and conclusions of law. He appreciates the request for a continuation but he believes it will delay the resolution of this issue and it would still be necessary for this to be decided by the two Commissioners who are here. He believes this development agreement is well thought out and will address the concerns expressed at the previous hearing about it being split into smaller properties. It puts into place restrictions that will keep this property in 1.6 to 1.7 acres. He then made a motion to approve the development agreement DA 2019-0001 with the rezone request for Case No. RZ2018-0022 as provided in the findings of fact conclusions of law found in Exhibit A. The motion was seconded by Commissioner White who said there is sworn testimony from Mr. Sleight on what his intentions are and he's going to build his own home back there. She does not believe it will change the setting or the compatibility of the area. The development agreement will go with the land which will protect the applicant and the neighbors as well. Director Nilsson requested that the motion be amended to include the ordinance directing changes to the zoning map. Commissioner Dale amended his motion to include the approval of the ordinance. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:17 a.m. for a meeting with county attorneys for a legal staff update and to consider actions items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Clementine Marin for St. Luke's and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing memorandum of understanding between Canyon County and St. Luke's Hospital for 340B program: Dan Blocksom said the only thing his office changed in this agreement was to add a signature page for the Board. Ms. Marin shared information on the 340B program. The congressional intent of the program is that hospitals and other safety net entities take discounts upfront on outpatient medications and then reinvest the savings to serve underserved populations in the community. In an earlier meeting Josie Murray with the Sheriff's Office shared concerns about the medication needs of inmates once they are back in the community and can't afford their medication. They would like to explore

opportunities to help individuals in Canyon County get access to the medications they need. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between Canyon County and St. Luke's Hospital for the 340B program (see agreement no. 19-042).

Consider signing request for an extension of time for water permit number #63-32981:

Sam Laugheed this is request for an extension of time for an unperfected permit at the Pond Lane location. This is the second renewal request, the initial permit was applied for in 2009. In 2014 a 5 year extension was granted and this will be the final extension of time. Best case scenario is we receive the extension and it covers what we need, worst case is that it's not granted and then we'd just reapply when necessary. Mr. Laugheed said there is no legal reason not to sign and recommends that all options are preserved by asking for the extension. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the request for an extension of time for water permit number #63-32981. A copy of the request is on file with this day's minute entry.

The meeting concluded at 11:36 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 29, 2019

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

No meetings were held today.

THE MINUTES OF THE FISCAL TERM OF MARCH 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 18th day of June, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Tom Dale

Pam White

Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: Jenen Ross, Deputy Clerk

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 1, 2019

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

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$85,346.25 and \$123,279.74 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$36,251.22 for the Fleet department/Sheriff's Office
- ACCO in the amount of \$3983.00 for the Facilities department
- Miwall Corporation in the amount of \$1038.00 for the Sheriff's 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 Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor left at 9:08 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, DSD Director Tricia Nilsson left at 9:24 a.m., PIO Joe Decker left 9:08 a.m., Victim Witness Coordinator Aleshea Boles left 9:08 a.m., Deputy P.A. Erica Kallin left at 9:08 a.m., Lt. Chuck Gentry left at 9:08 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Child Abuse Prevention & Awareness Month proclamation: Ms. Kallin explained that April is Child Abuse Prevention & Awareness Month and every year they have a whole spectrum of activities and events. The proclamation before the Board this morning has been signed by both Mayors Nancolas and Kling. A press conference will held at 10:00 today and the month will culminate with the superhero walk on April 20th. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Child Abuse Prevention & Awareness Month proclamation. A copy of the proclamation is on file with this day's minute entry.

Consider signing Start by Believing Day proclamation: Ms. Boles said that the Start by Believing campaign started in Canyon County in 2013. This year the day will be recognized on Wednesday, April 3rd and they have added a survivor art installation which will highlight the clothes victims were wearing when they were sexually assaulted. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Start by Believing Day proclamation. A copy of the proclamation is on file with this day's minute entry.

Consider signing a resolution approving a fee reduction for a comprehensive plan amendment and rezone; Case No. RZ2011-10: Director Nilsson said Mr. Toups contacted her office last month as part of the zoning of his property is preventing him from constructing a secondary residence. He is willing to pay the rezone fee of \$850 but is looking for some relief on the comprehensive plan fee of \$2500.00. Director Nilsson feels the \$850 will cover costs to the county because if the rezone and comprehensive plan are run concurrently it will be one legal ad and one staff report. Commissioner Dale made a motion to approve the resolution approving a fee reduction for a comprehensive plan amendment and rezone for case no. RZ2011-10. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing a resolution approving a fee waiver for a building permit for the Canyon County Mosquito Abatement District; Case No. BP2019-0188: Director Nilsson said this was a request from the Canyon County Mosquito Abatement District, they are building an expansion to their building. Their plans are at DSD now and the estimated the building and plan review fee is \$8000 so the mosquito abatement district is asking for a waiver of those fees. Director Nilsson estimates the cost to the county for this is about \$1500 for plan review, comments and inspections. Mr. Wesley said historically with these types of requests the Board takes them under advisement and are reviewed on a case-by-case basis. Commissioner Dale is not really in favor of county property taxpayers paying for this twice in a sense. Mr. Wesley suggested that if the Board wanted more information perhaps a meeting with CCMAD could be requested or Controller Zach Wagoner could speak about their tax levy. Commissioner Van Beek would like to operate in a way that's reflective of what the citizens are asked to do, they're being asked to pay for a lot so she would like to know what the hard costs are and what their levy rate is; she would lean toward wanting them to cover the cost but ultimately thinks the Board needs more information. Commissioner White would like to see the costs and possibly seeing the fees reduced but not waived entirely. Director Nilsson said she would work on getting some costs together. A discussion was had about perhaps getting a policy in place for when these types of requests are made by governmental entities. The resolution was not signed at this time. It will be brought back at a later time and date for consideration.

As part of the legal staff update Mr. Laugheed said that he and Mr. Porter will be meeting with Clerk Yamamoto on Wednesday to discuss recent communication with the DOJ. He will have more information to present to the Board after that meeting. The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 2, 2019

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

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 Pam White, Tom Dale and Leslie Van Beek, Director of Facilities Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following items: Once the weather clears they will begin painting the exterior of the fair building. There are some damaged steel panels in the back that will be replaced and a hand-painted sign in the front will also be replaced. The city has agreed to upgrade the electrical in the Charolaise Barn, that project is getting started today and he anticipates it taking 2-3 weeks for that work to be complete. His crew is getting ready to set docks at Lake Lowell on April 8th in preparation of the waterways opening. Tree planting with the rotary club will take place on the 6th at the Lower Dam and an Eagle Scout project on the 13th where they will be replacing the fire rings at Celebration Park. The building plan review fee has been submitted and accepted for Pod 6, the next step is to turn in the building permit fee. The blueprints have been accepted, all the documentation is in place and things are moving quickly now to get the 3rd party inspector in place. Director Navarro anticipates the pod units to be here in June.

Director Rast updated the Board on the following items: A new MICR (Magnetic Ink Character Recognition) printer had to be ordered for the auditor's office for check printing. This printer was replaced several months ago with what was thought to be a comparable product but it was not properly printing checks and the county was notified by US Bank that checks were failing. The new printer should be here tomorrow, the total cost for the printer and shipping is approximately \$900. He will work with the Board's staff to set up a meeting for the end of April to review project closures. Inquiries have been received from both the City of Caldwell and City of Nampa regarding data disaster recover – if it happens how you continue business continuity. Director Rast said the county is in year 3 of a 5 year plan. Year one is hardware, year two is licensing the hardware at the east complex datacenter, years

three and four are the planning stage, year five is implementation. More information will be forthcoming as we continue to move thru the stages. Director Rast has started reaching out the several different entities about their connections coming back to the county via VPN – the entities being reached out to are the Canyon County Ambulance District, Middleton Fire and Police, Parma Fire and Police, Wilder Fire and Police and the Caldwell School District thru Juvenile Detention. Paper costs are increasing by 8% due to plant shutdowns. Paper by the truckload prices will be negotiated again this summer and he anticipates being right under budget. Paperwork is in process for the RFP for the fiber optics for the Weed and Pest department. The meeting concluded at 8:53 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 Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Facilities Director Paul Navarro, Fair Director Diana Sinner left at 9:10 a.m., HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing request for qualifications for the 2019 Canyon County Fair Expo Design and legal notice: Zach Wesley said this RFQ is to create construction ready docs for the expo building at the fairgrounds. This request follows the standard procurement for design professionals. This is different from the previous process which was a design/build, this is a design first and then take the construction documents and the low cost bid. Mr. Wesley explained that there was a contract negotiation on a design/build RFP but it was determined that the cost of the building was more than had been initially solicited so this is essentially resetting the stage. Mr. Wesley will send a letter officially closing the prior design/build RFP and then proceed with this RFQ. Everything that was done previous was information gathering and will be useful moving forward. Director Navarro said that they've met with the City of Caldwell about the work that they're doing on that site. Houston Bugatsch Architects has been retained to provide a topical footprint of where the building can be located to include with the future design. T-O Engineers has also been hired in order to get a survey of the site so we know exactly where the sewer lines, water lines and power poles are located in the hopes of eliminating some change orders in the future. The building could still be potentially be ready for next year's fair. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the request for qualification for the 2019 Canyon county Fair Expo design and legal notice.

Consider signing resolution to approve the Director of Security job description: Mike Porter explained they hope to hire and have this person in place by the beginning of the fiscal year. This job description was drafted by HR Director Baumgart, has been reviewed by the

committee and legal, and includes input from the Board. Once the job description is approved there can be further discussion about when to post it and how best to recruit. Commissioner Van Beek asked how travel arrangements are paid for if someone is travelling from out of the area. Mr. Porter and Director Baumgart both believe this would be a cost incurred by the County for this sort of position. Commissioner Dale said he appreciates the work that has been put into this and is very comfortable with the job description he then made a motion to sign the resolution to approve the Director of Security job description. Commissioner White seconded the motion. Commissioner Van Beek understands there is a valid need in the county to coordinate this effort but wondered about the budgeting of the department. Mr. Porter said that the only stakeholder they've had any conversation with was the Sheriff's Office who's said they have allocated resources to personnel to man the front door. Commissioner Van Beek would like to see any costs that are incurred with implementing this that the expense and the revenue for that be transferred to the security department umbrella. Mr. Porter said that would certainly be the recommendation of the committee and the prerogative of the Board as they go thru the budget process. Mike Porter explained that in their regular committee meeting they discussed that the director is going to have a pretty strong opinion about what direction they want to take and that is going to be controlled by the Board and their interaction about budget, resources, personnel so to lock in a directors budget for them before they get here may be inappropriate. There will be plenty of discussion points along the way where the Board can stop the process entirely or control it to regulate costs. What that budget looks like depends on the priorities of the Board and the director. Commissioner Dale said this has been talked about for several years and they are aware of rough budget numbers and know that the creation of the department will not all take place in one year but over the course of several years. Commissioner Van Beek spoke about how she has reviewed Ada County's strategy for staging this sort of thing and likes the idea of a managed long-term approach and is in favor of this position being funded in the next fiscal year vs. this fiscal year. After the discussion a vote was taken with the Board voting unanimously to sign the resolution (see resolution no. 19-030).

As part of the legal staff update Mr. Goodsell explained there is a hearing taking place on April 15th to consider a tax exemption for Americrete Ready-Mix Concrete, Inc. and pursuant to the statute a letter noticing the taxing districts of the hearing must be sent. Americrete Ready-Mix Concrete, Inc. has requested a modification to the resolution so on the 15th the Board will have the opportunity to consider both the modified and the standard resolution. As a ministerial matter the Board signed the letters a copy of which is on file with this day's minute entry.

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 Van Beek made a motion to go into Executive Session at 9:26 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 Van Beek, Dale and White

voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, HR Director Sue Baumgart, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 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.

ISSUE DECISION REGARDING THE REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. RZ2018-0018

The Board met today at 9:45 a.m. to consider the written decision in the matter of a request by Lucich Family LTD Partnership for a conditional rezone and development agreement, Case No. RZ2018-0018. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Bruce Bayne, and Deputy Clerk Monica Reeves. The rezone request was approved on February 11, 2019 by Commissioners Van Beek and Dale with the condition that the applicant enter into a development agreement. The development agreement was approved on March 26, 2019 by Commissioners White and Dale. The written decision was continued to today's date so all three Commissioners could be present to consider the findings of fact, conclusions of law, conditions of approval, and order, as well as an ordinance and a development agreement. Debbie Root reported that we are here to sign the approval of the rezone from A (Agricultural) to R-1 (Single Family Residential), that portion of the case Commissioners Van Beek and Dale had approved with the application of a development agreement to reflect the conditions of approval that have been included in the agreement. The case for the development agreement with those conditions was heard by Commissioners Dale and White and signed by the applicant, who is in agreement with the conditions that were imposed for that to reflect what was discussed in the rezone hearing to ensure the development occurs with only a 15-residential lot development and that it complies with a total of seven (7) conditions. Commissioner Dale made a motion to sign the findings of fact, conclusions of law, conditions of approval, and order for the rezone, Case No. RZ2018-0018, as well as the ordinance for map amendment, and to approve the development agreement with the seven conditions. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Agreement No. 19-043, and Ordinance No. 19-014.) The meeting concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY RODERIC LEWIS FOR A CONDITIONAL REZONE, CASE NO. RZ2018-0028

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Roderic Lewis for a conditional rezone and development agreement, Case No. RZ2018-0028. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Natalie Main, Hethe Clark, Arline Devlin, Dana Devlin, Dennis Parker and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a rezone of 33.5 acres from "A" (agricultural) to "M-

1" (light industrial) to divide the parcel into a total of two properties, one with 11 acres and one with 22 acres. The request was originally just a rezone but the applicant wanted to add a development agreement to add landscaping and berming improvements. There will be a 90-foot wide berm with landscaping along the 22 acres. According to future mapping provided by Nampa's Economic Development Agency, the city is proposing that this area is going to boom with industrial use. They are working on agreements with Union Pacific Railroad to utilize the properties for heavy industrial uses and to utilize the train tracks and extend them to those properties. There are certain structures that are anticipated in the area such as an industrial site that would have access to the train system. The property is adjacent to the City of Caldwell's jurisdiction and it's within the Nampa area of city impact. The Canyon County Future Land Use Map shows this as industrial adjacent to some commercial and a lot of residential, and it shows the current subdivisions within that area which are scattered mostly in the City of Caldwell's jurisdiction. If the property were to be annexed into Nampa it would be considered for heavy industrial uses. Nampa's Planning Department provided a letter showing some of their industrial uses and what could be required. We matched them with our land use matrix, most of them are the same - we require the same things within the same industrial areas. The only two that were less restrictive than ours were concrete batching and asphalt batch plants. The rest were either the same or more restrictive with our code. There are two massive subdivisions that are approved by the City of Caldwell adjacent west of the site but they are not in development yet as they are still working on infrastructure. To the north would be a high-level residential use, and next door is planned unit development so there's a mix of apartments, residential units, and there is a commercial use that's being proposed adjacent to this property, one of which will be a storage facility. The property is adjacent to not only subdivisions but also a couple of schools so having an industrial use that close does present some concern. During the P&Z Commission hearing on February 7, 2019 the P&Z Commission recommended approval of this rezone and they also recommended changes to the development agreement. Staff originally requested that batch plant uses and mineral extraction uses be a conditional use permit within this zone. Right now if the rezone to light industrial was approved they would be allowed to have this use; however, during the P&Z Commission hearing it was discussed that when we're looking at some of the conditions being applied here they kind of match some of the things we would normally apply to a mineral extraction use or a batch plant use. They had berming and usually it's only a 30-foot wide berming, this is 90 feet, and they've already done improvements along the road and requested to dedicate the public right-of-way for a roundabout system. Staff recommended they follow Nampa's exterior lighting requirements but after reviewing the city's letter they have performance measures for noise, emissions, etc., which we applied the whole thing to it instead of just one part of it so now it has to comply with Section 10-01-09 and most of that is within Nampa's letter to address fumes, outdoor storage, exterior lighting, and noise. They would have to meet city requirements since at some point this is going to be annexed into the city it should be compliant with some of their requirements. The only thing that doesn't match is the asphalt plant and the concrete plant requirements, in the city they would have to get a conditional use permit but with our requirements they would not, it would just be approved, however, when going through the development agreement and the restrictions we are imposing they would also have to meet Nampa's landscaping requirements for the entire property. Also, the performance measures. These are things we would have put on the C.U.P. for a mineral

extraction use anyway and so they are already applied to the restriction of this use so the P&Z Commission decided to remove the batch plant part of this and retain the mineral extraction use to require a C.U.P., but not a batch plant. That was the only change made by the P&Z Commission other than that they recommended approval. Commissioner Dale said if they decided they want to dig gravel out here they'd have to come back and get a C.U.P. from the County, but not for an asphalt plant. He then asked if that fits with Nampa's light industrial use. Mr. Lister said it does not, but it matches the County's light industrial use. Commissioner Dale said the batch plant is concrete mixing and the reason for that is it's not as intrusive as gravel mining. Mr. Lister agreed and said a lot of the initial work is the mineral extraction work so you have crushers and the backing of vehicles. Commissioner Van Beek asked about the letter from Attorney Hethe Clark where they are requesting no restriction on the hours of operation. Mr. Lister said if it were to be rezoned to M-1 there is no planning permit required unless we add one so they don't want any restrictions. In this case the letter is pointing to the performance standards in the City of Nampa which require a certain distance. If you're a certain distance away then you have to add noise requirements, but in this case, even though they will be held to it, the buffering they put with the landscaping and how the distance between the residential use and the industrial use is much farther than the 100 feet that would require all the noise requirements. Commissioner Van Beek said she hasn't seen any kind of mitigation for air space. And with regard to comprehensive planning for future land use, she's surprised we're not in sync. Director Nilsson said the County's plan and Nampa's plan both show industrial, so we are in sync in terms of the future land use designations but we have an edge issue with the City of Caldwell across the street and the boundary of their impact area. Commissioner Van Beek said that is medium density with 1,000 houses planned directly across the street. Director Nilsson said three years ago staff met with planning and engineering staff from the City of Nampa and the City of Caldwell and they recognized they don't match at their boundary. Mr. Lister said in looking at the staff reports for those developments when making approvals the City of Caldwell did not reflect at all that this is adjacent to future industrial. They didn't look at it to see what the surrounding area for this would be, they didn't consider the County's plan at all. Commissioner Van Beek said there has been opposition from the residents in the Steel Falls Subdivision which is next to the subject property and she knows that traffic is a huge issue in that area. Commissioner White asked if there is a specific use being considered for this property. Mr. Lister said there is not; it's for marketing to see how well it does. It's an original lot so the applicant can build on it, or split it and get another house, or he could rezone it to residential. Commissioner White said a slaughter house would also be an approved use. Commissioner Van Beek said this is a bare lot and it is prime agricultural farm ground today.

Hethe Clark testified on behalf of the applicant. The property is located within the Nampa area of impact and that's critical to this discussion because that designates the use that's planned for this property by the County and by the city. It is not currently annexable into the City of Nampa so that means all of these decisions need to come to the Board. When you look for development on a property it needs to be zoned in conformity with the comprehensive plan. Beyond that the County has an area of impact agreement with Nampa that designates that the Canyon County Comprehensive Plan applies in those areas but you are to give consideration to the city's comprehensive plan when you're evaluating these

development requests. Under the County's planning this is intended to be zoned industrial, under Nampa's comprehensive plan it's not just industrial, it's heavy industrial. With regard to the development approved by the City of Caldwell, he said they "went rogue." The property is intended to be split into these two pieces, and for the piece on the corner at Midland and Ustick they had suggested it be light industrial and they would put the rest of it as heavy industrial behind a 90-foot landscape berm. Mr. Clark said putting a 90-foot berm on your property and voluntarily adding a development agreement when it's not required is a significant step that the landowner took to make sure whatever happens there will be consistent. They had proposed M-1 and M-2 because Nampa's Comprehensive Plan says heavy industrial so they were trying to thread the needle and be consistent with both of those but after conversations with DSD staff and going over the use matrix and they decided that it made sense to do the whole thing as M-1, but they're still keeping that landscape berm in place and having a development agreement. They are trying to be proactive by meeting with the highway district because they wanted to make sure the access issues were sorted out. Typically there are frontage dedication requirements when you do a project, but there's already a Midland and Ustick roundabout that was going in regardless of whether this rezone happened and it had nothing to do with what would go on here so that was an above and beyond step that this landowner took in terms of granting the right-of-way for that roundabout. It ensures that there is appropriate traffic mitigation on the two arterials that front this property. It is an appropriate place for the type of development that would likely go on there as a result of an M-1 zone. Every zone has its own menu of uses that would be allowed, if this property were rezoned M-1 today or had been rezoned to M-1 10 years ago a batch plant would be an allowed use as a right, there would be no other requirements in the County. Batch plants and mineral extractions are both allowed uses. Staff suggested they ought to consider whether those two uses should be conditional uses so they had a conversation with the P&Z Commission and they voted 7-0 to recommend approval of the rezone with only the mineral extraction as a conditional use and they agree with that. A batch plant does not require a C.U.P. and they have voluntarily taken on all of the Nampa code performance standards that cover noise, lighting, chemical storage, and air emissions, and from that perspective it creates the same analysis that you would go through if you were proposing a conditional use for a batch plant from scratch. They have already said they will do everything required of them in order to do a batch plant so they thought that was appropriate and the P&Z Commission agreed.

Commissioner White asked if there's a proposed use. Mr. Clark said there is no proposed use, it's being marketed for a potential buyer. If someone purchased it six months ago they would have to go through the process of zoning it in accordance with the comprehensive plan so the landowner is trying to prepare it for that step and that's part of the reason for being overprotective on things like the landscape berm and the development agreement. Commissioner Van Beek spoke about the intense traffic congestion that occurs on Midland Blvd. near the Treasure Valley Marketplace during rush hour. She thinks it's a bad plan to have a roundabout to try to mitigate the traffic concerns. Mr. Clark asked if Commissioner Van Beek is suggesting there could be no use of this property, to which Commissioner Van Beek said that is not what she is suggesting. She lives within a ¼ mile of a batch plant and when they're operating you can hear it 24/7. Mr. Clark said this is planned industrial property, it's not planned for residential. Commissioner Van Beek said it's without

jurisdiction for annexation. Mr. Clark said there is no annexation pathway into the City of Nampa but the same requirement applies regardless of whether you're in the City of Nampa or in Canyon County, property has to be zoned in accordance with the comprehensive plan. Commissioner Van Beek said she disagrees with Mr. Clark's earlier statement that the City of Caldwell has "gone rogue" in referring to a residential development that was approved in the area. Commissioner White said her understanding on the comprehensive plan is that it's pliable, it's a plan and not a law. Zach Wesley said a property owner has a vested right in how their property is zoned and so once it's zoned you're entitled to what the allowed uses are with that zoning. When we talk about the comprehensive plan we're talking about the future land use map and designation and those designations are there for planning purposes and the future land use map is an expression of the County Commissioners' belief of how the County should develop in the future but those things are not guaranteed. You don't have a vested right in the future land use map designation and that's what this hearing is for, to change a property to a different designation and one of the things you look at when you make that decision is how you forecast it on your future land use map. Mr. Clark said the comprehensive plan is a policy document, it is not law that you apply directly, however, the local land use planning act is very clear that zoning districts shall be in accordance with the comprehensive plan, so in other words there is an obligation on the part of the zoning bodies to ensure that their decisions in terms of the zoning decisions that are made for a particular location are in accordance with the comprehensive plan and in this case you have both the County and the city in which the area of impact is located, both are saying this is industrial property. This entire area is being planned for an industrial park, this is what the City of Nampa is in the process of doing as we speak. Beth Ineck has said this is one of the most important things they have in terms of economic development for their city. The industrial park, of which this property is intended to be a part, has railroad spurs and the other elements that are going to be a part of it so the suggestion that we can just ignore both the planning that's happened at the County and at the city would be taking this Board down an improper path. Commissioner White said Midland Blvd. is one of the main arterial entrances into a major retail area with the Treasure Valley Marketplace and St. Luke's Hospital, which is expanding. It sounds like the applicant's plan is for gravel extraction in this heavily travelled area and even though it is projected to be an industrial area she doesn't know if a gravel pit is appropriate for the Midland and Ustick area. Commissioner Dale said he was part of the discussions between Nampa and Caldwell when it was determined whose impact area it would be within and he understands the importance of reserving ground for industrial use but he is not comfortable with either a batch plant or a gravel pit in this location and he wonders if the applicant would be agreeable to prohibiting either a batch plant or a gravel pit. He said he would not be suggesting this except for the fact that Caldwell has approved some massive residential uses over in the area therefore he would like to exclude the following uses: asphalt, concrete batch, and a gravel pit. There are many other industrial uses that would be appropriate and attractive for the area. Mr. Clark said they have agreed to mineral extraction being a conditional use, and they had asked for a batch plant to be an allowed use because it's consistent with M-1 zoning across the County. Commissioner Dale asked if they would agree to that being a conditional use as well. Mr. Clark said they have the area on the south that has the landscape berm around it so you're not going to see anything so one suggestion might be to make the batch plant use permitted on the area within the berm and then require a conditional use on the areas outside of the

berm. Commissioner Van Beek said she has noted the berms in place by the sugar beet factory and by Idaho Sand and Gravel on Middleton Road and she thinks nothing of that mitigation.

Natalie Main testified that she represents her father, who is the applicant in this case, and is the salesperson for the property. They have been working for two years to figure out the best use for the property. The first people who came to them were buyers who wanted to develop it for residential use so Ms. Main and others spoke with Beth Ineck from the City of Nampa who said absolutely not, this is not ever going to be residential, this is industrial and it's always going to be industrial and so the applicant turned those buyers away. Since then in talking with other potential industrial buyers they decided to be proactive and try to rezone ahead of time to make the property more marketable. The use would not be for the extraction of minerals but if it's not a batch plant it could be something else where things are sitting there being put into a rail car and taken in and out. She said they don't see why they need to limit their marketing of who could come in, there are a lot of other uses they felt like were similar when they enacted the performance standards with the City of Nampa. Any type of material storage that's going to be there is going to have trucks coming in and out and the businesses they've talked to that have potentially wanted to be there, will be using Northside, not Midland. As an industrial use, which for now that's all they know it is going to be, it's impossible to say there's not going to be additional traffic. It's not a residential use where you'd have 100 houses and 100 cars coming in and out. If anything it's less burdensome to the roadways than having another residential development. They have been trying to adhere to what is wanted there and they've had a lot of conversations with the City of Nampa and there has been a lot of brainstorming and trying to get to this plan where it's at least going to be aesthetically pleasing. There's going to be a storage facility and a large commercial development there so they thought that corner could play off of that. They could sell that immediate corner to somebody who could use it for services for the residential and then the back portion would be more for industrial use.

Dennis Parker said he's worked with City of Nampa for nearly two years with Beth Ineck and was shown that the area was a designated focus point for city and the Union Pacific Railroad who have been working together for several years to develop an industrial rail park here. He has a background in logistics so he offered to help the city try to get the rail park up and going. He spoke of other company executives he has met with regarding property development in the area. He said the 34-acre parcel next to Amalgamated Sugar Company is under negotiation with a very large corporate company to build a large cold storage refrigeration distribution center. Across Cherry Road there is a parcel that has sold and they are going to put in a large warehouse distribution facility which will be rail served. He spoke of the efforts of the applicant to meet the requirements of the highway district for traffic safety and access. According to Mr. Parker, batch plants are clean, efficient, and they are retail business. This is not going to be gravel extraction, if it gets sold to a batch plant it will be a retail operation.

Commissioner White said we need industry, manufacturing, and the commercial business, but she's concerned about the location. Commissioner Van Beek said she lives next to a batch plant, and she's driven Midland Blvd., and she's sat through the IAC components of looking at what cold storage facilities would like. She said Northside and Midland Blvd. share in

common that they are located in Canyon County, but the logistics and dynamics along those two corridors are entirely different. She does not want to stand in the way of reasonable development but she believes this is one of the worst plans she's seen in the 15 years she's looked at land use decisions.

During rebuttal Mr. Clark said this landowner wants to do the right thing and they have reached out to the various jurisdictions to find out what kind of uses could be here, and it's unfortunate that the City of Caldwell isn't here. Exhibit #11B is a letter from Brian Billingsley with the City of Caldwell where he stated he doesn't have any objections to the proposed rezone, but he would have opposed a rural residential subdivision in this location. Mr. Clark said this is property that is intended to be industrial and we cannot simply ignore the planning. They have agreed to go above and beyond what would otherwise be required. Staff has recommended approval and the P&Z Commission was unanimous in recommending approval. Some of these questions and the tenor of the hearing is not quite what they expected but they want to have a conversation with the Board about what can be done to stay within the planning and try to address some of the concerns so he proposes the following:

- They will agree to no mineral extraction anywhere on the property.
- An asphalt plant will be a C.U.P. anywhere on the property. They are a little bit louder and generate more traffic so they will differentiate between asphalt plants and concrete batch plants.
- They want to have a concrete batch plant within the berm.
- They have agreed to the City of Nampa's performance standards which are higher than the County's.

Commissioner Van Beek said in one of Caldwell's annexations that happened a number of years ago, they were so hungry for development they made decisions that hopefully will be learned from. This is not just a personal property right for the landowner, but there are others who are expecting their rights to be protected as well. She did some research on the health effects for a population living near a cement plant and asphalt batch plants. As part of her research she spoke with Landfill Director David Loper about tires being burnt for fuel at an asphalt plant in Durkee, Oregon. She has grave concerns that some are looking at this project with dollar signs in their eyes but growth has to be managed. Mr. Wesley said we need to have copies of the documents that Commissioner Van Beek referenced so that they can be made part of the record. Mr. Clark said he recognizes Commissioner Van Beek's thoughts about managing growth because he serves on the Idaho Board of Smart Growth, although he is not speaking for them, and growth issues are important to him. He regularly speaks at the Idaho Chapter of the American Planning Association so these are things he thinks about a lot and the best way to manage growth is to plan for it and to follow the plan. There is a plan in this case and it's very clear. He also said it would be easy to just drop a residential subdivision in this green field. Commissioner Van Beek said the Treasure Valley Marketplace is not a dropped-in residential development, it has commercial use which is beautiful, it is an attractant to not just Nampa and Caldwell but to Boise and the surrounding areas. Mr. Clark said that is not what this property is for, it is not planned for commercial. They had conversations with the City of Nampa about whether they would be in favor of commercial and they said this is an industrial park, and so the applicant is following the

direction that Nampa has given and that the County has given and they are executing on the vision that has been in place for years when they made an application for an industrial site. They are not trying to change the rules, they are trying to follow the rules. Commissioner Van Beek said if this rezone goes through at this level there will be requests for conditional use permits. She believes there's an overly aggressive tendency to want to capture the market but at whose cost are we trying to benefit. Commissioner Dale said his comments are best reserved for when the public hearing is closed and the Board has its discussion. Mr. Clark asked if everyone is clear on what the alternative proposal is. Commissioner White said the proposal is: no mineral extraction; an asphalt plant would need a C.U.P.; and allow a concrete batch plant without a C.U.P. within the berm on the southeast section. The decision is binding on the property. She has a huge wish for the applicant to disclose the desired use and proposed plan for the property. Mr. Clark said the proposed development agreement would also run with the ground so any of the commitments they are making today will be binding on someone else as well. Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale. Mr. Wesley said before public testimony is formally closed we need to get copies of the documents and mark them as exhibits. The motion carried unanimously. (The Board took a recess at 11:07 a.m. and went back on the record at 11:12 a.m.) Commissioner White said because there were new exhibits presented we are going to reopen the hearing so the applicant can have the opportunity to examine the information. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to reopen the public hearing. Commissioner White said she's not ready to make a decision and would like to continue the hearing so she can review the information and explore some other things. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to April 16, 2019 at 9:30 a.m. Commissioner Dale said he'd like to make comments before today's hearing is closed. Mr. Wesley said traditionally the hearing procedure is to deliberate after public testimony is completely closed. Commissioner Dale said there's been a lot of opinions expressed from the Board that were not part of a deliberation, they were comments made to the applicant and he would like to express a couple of personal opinions. Commissioner White said she prefers that he defer comments and the Board's discussion to the continued date of April 16, 2019. The hearing concluded at 11:16 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER REQUEST BY RANDAL HETTEMA FOR A FINAL PLAT FOR THE RIDGE AT QUAIL HOLLOW, CASE NO. SD2018-0028

The Board met today at 1:31 p.m. to consider the final plat for The Ridge at Quail Hollow, Case No. SD2018-0028. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Randal Hettema, and Deputy Clerk Monica Reeves. Debbie Root said this is the final plat replat of Lot 14 for The Ridge at Quail Hollow to reduce a 15-foot irrigation easement to six feet. The purpose of the irrigation easement has been abandoned, the pump has been removed from the homeowner's pond and Mr. Hettema would like to be able to utilize that property to build an addition on his home. The easement is not being utilized by any utilities for irrigation structures. There is a pipe within the 6-foot easement line, there is alternate access to the homeowner's lot. This

easement was not for access it was for a pipe for the pond. The plat is in substantial conformance with all state codes and county ordinances and staff is recommending the Board sign the final plat. In response to questions from Commissioner Van Beek regarding irrigation issues, Ms. Root said the development does not have sufficient water rights to fill the pond as they initially anticipated and so they will only use it for a few common lots areas. Randall Hetteema testified that he wants to add on to his garage and it would have been severely impacted by this easement for an abandoned pipe, which will remain but won't be used for any purpose. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the final plat. (A copy of the brief findings of fact, conclusions of law and order, is on file with this day's minute entry.) The meeting concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D); INTERVIEW AND EVALUATE FAIR BOARD CANDIDATES

The Board met today at 3:00 p.m. for an Executive Session to interview and evaluate fair board candidates. Commissioner White made a motion to go into Executive Session at 3:02 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding a personnel matter and to discuss records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Fair Director Diana Sinner, Fair Board Candidate Jesse Harris, and Deputy Clerk Monica Reeves. Mr. Harris left at 3:18 p.m. The Executive Session concluded at 3:40 p.m. with no decision being called for in open session.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 3, 2019

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

APPROVED CLAIMS ORDER NO. 4/5/19

The Board of Commissioners approved payment of County claims in the amount of \$14,824.60 and \$411.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Prime Construction & Asphalt in the amount of \$2170.00 for the Fair
- Carousel Industries in the amount of \$2100.00 for the Information Technology department
- United Micro in the amount of \$1273.00 for the Sheriff's Office

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Parks Director Nicki Schwend left at 9:10 a.m., Chief Probation Officer Elda Catalano left at 9:05 a.m., Project Coordinator Mike Davidson left at 9:05 a.m., Tina Wilson with WAED and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing United Way of Treasure Valley, Inc. agreement to supply fiscal sponsorship for Canyon County Juvenile Probation Department Truancy Prevention Month "Kickball Tournament": Mr. Wesley explained that thru this partnership with the United Way they serve as a partner and accept donations on behalf of the event, they also help with some of the expenses. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with United Way of Treasure Valley, Inc. (see agreement no. 19-045).

Consider signing memorandum of understanding agreement for FY2019 CLG Grant: Director Schwend applied for and was awarded a grant for \$13K which she will use for a rural landscape and agricultural resources survey. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the memorandum of understanding agreement for the FY2019 CLG Grant (see agreement no. 19-044).

Consider signing letter of support for Western Alliance's application to the Rural Economic Development Innovation Initiative: Ms. Wilson said this letter was drafted by Tricia Nilsson and has been reviewed by Brad Goodsell she then provided a review of the other agencies she has received or will receive letters of support from. At this point no money is being requested from the county or WAED. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the letter of support for Western Alliance's application to the Rural Economic Development Innovation Initiative. A copy of the letter is on file with this day's minute entry.

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

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D); INTERVIEW AND EVALUATE FAIR BOARD CANDIDATES

The Board met today at 11:00 a.m. for an Executive Session to interview and evaluate fair board candidates. Commissioner Dale made a motion to go into Executive Session at 11:00 a.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding a personnel matter and to discuss records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale, and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Fair Director Diana Sinner, Fair Board Candidate Dawn Shahan, and Deputy Clerk Monica Reeves. Ms. Shahan left at 11:17 a.m. Fair Board Candidate Amanda Casey arrived at 11:30 a.m. and left at 11:47 a.m. The Executive Session concluded at 12:06 p.m. with no decision being called for in open session.

PUBLIC HEARING - A REQUEST BY TOM AND KARI POINTS FOR A REZONE, CASE RZ2018-0035

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Tom and Kari Points for a rezone of 8.3 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone located at 26600 Gail Lane in Middleton. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Tom Points, Kari Points, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The future land use map designates this area as residential, and it is not located within any impact area. The surrounding area is a mix of residential and agricultural uses, there are residential uses to the north, west, and south of the property with agricultural uses to the east. The subject property is located within the Lansing Heights Subdivision which was platted in 1973. Within one mile of the property there are eight platted subdivisions for a total of 186 lots with an average lot size of 3.46 acres. There are parcels adjacent to the property to the south and west that are approximately 2.24 acres and 2.25 acres in size. There is rural residential zoning approximately 2,641 feet from the property. The property is not located within a nitrate priority area. It has access via Gail Lane and Ken Way. Canyon Highway District stated the access onto Gail Lane is preferred and any dedications or easements will be required to be shown on the record of survey. Approach permits from the highway district will be required to be submitted with any new residential building permit applications. The highway district indicated the projected trips generated from this development would be below the threshold that would trigger a traffic impact study. ITD did not object to the rezone. The P&Z Commission recommended approval on February 21, 2019, and staff has found the request meets the standard of review for zoning amendment and is harmonious

with the County's comprehensive plan as well as the future land use map. Commissioner Van Beek said the comments from the highway district are rebutted by the applicant. Ms. Almeida said there is an updated letter from highway district which was received after the applicant let them know that platting was not required in this instance. The letter refers to the right-of-way dedication on the cul-de-sac, and the applicant will work through that process with the highway district when they do their record of survey which will take care of that dedication. Approach permits will be required before any building permits are issued. The applicant has agreed to dedicate and increase the size of that cul-de-sac to meet the highway district's requirements. Tom Points testified they have owned the property for 15 years and they want to sell their house and continue maintaining the vineyard. They have an agreement with a local winemaker to manage the vineyard for the next three years and this land division will help them be able to maintain it. They planted the vineyard in 2010, it's an acre of grapes with 1,000 plants. Lansing Heights is an existing subdivision that was platted in 1973 and there have been about 15 other subdivisions that have come in since then with higher density than what the Points' are proposing. In 1973 there were 38 parcels and today there are 98 parcels. Mr. Points believes their proposal is compatible with existing uses and lot sizes. He stated they are in a good aquifer, in fact the Idaho Department of Water Resources is granting new water rights for irrigation in this area which is a rarity. The Points have an existing water right and will not be requesting any new rights. They have two wells on site and they will be adding one additional well. Gail Lane is cul-de-sac and has the capacity to handle the traffic; the highway district did not require a traffic impact study. The Points will dedicate the right-of-way for the cul-de-sac as requested by the highway district. In response to questions from Commissioner Van Beek, Mr. Points spoke about the topography and the location of the existing wells. Ms. Almeida said the property will not be platted so there won't be an engineering report done but they will have to do a test hole and verify they can meet the setbacks for any water as well as from the drain field, wells, and property lines, but with a two-acre lot that's not typically an issue. She noted that the health department did not raise any concerns on this project. Commissioner Van Beek asked Ms. Almeida to address the concern about parcels being divided. Ms. Almeida said any further divisions of this parcel would trigger platting so there will be a process and the public will be informed. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner Dale said this is a great presentation by the applicant and it's significant that the P&Z Commission recommended approval and there is no one here to voice opposition. It's appropriate for the area and it's still maintaining the above two-acre lot size and it's preserving the ground that's currently being utilized for grapes and it's a great idea. He then made a motion to approve the rezone and adopt the ordinance directing the change to the zoning map, and to approve the findings of fact, conclusions of law, and order. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-015.) The hearing concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 4, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$4484.00 for the Information Technology department
- Gunarama Wholesale, Inc. in the amount of \$6185.00 for the Sheriff's Office
- Right! Systems, Inc. in the amount of \$2622.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 4/6/19 for a team roping event.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Customer Service Specialist Stephanie Burger, 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: 2019-0552, 2019-0545, 2019-0549, 2019-0546, 2019-0663, 2019-0543, 2019-0536, 2019-0544, 2019-0538, 2019-0542, 2019-0644, 2019-0553 and 2019-0554. 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. Commissioner Dale made a motion to place case no. 2019-0547 into suspension pending a resource. 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.

CONSIDER INDIGENT MATTERS

The Board met today at 8:59 a.m. to consider indigent matters. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The following cases meet the eligibility criteria for county assistance: 2019-293, 2019-294, 2019-225, 2019-243, 2019-86, 2019-263 and 2019-482. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue final approvals with written decisions on the cases as read into the

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-1563

The Board met today at 9:04 a.m. to conduct a medical indigency hearing for case no. 2018-1563. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, 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. The hearing concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-297

The Board met today at 9:19 a.m. to conduct a medical indigency hearing for case no. 2019-297. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Donna Sharp for St. Alphonsus, applicant, mother of 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 9:27 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-211

The Board met today at 9:32 a.m. to conduct a medical indigency hearing for case no. 2019-211. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, 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 within 30 days. The hearing concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-195

The Board met today at 9:51 a.m. to conduct a medical indigency hearing for case no. 2019-195. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan

Blocksom, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes 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 23, 2019. The hearing concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:00 a.m. to consider indigent matters. Present were: Commissioners Pam White and Tom Dale, 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: 2018-1472, 2019-190, 2018-1471 and 2019-228. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue final denials with written decisions within 30 days. The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING LEGAL NOTICE REQUESTING PROPOSALS FOR CANYON COUNTY DETENTION MEDICAL SERVICES

The Board met today at 1:18 p.m. to consider signing a legal notice requesting proposals for Canyon County detention medical services. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, Jail Captain Darin Ward and Deputy Clerk Jenen Ross. Mr. Porter explained that it's required by statute to provide notice at least two weeks before the county can consider awarding a contract. This is more of a ministerial act as there are no local contract medical providers who will see the legal notice in the local newspaper, additionally, they have personally reached out to all agencies they're aware of to submit an RFP. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the legal notice.

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

Commissioner Dale made a motion to go into Executive Session at 1:31 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) to discuss personnel matters and records that are exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fair Director Diana Sinner, Kim Hasenoehrl arrived at 1:30 p.m. and left at 1:49 p.m., Allan Laird arrived at 1:54 p.m. and left at 2:13 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:15 p.m. with no decision being called for in open session.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 5, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$2376.00 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 John Brett Calhoun, Lee Marie Hibbeler, Brenda K. Stone and Terry Srodowa.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for February 2019 in today's minutes.

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

Note for the record: As properly noticed the Board met today at 9:04 a.m. for a legal staff update.

Commissioner Dale made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and named personnel and records that are exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 a.m. At the conclusion of the executive session Commissioner Dale made a motion to continue the legal staff update to 1:30 p.m. today. The motion was seconded by Commissioner White and carried unanimously.

PUBLIC HEARING – REQUEST FOR ROAD NAME CHANGE (JOPLIN ROAD AND WARE ROAD)

The Board met today at 10:01 a.m. for a continued hearing in the matter of a request by the Canyon County Development Services Department for a road name change, Case No. RD2018-0022. Present were: Commissioners Tom Dale and Pam White, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Today's hearing was continued from March 11, 2019 in order to give Mr. Roedel, who was a concerned neighbor, adequate time to fill out a road name application and select three road names. He did not submit the form and staff has had no verbal or written contact with him so at this time staff is requesting the Board adopt the road name changes as requested and as heard in the previous two hearings. Commissioner Dale said because we have not had any alternative name requests from the concerned parties in the area he made a motion to sign the findings of fact, conclusions of law, and order and to approve the road name change. The north/south portion of Ward Road will be renamed *Ware Road*, and the east/west portion, approximately 661 feet, will be renamed *Joplin Road*. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:04 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 1:34 p.m. for a continued legal staff update.

Commissioner Dale made a motion to go into Executive Session at 1:35 p.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records that are exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Captain Daren Ward arrived at 1:50 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:28 p.m. with no decision being called for.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 8, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Command Sourcing Inc. in the amount of \$1609.12 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$17,029.89, \$21,517.42, \$15,048.11, \$17,593.27, \$230,635.72, \$103,121.32 and \$31,944.11 for accounts payable.

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

The Board met today at 9:01 a.m. for a legal staff update and to consider an action item at which time a request was made to go into executive session as follows:

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

Commissioner Dale made a motion to go into Executive Session at 9:03 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 risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

At the conclusion of the executive session the action item was considered as follows:

Consider signing Canyon County George W. Nourse Public Gun Range consultant agreement with TRS Range Services, LLC: Commissioner Dale said they'd heard some good discussion on the qualifications of TRS and made a motion to sign the agreement. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-046).

The meeting concluded at 9:36 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 TO CONSIDER ACTION ITEM

The Board met today at 9:37 a.m. with the Director of Development Services to discuss general issues, set policy and give direction and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a resolution approving a fee reduction to Luke & Wendy Bayes for a comprehensive plan map change, rezone and easement: Director Nilsson said the Bayes have a parcel that doesn't have a building permit so they are seeking a rezone to get a building permit but in order to do that the comprehensive plan needs to be amended. The total fees would be \$4200 but they would all be run concurrently so DSD is recommending that the Bayes pay just the \$850 rezone fee since it will be one staff report and one legal notice and they feel the \$850 would cover county costs. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving a fee reduction to Luke and Wendy Bayes (see resolution no. 19-031).

Director Nilsson updated the Board on the following: revenues are at 53% which is good since we're about halfway thru the fiscal year; expenses are at 39%. Spoke about population estimates she's received from COMPASS. UPWP is soliciting projects for next year and the possibility of a cooperative fiscal impact calculator. The City of Star has a draft comp plan they have sent out which will go to their city council on April 23rd; she will likely draft a letter and forward to the Board for review. The Wilder P&Z would like to talk about impact areas so she will reach out to see what they're trying to accomplish.

The meeting concluded at 9:55 a.m. Two audio recordings are on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JOHN BADIOLA FOR A REZONE, CASE NO. RZ2018-0034

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by John Badiola for a rezone of 37.90 acres from an "A" (Agricultural) zone to an "M-1" (Light Industrial) zone, Case No. RZ2018-0034. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Alan Mills, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The future land use map designates the property as industrial and the surrounding area contains a mix of agricultural and industrial uses. It is located within Greenleaf's impact area and is adjacent to an existing gravel pit; there are residences located west of the subject property, however, the future land use of this area is industrial and that also includes the properties located to the west. Within one mile of the subject property there is one platted subdivision, Munn Ranch, which was platted as an industrial subdivision and is not intended for residential use. The property is adjacent to M-1 zoning, and the area contains many industrial zoned properties within one mile. It is not located within a nitrate priority area, it has frontage on Pinto Road which is a public road. An access permit will be required for a change in use of the property and any new commercial access to serve the site may be permitted at 660 foot intervals along Pinto Road. Canyon Highway District indicated that the projected trips from the development would be below the threshold that would

require a traffic impact study. ITD stated future development of the parcel will require submittal of trip generations to ITD. The P&Z Commission recommended approval of the rezone on February 7, 2019, and staff has found the request meets the standard of review for zoning amendment and is harmonious with the comprehensive plan and the future land use map. Alan Mills testified that one person attended their neighborhood meeting but he was more concerned about getting some fill for his property so they worked out a concept to get him what he wanted. The access may not come out on Pinto Road because the current owner has access onto Weitz Road for an existing pit and their scale house is located toward the east so they're probably going to continue going out the same way rather relocating the scale house. There won't be any real change in the traffic patterns. The applicant will comply with the requirements of the highway district. Commissioner Van Beek asked if there are plans to put a batch plant on the property. Mr. Mills believes the owner contracts with other entities who do batch plants so he doesn't think they intend to do that on their own. Commissioner Van Beek asked if there are any plans for residential use in this industrial area. Ms. Almeida said she's not aware of any but added that putting additional residences in an area that shows as industrial on the comprehensive plan would require an application to try to change the use, which most likely would not be recommended by staff. Commissioner White said the request is straightforward and a good fit for the corridor. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said this area is planned to be an industrial and there are a number of industrial uses at the present time so those who are looking to purchase in this area would know it's an industrial zone. Commissioner Van Beek believes it's a consistent use and doesn't interfere with property rights on either side. She appreciates the orderly development that benefits the public and protects individuals with a minimum amount of conflict. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. RZ2018-0034 to rezone Parcel R36355 from "A" to "M-1", and 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 sign the ordinance changing the zoning map. (See Ordinance No. 19-016.) The hearing concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D); INTERVIEW AND EVALUATE FAIR BOARD CANDIDATES

The Board met today at 1:03 p.m. for an Executive Session to interview and evaluate fair board candidates. Commissioner Dale made a motion to go into Executive Session at 1:04 pm. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding a personnel matter and to discuss records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Fair Director Diana Sinner, Fair Board Candidate Josh Sanders, and Deputy Clerk Monica Reeves. The Executive Session concluded at 1:33 p.m. with no decision being called for in open session.

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

The Board met today at 1:39 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Wiebe and Mr. Tyler updated the Board on the following: The Supreme Court is conducting a pre-trial summit in mid-May to provide information on pre-trial; they County's pre-trial program works well and has served as a model. Judge Ford will be retiring May 31st and the Judicial Council will be visiting on April 23rd. The application process to replace Judge Ford has closed; there were 6 applicants and they are down to 4 candidates. Judge Jamie Sullivan's position closes this Friday and Mr. Tyler will coordinate dates for potential interviews. Commissioner Dale asked about any anticipated budget requests. Mr. Tyler said they would like some new copiers and to do work on the second floor courtrooms. He has started talking with people about the remodel but would like to get everyone to the table in the hopes of avoiding issues they encountered with previous remodels. Those costs will come out of the court facilities fund. The Supreme Court pays for audio in the courtrooms but their budget has been stressed so he will talk with them again about getting included in their budget process. Judge Wiebe said power docking stations in the court areas would be helpful; Commissioner White said she would revisit the topic with Greg Rast. IT has been working on a computerized jury system with a target date of late April to be up and running. Once the new system is up and running Mr. Tyler would like to explore changing jury duty from a month to two weeks. The meeting concluded at 2:00 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM

CALDWELL, IDAHO APRIL 9, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Inselman Plumbing in the amount of \$6478.00 for the Facilities department
- Ferguson Supply in the amount of \$1747.02 for the Animal Shelter
- Caxton in the amount of \$1495.55 for the Prosecutor's 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 Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell left at 9:04 a.m., Deputy P.A. Mike Porter left at 9:04 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom left at 9:07 a.m., Treasurer's Office Manager Jennifer Mercado left at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving to award officer's badge and duty weapon to Deputy Terry Mathis and Deputy Charles Davlin: Chief Dashiell said Deputy Terry Mathis has worked for the Sheriff's Office for 24 years. He has been a member of the SWAT team and is currently working with the narcotics unit. Deputy Davlin has worked for the Sheriff's Office for 27 years and is currently working in the jail. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolutions awarding badge and duty weapon to Deputy Terry Mathis (see resolution no. 19-032) and Deputy Charles Davlin (see resolution no. 19-033).

Consider signing resolution of the BOCC classifying records of the Canyon County Treasurer and authorizing the destruction of records: Ms. Mercado and Mr. Blocksom reviewed the items intended to be destroyed. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records of the Canyon County Treasurer and authorizing the destruction of records (see resolution no. 19-034).

The meeting concluded at 9:07 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 9:38 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. A request was made to go into executive session as follows:

EXECUTIVE SESSION – PERSONNEL MATTER

Commissioner Dale made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. 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 Pam White and Tom Dale, Deputy P.A. Mike Porter, HR Director Sue Baumgart, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 10, 2019

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

APPROVED CLAIMS ORDER NO. 1914

The Board of Commissioners approved payment of County claims in the amount of \$1,637,695.09 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ConvergeOne in the amount of \$16,054.52 for the Information Technology department
- T-O Engineers in the amount of \$3500.00 for the Fair

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 4/27/19 for a wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Maria Elena Gonzales dba La Copa. See resolution no. 19-035.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Canyon Golf Partners, LLC dba Red Hawk Golf Course. See resolution no. 19-036.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING CANYON COUNTY ALL HAZARD MITIGATION PLAN AGREEMENT WITH TETRA TECH, INC.

The Board met today at 10:03 a.m. with county attorneys for a legal staff update and to consider signing the Canyon County All Hazard Mitigation Plan agreement with Tetra. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Mr. Wesley said that we have not yet received the signed copy back from the contractor so this will be rescheduled to a later date for consideration. The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE STAFF TO CONSIDER APPROVAL/DENIAL OF PROPERTY TAX EXEMPTION APPLICATIONS

The Board met today at 10:31 a.m. with Assessor's Office staff to consider the approval/denial of 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 Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

63-602B – Religious Exemption:

Parcel no. 15502000 0 - Commissioner Dale made a motion to approve the application for Church of the Living God and deny the application for Greater Life Church. The motion was seconded by Commissioner Van Beek and carried unanimously.

Parcel no. 01356000 0, Boone Memorial Presbyterian Church

Parcel no. 01357500 0, New Direction, Inc.

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

Parcel no. 23112000 0, Calvary Chapel

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

63-602E – Educational Exemption:

Parcel nos. 31535010 0, 31533000 0, 31537010 0, Nampa Christian School

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

Parcel no. 31537000 0, Nampa Christian School

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

Parcel no. 35723012 0, Heritage Community Charter School

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

Parcel no. 64941572 0, Na Pali Coast Capital, LLC

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

63-602C – Charitable:

Parcel no. 35307103 0, Metro Community Services

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

Parcel nos. 64941540 0, 64941541 0, 64941542 0, 64941543 0, 64941544 0, 64941545 0, Terry Reilly Health Services

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

63-602X – Casualty Loss:

Parcel no. 33223011 0, Kristy Eachus

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

63-602W – Site Improvement:

Parcel no. 30602162 0, Britannia Heights LLC

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

63-602E – Educational:

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant exemptions on the following parcels:

64936374 0	602E EDUCATIONAL PP	EVERBANK COMMERCIAL FINANCE		
64941106 0	602E EDUCATIONAL PP	EVERBANK COMMERCIAL FINANCE		
61111013 0	602E EDUCATIONAL PP	EXCELSIOR HOMESCHOOL CO-OP		
60724001 0	602E EDUCATIONAL PP	GREATAMERICA	FINANCIAL	SERVICES
	CORPORATION			
64940104 0	602E EDUCATIONAL PP	GREATAMERICA	FINANCIAL	SERVICES
	CORPORATION			
64941110 0	602E EDUCATIONAL PP	GREATAMERICA	FINANCIAL	SERVICES
	CORPORATION			
64941357 0	602E EDUCATIONAL PP	INSIGHT INVESTMENTS LLC		
64939357 0	602E EDUCATIONAL PP	LEAF CAPITAL FUNDING LLC		
64939358 0	602E EDUCATIONAL PP	LEAF CAPITAL FUNDING LLC		
64935344 0	602E EDUCATIONAL PP	MAILFINANCE INC		
64935345 0	602E EDUCATIONAL PP	MAILFINANCE INC		
64941362 0	602E EDUCATIONAL PP	NA PALI COAST CAPITAL LLC		
64939124 0	602E EDUCATIONAL PP	STEVENS HENAGER COLLEGE		
64940608 0	602E EDUCATIONAL PP	XEROX FINANCIAL SERVICES LLC		
64941113 0	602E EDUCATIONAL PP	XEROX FINANCIAL SERVICES LLC		

31539000 0	602E EDUCATIONAL REAL	CHRISTIAN SCHOOLS FOUNDATION OF NAMPA IDAHO INC
31448010 0	602E EDUCATIONAL REAL	NAMPA CHRISTIAN SCHOOLS INC
11189000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY FOUNDATION INC
11188000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11194000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11194013 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11194014 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11201000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11246000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
11633000 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
13025112 0	602E EDUCATIONAL REAL	NORTHWEST NAZARENE UNIVERSITY INC
02530536 0	602E EDUCATIONAL REAL	WESTERN IDAHO COMMUNITY ACTION PARTNERSHIPS INC
19863000 0	602E EDUCATIONAL REAL	WESTERN IDAHO COMMUNITY ACTION PROGRAM INC HEAD START
34113000 0	602E EDUCATIONAL REAL	WESTERN IDAHO COMMUNITY ACTION PROGRAMS INC

63-602C – Charitable:

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant exemptions on the following parcels.

61111007 0	602C CHARITABLE PP	GOODWILL
61111004 0	602C CHARITABLE PP	GRACE PLACE (THE)
61111015 0	602C CHARITABLE PP	IDAHO YOUTH RANCH
61111024 0	602C CHARITABLE PP	IDAHO YOUTH RANCH
61111026 0	602C CHARITABLE PP	IDAHO YOUTH RANCH
61111027 0	602C CHARITABLE PP	IDAHO YOUTH RANCH
61111023 0	602C CHARITABLE PP	TERRY REILLY HEALTH SERVICES (CLINIC)
61111021 0	602C CHARITABLE PP	TERRY REILLY HEALTH SERVICES (DENTAL)
35091000 0	602C CHARITABLE REAL	ADVOCATES AGAINST FAMILY VIOLENCE INC
3673600 0	602C CHARITABLE REAL	ARENA VALLEY PARK ASSOC INC
16862000 0	602C CHARITABLE REAL	BREAKING CHAINS ACADEMY OF DEVELOPMENT
34971000 0	602C CHARITABLE REAL	CALDWELL CHAPTER OF THE IZAAK WALTON LEAGUE OF AMERICA
01114000 0	602C CHARITABLE REAL	CALDWELL ELKS HOME ASSN
01113000 0	602C CHARITABLE REAL	CALDWELL ELKS HOME ASSN INC
35141010 0	602C CHARITABLE REAL	CALDWELL ODD FELLOW LODGE NO 10
04770000 0	602C CHARITABLE REAL	CANYON COUNTY HISTORICAL SOCIETY INC
61111022 0	602C CHARITABLE REAL	COMMUNITY COUNCIL (DBA)
02530501D0	602C CHARITABLE REAL	COMMUNITY COUNCIL OF IDAHO INC
02530502 0	602C CHARITABLE REAL	COMMUNITY COUNCIL OF IDAHO INC

02530505 0	602C CHARITABLE REAL	COMMUNITY COUNCIL OF IDAHO INC
16873000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINIC
28695010 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINIC DBA
03136000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINIC DBA TERRY
REILLY HEALTH SERVICES		
08759000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS
08760000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS DBA
16880000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS DBA
08777000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS INC
14447000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS INC
14447015 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS INC
16883000 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS INC
07900101 0	602C CHARITABLE REAL	COMMUNITY HEALTH CLINICS INC DBA TERRY
REILLY HEALTH SERVICES		
01801000 0	602C CHARITABLE REAL	GRAND LODGE OF ID IOOF INC
67340100 0	602C CHARITABLE REAL	HISPANIC CULTURAL CRT OF IDAHO
01147500 0	602C CHARITABLE REAL	IDAHO YOUTH RANCH INC
01147501 0	602C CHARITABLE REAL	IDAHO YOUTH RANCH INC
33612000 0	602C CHARITABLE REAL	LIZARD BUTTE EASTER SUNRISE
31060011C1	602C CHARITABLE REAL	LOVE INC OF TREASURE VALLEY
08640000 0	602C CHARITABLE REAL	NAMPA AERIE #2103 FOE
08670000 0	602C CHARITABLE REAL	NAMPA AERIE NO 2103 FOE
08237000 0	602C CHARITABLE REAL	NAMPA LODGE #1389 BPOE
36402000 0	602C CHARITABLE REAL	PLEASANT RIDGE GRANGE #135
13576000 0	602C CHARITABLE REAL	SALVATION ARMY
32548178 0	602C CHARITABLE REAL	SALVATION ARMY
04887000 0	602C CHARITABLE REAL	SALVATION ARMY THE
13704000 0	602C CHARITABLE REAL	SALVATION ARMY THE
15988584 0	602C CHARITABLE REAL	SALVATION ARMY THE
13447000 0	602C CHARITABLE REAL	SOCIETY OF ST VINCENT DE PAUL SOUTHWEST
ID DIST COUNCIL INC		
35818000 0	602C CHARITABLE REAL	ST VINCENT DE PAUL OF CALDWELL INC
00201000 0	602C CHARITABLE REAL	THETA PSI HOUSE CORPORATION
08154000 0	602C CHARITABLE REAL	TREASURE VALLEY TRANSIT INC
19896000 0	602C CHARITABLE REAL	V F W POST 11065
35723100 0	602C CHARITABLE REAL	YOUNG MENS CHRISTIAN ASSOC OF BOISE INC
35723101 0	602C CHARITABLE REAL	YOUNG MENS CHRISTIAN ASSOCIATION OF
BOISE INC		

The meeting concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 11, 2019

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for JLC 9 Inc. dba Idaho Pizza Co.; JLC Corporation dba Idaho Pizza Company; JLC 2 Inc. dba Idaho Pizza Company. See resolution no. 19-037.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger, Customer Service Specialist Kelly Galloway and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0558, 2019-0537, 2019-0567, 2019-0551, 2019-0682, 2019-0563, 2019-0580, 2019-0694, 2019-0569, 2019-0661, 2019-0579, 2019-0582 and 2019-0570 upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days.

Commissioner Van Beek made a motion to issue initial approvals with written decisions within 30 days for case nos. 2019-0555 and 2019-0712. 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.

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd left at 9:16 a.m., Captain Daren Ward left at 9:13 a.m., Juvenile Detention Director Steve Jett left at 9:13 a.m., Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing addendum 2 to request for proposals for Canyon County Detention Center Medical Services: This is the addendum 2 to answer questions posed by interested parties, they have also added a scoring change to the RFP itself. Mr. Porter gave a review of the scoring system and the part that has been added is in regards to price as it has become

apparent while reviewing the questions that it may become an important factor. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign addendum 2 to the RFP for Canyon County Detention Center Medical Services.

Meeting to discuss Treasurer's report to consider approval/denial of March 2019 Treasurer's tax charge adjustment by PIN: These are tax dollar adjustments that have come thru the administrative adjustment process including penalties and interest. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the March 2019 Treasurer's tax charge adjustment by PIN.

Commissioner Van Beek asked about how tort claims are handled. Mr. Porter explained that we have an insurance policy with ICRMP and as part of that policy the county will notify them of any notice of tort we are in receipt of and let them know that we'd like them to defend us which triggers their responsibility to the county under the agreement. ICRMP generally covers anything that involves damages, which includes notice of tort claims. When claims come to the county legal has requested that they funnel thru the Board's Office. Once a claim is received by Board staff it is forwarded to legal where it's reviewed by the civil department and forwarded to ICRMP; a letter is sent by legal to the department or office the claim pertains to requesting that they preserve any information or evidence relating to the claim. ICRMP will review the claim to evaluate the merit of it. A notice of tort is not considered a tort claim and there is a timeframe in which a claim must be filed.

The meeting concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY WILLIAM AND ROBERT JENKINS FOR A REZONE, CASE NO. RZ2018-0033

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by William Jenkins and Robert Jenkins for a rezone of four parcels totaling 78.22 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone, Case No. RZ2018-0033. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Alan Mills, interested citizens, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The future land use designates this area as residential, it is within Caldwell's impact area and is adjacent to the city limits. The property is designated as residential estates on Caldwell's future land use map. The surrounding area contains a mix of agricultural and residential uses. Within one mile there are 21 platted subdivisions with a total of 817 lots with an average lot size of .41 acres. The proposed rezone would create lots that are larger than the platted lots within one mile. The property is shown as agricultural on the zoning map. There is R-1 zoning located approximately 1,417 feet southeast of the property at Lone Star Road. COMPASS household forecasts project an increase of 251 -500 households within this particular zone and the proposed rezone would fit within the forecasts that have been determined for this area. The subject property is not located within a nitrate priority area. Canyon Highway

District has outlined the requirements for access to the development. No new roads or driveways are allowed to access an arterial road. Local road access onto Indiana Avenue would be acceptable and must meet local road spacing of 500 feet. The highway district stated the development was not anticipated to severely impact the local road network and a traffic impact study is not anticipated at this time. Any improvements or dedications would occur during the platting phase of the project. ITD had no objections to the rezone. The city's requirements will apply when the project is platted. A city water line runs adjacent to the property at Orchard Avenue and the city has recommended that new homes in the development connect to city water. The nearest sewer main is approximately 1700 feet north of Orchard Avenue. The P&Z Commission recommended approval on February 21, 2019, and staff has found the request meets the standard of review for zoning amendment and is harmonious with the comprehensive plan and future land use map. Commissioner Van Beek inquired about the administrative land division that has occurred. Ms. Almeida said the application consists of four parcels, two of those have been split through an administrative land division and there were smaller parcels that were taken out during that process. It appears that two of the others are still originals that may have an administrative division available but what they're asking for is to rezone the entire area at this time. They do have the availability of an administrative division on two of the four parcels. Alan Mills testified that the family purchased the 80 acres in 1961 and the intent is to keep it for the family. He read a letter from one of the Jenkins family members who stated their goal is to continue the legacy their parents started by leaving the ranch to the next generations. It's going to happen very slowly, it will not be in a development stage, it's going to be a matter of who wants and is able to move there. The reason they didn't rezone the two one-acre parcels is they already have houses on them. Mr. Mills said there is a deep well water right on the property and if one sibling wanted five acres or 10 acres they would move the point of diversion and that's a huge benefit because you don't have pipe everywhere. The cattle operation is downsizing and there will be cattle moving off the property as the operation "pulls in." He spoke to the manager of the Deer Flat National Wildlife Refuge and their main concern deals with setbacks and encroachments because they want to buy more property and expand. Mr. Mill showed him the County setbacks and he seemed to be okay with it. Commissioner Van Beek asked if there will be CC&R's or an HOA. Mr. Mills said they will probably do that by individual deed restriction rather than by CC&R's. With regard to concerns about arsenic, Ms. Almeida said when the development is platted they will have to go through health department subdivision engineering reports and work through the requirements at that time. Mr. Mills said the family is not concerned about dangerous arsenic levels in the area, nor has he heard of a health issue related to arsenic in the area. Director Nilsson said we did get countywide information on locations of arsenic, nitrates, and uranium in ground water and it's dispersed all over Canyon County and it is very site specific. There isn't a cluster in one area or another. The nitrate priority areas are well documented. There are cases of site specific arsenic issues at the health district, but it's only as the issue of having an individual well tested. It might be a topic for a future discussion between the Board and Southwest District Health on how to make people aware of the potential but it's not something that is everywhere in the County; it's really hard to come to some definitive conclusion so the best we can do is make people aware and have their water tested. As far as this property she's not aware of any data showing an issue. Mr. Mills said 15 years ago he did some research and found there were zero cases in the valley of health-related issues

caused by high nitrates. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close the public hearing. Commissioner Dale likes the idea of keeping the properties in the family and establishing some hereditary links back to the land. It's a good proposal to keep the ground accessible for farming and it also opens up some ground for houses for the family. Commissioner Van Beek said at whatever point this creates higher density than for the family she wants to see some kind of agreement for city services. Commissioner White believes this is an appropriate use of the property. Commissioner Van Beek said with the addition of the property owners' family a lot of those will become non-issues, such as impact fees and road fees. At such time a family member sells, takes a split, or subdivides it would trigger a different staff report which would be evaluated at that time. Commissioner Dale made a motion to grant the application to rezone the property to "R-R" for Case No. RZ2018-0033 and to accept the findings of fact, conclusions of law and order and to approve the ordinance change as specified. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-017.) The hearing concluded at 2:00 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DARRELL BOLZ REGARDING THE RIGHT TO FARM BILL

The Board met today at 3:01 p.m. at the request of Darrell Bolz to discuss the right to farm bill. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Darrell Bolz, Steven Parrott, and Ashley Howling of the Nampa/Caldwell Agri-business Committee, and Deputy Clerk Monica Reeves. Darrell Bolz said there is a concern that a discussion should be had about putting something on the record when people purchase land in an agricultural zone that they make a notation realizing that farmers have the right to farm and people need to be notified that there will be agricultural practices such as baling at night, aerial spraying, etc. (He showed examples of the disclosures used by Owyhee County, and Skagit County, Washington where purchasers are required to sign a disclosure at closing which gets recorded with the deed.) Director Nilsson said it's required to be put on every subdivision plat and it's typically in all of our land use decisions, but unless the buyers read one of the notes on the plat they're not going to know because the County is not involved in property closings. Ashley Howling, who works for a title company, said in Owyhee County when somebody is looking to apply for a conditional use permit, or a rezone, or anything that has to do with changing a use of land it's required regardless of whether it's in an agricultural area or not. She said as a title company they are an unbiased third-party and they take written instruction that comes from the parties to the transaction, whether that's the lender or the buyer/seller agents, and on the title company side of things they would need written instruction to include in a package in order for someone to sign whether that be from a lending standpoint or the County's standpoint. Zach Wesley said the County does not have any involvement in the process right now so we would be inserting ourselves in a third-party process that we're not a party to and how would we monitor that to make sure it gets done? Commissioner Van Beek said it almost seems too late if we're at the title stage and so she asked if there's a way to inform and incorporate that at the land use level with the P&Z Commission or the Board. Commissioner Dale said that

information is not getting to the homeowner whose backyard abuts a hay field, for example. Ms. Howling said the title companies have to get some sort of instruction; they get instructions from the lenders on their closing packages and they have their own escrow instructions. This is a statute that applies throughout the state so just like CC&Rs are automatically incorporated into the closing package because they go with the property. She'll do some checking to see if they could do it or if it has to come from somewhere else. Mr. Bolz said they decided to start with the County first and see what happens and if necessary they could to the state. Director Nilsson said occasionally DSD might receive a complaint about farming and when that happens staff explains that it's not a nuisance; however, they don't receive many complaints. Steven Parrott said some farmers are getting complaints and there is a big concern with a large amount of people moving into the valley that this could be a bigger issue down the road and they want to use this as an education piece. Commissioner Dale said the best course of action would be voluntary participation in an educational process and the next best step would be to discuss it with the decision-makers from the local title companies and say here's the challenge and here's a proposed solution. Mr. Parrott doesn't think the voluntary participation will be a long-term solution so he would like to explore an opportunity to have Canyon County be a leader in this aspect and take a stance. Commissioner Dale said it has to go back to legal to see if we can do it at the County level and if we can then we need to make sure we get buy-in from the title companies. Ms. Howling agreed and said she will discuss it with her title company. There was discussion about the types of forms title companies present at closings and that led to a conversation about how the Canyon County Assessor will not allow the companies to give homeowner exemption applications to buyers. Commissioner Dale said he will talk to the Assessor about that. Commissioner Van Beek said if the title companies had the form to distribute it would save time for the County on a couple of levels. Mr. Wesley will do some research on the right-to-farm aspect and look at the question of does the County have authority to do this. With regard to the question of the homeowner exemption forms, it sounds like that's going to be the Assessor's own internal policy. Commissioner Dale will talk with Assessor Brian Stender and see if he would have any objection to title companies having exemption forms. He asked what would be the possibility of making this a legislative issue next year to see if they could do an amendment to the right to farm act that requires title companies to provide an informed document with every land sale. Mr. Bolz wanted to start at the County level to see what could be done and if necessary they can go to the state. No Board action was required or taken. The group will meet again on May 2nd at 3:00 p.m. The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 12, 2019

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

No meetings were conducted today.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 15, 2019

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Firehouse Sports Pub & Pizza, LLC dba Firehouse Sports Pub; Debbie Finch dba 1918 Lounge. See resolution no. 19-040.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for HFO, LLC dba Tobacco Connection #37; HFO, LLC dba Big Smoke #113; HFO, LLC dba Big Smoke #115; New Big Smoke, LLC dba Big Smoke #102; Kebob, LLC dba Tobacco Connection #32. See resolution no. 19-041.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Kebob, LLC dba Tobacco Connection #23; New Big Smoke, LLC dba Big Smoke #109; Kebob, LLC dba Tobacco Connection #22; Kebob, LLC dba Tobacco Connection #16; Kebob, LLC dba Tobacco Connection #12; Kebob, LLC dba Tobacco Connection #6. See resolution no. 19-042.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Gallegos Meat Market, LLC dba Gallegos Meat Market #2; Kebob, LLC dba Tobacco Connection #1. See resolution no. 19-043.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell left at 9:18 a.m., Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Chief Deputy Assessor Joe Cox, Representatives for Americrete Ready-Mix Concrete, Inc. left at 9:18 a.m., Charity Nelson with BVEP, Lance Thuesson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution granting Americrete Ready-Mix Concrete, Inc., a tax exemption pursuant to Idaho Code § 63-602NN: This project has been proposed for just outside Nampa City limits. A modification to a provision in paragraph 6 has been requested, in the past this provision says that if the taxpayer fails to sustain for 10 years after the exemption the tax could be recaptured. The requested modification is to recapture proportionately, this is the only change from the standard resolution. Joe Cox stated for the record that this would be a change from the other 23 resolutions for tax exemptions that have been signed. In the others it was not specifically noted how the recapture would be done. Mr. Goodsell said it could be addressed on a case by case basis if it ever were to arise. Written notice was sent to the taxing districts and the Idaho Department of Commerce; No one was in attendance to offer comment. Representatives of gave a recap of Project Charlie. There will be a total investment of \$7.9M with job creation up to 60. They anticipate a soft start in November and full operation by February. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting Americrete Ready-Mix Concrete, Inc. a tax exemption pursuant to Idaho Code §63-602NN (see resolution no. 19-038). Mr. Thuesson stated for the record that he agrees to the terms and conditions of the resolution and that they will also provide a letter to be included with the record.

Consider signing internet access agreement with the City of Meridian: At this time we do not have a clean copy of this agreement so it will be postponed to Thursday, April 18th at 10:00 a.m.

Consider signing resolution approving a fee waiver request for the Canyon County Mosquito Abatement District: Dave Curl was able to provide a detailed formula of the costs to DSD and a fee of \$2092 will cover staff time to process the plans. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving a fee waiver of \$5908 for the Canyon County Mosquito Abatement District (see resolution no. 19-039).

The meeting concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 16, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell, Inc. in the amount of \$6262.72 for the Sheriff's Office

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Idaho Bowling Corp. Inc. dba Nampa Bowl; Maria Elena Gonzalez dba La Copa. See resolution no. 19-045.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Evra, Inc. dba Casa Mexico; Mother Earth Brew Co. LLC dba Mother Earth Micro Brews; Mongolian BBQ B-Way/Nampa dba Mongolian BBQ; Howards Tackle Shoppe, Inc. dba Howard's Tackle Shoppe. See resolution no. 19-044.

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. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Controller Zach Wagoner and Deputy Clerk Jenen Ross.

Director Rast discussed the following items with the Board:

- When the budget was approved there was a 1% equity that was added to salaries, specifically within the IT budget it was about \$21,000. In the fall about \$14,000 was used for merit for good work. He prefers to use that money when it comes to recognition of employees who are going above and beyond. He would like to use some of the balance for six specific employees. The compensation for these six employees would be a total of about \$5250 leaving a balance of \$1500. Zach Wagoner explained that in the FY2019 each office and department had 1% of their total salaries set aside in its own specific line item for equity adjustments to be distributed at the discretion of the department administrator and the elected officials. He reiterated that Director Rast did not use his full allotment up front and still has some monies left. He said that what is being proposed is within Director Rast's budget and is consistent with the design and structure of the compensation plan; it does not change anyone's salary, this is a one-time payment to equalize/recognize shifts in responsibilities or performance. Commissioner Van Beek would like the Board to have the opportunity to look at the equity pool and how it's being used and would like a detailed breakdown from Director Rast so the Board can see that it's within the budget. Additionally, she would like to see the trend from one fiscal year to another and a breakdown for this fiscal year. She has some questions about the process and how it works and then the

structure for the equity and compensation plan. She doesn't necessarily have a problem with the request, she would just like more information. Commissioner White doesn't have an issue delaying a decision until Commissioner Van Beek receives the information she's looking for. Director Rast said he could go back to FY2018 and provide what bonuses and merits were taken from that one percent and a report of what has been given so far for FY2019 along with what's proposed. Commissioner Van Beek asked Controller Wagoner if he is able to generate a report for each department showing an annual comparison between FY2017 to FY2018 because she understands there was a change in the amount of equity pool that was on reserve. She would also like to see the trend of what is being paid out, she wonders if the pool needs to be grown at the same rate as the salaries grow. Commissioner Dale said this is not a bonus pool it's an equity pool to address inequities or discrepancies that come up in the compensation plan. Mr. Wagoner concurred with Commissioner Dale that this is an equity pool and as business is carried out through the year with 900 positions things change. Commissioner Van Beek said she would generate a list of questions and work with Mr. Wagoner to see about getting some answers and more information. Director Rast said he would provide what information he can to the Board and go from there.

- On April 24th they will go live with the new jury application, it has been a cooperative effort between IT, the jury commissioner and Supreme Court. This application will be used instead of the one provided thru Odyssey.
- There was an email issue last week because they went to a new firewall but there were some configurations that didn't come thru. With that happening it allowed a couple of things to happen – it allowed more spam to come thru and it put the county on a block list that stops email flow between the county and the state. The IT department is working to get the configurations back, currently everything is working with the exception of the spam portion.

Director Navarro updated the Board on the following items:

- There is a generator needed for the pod 6 jail. A change order was received from ADS for approximately \$34K but one was found for \$23K. Controller Wagoner said that although this money was not budgeted for the county does have sufficient cash available for this purchase. He anticipates that sometime before the end of the fiscal year we will go thru the process of opening the budget to make adjustments. He would prefer to do that close to the end of the fiscal year because there is a certain amount of cost associated with the process. Commissioner Van Beek asked for clarification about which fund these monies will be coming out of and how the change order was initiated.
- The City of Caldwell is 95% complete with Gabiola Fields and they are ready for the county to take over the maintenance, sprinklers and part of Wilson Creek as agreed upon. The pressurized mainlines for the sprinkler system were installed by the city, the county will be adding the branch lines and he anticipates they'll be able to complete the project in about a week and a half. A PO for \$8900 was presented to the Board for the purchase of materials.
- Sheriff Donahue has asked for a small remodel in his office. He has asked for a space to be remodeled to be a room with two desks for the victim witness coordinators. Mr.

Navarro has provided the Sheriff an estimate not to exceed \$3500 that will come from his budget. The Board is okay with Director Navarro moving forward with this project.

- Electrical upgrades at the Charolais Barn are 50% complete, the storm water retention at the fairgrounds is 60% complete and there are a few other small projects that are coming together quickly.

The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:05 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Lt. Dave Schorzman left at 9:11 a.m., DSD Director Tricia Nilsson, PIO Joe Decker left at 9:14 a.m. and Deputy Clerk Jenen Ross.

Consider signing Canyon County All Hazard Mitigation Plan agreement with Tetra Tech, Inc.: Lt. Schorzman said this is the comprehensive plan for the county to identify and mitigate risk. It is also associated with floodplain management and mitigation, additionally it keeps the county in compliance with federal guidelines and regulations. They have found it is more cost effective every 5 years to find subject matter experts to do this work. This year a 75%/25% grant was able to be obtained that the state is paying for thru the federal government, the 25% the county is responsible for can be a soft match with time for employees. He anticipates it will be a 9-12 month project. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County All Hazard Mitigation Plan agreement with Tetra Tech, Inc. (see agreement no. 19-047).

Mr. Laugheed said last week there was discussion about county employees not being aware of the bond election happening in May. It was suggested to have a meeting for county employees only in order to get information out. Mr. Decker will reach out to the other elected officials to find a date that works for everyone.

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 Dale made a motion to go into Executive Session at 9:14 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van

Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:40 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 THE APPROVAL/DENIAL OF A REQUEST BY RODERICK LEWIS FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT; CASE NO. RZ2018-0028

The Board met today at 9:47 a.m. for a public hearing to consider the approval/denial of a request by Roderick Lewis for a conditional rezone and development agreement; case no. RZ2018-0028. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Dennis Parker, Rod Lewis, Natalie Main, Jim Trull, Hethe Clark, Arline Devlin, Dana Devlin, Kevin Myers, Barbara Watkins and Deputy Clerk Jenen Ross. Before the hearing began Commissioner Van Beek made a statement to disclosed ex parte communication regarding rezone request case RZ2018-0028 for Roderick Lewis pursuant to the public hearing held Tuesday, April 16, 2019. She contacted Beth Ineck and asked for clarification regarding her knowledge of the property and zoning. After consulting with the legal department and Development Services Director Tricia Nilsson, she now understands that she needs to limit her fact finding to what has been admitted as evidence through testimony, exhibits and information contained within the staff report. In addition to that, she let it also be known for the record that she lives next to a mineral extraction operation as well as a concrete batch plant.

Dan Lister provided the Board with an addendum to include exhibits 19, 20 and 21. Exhibit 19 is the email correspondence between Beth Ineck and Commissioner Van Beek. Mr. Lister explained that it discusses Nampa's ideas of what that area is and one of the items that stuck out to him was that it is intended to be a high-end industrial park with utilization of the railroad. Exhibit 20 is Mr. Lister's correspondence with Beth Ineck clarifying with her what a batch plant is and what the surrounding areas have allowed in the past or what their permitting process is. At the end of the email Ms. Ineck said that this is supposed to be a high-end industrial park utilizing the railroad and that if a batch plant were to be considered it should at least meet the city's requirement which is a conditional use permit. Exhibit 21 is correspondence from Hethe Clark where he suggests an alternative option requiring an asphalt batch plant to have a conditional use permit, a concrete batch plant to be allowed but only within the bermed section of the property and prohibit all mineral extraction uses as well as keep the conditions of the development agreement. Additionally, within the letter Mr. Clark makes distinctions between asphalt and concrete plants and also responds to exhibits 16, 17, and 18 that were provided at the last hearing.

Mr. Clark offered testimony and provided a new exhibit for the record, pictures and drawings that may help clarify some of the points made by Beth Ineck in her email from yesterday. In

summary, they are proposing to rezone the property to light industrial. A development agreement is included with a 90 foot wide by 15 foot tall berm. His client has also agreed to accept the Nampa City Performance Standards and as previously discussed there was a P&Z recommendation of approval on this case. He believes that it's important to look at the area in context and as discussed this is part of the larger industrial area that Nampa is very clearly planning upon and insistent upon. Renderings were prepared to try to show what this development might look like. They want to emphasize the proximity of the rail line and the fact that these properties will likely be served by these rail spurs, that was very important to Nampa in identifying this area as an industrial park. On the other side of the property there is a transition to residential that was discussed and they themselves have provided transition in the form of a commercially zoned area on the north, multi-family that transitions to single family in the back and storage units down farther on the south. One of the things left out of the conversation with Beth Ineck yesterday in the emails was the discussion of the berm and he feels it's a critical element that everyone needs to understand. He also made it known that the specifics of this application have not been discussed with Ms. Ineck, what was discussed with her was prior to the application in regards to Nampa's vision for the property. They explored whether they could get a comp plan amendment to change the zoning to commercial and that was the extent of the conversation where Ms. Ineck was very clear that it would be industrial property. In terms of further conversations with Nampa staff after the application was submitted, Mr. Clark said he did have conversations with Robert Hobbs prior to him leaving. Those conversations led to their proposal of adopting the Nampa City Performance Standards so they have had conversations with Nampa staff but it's not been what Commissioner Van Beek might have understood from the last hearing. It's not been side by side with Ms. Ineck on this exact proposal but it has been with the planning and zoning staff which he feels is appropriate. He feels that the discussion so far hasn't really grasped the scope and size and purpose of this berm and he would really like to delve into this. The berm will offer 165 feet of separation on the east side, similar separation on the entrance to the west and they anticipate that lighter uses will be located outside the berm on the northeast. The berms are significant in size and have been designed with a jog to limit the possibility of being able to see into that area, additionally, their application includes landscape proposals for the berms. They came up with a couple different options of uses that could potentially go within that berm – some of the options include a lumber yard where just a chain-link fence could be put around the whole thing, in this case it was not what they wanted to do but it prompted the idea of what a wood truss manufacturer would look like in there. In their renderings this kind of operation would have plenty of room to operate within the approximate 22 acres and be able to take advantage of the rail spur, meanwhile everything would be appropriately screened. Another option would be a concrete plant but this is a behind the berms kind of situation and would only be allowed behind the bermed area without a condition use permit, anywhere else on the property would require a conditional use permit. There would be no mineral extraction proposed at this site which means it looks very different from what people might be used to in terms of a combined mineral extraction and concrete batch plant. Without mineral extraction there would be no ponds, no gravel processed on site and no screening, washing or crushing. The aggregate would be stored in a combined area and then brought into the plant facility where it would be put into concrete trucks and turned in the drums. The rail line would also be useful in this type of situation because as the area grows out and the aggregate becomes more difficult to

get or to license it may have to come from longer distances. The last option they thought may work in this area is a light manufacturing facility. There are going to be uses in this area that can and should take advantage of the rail spur line. Those uses, by their nature, will tend to be heavier industrial uses, but you also have with this property the intersection of Midland and Ustick which is a highly trafficked area and is going to attract lighter uses. The M1 zoning could attract a number of retail uses and with the berm, we believe that we are setting the stage for those uses to co-exist no matter what goes on either side of the berm. In looking at the compromised proposal the restrictions being proposed are beyond what is typically called for in M1 zoning; M1 zoning would allow any of the three use examples. The compromised proposal is a significant investment both in terms of the development agreement, adopting Nampa's Performance Standards and dedicating the right of way at Midland and Ustick. Mr. Clark asked if this property is not going to be treated as well as other M1 zoned properties in the county you have to question why you would invest all these additional efforts into the property before you try to sell it. He believes that the mineral extraction component is key in this situation and without mineral extraction a concrete plant is clean, it can be contained and it can easily coexist with other uses. He addressed the exhibits that were of concern during the April 2, 2019 hearing. Exhibit 16 referenced a news article about an asphalt plant in California that was using crumb rubber which is rubber that comes from tires that have been ground up. There are a couple of distinctions here in that crumb rubber isn't used in Idaho and an asphalt plant would require a conditional use permit under their proposal so the county would have the additional opportunity to look at an asphalt plant if one were to be proposed at this site. Additionally, asphalt plants require specific DEQ and EPA permitting for air quality. Exhibit 17 was a cement plant in Italy. Cement plants are large, they are highly costly, and they are very difficult to permit which is why there are only handful of them in the entire US. This would be something extremely different and it wouldn't be permitted under current county code. With regard to health impacts of living near a chemical plant, initially M2 zoning was proposed but after conversations with Mr. Lister and learning that the only difference between M1 and M2 zoning is the allowance of hazardous chemical or gas processing or manufacturing and that is not something they want to do on the property so the decision was made to change the request to M1 zoning. They are requesting a rezone in accordance with the county comprehensive plan, they have included self-imposed obligations such as the development agreement, the berm, Nampa City Performance Standards and right of way dedication. The right of way dedication is something that would have been compensated if the highway district had just come thru because that was in their plans regardless of what happens with this property so this was something the applicant did to make sure that the highway districts needs were taken care of. The compromised proposal is to ask for M1 code treatment with additional restrictions – no mineral extraction, asphalt plants require a CUP and concrete only with a CUP outside of the berm. They are trying to respect the future uses that are likely to be sited here, the rail spur and then the combination of the lighter traffic on the corner means that there really are two different scenarios that are likely to occur at this property. He asked the Commissioners to keep in mind the distinction of a concrete batch plant without mineral extraction and surrounded by a berm, he believes they've done everything that the county would have asked for in terms of requesting a CUP for a concrete batch plant given all these steps. We're asking for an approval that's consistent with the M1 zone. If the

Board decides that the response is denial they ask that the Board identify the steps that can be taken in order to gain an approval as Idaho Code would require.

Commissioner Van Beek spoke about the rail line and asked if the proposal is to build multiple spurs off the rail line to meet the need. Mr. Clark said that his understanding is that Nampa is looking to have multiple spurs thru that entire industrial park area. Commissioner Dale said this sort of plan has been discussed for many years in order to take advantage of a unique feature of that area. Mr. Lister confirmed that the area directly across Midland is already approved to be commercial. Commissioner Van Beek asked if anyone had looked at the number of railcars that cross that rail line up to the spur. Mr. Clark said that he feels that is not something that affects this property directly. This property may get a rail spur in the future but the number of cars that are going on the rail line offsite of the property wouldn't necessarily be something the property owner could control.

Arline Devlin offered testimony in favor of the rezone stating that her and her husband own the 150 acres across Ustick to the north of the property. Their property is bordered on the east by a rail track, Ustick Rd. on the south, Midland Rd. on the west and a house on the north. Her husband has farmed the ground for 40 years and in 1994 they bought out their partners and have owned the property ever since. Their property is located in the Nampa Impact area and the entire time they've owned the property they've been told they've been slated in the master plan for light and heavy industrial because of the railroad track. The attractive nuisance part of that track is that they've never really felt like their property was conducive to residential development. Additionally, their property is cut by a high transmission line. In discussions with Beth Ineck and the city they've always known that they were part of the railroad plan because their property is well suited for spurs and light industrial. They are pleased about the roundabout that is going in because the traffic pressures have been tremendous and with discussions with the engineer they've been concerned about it accommodating farm equipment, trucking equipment and being able to move that equipment around it. They want to make sure it's designed for large trucks and farm equipment.

Rod Lewis gave a history of himself and how he acquired the property. When he first purchased the land he didn't realize it had been part of the development plan for light industrial. The more he looked at the maps the more he realized what an excellent idea it was that this area is in the development plan the way it is, it makes perfect sense. He feels it was very smart of Nampa to extend their development plan for industrial along this rail line. He's spoken with the land owners to the west and they understand that his property is zoned industrial. He said they've have had a number of people who are industrial users approach them about purchasing the land. His concern is doing the right thing with the property because than intersection is very important, he knows the schools there, the traffic there and the residential development that is coming to that area. They've told anyone who is interested in the land that it's very important to them that the corner area of this land be the type of uses that are useful to the people in this area. They've had in mind that this would be a service area and that it would be conducive to the corner, typical of what you'd see at an intersection like this. He thinks this area is going to grow a lot. They really want to make sure this property is developed the right way and have in affect told anyone who is interested that they want to see this 10 acres on the corner separated from industrial even though it would

be light industrial zoning and then they want to protect whatever it is that goes behind that. They are asking that whatever is brought in they want to have a berm system, they want to protect the road and sightline and make sure they're doing the right thing for this land. At this time they cannot say what would go in there because corporations won't commit until they know what the zoning is going to be and what the plan is. They have indicated to any interested business what their view is and that they're not willing to sell the property unless it's done this way. Commissioner White confirmed that there would be no mineral extraction at the site and Mr. Lewis said that in their proposal they have taken an asphalt plant out of the equation. There are several uses that could go in that area such as a microchip type plant, assembly plant, or wood products but in this case, the outside case would be a concrete batch plant. Asphalt plants put out fumes so no asphalt. He's only talking about a concrete batch plant which is taking some aggregate that's been piled up and putting it into a truck.

Jim Trull offered testimony in support of the application stating that he represents one of the businesses interested in buying the property and reiterated that corporations won't commit to buying a property until they're sure that when they purchase it that it can be used for their intended purpose. His company has done their due diligence and if they can get the zoning that they need they'll be ready to move forward. They see a concrete batch plant in this location as very beneficial but realize it has to be different from all the other batch plants in the Treasure Valley. It has to be made on a model where you bring the aggregate in. The way their ready-mix plants work is that the gravel is separated into piles when it comes in then put into hoppers when it's needed, the hopper drops it into a bin and then drops it into the back of a truck. All the mixing is done in the back of the ready-mix truck. He feels that the berming should take care of the noise, he doesn't feel that noise will be an issue with a ready-mix plant. Concrete is something that is very dependent upon distance and as the valley continues to grow and traffic increases it takes longer to get places; it's really important to a ready-mix supplier to be able to cut down the distance they have to travel. Right now his company has plants in Notus and Boise which means they can serve Nampa but just barely. Concrete has a limited time of only about 1 to 1 ½ hours. If they had a plant somewhere in the middle, it would cut down the amount of time and allow them to offer competitive pricing and keep their delivery times less. He believes it may increase traffic in one area of the county but overall it would reduce traffic in the county. Although he realizes his business may not actually be the ones to own this property in the end, he feels that the seller has gone to a lot of trouble to make sure the company has been fully vetted. Mr. Trull said he has never dealt with someone who took so much time, care and effort to make sure that the property is developed the way he intends it to be. If his company were to purchase the property not only will they be agreeing to the City of Nampa development standards, they would also be legally agreeing that they will follow what has been suggested by Mr. Lewis and he's made it very clear that if it's not followed he will litigate. Mr. Trull also pointed out that the county nor will the cities of Caldwell or Nampa will be put in a situation where they have to regulate what is being done on the site. They are heavily regulated by DEQ, if they do not meet the air quality standards they will pull the air permit and the plant will not be able to operate. At this time the plant they're proposing to put in would be a late model, the plant that has been referenced by Commissioner Van Beek is an older plant and not as up to date. When new plants come out they are held to a higher standard. He hopes that the Board will recommend approval. They need to be sure if they buy it that it can be used for the intended purpose and having to go thru another process of a CUP would be a deal breaker for his company.

Commissioner Van Beek asked about the hours of operation.

Mr. Trull said the plant typically runs from about 5:00 a.m. and are usually done pouring by about 5:00 p.m. but there are certain situations where people need to pour at night possibly due to a transportation project. The performance standards that they have to commit to with the City of Nampa require that they cannot have noise that affects neighbors within a certain distance. He feels confident that with the measures that are put in place that you will not be able to hear their operations within that property.

Commissioner Van Beek asked if there is there a 24 hour operation in place in addition to the pour.

Mr. Trull said there is nothing going on if they're not making concrete at this location. Sometimes at sites with mineral extraction they'll crush 24 hours a day. With a batch plant you only have people there working while you're mixing or batching the concrete. There will be trucks that haul gravel in to the site; they anticipate there will be about 30 trucks a day to leave with ready-mix and probably 15 trucks that would come to the site with gavel. In response to a question from Commissioner Van Beek, Mr. Trull spoke about the parts per million of particulate matter saying its heavily based on mathematical models from the amount of hours run in a day, amount of tons per hour and amount of days a year you run. It is all highly regulated – their projected 30,000 yards, even if it were to go to 150,000 they would still stay below the threshold as long as their amount produced per hour doesn't get to a certain point. It is highly regulated from a visual standpoint but also from a record keeping standpoint as far as how much you're producing at the end of the year has to be turned in. It's not something that can be altered.

Mr. Clark clarified about making the asphalt plant a non-permitted use which is a departure from the PowerPoint presented but Mr. Lewis is okay with that.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the public hearing was closed. A brief recess was taken from 10:42 a.m. to 10:44 a.m.

Commissioner White said she had some concerns but believes that with the information and exhibits as presented she is ready to make a decision. With the exhibits presented today she is now able to visualize this business park design with the berm and the way it protects the environment around it as well as planned future construction. With this being one of the main retail entrances into Nampa she appreciates the willingness of the applicant to contribute and cooperate in such a generous magnitude. Commissioner Dale said he really appreciates the concept pictures. In response to his question, Director Nilsson said a development agreement will still be required. He would like to see the final iteration of what was presented as part of the development agreement as conditions have been put in and it seems the applicant is in favor of that. He appreciates the clarification on the types of uses that could be accomplished in the area and the explanations of the batch plant - it's not a big, dirty, noisy operation. He understands the timing of concrete is very critical and if we're going to grow you have to have some industrial areas. He feels that this area with the railroad track access is good for industrial use and that with this 15 foot berm that there is enough protection and quite a bit of separation from the residential area where they won't feel the

impact from this. The railroad track is there and isn't going anywhere, it's a great asset that needs to be used. He likes seeing some of these plans that have been talked about for years come to fruition. At this point he is ready to make a decision. Dan Lister concurs with Commissioner Dale's request. Right now there is a development agreement that adds exhibit C which is the elevation plan that shows the berm and landscaping but he would like to see it added as another exhibit - a conceptual plan of what the outcome could look like in substantial compliance that way when it needs to be enforced they have it in place to show what it should look like. Commissioners White and Dale also confirmed that no asphalt is part of the decision. Mr. Lister said as part of their alternative request they're only asking for a concrete batch plant within that bermed area, outside of that area it says there would need to be a conditional use permit. Mr. Lister asked if the Board would like the development agreement to say "prohibited outside of that area". Commissioner Dale said he'd be comfortable with that language, he feels it wouldn't really change anything substantially. Commissioner White agreed in that it keeps it an industrial park and the corner for retail and commercial that was alluded to.

Commissioner Van Beek said she has spent a lot of time thinking about this. She has spoken with legal about the zoning code under which this request should be evaluated and feels it is different from what is referenced in the staff report. She appreciates and recognizes the value of what's been brought forward and the persuasive argument that's being made today to look at that but she has some additional questions she needs to process. In reference to the zoning code regarding property rights policy to promote orderly development that benefits the public good and protects the individual with a minimum of conflict she appreciates that the asphalt batch plant is off the table completely and help mitigate some of the concern that the concrete batch plant, if that goes forward, would be restricted to the inside of the berm. Due to her experiences in living next to a mineral extraction and concrete plant that operates essentially 24 hours a day she has some concerns about code enforcement. In her experience it has been exceptionally difficult for a compliance violation or a code enforcement issue to be enforced on the back-end. For her it's problematic as there is still harm to human life in the dust that's generated from a plant and at this point she's not comfortable that she knows what that is. In regards to property right policy no. 11 that references property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods. She appreciates that commercial is going to be on the west side of the property that the City of Caldwell owns but that does not eliminate the fact that there are still 1000 residential homes going into that subdivision area which is in the impact area for Caldwell. The City of Nampa established the Treasure Valley Marketplace under their urban renewal program and it has been a great benefit and an asset to the residents of Canyon County. In her opinion it would fall under orderly development that benefits the public good and does not create conflict with the land use. In her mind putting a concrete batch plant, even with mineral extraction and asphalt off the table, it still creates some conflict between residents and the defined uses between the cities for Nampa and Caldwell. In her history the fulfillment of the conceptual plan will take 20 years for the trees to reach maturity and look as they do in the plan. Although she likes the alternative businesses that have been suggested for the property she does not like concrete batch buildings, she feels they are just ugly. She understands and appreciates the \$500,000 investment in the berming but wonders if there were a business in there that's not a batch plant if the berming would be necessary. In

regards to the traffic she said that both her and her children travel Midland Rd. and have had a difficult time and it doesn't feel like a synergistic effort to mitigate that even though there are plans for a roundabout there. Even with the extra step on Mr. Lewis' part to expedite the process for Canyon Highway District 4 but in addition to that she's already mentioned the health concerns, the esthetics and safety. Midland has historically had problems with traffic flow so adding two subdivisions to the west of that will generate thousands of trips, there's no traffic trip study provided and it's inconsistent with running industrial rail cars at the suggested number of trips generated. The operation as its proposed will be located next to 2 schools and she would argue that the inclusion of a batch plant is not compatible with the surrounding land use. The land east of Midland Rd. is zoned industrial and located away from the Treasure Valley Marketplace, St. Luke's hospital, subdivisions and schools. The industrial zoning is consistent with other industrial businesses located along that Northside corridor, including North American Recycling, Coca-Cola and Amalgamated Sugar, she is not against industrial development she is just having trouble with the concrete portion of this. She noted the staff report sites condition D, asking if the proposed use will negatively affect the character of the area. As she's watched this area grow and change she believes the land use proposal is in conflict with the character, the aura and the long-term vision and that to see a concrete batch facility there that isn't going to be hidden by landscape is problematic. Although the City of Nampa has zoned this industrial, it sits next to the City of Caldwell which has some commercial and residential so there's going to be a juxtaposition of those two zoning designations which are now separated by 60 feet of roadway. At this time she doesn't have enough mitigating fact finding evidence to overcome the negative impacts and connotations of locating that next to it. In reference to condition G regarding the requirement for road improvements for a proposed development providing adequate access to and from the subject property to minimize undo interference with existing or future traffic patterns created by the proposed development and what measures have been taken to mitigate road improvements or traffic impacts. In speaking about the dedication of that right of way and the expedition of that by the applicant but a rail line next to a residential subdivision creates problems for her. Currently, There is so little traffic on that rail line that runs from a spur at the concrete plant on the north side of highway 20/26, next to the Rosedown Subdivision and then over toward Northside Blvd. Commissioner Van Beek would have liked to see a trip study done on the number of cars – she wonders if that rail crossing will be addressed with crossing arms or just a stop sign. Additionally, she has some real concerns with a school being so close. Because this is a quasi-judicial procedure she understands that right of protecting the applicant for business purposes has been very nicely stated by Mr. Trull's testimony but there also has to be due diligence. A part of that has to be in consideration of citizens and what's being done in transparency. That would mean that enough information would be provided which allows the Board to make decisions carefully and comprehensively and to evaluate both the long and the short term impacts to a community including schools, traffic, compatibility and potentially two opposing forces being located next to each other; those decisions have to be weighed carefully and to render decisions otherwise she feels is a disservice and undermines the integrity of the Board of Commissioners. There are several proposed uses, she's not opposed to all of them, she's not even opposed to the M1 zoning designation, what she's really struggling with is the concrete portion of this application.

Mr. Lister gave some history on this application stating that when it first came in it was for a mineral extraction business so he reached out to let Caldwell and Nampa know this would be industrial. Both cities were okay with this knowing this was industrial but with the potential of mineral extraction they sent letters stating that in their respective jurisdictions this would be a conditional use permit even in the industrial zone. He offered clarification on the difference between a rezone and a conditional use permit. With a rezone you're looking at the rezone of the uses in that area and a development agreement is in place when items can be added or reduced because of potential impacts. A conditional use permit looks only at the use and what its impact is to that area and then those uses as you see them come thru by appeal where it can be conditioned to limit hours of operation and that they provide evidence that there is an air quality permit in place. There are assurances within that condition so that the county knows they did these things and that is why he believes the cities supported the application. Both Brian Billingsley with the City of Caldwell and a developer in the area agreed with staff in requiring a conditional use permit for batch plants and mineral extraction uses. At the planning and zoning commission the applicant pointed out that the conditions being applied are the same ones that would be applied in Nampa which are the performance measures such as landscaping and berming. Berming is not something that is in county code but it's sometimes something they add to show that they're mitigating noise or visuals. In this case the applicant is doing everything that the county would normally condition and it's going thru a hearing, it's the same circumference of noticing that would be done for a conditional use permit, not a lot of people showed up for this new use/new zoning and they're being conditioned the same way they typically would for an extraction or batch plant use. The planning and zoning commission dropped the batch plant use because the conditions were kind of already in the development agreement. That is the recommendation before you, the planning and zoning commission recommended the development agreement with those conditions that City of Nampa would apply to this and what Canyon County would have applied if it were a conditional use permit, however, staff did initially recommend that the city's guidance be followed which is a conditional use permit for this type of use so it would have to come back and the neighbors would get to look at the use, not just the overall rezone. They could look at the use and see if it really is compatible for that area not just the whole rezone for that area. Commissioner Dale really appreciates the restrictions that have been agreed to such as no extraction or asphalt plant. He believes that a concrete batch plant does create a benefit for the area as it could reduce the traffic of outside trucks coming in. There are a lot of houses planned for that area and every one of them is going to need concrete. Any industrial use is going to increase the traffic and many of the permitted uses within our zoning would create more traffic than what a batch plant would. Traffic mitigation is up to the city and highway districts and their traffic planning, it's beyond county jurisdiction. His understanding is that there is a traffic plan that has been created in conjunction with experts in this field which is the Nampa Highway District for this particular area. He is not sure the spur line nor the main line interacts with any residential area. Additionally, any traffic coming into this property will not cross Ustick, it'll cut off before it gets there and should only interact with traffic down around the beet plant but other than that it won't have interaction with traffic at all. Commissioner White noted the amount of traffic and large industrial trucks that pass by other schools in the area. She feels that the controls are in place with a development agreement. Commissioner Van Beek asked Mr. Lister to go back to the development agreement to see if the berm can be conditioned. In her

experience berms have not looked as depicted in the schematic – she’s not seen berms with grass but lots of weeds and dead trees instead. She would like more information on the landscape plan as laid out in the development agreement. Mr. Lister referenced exhibits that were provided showing the berming and sizing and included the study that was done to show the elevation; it’s very limited to what they’ve provided. It’s not a new landscaping plan, it’s just the overview showing the berms and what it could look like elevation wise. Commissioner Van Beek feels that one of the ways to mitigate for the long-term would be to buy more mature landscape as opposed to saplings. Other things that could be required would be turf, mature landscaping and maintenance of the berm but she feels none of this would be necessary if a concrete plant does not go in there. She asked what the anticipated length of operation or life of the batch plant is and what the plan is for repurposing at the end of the useful life. Mr. Lister clarified that this isn’t a mineral extraction use where once the minerals are done you reclaim the land, in this case it’s more of a retail type of use so there really isn’t an expiration.

Director Nilsson explained that the development agreement will continue to be drafted and asked for direction from the Board as to the nature of conditions they would like to see applied. They will come back with specific conditions such as the landscaping plan, the when’s and why’s and conformance with Nampa standards. Those don’t need to be designed right now but with some general direction as far as hours of operation, duration, evaluation, etc. they will bring back a revised development agreement for the Board’s consideration.

Commissioner Dale said that the City of Nampa’s development requirements, such as tree size, has already been developed and established and it works well. Knowing that the applicant has already spoken with the City of Nampa he is satisfied with that. He does not wish to put any hours of operation restrictions on this because he doesn’t feel it’s going to affect much and it would only be occasional that there would be night pours where the plant would need to be used. He feels that the development agreement that has been outlined is pretty clear – no extraction, no asphalt, batch plant only inside the berm and it has to adhere to all of City of Nampa’s performance standards and landscaping requirements as far as type and size of trees to be planted and be in substantial compliance with the concept. Mr. Lister said that the berm and landscape are above and beyond but the areas outside of that they have to conform to City of Nampa’s requirements. Commissioner Dale would really like to refer to the city’s landscaping requirements as far as caliper size that has been developed over a long period of time and works well within the City of Nampa. Mr. Lister said the development agreement can point to the section of the city’s code but he also believes it’s referenced in Robert Hobb’s letter. Commissioner Van Beek asked if it can be required that the berm is in place and substantially compliant with this conceptual presentation before they start operation. Director Nilsson said they typically put in at what stage or benchmark the landscaping or the berm should be prior to operation. Mr. Lister read the wording of the development agreement for the record as follows: Prior to commencement of use or issuance of any building permits on each parcel as shown on site plans submitted to and on file with the Canyon County Development Services Department also attached herein as exhibit C landscaping shall be installed in accordance with City of Nampa landscape buffer standards. Parcel 2 of the site plan shall include landscaping and berm improvements in substantial compliance with site plan exhibit C.

Commissioner Van Beek asked about code enforcement regarding air quality standards. Mr. Lister said that in the development agreement no. 1 is the general requirement which development shall apply with all applicable federal, state and county laws, ordinance, rules and regulations. There isn't a requirement to submit an air quality permit but they have to have it so if the county were to check on it they would have to have their DEQ and access permits, it just doesn't go thru the county for monitoring. Director Nilsson explained that DSD works closely with the DEQ and BLM regarding enforcement of rules and regulations. There has only been one case she can remember where a CUP was revoked. You have a development agreement and that would be the enforcement of last resort is to terminate the land use if they don't stay in compliance with state or federal agency requirements.

Commissioner Van Beek asked again about the length of use. Mr. Lister reiterated that in this case they are bringing the aggregate to the site and mixing it. There is no mineral extraction on the site so there wouldn't be any removal of topsoil.

Commissioner White made a motion to approve the request by Roderick Lewis for a conditional rezone with development agreement on case RZ2018-0028, rezone to M1. Commissioner Dale seconded the motion with discussion to make sure the development agreement being referenced in the motion is what's been discussed here today. A vote was taken on the motion with Commissioners Dale and White voting in favor. Commissioner Van Beek said she would support this with what's being done on the development agreement to make sure that to the best of our ability this was adhered to in a way that was in conformance with the comprehensive plan bullets that she requested be brought into this for decision making purposes. After her comments Commissioner Van Beek voted in favor of the motion with the conditions as presented. The motion carried in a unanimous vote. The meeting concluded at 11:23 a.m.

FY2020 PRELIMINARY BUDGET MEETING WITH THE NAMPA FAMILY JUSTICE CENTER

The Board met today at 2:33 p.m. for a FY2020 preliminary budget meeting with the Nampa Family Justice Center. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Criselda De La Cruz with Nampa Family Justice Center and Deputy Clerk Jenen Ross. Ms. De La Cruz gave a summary of where they started in 2005 to becoming an accredited child advocacy center in 2009; Nampa Family Justice Center is one of 13 in the nation that is both an accredited family justice center serving adults, domestic violence, sexual assault, sex trafficking, elder abuse and also serving children of abuse, sexual assault and neglect. Offering all the services in one area makes sense because they are able to serve all of the family wraparound services. Ms. De La Cruz spoke about the services they offer with partners both on and off site. In 2018 they served over 5000 kids and adults with over 10,000 items in resources given out. Ms. De La Cruz spoke about the various grants she writes and administers and the community partners they work with on the grants including the Canyon County Prosecutor's Office, Nampa Police, Advocates Against Family Violence, St. Al's and St. Luke's among others. Ms. De La Cruz reviewed who they serve, the services they offer, resources and funding sources. Commissioner Van Beek asked about funding from

other cities within the county. Ms. De La Cruz said it takes a lot of time and effort to reach out to each city and she just has not had the time. She has had informal conversations with the City of Caldwell about funding but hasn't had much success in making that work. Commissioner Van Beek would really like to see Ms. De La Cruz reach out to the City of Caldwell again. The Nampa Family Justice Center is requesting \$20,000 for FY2020. A copy of the informational packet that was provided is on file with this day's minute entry. The meeting concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 PRELIMINARY BUDGET MEETING WITH BOISE VALLEY ECONOMIC PARTNERSHIP

The Board met today at 3:10 p.m. for a FY2020 preliminary budget meeting with Boise Valley Economic Partnership. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Clark Krause and Charity Nelson for BVEP and Deputy Clerk Jenen Ross. Mr. Krause expressed his appreciation for the county's support in previous years and said that for FY2020 they are requesting the same amount of \$10,000. He spoke about some of the projects they have brought to Canyon County including Project Charlie and Project Hook. Mr. Krause said they use the money provided by the county for salaries along with sales and marketing. The informational packet that was provided is on file with this day's minute entry. The meeting concluded at 3:27 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 PRELIMINARY BUDGET MEETING WITH SOUTHWEST DISTRICT HEALTH

The Board met today at 3:29 p.m. for the FY2020 preliminary budget meeting with Southwest District Health. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Nikki Zogg for Southwest District Health, Representatives for Southwest District Health and Deputy Clerk Jenen Ross. Ms. Zogg spoke about the structure of the health districts and how they work as far as funding and budgeting. She noted that the budget was created with the crisis center separated out. A review was given of the tentative FY2020 budget request of revenues and expenditures. The Canyon County FY2020 budget request is \$1,045,033 which is about a 3.65% increase from last year. A copy of the informational packet that was provided is on file with this day's minute entry. The meeting concluded at 4:09 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 17, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 4/20/19 for a roping event.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Pipeco Nampa in the amount of \$8942.47 for the Facilities department
- Norbryhn Equipment in the amount of \$2759.00 for the Facilities department
- Northwest Power Systems in the amount of \$23,239.00 for the Facilities department
- HP, Inc. in the amount of \$2786.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$62,859.09 and \$93,410.88 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/25/19

The Board of Commissioners approved payment of County claims in the amount of \$63,817.34, \$14,620.00, \$105,482.86 and \$30,701.98 for accounts payable.

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

The Board met today at 9:00 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Juvenile Detention Deputy Administrator Sean Brown and Deputy Clerk Jenen Ross. Director Jett is on vacation today so Mr. Brown attended in his place and updated the Board on the following items: A training was done by the clinician last week for staff on different approaches to take with kids who've be traumatized. A team training will be coming up where they will be going to Body in Motion; the training will be done in 2 days so that all the staff will have the opportunity to attend. Numbers are fluctuating but have been lower than average lately. Maintenance has been working to put in another non-contact visitation room and an interview room which should be completed soon. In future years may look into

allocating money for the garden possibly to purchase a shed. Commissioner Van Beek wondered what the answer to the question should be when asked why people who break the law are getting extra privileges. Mr. Brown said it's more about teaching kids the proper way of doing things, skills they are not getting in the home or outside world whereas kids who are not in trouble are getting these skills and life lessons at home. ISATS are going on this week. Clarity Credit Union will be coming in on Wednesdays to teach financial information. Two employees recently received their juvenile POST certificates. Mr. Brown and Mr. Anderson both received their high liability endorsements from POST. The meeting concluded at 9:24 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 9:29 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 and Leslie Van Beek, Chief Probation Officer Elda Catalano, Project Coordinator Michael Davidson, Supervisor Jose Orozco, Training Coordinator Amaia Vicandi-Bow, Director of Misdemeanor Probation Jeff Breach, Supervisor Leticia Vance, Administrative Specialist Georgina Cuevaz-Carillo, Deputy Director Lisa Sheehan, Division Supervisor Linda Hall and Deputy Clerk Jenen Ross. At the request of the Board everyone gave a brief background on themselves.

Director Breach updated the Board on the following:

He currently has one person away at POST and one person will be leaving to go to the federal probation office. Overall stats are still pretty high, they have 1240 active supervision cases. They recently did a lot of clean-up and are up to 419 bench warrant cases and currently there 310 people in the community service program. Cost of supervision revenue for last month was \$45,961; the out of county cost of supervision is ready to be up and running although it's a bit of a convoluted process; he is working with the PA's Office on the processes for transferring between counties. During the budget process he anticipates asking for an additional position which will not reduce caseloads but just hold the line.

Ms. Catalano updated the Board on the following:

She is working on gathering budget information and has requested a meeting with Zach Wagoner to discuss employee compensation and how to make something work for the employees who've been with the county for a long period of time. She has had some unanticipated expenses and she will collect those numbers for review with the Board. On average they have 350 kids on probation with the average caseload being 30. She has 11 POs in the field that have caseloads and each supervisor supervises 5 POs. The recidivating rate is at 30% and they are really looking at the reasons why they are coming back. Staff conducts both home and school visits with a high average of 4 times a month but some kids need to be visited 2-3 times per week.

Linda Hall and Mike Davidson spoke about the Truancy Prevention Kickball Event. This will be the 4th year in partnership with the United Way hosting the event for truancy awareness. They would like to do a county-wide school supply drive for part of the giveaway portion. They have over 25 sponsors who support the event. A discussion was had about when to have the supply drive; Commissioner Dale would like to see a targeted timeframe vs. one that runs for several months. Additionally they would like to ask for county employee volunteers to help at the event. The Board is okay with them getting the word out about the event. Ms. Catalano will work with Zach Wesley on a possible proclamation declaring August "Back to School Month".

The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 18, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$4004.00 for the Information Technology department
- Northwest Elevator & Contracting in the amount of \$7500.00 for Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 5/12/19 for a roping event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 5/18/19 for a wedding.

APPROVED CLAIMS ORDER NO. 4/19/19

The Board of Commissioners approved payment of County claims in the amount of \$8,189.93 and \$639.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/25/19

The Board of Commissioners approved payment of County claims in the amount of \$78,172.08 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Linda S. Barr dba Petes; ItalianToGo Co., LLC dba ItalianToGo, Co. Roelof & Lori Speelman dba Keystone Pizza; Muniz Family Groceries, Inc. dba Grocery Outlet of Caldwell; George Fletcher, Inc. dba Melba Valley Market; I.C.A.N. Foods, Inc. dba The Griddle. See Resolution no. 19-047.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger, Case Manager Camille Tilden, 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: 2019-0560, 2019-0607, 2019-0577, 2019-0587, 2019-0714, 2019-0610, 2019-0591, 2019-0708, 2019-0583, 2019-0612, 2019-0608 and 2019-0586. Upon the motion of Commissioner Van Beek 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 nos. 2019-0698, 2019-0723, 2019-0734, 2019-0299 and 2019-0579 meet the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the cases with written decisions within 30 days. Commissioner Van Beek made a motion to place case no. 2019-588 into suspension pending a resource. The motion was seconded by Commissioner Dale 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. 2019-313

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for case no. 2019-313. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, the applicant and her husband and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board

voted unanimously to uphold the denial. The hearing concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-233

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for case no. 2019-233. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Daughter of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-162

The Board met today at 9:22 a.m. to conduct a medical indigency hearing for case no. 2019-162. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Dahlia Torres for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-149 AND 2019-209

The Board met today at 9:42 a.m. to conduct a medical indigency hearing for case nos. 2019-149 and 2019-209. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Cassie Cacioppo for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve case no. 2019-149. Commissioner Van Beek made a motion to approve case no. 2019-209 for the \$123,830.18 amount. Commissioner Dale seconded the motion. After a brief discussion Commissioner Van Beek made an amended motion to include the stipulation that the hospital submit the ub04 form within a timely manner. The amended motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-206

The Board met today at 10:03 a.m. to conduct a medical indigency hearing for case no. 2019-206. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie

George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, the applicant and acquaintances of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to May 23, 2019. The hearing concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-235

The Board met today at 10:21 a.m. to conduct a medical indigency hearing for case no. 2019-235. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, the applicant and acquaintance of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to approve the case. The hearing concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-120

The Board met today at 10:34 a.m. to conduct a medical indigency hearing for case no. 2019-120. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Cortney Kriss for St. Lukes, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the case. The hearing concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:53 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2019-427, 2019-328, 2019-325, 2019-182 and 2019-286. Commissioner Van Beek made a motion to issue final denials with written decisions in 30 days on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final approval for case no. 2018-316. Commissioner Van Beek made a motion to continue case no. 2019-77 to September 12, 2019. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:55 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 11:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Controller Zach Wagoner left at 11:11 a.m., Fair Director Diana Sinner, GIS Land Records Supervisor Sarah Sluss left at 11:04 a.m., Deputy P.A. Zach Wesley arrived at 11:03 a.m., Deputy P.A. Mike Porter arrived at 11:05 a.m. left at 11:11 a.m., Elections Supervisor Haley Hicks left at 11:11 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing internet access agreement with City of Meridian (Continued from 4/15/19): Sarah Sluss said this is a standard agreement with government entities for access to the GIS data. Brad Goodsell has reviewed the agreement and said there are no issues or legal reason not to sign. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the internet access agreement with the City of Meridian (see agreement no. 19-048).

Consider signing a resolution designating polling locations for the May 21, 2019 election: Haley Hicks said that for the May election there are 17 new polling locations and provided a review of changed locations. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution designating polling locations for the May 21, 2019 election (see resolution no. 19-046).

Consider signing addendum #1 for the 2019 Canyon County Fair Expo Design RFQ: Zach Wesley said there were no questions received to be addressed in this addendum but they did revise some dates that changed due to the publication schedule. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign addendum #1 for the 2019 Canyon County Fair Expo Design RFQ.

There were no items for discussion at the legal staff update. The meeting concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 19, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Johnson Controls in the amount of \$1296.00 for the Juvenile Detention/Probation department

APPROVED CLAIMS ORDER NO. 4/19/19

The Board of Commissioners approved payment of County claims in the amount of \$31,329.48 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Caldwell Bowl, Inc. dba Caldwell Bowl; Root and Company, LLC dba Roots and Company; Sportsman's Hideout, LLC dba Sportsman's Hideout. See resolution no. 19-048.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Asia Market, Inc. dba Asian Grocery; CJTSAI, LLC dba Tsai's Kitchen. See resolution no. 19-049.

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing consultant agreement with T-O Engineers, Inc.: This contract is for the engineering of a footpath, bridge and lay out of the land at the fairgrounds for the expo building so that the City of Caldwell will have proper information for the work they're doing. Mr. Blocksom said this is a professional services contract so there is no need to go thru the procurement process. This is just an estimate, the final cost could be more or less although they will need written approval from the county if the cost goes over the \$3500 estimate. They are required to indemnify the county along with carry their own insurance. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the consultant agreement with T-O Engineers, Inc. (see agreement no. 19-049). 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.

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 2019 TERM

CALDWELL, IDAHO APRIL 22, 2019

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

APPROVED CLAIMS ORDER NO. 4/25/19

The Board of Commissioners approved payment of County claims in the amount of \$7804.32 and \$84,821.16 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for MRG, Inc. dba Buck's Saloon & Steakhouse; Verns Lounge, LLC dba Vern's Lounge. See resolution no. 19-050.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Maverik, Inc. dba Maverik Store #298; Maverik, Inc. dba Maverik #430; Maverik, Inc. dba Maverik Store #522; Maverik, Inc. dba Maverik #551; Maverik, Inc. dba Maverik Store #595. See resolution no. 19-053.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Terry W Dice dba Tiny's Lounge; Smoky Mountain Pizza & Pasta Nampa, LLC dba Smoky Mountain Pizzeria Grill Nampa, LLC; Hong Kong Restaurant, Inc. dba Hong Kong Restaurant. See resolution no. 19-052.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Dashmesh, LLC dba Friendly Fred's; Messenger, LLC dba Messenger; Horacio Tellez Castillo dba Taqueria Janitzio; Maverik, Inc. dba Maverik Store #178; Maverik, Inc. dba Maverik Store #287, Maverik, Inc. dba Maverik Store #298. See resolution no. 19-051.

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 9:11 a.m. for a legal staff update. Commissioner Van Beek made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records that are exempt from public disclosure and attorney-client communication and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:28 a.m. with no decision being called for in open session.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for March 2019 and quarterly report for January 1 thru March 31, 2019 in today's minutes.

MONTHLY ELECTED OFFICIALS' MEETING

The Board met today at 9:34 a.m. for a monthly elected officials' meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Chief Deputy Sheriff Marv Dashiell, Coroner Jennifer Crawford, Assessor Brian Stender, PIO Joe Decker, and Deputy Clerk Monica Reeves. Commissioner Dale spoke about the importance of having elected officials' meetings as they are valuable and critical in building relationships. Clerk Yamamoto reported on Medicaid expansion which has been funded for six months. He estimates we are well over a year away from seeing much of a change. Commissioner Dale said six months of funding was supplied because it will take at least that long before they can get Medicaid going because of the structure that has to be put in place. There are still concerns about the costs to the County. Clerk Yamamoto agreed and said the expansion plan could bankrupt some counties. He reported on the election side of things noting that Governor Little has signed a law requiring schools to provide polling places if the County asks. The four counties impacted the most by this agree that they will use this law as a lever not a hammer. They have worked out a plan with Nampa to use three schools for the next two elections, however he is not too happy with

Middleton. The new sunshine reporting requirements are cumbersome and will be a lot of work for the elections office. One of his big complaints is the secretary of state's office still does not have online reporting for counties. Marv Dashiell reported that Sheriff Donahue is meeting with the US Attorney and members of the task force that deals with high intensity drug trafficking. He gave an update on the modular pods (temporary trailers) for female housing noting that the plans are with our local architect and are expected to be approved in the next two weeks, after that they will be reviewed by the state building inspector and then back to our independent third-party inspector so they can finish production. The timeframe for arrival has been moved out. Sam Laugheed said we will likely have to enter into an addendum to the lease agreement that pushes back the time but they expect them to be here by the end of summer. Commissioner Van Beek asked if that will trigger any alerts. Chief Dashiell said they haven't had any alerts with what the local architect did so once it makes it to state inspector then to the third-party independent inspector they will go on site and inspect. The Sheriff's Office has not been alerted to anything that causes concerns over construction design. Mr. Laugheed said the Indiana firm the County hired will check to make sure the units are constructed according to Idaho safety standards. Assessor Stender reported that assessments are up 10% from last year. In response to Commissioner Van Beek's question about a construction estimate number the Assessor said he needs to double check but it could be as large as last year's amount. The Assessor's Office has completed the signup period for the property tax reduction program. Last year there were 3500 applicants and this year there are over 4000. There is also a 100% disabled veteran benefit that is separate from the PTR program. Treasurer Lloyd said they are starting the tax deed process again and have sent over 780 certified letters on approximately 200 properties that are in jeopardy of tax deed in July. They are also busy working on June collections. Sam Laugheed said we are one month away from the jail bond election and Joe Decker has been working with Ysabel Bilbao to schedule an employee informational meeting. Chief Dashiell said the Owyhee County Sheriff's Office was hit with ransomware that took their system offline and so Canyon County was running drivers and vehicle registration checks for them for the day. The Owyhee County Commissioners are going to do a disaster declaration which will allow some funding capabilities. Madison County got hit last year and they ended up paying \$45,000 to free up their data. Commissioner Van Beek said it came to her attention that someone used her name in conjunction with an editorial that was printed and while it is true she did not support the jail bond, she has not had any contact or communication with that person regarding the issue. Chief Dashiell said when he read the editorial it was easy for him to detect it wasn't anything Commissioner Van Beek was a part of based on conversations he's had with her. Commissioner Dale said the challenge with that group is they've said things that are unsubstantiated and basically false and without those statements being countered they become perceived as true. Commissioner Van Beek said at some point not saying anything is more beneficial than saying something. She was contacted by a BSU professor who asked her to participate in conflict management negotiation, and also there is a seminar she wants to attend to figure out how to harness energy in that process because we have to figure out how to go forward on May 22, following the vote on the jail bond. With it being income tax season Commissioner Dale asked if we should inform employees to contact HR about adjusting their withholdings. Treasurer Lloyd said she saw something about a new W4 coming out. Chief Dashiell said employees can go through ADP and modify their federal and state forms. Information on this topic was already sent to employees, but

perhaps it's a good time to remind people they may want to adjust their withholdings. Coroner Crawford has a new employee who will start next Monday, and her office is currently scanning old documents to get them stored electronically. The meeting concluded at 10:14 a.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 11:02 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker discussed the following items with the Board: He is working to find a date for the employee only meeting to discuss the jail bond, at this time it looks like May 1st may work. He has spoken with CBS 2 about a town hall meeting involving county representatives and the concerned citizens group. The Sheriff is not in favor of the set-up but Mr. Decker will continue working with them on other possible formats. The gun range will be closed this Thursday for cleaning so he will get the word out on Facebook. Spring clean-up is this Saturday when fees at the landfill will be waived for Canyon County residents. The state may be changing the way election results are reported so he will be attending training on Wednesday afternoon. Law enforcement memorial ceremony is May 24th at 2:00 p.m. He has reached out to Kevin Miller about the jail bond as we get closer to the 21st and has tried getting ahold of the Caldwell Chamber to see if they were planning a town hall type meeting but hasn't been able to reach anyone. The meeting concluded at 11:09 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR METRO COMMUNITY SERVICES

The Board met today at 2:01 p.m. to discuss the Fiscal Year 2020 preliminary budget request for Metro Community Services. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Grant Jones from Metro Community Services, and Deputy Clerk Monica Reeves. Mr. Jones spoke about the growing need for services as well as the accomplishments of the organization noting that without the County's support they wouldn't have been able to do all the things they've done. They moved into a new complex in Sky Ranch business Center; added a new bus to the fleet; served over 130 homemaker services; they want to look at expanding transportation services and hours of operation; they are pleased and proud to serve veterans; they helped 85 households with winterizations; and have begun home delivered meal services for the Middleton area; and they have hired a director of development. Metro Community Services has a budget of \$5 million and this year their budget request for County funding is \$125,000. Commissioner Van Beek asked if the organization has considered charging a fare for transportation. Mr. Grant said they would be open to that, in fact they have had discussions about charging a nominal fee of \$1. Clerk Yamamoto suggested Mr. Grant drop off some literature with the Caldwell Veterans Memorial Hall. No Board action was required or taken as the meeting was

held for information purposes only. The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR RETIRED SENIOR VOLUNTEER PROGRAM

The Board met today at 2:26 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the Retired Senior Volunteer Program. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Director Melissa Radloff from Jannus, and Deputy Clerk Monica Reeves. Ms. Radloff gave an overview of the programs and highlighted some of the impacts in Canyon County. She thanked the Board for its support of the National Service Programs at Jannus; the Foster Grandparent and Legacy Corps Program. This year's funding request is for \$15,000. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 2:51 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the West Valley Humane Society. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Director Karly Cantrell, Dr. Talitha Neher, and Deputy Clerk Monica Reeves. This year the shelter management is not proposing any changes to what they received last year, they are requesting a \$300,000 budget with \$100,000 to be used for building maintenance and \$200,000 for the shelter. The kennel roofs are concerning because they are reaching the end of their life expectancy and last year they talked about the desire to have the County set aside any leftover funds in the building maintenance fund for future roofing needs, however it was not part of their contract. Commissioner Dale said it's our building so the County should be maintaining it. Director Cantrell reviewed a long list of the shelter accomplishments, a copy of which is included with this day's minute entry. They have a fulltime veterinarian, Dr. Neher and this month they have added a second fulltime veterinarian which allows them to increase shelter revenue as well as adding spay/neuter services to the community at an affordable rate. Dr. Neher spoke of her passion for providing services at the shelter. Zach Wagoner said for the current fiscal year \$100,000 was set aside for building maintenance to date, only \$15,000 has been used. Director Cantrell said most of the maintenance/repair costs are small such as flooring projects. The cost of the roof project is expensive and so it will take a couple of years to save for it. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 23, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Capital Event Center to be used 5/4/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- iJet Color/Printware in the amount of \$14,990.00 for the Information Technology department
- MyBinding.com in the amount of \$4495.00 for the Information Technology department
- Stitch It Screen-printing in the amount of \$3472.00 for the Sheriff's Office
- Boise Rigging Supply in the amount of \$1100.00 for the Sheriff's Office

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for GRIT Ground Game, LLC dba GRIT; Texas Roadhouse Holdings, LLC dba Texas Roadhouse; Nampa Restaurant Ventures, LLC dba TGI Friday's; Nampa Lodge #1389 BPOE, Inc. dba Nampa Elks Lodge #1389. See resolution no. 19-054.

FY2020 PRELIMINARY BUDGET MEETING WITH TREASURE VALLEY PARTNERSHIP

The Board met today at 1:30 p.m. for a FY2020 preliminary budget meeting with Treasure Valley Partnership. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Bill Larson with Treasure Valley Partnership and Deputy Clerk Jenen Ross. Mr. Larson spoke about the projects he's been involved with this past year including the opioid strategic planning process. This year the TVP is requesting \$5918.00 from Canyon County which is the same amount they requested last year. At the request of Mr. Wagoner, Mr. Larson spoke about the SAUSA program stating that it's going well. The Treasure Valley program just went over the \$40M mark that has been saved to the state. The meeting concluded at 1:42 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR COMPASS

The Board met today at 2:30 p.m. to discuss the Fiscal Year 2020 preliminary budget request for COMPASS. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director Matt Stoll, and Deputy Clerk Monica Reeves. Director Stoll reviewed the proposed membership dues and noted this year they are requesting \$109,594 from Canyon County. The amount represents an increase of \$3,492 over last year's amount and it's based on the County's increase in population. (A copy of the sheet listing dues for general members and special members is attached to this day's minute entry.) Following the budget request discussion, Mr. Stoll updated the Board on the application process for the Federal Highway Administration BILD (Building Infrastructure for Leveraging Development) grant program. Last year COMPASS submitted an application for US Highway 20-26 from I-84 to the Middleton Road intersection and it was reviewed favorably by the US Department of Transportation and was passed on to the secretary of transportation with a due fund recommendation but due to the sheer volume the grant was not funded. They anticipate submitting again for it in July and they are meeting with the City of Caldwell about partnering again on that. Mr. Stoll asked if the County would be interested in engaging in discussions about partnering again on the new application. Last year the County committed \$125,000 for the project. In the case of Caldwell the question was posed by ITD that if the grant is not successful would the city still be willing to partner to make it happen, however, he does not anticipate that being asked of the County. This will be the last time COMPASS applies for that section. If they don't get the grant they will construct it with state money and make it move forward, but it's a great opportunity to leverage. They are going to drop down the actual ask amount because they were told if we had just asked for a little bit less they would've likely received the funding so they think the requested \$15 million will be within the "decimal dust" and the US Department of Transportation will say let's fund it. COMPASS's goal is to get the project under construction by FY2022, one way or the other, and with this grant that's the target. Zach Wagoner asked if Mr. Stoll is looking for a letter of support and a financial commitment. Mr. Stoll said he is seeking something similar to what we've done in the past and what was committed last time. Commissioner Dale said we didn't spend the money last year because we didn't get the grant so whatever money we were looking at should still be somewhere. Controller Wagoner said we did spend some money in FY2018. According to Mr. Stoll that was for the first INFRA grant from Franklin Road in Nampa to Karcher Road. Once things are set up he will forward the information to Controller Wagoner, but for now it's just a placeholder to let the County know. COMPASS's previous ask was for \$25 million and this time they're going to ask for \$15 million so we're over the 50% state match which should get a much more favorable application and if we're able to bring in \$15 million of additional funds that's a great win for Idaho. Commissioner Van Beek asked if there's any consideration to putting a traffic light at Highway 20-26 and Midland. Mr. Stoll doesn't know but he said the section from Middleton Road east to Star Road is unfunded and COMPASS is working with ITD to break down that 7-mile section to manageable projects in order to apply for federal grants and grants ITD has within the organization. The goal is to get the entire corridor done. There are discussions about doing a 5-lane cross section and improving it because currently it's a 3-lane cross-section, but the ultimate buildout is a 6-lane configuration. They are having discussions about whether to "rip the Band-Aid off" and start building it if they are able to get the funds to do it.

Commissioner Van Beek inquired about the acquisition of property along the extension of Highway 16. Mr. Stoll said at the December COMPASS meeting the board authorized \$90 million for right-of-way acquisition but ITD is still in process of getting the updated design on Highway 16 and identifying where they want to start with the acquisition whether it's on the north side of the project or on the south toward I-84. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 2:49 p.m. to discuss the Fiscal Year 2020 preliminary budget request for Advocates Against Family Violence. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, AAFV Executive Director Kim Deugan, and Deputy Clerk Monica Reeves. Ms. Deugan reviewed the organization's statistical and budget information. This year the organization is requesting \$30,000 (which was last year's amount), and if possible they would like to get back the \$20,000 they didn't receive last year. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR THE CANYON SOIL CONSERVATION DISTRICT

The Board met today at 3:13 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the Canyon Soil Conservation District. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Lori Kent, Dave Dixon, and Bob McKellip as well as other conservation district representatives, and Deputy Clerk Monica Reeves. A PowerPoint presentation was given showcasing the services the district provides. This year the organization is requesting \$15,000 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:39 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 24, 2019

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

APPROVED CLAIMS ORDER NO. 4/25/19

The Board of Commissioners approved payment of County claims in the amount of \$433,624.75, \$15,898.98, \$75,007.40, \$42,157.84, \$54,084.89 and \$5,980.86 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/26/19

The Board of Commissioners approved payment of County claims in the amount of \$67,175.84 for accounts payable.

APPROVED CLAIMS ORDER NO. 1915

The Board of Commissioners approved payment of County claims in the amount of \$1,625,765.11 for a County payroll.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/18/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/17/19 for a Special Olympics of Idaho inspired gala.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 5/7/19 for a 'Meet the Martins' event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 4/30/19 for a 2C Women's Collaboration.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Chicago Connections, LLC dba Chicago Connection; Walgreen, Co. dba Walgreens #07276; Walgreen, Co. dba Walgreens #10672; Walgreen, Co. dba Walgreens #05648; TWC, Inc. dba Greenhurst Chevron. See resolution no. 19-056.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for The Chicago Connection, LLC dba Chicago Connection. See resolution no. 19-057.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Bi-Mart dba Bi-mart #614; Cloudcroft, Inc. dba River Bend Golf Course; MFM Group, LLC dba Sizzler Restaurant; Idaho Golf Partners, Inc. dba Timberstone Golf Course; Walgreen, Co. dba Walgreens #12483; Walgreen, Co. dba Walgreens #11541. See resolution no. 19-058.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Cook's Two Hole, Inc. dba Cooks Two Hole Bar; Kickback Bar, Inc. dba Kickback Bar; Don Ulmer dba Airport Inn; 20/26, LLC dba Caribou Lounge. See resolution no. 19-059

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue left at 9:10 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter left at 9:10 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:10 a.m., Jail Captain Daren Ward left at 9:10 a.m., Director of Juvenile Detention Steve Jett left at 9:10 a.m., Lt. Harold Patchett left at 9:10 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Open proposals for Detention Center Medical Services:

The following proposals were received:

Sawtooth Correctional Medicine

Received April 22, 2019 at 8:30 a.m.

Correctional Health Partners

Received April 22, 2019 at 9:26 a.m.

Wellpath

Received April 19, 2019 at 9:32 a.m.

VitalCore Health Strategies LLC

Received April 22, 2019

Corizon Health (Adult Detention Center)

Received April 23, 2019

Correctional Medical Care

Received April 22, 2019 at 9:26 a.m.

Naphcare Health

Received April 19, 2019 at 10:23 a.m.

Corizon Health (Juvenile Detention Center)

Received April 23, 2019

Mr. Porter said that as laid out in the RFP a committee will be formed and the submissions will be reviewed for content. The timeline has not yet been determined but once the submissions are reviewed the committee will come before the Board to make a recommendation.

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

Commissioner Van Beek made a motion to go into Executive Session at 9:11 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 Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:25 a.m.

Consider signing approval/denial of a new alcohol license for 2C Family Brewing Co.:

Once the Board came out of the executive session Commissioner Van Beek made a motion to approve the resolution granting a new alcohol license to 2C Family Brewing Co. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 19-055).

The meeting concluded at 9:26 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR VALLEY REGIONAL TRANSIT

The Board met today at 1:31 p.m. to discuss the Fiscal Year 2020 budget request for Valley Regional Transit. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Rhonda Jalbert from VRT, Tina Wilson from Western Alliance for Economic Development, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. This year the organization is requesting \$39,299 in County funding. The big change for Canyon County is that intercounty Route 44 will be discontinued as of June 28. VRT is proposing to increase the base fare from \$1 to \$1.50 per rider. Ms. Jalbert reviewed the services VRT provides and responded to questions asked by Commissioner Van Beek regarding the number of employees and their average income, ridership information, management costs, the use of First Transit, and the amount of funding that's funneled through metro, as well as the funding formula VRT uses in calculating dues. Commissioner Dale said he has served on the VRT board since its inception in 1998. Citizens in Canyon County and Ada County voted to form this agency but there was no funding source attached to the vote; the transit authority has no sustainable funding stream so VRT is dependent on federal dollars and local contributions which come from property taxes. Controller Wagoner said last year the initial request was \$36,340 and that amount was included in the County's adopted budget but then we received an invoice that was roughly \$1,000 higher due to a shortfall on the intercounty route service. The County has not yet paid the FY2019 invoice due to the question about what was billed vs. what was budgeted and he would like additional detail on that. Ms. Jalbert said typically VRT has asked for an increase of 2.5% and an analysis was done and it was determined that Canyon County wasn't covering the full costs and they were unable to retain drivers within the Canyon County system so they raised the base hourly wage from \$9 an hour to \$11 an hour in the hopes of retaining employees. Nampa and Caldwell also received additional bills over what they had been assessed. Nampa chose not to fund that so VRT had to reduce service. Controller Wagoner noted that in Section 4 of the draft agreement it states the member shall pay its annual assessment service contribution of \$37,327, but that will need to be updated to reflect the new amount of \$39,299 which is a seven percent (7%) increase specific to the increase in County population. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR THIRD DISTRICT YOUTH COURT

The Board met today at 1:59 p.m. to discuss the Fiscal Year 2020 budget request for the Third District Youth Court. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Tina Freckleton from the Third District Youth Court, and Deputy Clerk Monica Reeves. Ms. Freckleton reviewed the organization's statistical and budget information. This year the organization is requesting \$6,000 in County funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR THE WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

The Board met today at 2:13 p.m. to discuss the Fiscal Year 2020 preliminary budget request for the Western Alliance for Economic Development. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Tina Wilson from Western Alliance for Economic Development, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Ms. Wilson reported on the organization's activities and budget information, and she noted that Gem County has joined the WAED. This year the organization is requesting \$27,650 in County funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 25, 2019

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

No meeting were conducted today.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 26, 2019

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

No meetings were conducted today.

APRIL 2019 TERM
CALDWELL, IDAHO APRIL 29, 2019

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

No meetings were conducted today.

APRIL 2019 TERM

CALDWELL, IDAHO APRIL 30, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- WCP Solutions in the amount of \$25,158.00 for the Information Technology department
- RR Donnelley in the amount of \$1853.80 for the Information Technology department
- A-Gem Supply in the amount of \$1942.00 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Yellow Pine Tavern to be used 6/22/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Williamson Vineyards to be used 5/26/19 for a soiree event.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Prefunk Beer Bar II, LLC dba Prefunk Beer Bar II; Pantera Market, LLC dba Pantera Market; Pilot Travel Centers, LLC dba Pilot Travel Center #638; Pacific Sushi, LLC dba Pacific Sushi. See resolution no. 19-063.

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; SAS Restaurant Ventures, Inc. dba Denny's Restaurant #6640. See resolution no. 19-062.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson's #147; Jackson Food Stores, Inc. dba Jackson #149; Jackson's Food Stores, Inc. dba Jackson's Food Stores #5; Jackson's Food Stores, Inc. dba Jackson's Food Stores #148; Jackson's Food Stores, Inc. dba Jackson's Food Stores #63; Jackson's Food Stores, Inc. dba Jackson's Food Stores #64; Jackson's Food Stores, Inc. dba Jackson's Food Stores #82. See resolution no. 19-064.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson's Food Stores #85; Jackson's Food Stores, Inc. dba Jackson's Food Stores #117; Jackson's Food Stores, Inc. dba Jackson's Food Stores #115; Jackson's Food Stores, Inc. dba Jackson's Food Stores #3; Jackson's Food Stores, Inc. dba Jackson's Food Stores #22; Jackson's Food Stores, Inc. dba Jackson's Food Stores #59. See resolution no. 19-065.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Winco Foods, LLC dba Winco Foods #11; Winco Foods, LLC dba Winco Foods #144; Intermountain Food Stores, Inc. dba Franklin Junction; Intermountain Food Stores, Inc. dba M&W Markets #6; Jackson's Food Stores, Inc. dba Jackson's Food Stores #126; Jackson's Food Stores, Inc. dba Jackson's #143; Jackson's Food Stores, Inc. dba Jackson's #144. See resolution no. 19-066.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc. dba Jackson's Food Stores #60; Jackson's Food Stores, Inc. dba Jackson's Food Stores #62; Jackson's Food Stores, Inc. dba Jackson's Food Stores #61. See resolution no. 19-067.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for WW Ink, LLC dba Rocco's Roadhouse; Indian Creek Steakhouse, LLC dba Indian Creek Steakhouse; BFC Nampa, LLC dba Boise Fry Company; Apple Idaho, LLC dba Applebee's Neighborhood Grill & Bar; Caldwell Treasure Valley Rodeo, Inc. dba Caldwell Night Rodeo. See resolution no. 19-068.

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. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam

White and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following:

- Pod 6: The blue prints are in the hands of the State of Idaho and they are just waiting for plan review. They are ready to submit to the City of Caldwell at the same time. Reviews that come from the state will work in tandem with the city and he anticipates work with the city will go very quickly. Two building permits are required due to the units being built out of the state.
- Fairgrounds: They've had a large water mitigation issue that has been worked on for weeks. When we get heavy rains the building floods due to sitting below street level. It's been a huge project but after a recent rainstorm all the work paid off as the building did not flood. The electrical in the Charolaise barn has been upgraded; this was done in partnership with the city with the county providing the manpower. They are getting ready to paint the outside of the building and repairs have been made to the back of the building. Additionally, the city has approved the removal of some shrubs/trees around the fairgrounds.
- HVAC upgrades: The upgrades to the courthouse have been completed. They are just working on the fine details for individual offices.
- Landscaping: The front yard of courthouse is coming to conclusion and grass should be laid today.
- Parks: The migration of some park staff to the facilities department has gone well. He is working to get drywall bids for the Crossroads Museum.

Director Rast updated the Board on the following:

- The jury application went live last week and is going well; the Supreme Court has reached out for a demo. The online portion will go live in August.
- The three applications that tie into Spillman were down for about a week but are now up and running.
- PO for paper: The annual purchase is for approximately \$25K for 8400 reams of paper. This is up slightly from last year due to the increase of 1 pallet as a way to save costs next year.
- The crime lab has requested a DOS based system so that old information can be extracted into a readable format.
- The Fair website will be enhanced this year to include sponsors.
- JobScore application is done and integrated, it is go live from an IT perspective. Still compliant with Title VII. The email portion has been disallowed as it was a security concern.
- Working with legal about email retention regarding public record requests. There may need to be some executive sessions to discuss further with the Board.

The meeting concluded at 8:55 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. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Facilities Director Paul Navarro left at 9:16 a.m., Fair Director Diana Sinner left at 9:16 a.m., Landfill Administrative Supervisor Debbie Jenks left at 9:04 a.m., Deputy P.A. Brad Goodsell left at 9:04 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom left at 9:21 a.m., PIO Joe Decker, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution increasing the limit of the credit card fee account for the Solid Waste Department: Due to increased activity at the landfill the use of credit cards has increased. When a credit card is used the processing fee has to be paid at the same time so this account has been set up for them to pull the fees from. The fee for the convenience of using a credit card at the landfill is paid by the user and was recently increased to cover county costs so this is essentially a breakeven account. At this point the \$4000 has not been enough to cover those fees being withdrawn by the credit card processor and needs to be increased to \$6000. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution increasing the limit of the credit card fee account for the Solid Waste department (see resolution no 19-060).

Open qualification statements for the 2019 Canyon County Fair Expo Design RFQ:

The following qualification statements were received:

Houston Bugatsch

Received 4/25/19 at 8:07 a.m.

Cole Architects

Received 4/29/19 4:09 p.m.

The proposals will be reviewed by the committee and they will then make a recommendation to the Board.

Consider signing 2019 Canyon County Fair mainstage contracts with Romeo Entertainment; Collective Soul; Tracy Byrd; Randy Houser; Chuy Banda Akrkangel R-15:

Zach Wesley said Romeo Entertainment contracts with the mainstage performers and then there are individual contracts with each performer. The county retains the liability for these concerts. These are standard contracts that have been used the past several years. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted

unanimously to sign the 2019 Canyon County Fair mainstage contracts with Romeo Entertainment (agreement no. 19-055), Collective Soul (agreement no. 19-051), Tracy Byrd (agreement no. 19-052), Randy Houser (agreement no. 19-054) and Chuy Banda Akkrangel R-15 (agreement no. 19-053).

Consider signing Fair Carnival agreement with Midway West Amusements: Director Sinner said that for the past several years they've used Brown's Amusements for the fair midway but this year they were not able to accommodate the fair dates. A limited RFP was sent to three companies. Ms. Sinner said she is familiar with Midway West Amusements and so far they have been good to work with. The financial terms are very similar to previous years. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with Midway West Amusements (see agreement no. 19-050).

Consider signing Notice of Change in Water Right Ownership 63-9346: Dan Blocksom explained that one of the water rights at the Pond Lane property is not in the county's name. This application will ask the Department of Water Resources to update the ownership to Canyon County. This paperwork will be submitted to Idaho Department of Water Resources and they will either let us know if there is an issue or if they are good with updating the record. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Notice of Change in Water Right Ownership.

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

Commissioner Van Beek made a motion to go into Executive Session at 9:22 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, PIO Joe Decker, Parks Director Nicki Schwend, Controller Zach Wagoner, Clerk Chris Yamamoto and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:13 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.

THE MINUTES OF THE FISCAL TERM OF APRIL 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 24th day of June, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Pam White

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk

MAY 2019 TERM
CALDWELL, IDAHO MAY 1, 2019

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

63-602C: Charitable

01788000 0 Living Independence Network Corp. (LINC)

37939000 0 Blazing Hope Youth Family Ranch Inc.

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

63-602B: Religious

33946000 0 Canyon Springs Christian Church

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

32273000 0 Sunny Ridge Assembly of God

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

04222000 0 Canyon Hill Church of the Nazarene

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

13611000 0 International Church of the Four Square Gospel

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

22961000 0 Teen Challenge International Pacific Northwest Centers

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

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

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

63-602E: Educational

13034011A0 Idaho Arts Charter School Inc.

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

17885010 0, 02287000 0, 32121000 0 Building Hope

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

30498011 0 RCG Nampa LLC

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

63-602GG: Low Income Housing

12983500 0 Trinity Hope

38770000 0 Elderly Opportunity Agency

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

12983500 0 Trinity Hope

19406000 0 Elderly Opportunity Agency

15438000 0 Nampa Christian Housing

36243000 0 Idaho Friends Retirement Homes Inc.

02147000 0, 02147000 0 Columbia Gardens, Inc.

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

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

Low Income Housing and Charitable

02147000 0 Columbia Gardens

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 2, 2019

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

APPROVED CLAIMS ORDER NO. 5/6/19

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

CONSIDER INDIGENT DECISIONS

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

0636, 2019-0656, 2019-0686 and 2019-0713. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days on the cases as read into the record.

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

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

CONSIDER INDIGENT MATTERS

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

Ms. George requested the cases be continued as follows:

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

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

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

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-122

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-347

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

CONSIDER INDIGENT MATTERS

The Board met today at 9:31 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2019-378, 2019-326, 2019-329, 2019-365, 2019-321 and 2019-323. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

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

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

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

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

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

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

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

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

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

MEETING REGARDING THE RIGHT TO FARM BILL

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 3, 2019

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 6, 2019

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 7, 2019

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

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

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

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

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner White made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:42 a.m. with no decision being called for in open session.

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

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

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

63-602W - Site Improvements

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

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

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

63-602P – Pollution Control

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

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

63-602D – Hospitals

St. Luke's Caldwell Pediatrics, PIN 64941410 0

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

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

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

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

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

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

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

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

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

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

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

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

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

63-602D – Hospitals

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

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

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

63-602C – Charitable

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

Idaho Youth Ranch, Inc. – PINs 37781011 and 37785000

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

63-602B – Religious

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

Apostolic Way Inc. – PIN 08807000

Church of God Prophecy – PIN 75396000 and 02119000

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

New Direction Inc. – PINs 13570000 and 13530000

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

Harvest Life Ministries, Inc. – PIN 31454000

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

Assembly of God Church of Caldwell – PINs 02653000 and 02657000

Oregon Trail Church of God, Inc. – PIN 34536000

Valley Pentecostal Church, Inc. – PIN 35133000

Grace Bible Church, Inc. – PIN 32001010A0

New Covenant Baptist Church – PIN 16270500

First Baptist Church Caldwell – PIN 06161000

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

Greater Life Church, Inc. – PINs 11134000 and 11133000

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

Church of God of Prophecy – PIN 31478010

Protestant Episcopal Church of Idaho – PIN 02709000

Golden Gate Baptist Church – PIN 19928000

KTSY Radio Station – PIN 61111005

Church of God of Caldwell – PIN 02157000

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

Methodist Church – PIN 17993000

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

First Southern Baptist Church of Caldwell - PIN 24563000

Community Baptist Church of Melba Inc. – PIN 17535000

Parma Church of the Nazarene – PIN 19192000

Melba Friends Church Limited – PINs 17544000 and 17537000

Sandhollow First Baptist – PIN 37691000

Christ the King Community Church International – PIN 67274100

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

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

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

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

Mennonite Church – PIN 16034010

Lakeview Bible Church, Inc. – PIN 32096000

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

Fargo Community Church – PINs 75203000 and 37169000

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 8, 2019

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

APPROVED CLAIMS ORDER NO. 1916

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

Note for the record: As properly noticed the Board met today at 10:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 9, 2019

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

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

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

MAY 2019 TERM
CALDWELL, IDAHO MAY 10, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CLAIMS ORDER NO. 5/10/19

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

MAY 2019 TERM
CALDWELL, IDAHO MAY 13, 2019

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

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

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

CONSIDER INDIGENT DECISIONS

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

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

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

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

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

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

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

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

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

Commissioner Dale made a motion to go into Executive Session at 9:25 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, HR Director Sue Baumgart, Deputy P.A. Mike Porter, Controller Zach Wagoner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONTINUE MEETING WITH DIRECTOR OF DEVELOPMENT SERVICES

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

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

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

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

EXECUTIVE SESSION – PERSONNEL MATTER

Commissioner Dale made a motion to go into Executive Session at 11:14 a.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:30 a.m. with no decision being called for in open session.

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

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

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

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

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

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

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

Definitions for the zoning ordinance:

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

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

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

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

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 14, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

The Board met today at 8:33 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following:

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

Director Rast updated the Board on the following:

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

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

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

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

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

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

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

CONSIDER FINAL PLAT FOR WHITE RANCH ESTATES SUBDIVISION

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 15, 2019

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

Deputy Clerk Monica Reeves / Jenen Ross

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

APPROVED CLAIMS ORDER NO. 5/15/19

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

CANYON COUNTY EDUCATIONAL JAIL BOND TOWN HALL MEETING – ADMINISTRATION BUILDING

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 16, 2019

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 17, 2019

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

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

MAY 2019 TERM
CALDWELL, IDAHO MAY 20, 2019

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

APPROVED CLAIMS ORDER NO. 5/20/19

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

APPROVED CLAIMS ORDER NO. 5/24/19

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

ELECTED OFFICIALS' MEETING

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

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

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

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

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

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

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

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

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

MEETING TO DISCUSS FY2020 PRELIMINARY BUDGET REQUEST FOR CALDWELL VETERANS COUNCIL

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

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

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

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

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

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

CONSIDER LETTER OF SUPPORT FOR THE ECONOMIC DEVELOPERS PROFESSIONAL GRANT

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 21, 2019

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

APPROVED CLAIMS ORDER NO. 5/20/19

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

APPROVED CLAIMS ORDER NO. 5/24/19

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

Director Jett updated the Board on the following:

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

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

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

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

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

Ms. Catalano updated the Board on the following:

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

Director Breach updated the Board on the following:

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

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

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

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

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

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

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

MAY 2019 TERM
CALDWELL, IDAHO MAY 22, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CLAIMS ORDER NO. 5/22/19

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

APPROVED CLAIMS ORDER NO. 5/24/19

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

MEETING WITH BRIANNE MCCOY WITH THE IDAHO STATE PUBLIC DEFENSE COMMISSION

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

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

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 23, 2019

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

APPROVED CLAIMS ORDER NO. 5/24/19

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

CONSIDER INDIGENT DECISIONS

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

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

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

CONSIDER INDIGENT MATTERS

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

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

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

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

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-396

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

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-417

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-409

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-47

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-519

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

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

CONSIDER INDIGENT MATTERS

The Board met today at 11:17 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Jenniffer Odom-Mann and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-159, 2019-206, 2019-367, 2019-395, 2019-234, 2019-550, 2019-455 and 2019-460. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The meeting concluded at 11:20 a.m. An audio recording is on file in the Commissioners' Office.

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 24, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

APPROVED CATERING PERMIT

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

APPROVED CLAIMS ORDER NO. 1917

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

APPROVED CLAIMS ORDER NO. 5/24/19

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

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

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 28, 2019

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

APPROVED CLAIMS ORDER NO. 6/10/19

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

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

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

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FILE IN MINUTES

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

CANVASS ELECTION

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

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

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

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

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

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

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

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

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

TESTIMONY IN OPPOSITION:

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

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

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

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 29, 2019

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

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

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

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

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

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

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

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

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

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

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

MAY 2019 TERM
CALDWELL, IDAHO MAY 30, 2019

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

APPROVED CLAIMS ORDER NO. 6/10/19

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

APPROVED CLAIMS ORDER NO. 5/30/19

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

MEETING TO CONSIDER INDIGENT DECISIONS

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

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

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

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

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

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

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

Commissioner White made a motion to go into Executive Session at 9:24 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) to discuss records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

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

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

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

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

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

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

MAY 2019 TERM

CALDWELL, IDAHO MAY 31, 2019

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

APPROVED CLAIMS ORDER NO. 6/10/19

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

APPROVED CATERING PERMIT

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Pantera Market 3, LLC dba Pantera Market 3. See resolution no. 19-102.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

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

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER ACTION ITEM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FILE IN MINUTES

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

THE MINUTES OF THE FISCAL TERM OF MAY 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 29th day of August, 2019

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Tom Dale
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 3, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The End Zone to be used 6/8/19 for a wedding.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for April 2019 in today's minutes.

LEGAL STAFF UPDATE; CONSIDER SIGNING LEGAL NOTICE OF ENTERING INTO PERSONAL SERVICES CONTRACT WITH EMERGENCY CALLWORKS, INC.; AND RECEIVE AWARD RECOMMENDATION FOR THE FAIR EXPO BUILDING DESIGN PROJECT RFQ

The Board met today at 9:02 a.m. to consider signing a legal notice of entering into personal services contract with Emergency Callworks, Inc., and also to receive the award recommendation for the Fair Expo Building Design project RFQ. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Dan Blocksom said the Board signed a contract last Friday and there's a provision in Idaho law about publishing notice in the newspaper if we enter a personal services contract over \$10,000 so the legal notice for Emergency Callworks, Inc., takes care of that. Commissioner Van Beek asked if this project was identified in the planning scope. Mr. Blocksom said he doesn't know where in the planning phase this was but most of the costs were covered by a grant from the Idaho Public Safety Communication Commission. The cost of \$230,000 is just the maintenance, support, and updates portion of it. There was a charge of \$71,000 that's not included in that because it's just for the hardware and software. Commissioner White said this is paid upfront and it's a savings of over \$200,000 for five years. The total out-of-pocket costs for the County is \$14,000. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the notice of entering into the personal services contract with Emergency Callworks, Inc. The notice will be published in the Idaho Press-Tribune on June 6, 2019. (The Board briefly went off the record at 9:09 a.m. and the meeting resumed approximately one minute later.) Zach Wesley said we have been through an RFQ process to identify a design professional to do design work for the Fair expo building. The RFQ came back with two proposals, from Houston-Bugatsch Architects and Cole Architects, both are well qualified teams but the majority of the review committee recommends Cole Architects because they are partnered with a fair design

expert from Ohio that will be able to advise on fair-specific needs, such as how to best utilize space, pedestrian traffic flow inside the building, and how to maximize the building for events. If the Board accepts the recommendation a letter will be sent to both companies and Mr. Wesley will begin contract negotiations with Cole Architects, followed by a contract to be brought to the Board at a later date. Both Cole Architects and the fair expert have done work for the County in the past. Commissioner White asked if there is a not to exceed amount. Mr. Wesley said when we get to contract negotiations we will limit the scope of the project to just the building so that we're not paying for a huge fair design when we just want design of one building. There will be a cap on the project. Commissioner Dale said this is a step that has to be completed before we can go to the parties who've expressed interest in donating materials, we need the design first. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to accept the recommendation of the design RFQ committee and to begin contract negotiations with Cole Architects. As part of the legal staff update Brad Goodsell said this afternoon there's a resolution to grant a property tax exemption to Darrell Gustaveson and AMFEC. He presented the Board with letters informing various taxing districts of the June 17 meeting where the Board will consider the property tax exemption resolution for Zoroco Investments. The letters were signed as a ministerial matter. The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE WEED AND GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:04 a.m. for a monthly meeting with the Weed and Gopher Superintendent to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Weed and Gopher Superintendent AJ Mondor, and Deputy Clerk Monica Reeves. Director Mondor reported on the following issues: the department is behind schedule for spraying as the rain and windy conditions have prevented them spraying; two employees have been performing gopher control duties fulltime; the Director is working on enforcement issues; hired a new employee; discussed the effectiveness of owl boxes in vole and gopher issues; the difficulties with weeds along canals and how best to spray for those weeds; and the upcoming fiber optic project for the department. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:19 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER SIGNING RESOLUTION GRANTING DARRELL GUSTAVESON A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE § 63-602NN

The Board met today at 3:01 p.m. with the Assessor's Office to consider signing a resolution granting Darrell Gustaveson a property tax exemption pursuant to Idaho Code §63-602NN. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Sr. Administrative Analyst Jennifer Loutzenhiser, Steve Fultz with the City of Caldwell, Darrell Gustaveson and Deputy Clerk Jenen Ross. Mr. Goodsell said that a copy of the draft resolution has been sent

to the taxing districts and Department of Commerce as required by law informing them of the hearing today. Mr. Gustaveson and AMFEC have sent a letter accepting the terms and conditions of the proposed resolution. A review was provide of the exemption amount AMFEC will be granted for real property and personal property. Mr. Gustaveson spoke about where they are in their plans for completion and when they hope to take occupancy. Commissioner Van Beek spoke about the value of the business that is generated and that she likes this and what has been presented. Mr. Fultz said this really is an international business and they had the opportunity to expand elsewhere; he believes that this effort and urban renewal funding for incentives are in part what helped the company make the decision to be here. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting Darrell Gustaveson a property tax exemption pursuant to Idaho Code §63-602NN. The meeting concluded at 3:11 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 4, 2019

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

APPROVED CLAIMS ORDER NO. 6/10/19

The Board of Commissioners approved payment of County claims in the amount of \$103,578.61, \$39,545.65, \$104,644.05 and \$38,634.28 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for IOU Sushi II, LLC dba IOU Sushi II. See resolution no. 19-106.

APPROVED FEBRUARY 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of February 2019 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Facilities Director Paul Navarro, Park Director Nicki Schwend and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing request for extension of time for Canyon County Parks Department water right permit No. 63-34359: Exhibits included with the application are contracts to demonstrate that the county has been actively working and in the explanation section Mr. Blocksom has tried to tie the timeline together with the help of Directors Navarro and Schwend. Director Navarro and Director Schwend spoke about the process that's happened for the septic system, the drilling of the public drinking water well and the vendors used, Focus Engineering and SPF Engineering. Once an operations manual is received from SPF Engineering to be submitted to DEQ the well will be signed off but in regards to timing we wanted to preserve the water rights. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the request for extension of time for Canyon County Parks Department water right permit no. 63-34359. A copy of the extension request is on file with this day's minute entry.

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.

PUBLIC HEARING – CONSIDER REQUEST BY JO PROPERTIES, LLC FOR A COMPREHENSIVE PLAN MAP AMENDMENT, AND REZONE, CASE NOS. OR2018-0010 & RZ2018-0039

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by JO Properties, LLC, for a comprehensive plan map amendment and rezone, Case Nos. OR2018-0010 & RZ2018-0039. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Alan Mills, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, an interested citizen, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The applicant is requesting a comprehensive plan map amendment to change the designation of Parcel No. R34010 from "Agriculture" to "Residential" and "Agriculture" to "Commercial". Also requested is a rezone of approximately four acres from "A" (Agricultural) to "R-R" (Rural Residential) and approximately 10.14 acres from an "A" (Agricultural) zone to a "C-1" (Neighborhood Commercial) zone. There are a variety of designations surrounding the agricultural property including commercial, industrial, and residential. The property is adjacent to Star city limits. Within one mile of the property there are four platted subdivisions for a total of 216 lots. The proposed rezone to R-R and C-1 would fit with the character of the area. The property is not located within a nitrate priority area. The highway district recommended the access to highway 44 be via Bent Lane. ITD improvements will possibly require reconstructing eastbound and westbound turn lanes, however, most of those will come out of any traffic impact study that's done on the site. No comments or concerns have been raised on this project. The P&Z Commission recommended approval and staff found it meets the standard of review for a comprehensive plan map amendment and zoning amendment and is harmonious with the comprehensive plan. In response to questions regarding annexation, Ms. Almeida said the County does not have an agreement with the City of Star; this property is in the Middleton impact area and the

applicant prefers to say in the County. Alan Mills testified in support of the request. He said the comprehensive plan map skipped this area because it came along Highway 44 from the west all the way to the Star city limits. Everything was either commercial or residential and when it got to this point it didn't fill in the gap to the County line. It was an oversight where nobody paid attention to it at the time. It's important to note that Star Water and Sewer is not associated with the City of Star. Services are available; however, there is a challenge with sewer, it's a pressure line so you can't just tap into it with gravity, you have to add pressure into it. According to Southwest District Health the two-acre lot sizes do not need to hook to the sewer, they can utilize individual septic. Water and gas are available on Bent Lane. The County initiated voluntary zoning for those who wished to do so and this particular owner should have taken advantage of that but she didn't so they are doing it today. Mr. Mills spoke of the strong market for one to two-acre lots. The property is located in the flood plain so the pads will have to be built up. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said this case is unique because it is a residential and commercial rezone with the largest portion being commercial. Should they need to have access to water, the commercial side can tap into Star Water and Sewer and whomever plans to build homes on the sites may find it's cheaper to tap into Star Water and Sewer rather than building their own system. The request seems to fit the character of the area and he is in favor of it. Commissioner Van Beek asked questions about the administration land divisions and the crop history on the property. Ms. Almeida said the property contains prime farmland soils if irrigated and drained, but as they get smaller and abut a state highway it's more difficult to farm in a row crop manner especially with development occurring. The original parcel included the subject property and the two 2-acre parcels to the south. The onetime land division allowed the 2-acre parcels and so there is a residential building permit on each of those parcels, and the 14-acre balance was designated as agricultural only, meaning DSD could only authorize two residential building permits so the balance they created didn't have a permit available without going through additional rezoning. Commissioner Dale made a motion to approve the comprehensive plan map amendment and adopt the findings of fact, conclusions of law and order, and to approve the resolution for JO Properties as well as approve the rezone and adopt the findings of fact, conclusions of law and order, and to approve the ordinance for JO Properties. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Resolution No. 19-105, and Ordinance No. 19-024.) The hearing concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 5, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$7672.10 for the Facilities department

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

The Board met today at 8:36 a.m. to reopen a public hearing in the matter of the request by Spencer Crosland of American Homes, LLC, for a conditional rezone and development agreement for Case No. RZ2019-0001. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Spencer Crosland, Jon Stosich, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Today's hearing was continued from May 29, 2019 so Commissioner White could participate. Commissioner White was not present for the previous hearing but she listened to the audio and reviewed the case packet and she is ready to take consider the request. The request is for a conditional rezone to rezone property from "A" (Agricultural) to "CR-R-1" (Single Family Residential), one acre minimum lot size. The request includes a development agreement to limit division of the parcel to four residential parcels unless annexed into the City of Melba. Dan Lister said as part of the discussion at the previous hearing Commissioner Van Beek asked for correspondence from the City of Melba. The city has submitted a letter in support and it is included in the record. Staff recommends approval of the conditional rezone. Commissioner Van Beek likes the language in the agreement that states division of the parcel shall not exceed a total of four parcels, and that further subdivision is prohibited unless first annexed into the city. Mr. Lister said legal counsel has changed that language to make it more legally sound and it states the subject property shall not be divided into more than four (4) total parcels. No additional administrative land divisions are permitted under the county code, except as granted through law and ordinance that supersedes this agreement. The agreement is subject to only the land divisions they are allowed. If it were to supersede this agreement they would have to come back and modify the agreement or annex into the city. Spencer Crosland testified they are planning on the six acres being split into two, which will give one parcel two parcels. At the previous hearing he stated 10 acres would be annexed, but it will be nearly 30 acres that will be potentially annexed, so only 9 acres will be used for building lots. He testified the city is very happy to get the additional acreage. When he met with city officials they raised concerns with septic tanks, but the tanks will be located further away from the city. Commissioner Dale said their concern was blocking future expansion of their sewer and water systems which they need more people on to help pay for the costs. Mr. Crosland said Mayor Dickard has been very helpful and he's voiced his concerns and they have worked them out. There was a letter of concern regarding neglecting farmland with weeds and seeds blowing onto property, but according to Mr. Crosland, the land has been better maintained since they have owned it than it has the last several years. Jon Stosich testified that he serves on Melba P&Z Commission and is a real estate agent and he lives adjacent to the property and he reiterated what Dan Lister and Spencer Crosland spoke about in regards to the city being in favor of what they put in place allowing for expansion rather than blocking them off. Commissioner Van Beek said in looking at the numbers from COMPASS that's scheduled for Melba it shows a 96% increase in residents and she is glad the planning is happening in tandem. Upon the motion of Commissioner Dale and the second

by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner White said the request is supported by the city leaders and she thinks extra care is taken to protect the citizens and the quality of life. She supports the project. Commissioner Van Beek said at the last hearing she proposed it be left as agricultural because we had not gotten feedback from the City of Melba and she wanted to support them, but with the information from the city council and the Mayor she supports the plan as presented. Commissioner Van Beek made a motion to approve the request by Spencer Crosland of American Homes, LLC for a conditional rezone, development agreement, findings of fact, conclusions of law and order, as well as the ordinance for Case No. RZ2019-0001. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the findings of fact, conclusions of law and order, as well as the ordinance and the development agreement. (See Ordinance No. 19-025, and Agreement No. 19-073.) The hearing concluded at 8:51 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 LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 9:05 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 Van Beek 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 Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. 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.

PUBLIC HEARING - REQUEST BY JAY WALKER FOR A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION & DRAINAGE PLAN FOR KACHUPA RIDGE SUBDIVISION, CASE NO. SD2018-0005

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Jay Walker for a preliminary plat, final plat, and an irrigation and drainage plan for Kachupa Ridge Subdivision, Case No. SD2018-0005. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously

to reschedule the hearing to June 21, 2019 at 10:00 a.m. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO DISCUSS 2019 ASSESSED VALUE CHANGES

The Board met today at 11:01 a.m. with the Assessor's Office to discuss 2019 assessed value changes. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross.

Greg Himes presented a packet to the Board that included information on the following:

- General market conditions
- Breakdown of new subdivision lots in 2018
- Percent increases by neighborhoods (average assessed value)
- Breakdown of improved residential, unimproved residential, improved commercial, unimproved commercial and mobile home average market value based on data from the State Tax Commission
- Percent change in average sales price
- Days on the market from MLS data
- Measurement of assessment uniformity
- Graph showing protest form requests
- Graph showing protests returned

A copy of the presentation is on file with this day's minute entry. The meeting concluded at 11:52 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM CALDWELL, IDAHO JUNE 6, 2019

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

APPROVED CLAIMS ORDER NO. 1918

The Board of Commissioners approved payment of County claims in the amount of \$1,691,595.34 for a County payroll.

APPROVED CLAIMS ORDER NO. 6/10/19

The Board of Commissioners approved payment of County claims in the amount of \$66,758.75, \$7021.00 and \$36,634.74 for accounts payable.

INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, 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: 2019-771, 2019-0791, 2019-0810, 2019-0588, 2019-0818, 2019-0787, 2019-0801, 2019-0799 and 2019-0804. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial written denials within 30 days on the cases as read into the record. Commissioner Van Beek made a motion to issue a written approval within 30 days on case no. 2019-0847. The motion was seconded by Commissioner White and carried unanimously.

Director Baker spoke about 7 cases that were before the Board on May 23, 2019 but the paperwork was dated with May 16, 2019 so she is requesting a motion from the Board to amend the paperwork to reflect the correct date, no other information has changed. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to correct the dates on the following cases: 2019-711, 2019-822, 2019-724, 2019-729, 2019-834, 2019-825 and 2019-622.

Ms. George said that case no. 2019-347 now meets all criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case as read into the record with a written decision 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. CASE NO 2019-544

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2019-544. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the initial denial. The hearing concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. CASE NO. 2019-444

The Board met today at 9:11 a.m. to conduct a medical indigency hearing for case no. 2019-444. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, the applicant and his mother and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to uphold the initial denial. The motion was seconded and then withdrawn by Commissioner Dale. The motion died for lack of a second. Commissioner Dale then made a motion to continue the case to July 11, 2019. The motion died for lack of a second. After further discussion Commissioner Dale made another motion to continue the case to July 11, 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-582

The Board met today at 10:14 a.m. to conduct a medical indigency hearing for case no. 2019-541. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Donna Sharp with St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to August 1, 2019. The hearing concluded at 10:23 a.m. Two audio recordings are on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-459

The Board met today at 10:25 a.m. to conduct a medical indigency hearing for case no. 2019-459. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Donna Sharp with St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case. The hearing concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-301

The Board met today at 10:31 a.m. to conduct a medical indigency hearing for case no. 2019-301. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St.

Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-541

The Board met today at 10:40 a.m. to conduct a medical indigency hearing for case no. 2019-541. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to August 1, 2019. The hearing concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-285

The Board met today at 10:44 a.m. to conduct a medical indigency hearing for case no. 2019-285. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to August 1, 2019. The hearing concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:55 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-558, 2019-545, 2019-385, 2019-429, 2019-411, 2019-440 and 2019-533. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final denial on the cases as read into the record. The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - A REQUEST BY T-O ENGINEERS REPRESENTING DOORNENBAL TRUST FOR A REZONE AND DEVELOPMENT AGREEMENT, CASES NO. RZ2018-0021 & DA2019-0001

The Board met today at 11:04 a.m. to conduct a public hearing in the matter of a request by T-O Engineers representing Doornenbal Trust for a rezone from "A" (Agricultural) to "CR-R-1" (Conditional Rezone - Single Family Residential), and a development agreement, Case Nos. RZ2018-0021 and DA2019-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, Pete Doornenbal, Abbey Stover, Norm Brown, Pat Colwell, Doug Leavitt, and Deputy Clerk Monica Reeves. Today's hearing was rescheduled from March 5 and May 30, 2019. Dan Lister said the request came before the Board on March 5, 2019 and it came after the P&Z Commission recommended denial and that it be reverted to an R-R zone. The Board voted two-to-one to approve the request subject to a development agreement that would specify the project is not to exceed 40 buildable lots. The March 5th hearing was tabled to a later date to provide the development agreement and so the purpose of today's hearing is to look at the development agreement. The condition states the project shall have 40 buildable lots with an average lot size of 1.44 acres. However, the applicant does not want to be held to 1.44 acres just in case improvements are required that would reduce the lot sizes slightly so they are requesting to amend the condition to state the project will not to exceed the 40 lots. A plat was submitted that meets the 40-lot requirement that would follow this development agreement. Commissioner Dale said the end goal is to limit it to 40 lots so if we alter the language of 1.44 acres we should have a statement that says the plat would continue to conform to the preliminary plat that has been submitted so that we don't see a radical change. Commissioner White said one of major points at the previous hearing was that the 1.44 acre lot size would be incompatible with the area so the proposed change is concerning to her. Pete Doornenbal testified that at the March 5 hearing they were going to minimize the project to 40 lots, some lots could be a matter of degrees off the 1.44 acre size. Abbey Stover with T-O Engineers testified they want to have a 1.4 acre lot size in order to have some flexibility in case the highway district needs a few more feet of right-of-way, or if any other improvements are required and the average ends up being slightly smaller than 1.44 acres. Commissioner White stated she has no problem with that. Norm Brown said there may need to be a little more green space for a playground which could slightly reduce the lot size so perhaps there could be language that says not exceed 40 lots. Mr. Lister said it would state 40 buildable lots. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Van Beek said she voted no at the last hearing for the following reasons: the County and cities are struggling with the ability to build and pay for facilities when there's additional influx of people; there should be a traffic impact study; loss of agricultural land; and the timeliness of the project. Commissioner White said there will be conditions of approval that restrict the project to no more than 40 buildable lots with an average lot size of 1.4 acres. Commissioner Dale supports the project and he is comfortable with the suggested lot size of 1.4 acres. He then made a motion to approve the request by T-O Engineers representing the Doornenbal Trust for a rezone and development agreement, Case Nos. RZ2018-0021 and DA2019-0001 and that we sign the FCOs and ordinance for this item, which includes the development agreement. The motion was seconded by Commissioner White. The motion carried by a two-to-one split vote with Commissioner Van

Beek voting in opposition to the motion to approve. (See Ordinance No. 19-026, and Agreement No. 19-074.) The hearing concluded at 11:25 a.m. An audio recording is file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 7, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carousel Industries in the amount of \$2940.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Big Al's to be used 6/29/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 6/15/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Agave Cantina to be used 6/8/19 for a quinceanera.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Shadow Hills, LLC dba Luna Blu. See resolution no. 19-108.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, IT Director Greg Rast, Assistant Director of IT Eric Jensen, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing addendum to FY2019 Canyon County Weed and Pest Fiber Optic Extension Project: The addendum states that no questions or objections were received regarding the RFP. Director Rast finds it unusual that no questions were received and is concerned that a completion deadline of the end of the fiscal year may be discouraging vendors from submitting a proposal. He thinks it may have to go back out without a deadline which may cause the completion to roll over into the next fiscal year. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the addendum to FY2019 Canyon County Weed and Pest Fiber Optic Extension Project.

There were no other items for discussion at the legal staff update. The meeting concluded at 9:13 a.m. an audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER AN ACTION ITEM

The Board met today 9:46 a.m. with Development Services staff to consider an action item. Present were: Commissioner Pam White and Leslie Van Beek, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider approval/denial of a refund request by Veniamin & Galina Radchuck in the amount of \$790.00 for a rezone fee: Director Nilsson said that a rezone was not necessary as there was already a building permit available. Staff costs along with notification costs have been deducted from the refund amount and Director Nilsson feels county costs have been covered. Commissioner Van Beek made a motion to approve the refund request to Veniamin & Galina Radchuck in the amount of \$790.00(see resolution no. 19-107). The meeting concluded at 9:48 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY WOOD BROTHERS HOLDINGS, LLC FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. RZ2019-0006

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Wood Brothers Holdings, LLC, for a conditional rezone and development agreement, Case No. RZ2019-0006. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Scott Wood, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property consists of 30.72 acres currently zoned agricultural. The future land use for Canyon County

is residential. The applicant is requesting a conditional rezone to rural residential to create three 10-acre parcels. The surrounding area contains a mix of agriculture and residential. There is rural residential zoning located at the northeast corner of the intersection of Sky Ranch and Deer Flat Road. The P&Z Commission recommended approval on May 2, 2019 and staff has found the request, as restricted by the development agreement, meets the standards of review and is harmonious with the comprehensive plan. Initially the applicant had applied for a straight rezone but she had a discussion with the applicant that a development agreement may be a better fit because they only wanted 3 parcels so the applicant applied for a conditional rezone with development agreement prior to going to the P&Z Commission. Scott Wood testified that his family has owned the property for 50 years and their intent is to divide it into three parcels so that he and his brother can each live on a lot. They will likely sell the third parcel. Commissioner Van Beek asked if the intent to sell the third parcel will create a need to come back before the Board. Ms. Almeida said it will not. The applicant will be restricted to three lots as conditioned in the development agreement. If something changes from what was approved they will have to come back to a public hearing and request to amend the development agreement and if approved, a plat would be required. Commissioner Van Beek likes that the applicants are going to live on the property and she wants to make sure we are working in the best interest in the unincorporated area. Mr. Wood said the intent is to sell the parcel with one building permit. They do not want it developed, they want to have a buffer and keep it quiet. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner White likes that it's well thought out and planned. Commissioner Van Beek said the property is not farmed and it is dry ground so there is no loss to the agricultural component on that, and she appreciates the strong desire to protect that environment. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the conditional rezone and development agreement as well as the findings of fact, conclusions of law and order, and the ordinance. (See Agreement No. 19-075 and Ordinance No. 19-027.) The hearing concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 10, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Thompson's Maytag in the amount of \$11,770.00 for the Facilities department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for El Karma Event Center, LLC dba El Karma. See resolution no. 19-109.

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 Pam White and Leslie Van Beek, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Chief Marv Dashiell, Captain Daren Ward, Director of DSD Tricia Nilsson left at 9:06 a.m., Planner Debbie Root left at 9:06 a.m., Deputy P.A. Zach Wesley left at 9:06 a.m., Controller Zach Wagoner left at 9:06 a.m., Assessor Brian Stender arrived at 9:02 a.m., Coroner Jennifer Crawford arrived at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing findings of fact, conclusions of law & order for Linfield Estates Subdivisions; Case No. RZ2018-0002/DA2019-0002: This is the subdivision that the Star Fire District had some objections to due to water flow to the site. Language has been developed that reflects the Boards intent. Mr. Wesley reviewed the revised language. Commissioner Van Beek confirmed that this will put the responsibility back on the fire district and the applicant to get the issues resolved and it will not be on the Board of Commissioners. Ms. Root is comfortable with the list of conditions and confirmed it will be in compliance with the plan that has to be developed between the two entities. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the findings of fact, conclusions of law & order for Linfield Estates Subdivisions, case no. RZ2018-0002/DA2019-0002.

Consider signing approval/denial of a new alcohol license for El Karma: Commissioner White has reviewed the application and is satisfied that they have met all the requirements. Commissioner Van Beek made a motion to sign the resolution issuing a new alcohol license for El Karma. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 19-109)

Meeting to discuss resolution of support for local option sales tax for jail funding: A discussion was had to review the draft language of the 2020 resolution IG-01; the group discussed what was liked and disliked and how specific the language should be. As a group everyone decided the language should be specific to just jail construction, outlined the benefits to county citizens in supporting local option sales tax and making it clear that this is just a temporary tax. Commissioner White noted for the record that she has had individual conversations with Sheriff Donahue and that he is in favor of the resolution. A revised version of what was decided is on file with this day's minutes.

The meeting concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 11, 2019

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

Commissioners attended the IAC Annual Commissioners and Clerks Conference

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 12, 2019

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

Commissioners attended the IAC Annual Commissioners and Clerks Conference

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 13, 2019

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

Commissioners attended the IAC Annual Commissioners and Clerks Conference

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 14, 2019

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

No meetings were conducted today.

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

The Board approved a salary rate request and/or key & security access request form for Lucas Eriendson, Marine Vieille, Megan Hill and Tiffany Ranieri

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 17, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Idaho Refrigeration and Equipment Sales in the amount of \$2535.00 for the Facilities department
- R&H Wholesale Supply in the amount of \$1750.00 for the Parks department
- Apple in the amount of \$1228.95 for the Information Technology department
- HP, Inc. in the amount of \$3540.00 for the Information Technology department
- Master Works Concrete in the amount of \$3860.00 for the Parks department

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

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 6/30/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 6/28/19 for a wedding.

APPROVED CLAIMS ORDER NO. 6/19/19

The Board of Commissioners approved payment of County claims in the amount of \$5188.40 and \$26,459.52 for accounts payable.

CONTINUED DELIBERATION OF THE DEVELOPMENT AGREEMENT FOR KARCHER FARM, LLC AND SS KARCHER, LLC

The Board met today at 8:30 a.m. to continue deliberation of the development agreement for Karcher Farm, LLC, and SS Karcher, LLC, Case No. OR2018-0004 and Case No. CR2018-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Deputy PA Zach Wesley, Todd Lakey, Lamon Loucks, Cheyne Weston, other interested citizens, and Deputy Clerk Monica Reeves. On January 10, 2019 the Board voted to approve the comprehensive plan map amendment and conditional rezone request subject to two additional conditions being added to the development agreement. The written decision for those elements were not signed because the Board needed to hold a hearing on the development agreement. On May 28, 2019 the Board held a hearing on the development agreement and after hearing testimony the Board decided to continue its deliberation to today's date (June 17, 2019). Commissioner White said she is disappointed by the lot size within the project. Jennifer Almeida said the lot size was actually an average density for the project and in order to allow flexibility in the site design. It was clear that the 1.25 acre was to allow for flexibility and not necessarily be tied to the 1.25 acres across the board, which was offered by the representative during a break and it ultimately became a part of the development agreement. Commissioner White said she thought she heard there was a possibility that the lots would be smaller than one acre. Ms. Almeida said it will depend on Southwest District Health's (SWDH) review of the project. You have to take into consideration how much space is required for an individual well, spacing from that well to the septic system, location of the drain field and a replacement area on the site so SWDH is going to weigh in heavily on the site design. Commissioner Van Beek said she understands the concern about lot size but it's a secondary issue because this area is not in an area of impact, it is two to three miles from city services and is a heavily agricultural area with a lot of truck traffic and heavy farm equipment. The development agreement does not include a number of the conditions that were submitted by the opponents which were well outlined and articulated. Decisions need to be carefully evaluated especially where the property is next to the lake and schools. She is not supportive of this project even with a development agreement because it's too loosely structured and does not have the mitigation to go back in and address code enforcement issues. Commissioner Dale said we are never going to satisfy everybody completely; there's always concessions made on both sides and he believes the applicant has made a lot of concessions to bring a project that fits with the environment and the developing trends in the area. The property is zoned R-1 which allows a minimum lot size of one acre and they have agreed to bump that up which in the process eliminates quite a few potential lots and lowers the density. SWDH has a lot to say in the development of the plat and they will make sure the wells and septs are appropriately and safely placed. He understands the flexibility requirement to do a project like this and all the lot sizes are not going to be the same size,

but the average will be 1.25 acre which restricts how many lots can go in. Commissioner White does not feel this project is introducing anything that is foreign to the area. The applicant has made a lot of concessions and is aware of the neighbors in the surrounding subdivisions and some of the requests they've made and a lot of that has to do with the cost and the financing of it. Commissioner Dale made a motion to approve the development agreement with the conditions presented by staff, including the verbiage of Condition No. 18 to allow individual waste water treatment systems to be utilized, and to adopt the ordinance directing the change to the official zoning map for Karcher Farm, LLC and SS Karcher, LLC. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion. The motion carried by a two-to-one split vote. Commissioner Dale made a motion to adopt the Findings of Fact, Conclusions of Law and Order for the comprehensive plan map amendment as well as the resolution and to adopt the Findings of Fact, Conclusions of Law and Order for the conditional rezone for the same project. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion. The motion carried by a two-to-one split vote. The meeting concluded at 8:41 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam white, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley left at 10:00 a.m., Deputy P.A. Dan Blocksom, DSD Director Tricia Nilsson left at 9:52 a.m., Planner Dan Lister left at 9:52 a.m., IT Director Greg Rast, Assistant Director of IT Eric Jensen, Business Manager Caitlin Pendell, HR Jennifer Allen left at 10:00 a.m., HR Investigator Rich Soto left at 10:00 a.m., Chief Probation Officer Elda Catalano left at 10:00 a.m., Assistant Director of Juvenile Detention Sean Brown left at 10:00 a.m., Juvenile Detention Training Coordinator Shawn Anderson left at 10:00 a.m., Attorney for Roderic Lewis left at 9:52 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Roderic Lewis rezone/development agreement, findings of fact, conclusions of law & order, and ordinance; Case No. RZ2018-0028: Dan Lister gave an overview stating that this is the outcome of what was discussed in April. At that time there was discussion about batch plants, asphalt plants and mineral extraction so it was worked out at that point to update the development agreement then this could move forward. The agreement was to add more language to the landscape berm that they're proposing as well as completely restricting mineral extraction and asphalt plants but that a concrete batch plant wouldn't be allowed outside of the landscaped berm area which is reflected in the development agreement. Additionally, all the performance measures from the City of Nampa will be applied as well as their landscape requirements on all parcels including the parcel that's not landscaped. For consideration today are the FCOs that weren't signed in April as well as the ordinance and development agreement as amended. Commissioner Van Beek expressed her concerns about item 3A under heavy industrial standard because she would need a comparison to see what that looks like. She has had concerns about this project because of the conflicting use on each side of Midland, the schools that are in proximity and

the traffic. She does not believe the heavy industrial standard is what was agreed to in the executive session that was previously held. She would like better sideboards on this due to the area it's in such as next to St. Lukes and Treasure Valley Marketplace; she specifically wanted a certain engineered slope on this. Commissioner Van Beek read the section into the record and Mr. Wesley offered clarification stating that those were references to Nampa's landscaping ordinance and the two types of landscaping ordinances that would be applicable to this project; there is not a grant of heavy industrial use by the language but simply that Nampa does not make a distinction between heavy or light industrial landscaping. Commissioner Van Beek expressed her appreciation for the clarification but that she is still going to object due to the slope requirements she would like to see in place. She would like to hear from the applicant and feels it needs to be included in the development agreement. Mr. Wesley believes the direction that was given to staff by a majority of the Board on the development agreement was not to get into the specific slope standards but instead to require a landscaping engineer to provide a plan that would be approved by DSD at the time so that any variables within that could be accomplished and not be bound by a strict slope requirement. There is also a clause that requires the developer/property owner to maintain it. Commissioner Dale feel the protections are built in and that there are other 3-to-1 slopes in the area that are well maintained. Mr. Lister spoke about the importance of having an engineered landscape plan because we don't know the proper spacing between the trees and we want to make sure this is successful. They will have to create and execute the plan, then it has to be certified by a landscape engineer and a long-term maintenance plan will have to be in place. Commissioner Van Beek stated that she has spent many hours reviewing this both driving the properties and evaluating because she is vested that this development for Nampa and Caldwell who share the corridor, that it looks nice for both cities. She would like to make sure there is an element of inspection. Mr. Lister noted and read into the record the portion of the agreement that addresses the maintenance and landscaping. Mr. Wesley said the inspection language is in the master development agreement, it's a standard term in all of our development agreements that grants the county authority to inspect the property for compliance. Dan ready that portion into the record. Tricia explained that in order to approve a zoning certificate, which a prerequisite to obtain a building permit the development agreement and compliance of those conditions are reviewed for any property that's subject to a development agreement. Commissioner Van Beek said she would like to be part of the inspection process to make sure it's compliant and asked what the standard procedure is for that. Per Director Nilsson, it's really up to the planner that's doing the zoning review for the zoning certificate. Commissioner White understands Commissioner Van Beek's concerns but believe the inspection aspect is not part of the Board's responsibility, there are people in DSD who know exactly what to look for which the Board does not. If there are any complaint or if anything is noticed that is not what was agreed to, that is when the Board has the ability to say something. Commissioner White doesn't have any reason to doubt that the people on this project are not going to comply. Commissioner Van Beek asked if once the landscape architect is in place if it will come back before the Board again. Director Nilsson said they will re-review it and will follow the conditions as worded but she can't really say much until she sees it. Commissioner Van Beek asked if the inducement will be included so that it's substantially compliant. Her suspicion is that the inducement is more restrictive than the Nampa ordinance. Ms. Nilsson confirmed that staff will do a thorough review and Mr. Wesley said that this development agreement reflects the conditions that the majority of the Board

approved and presented. Commissioner Dale said he is confident this is going to be a good project for the cities moving forward at that location with that industrial zone which has been targeted as industrial for many years. It has been a great need for the City of Nampa impact area and it fits with all of that. He is confident we have a good document here that will bring a project that is done right. He then made a motion to sign the rezone/development agreement (see agreement no. 19-076), findings of fact, conclusions of law & order, and ordinance (see ordinance no. 19-028) for case no. RZ2018-0028. Commissioner White seconded the motion adding that she appreciates the thoughts and direction that was put on the record this morning. The motion carried in a unanimous vote.

Consider signing agreement with Minert and Associates, Inc. for employee drug testing services: Misdemeanor Probation, Juvenile Probation and Juvenile Detention have worked together to contract with an employment drug testing agency. They decided they want to go a different direction from what has been used for the past couple years and HR has vetted the organization that was selected. The contract contains standard terms and will be effective until September 30, 2019 at which time it will rollover for the new fiscal year. These departments use the testing for pre-employment, randomly and after an accident. A discussion ensued about drug testing county-wide but Mr. Wesley suggested it may be a conversation for a later time when it can be addressed more in-depth. The County does have a drug testing policy in place that is addressed in the employee manual. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Minert and Associates, Inc. for employee drug testing services (see agreement no. 19-077).

Consider signing Addendum No. 2 to FY2019 Canyon County Weed and Pest Fiber Optic Extension Project: There was a miscommunication in the original proposals being sent to the vendors so they were just delivered on Monday. This addendum adjusts the calendar of events making proposals be due June 28th and pushing the question deadline to later this week. The projected completion date is still prior to the end of the fiscal year. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign addendum no. 2 to the FY2019 Canyon County Weed and Pest Fiber Optic Extension.

The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER SIGNING RESOLUTION GRANTING ZOROCO INVESTMENTS, LLC A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE § 63-602NN

The Board met today at 10:31 a.m. with the Assessor's Office to consider signing a resolution granting Zoroco Investments, LLC a property tax exemption pursuant to Idaho Code §63-602NN. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy

P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Tina Wilson with Western Alliance for Economic Development, Representatives for Zoroco Investments, LLC, Nicole Foy with the Idaho Press, Assessor Brian Stender arrived at 10:41 a.m. and Deputy Clerk Jenen Ross. This resolution grants a tax exemption for investments made in plant expansion; overall property improvement exemptions are detailed in exhibit B of the resolution. Due to the investment 20 new jobs will be created. A letter was sent to the taxing districts letting them know about today's meeting but no one appeared to offer comment. A letter from Zoroco has been included with the resolution stating that they agree with the resolution. Ms. Wilson spoke about the benefits and ripple effect of having Zoroco in the community. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting an exemption to Zoroco Investments, LLC (see resolution no. 19-110). The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH FACILITIES DIRECTOR AND DEVELOPMENT SERVICES DIRECTOR
REGARDING A PROPOSAL TO DEVELOP A CAPITAL IMPROVEMENT PLAN

The Board met today at 11:32 a.m. with the facilities director and development services department director regarding a proposal to develop a capital improvement plan for Canyon County. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Facilities Director Paul Navarro, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Director Nilsson said Commissioner Van Beek had asked to discuss an idea with her and Paul Navarro regarding an idea to look at Ada County's master facilities plan which is a capital improvement plan and they thought it might be proactive to start the discussion and learn from the process they did. Ada County started in July 2017 and it took them over a year with consultant dollars to initiate the project. The idea would be to have a facilitated dialogue with all of the elected officials and department administrators on everybody agreeing to a project charter and then take the results of that affiliated dialogue and come up with a scope of work to make sure the product would reflect Canyon County's needs. Part of that scope of work would be individual interviews with each EO/DA to get a full understanding of their needs and how their needs have increased as Canyon County has grown and then put it into a plan. You have to understand the financial capacity of the County to accommodate future needs and it highlights where we might have some challenges ahead and what some of those priorities and tradeoffs might be, and then come up with a preferred scenario recommendation and then sort out the conflicting needs as well as determine where the money will come from. Paul Navarro said this a discussion from a 50-foot level to see if we should even go down this road rather than "flying from the hip" and buy this or remodel that. It would be more of a cohesive plan. Commissioner Dale is in favor of planning. Director Navarro said they brainstormed the idea of a strategic plan versus a facilities master plan. When you know you have very long lines you should be thinking about hiring new people but that raises the issue of whether the space is available for new employees. Strategic level planning that goes hand in hand with facilities planning that when it is time hire it is time to bring on new employees because our service demand is there. Commissioner Van Beek said having a well-articulated plan will utilize our tax dollars

in a more efficient way so that when we're addressing space issues we're not building it this year to tear it out next year, we are evaluating the need and the best use of those dollars and where that can fall in a triage of articulated needs for the County on a 5-7 year basis, and then we have to identify what the revenue sources are to put that in place and whether we want to do that internally or hire an external provider. She contacted the BSU School of Public Service and Ashely Orem is willing to facilitate a session and the outcome of that would be those expectations and desires of the deliverable of what would be useful to EO's/DA's so we can properly craft a scope of work or solicitation for an RFQ. Rather than doing that first we need to have the conversation with the other elected officials and come up with a project charter. Commissioner Dale said there has to be agreed upon direction by all elected officials before we talk to BSU. Commissioner Van Beek said the reason we are looking for an outside facilitator is so there's not criticism or bias for one department or office. She also spoke of how Director Nilsson's title and Director Navarro's title made them logical choices to be included in these initial conversations. Mr. Orem has no stake in this other than an offer to help look at the needs and that will be self-determining on whether we need an RFQ or whether we can do it internally. Commissioner Dale said the next step is to talk to the elected officials about whether to have a facilitator. Commissioner White said the foundational presentation given today is excellent and now we need to see if there is buy-in. Directors Navarro and Nilsson were encouraged to attend the June 24 elected officials' meeting for discussion on this topic. The meeting concluded at 11:46 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 18, 2019

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

APPROVED CLAIMS ORDER NO. 6/19/19

The Board of Commissioners approved payment of County claims in the amount of \$500.25 for accounts payable.

APPROVED CLAIMS ORDER NO. 6/25/19

The Board of Commissioners approved payment of County claims in the amount of \$9676.92, \$22,465.97 and \$47,566.66 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Master Works Concrete in the amount of NTE \$8600.00 for the Parks department

APPROVED MARCH 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of March 2019 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 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. with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Pam white, Tom Dale and Leslie Van Beek, Director of Facilities 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:

- Fair set-up started yesterday, the third mowing has happened at Gabiola fields and grass was planted at Wilson Creek 5 days ago and is beginning to sprout.
- Courtroom 7 is not heavily used and a request has been made to change this over to more of a multipurpose room vs. a courtroom. Commissioner Dale feels if the courts know this will work best for them then he's fine with it. It could still be used as a courtroom again if need be and all the equipment will remain in the space. There is no real cost, only manpower to take the furniture out.
- There has been a request from elections for an ADA ramp at an LDS church in Middleton that is used for elections. Instead of building a permanent ramp Director Navarro would like to purchase an aluminum ramp that could be used at other places. The moving company that assists with elections will be responsible for bringing the ramp and setting it up. The Board is okay with the aluminum ramp vs. wooden built-in ramp.

Director Rast updated the Board on the following:

- Fair website is being worked on and anticipated to be complete in mid-July.
- The email spam filtering system had to be changed; there was some cost to doing this but it was unavoidable as it's a security issue. Director Rast asked for direction from

the Board on how to get employees to stop clicking on the spam emails. He is concerned that they are coming in thru personal email accounts being opened on the county system. He believes there is a lack of accountability for anyone opening the phishing emails. The Board thought this would be a good topic for discussion at the next Elected Officials' meeting; Mr. Rast will work to get on the agenda for the meeting. A discussion ensued about using cloud storage and how that may not work for the county and that there are good systems in place.

- OnBase scanning is starting to happen in the Treasurer's Office.
- They are working on ID badges for Juvenile and Misdemeanor Probation departments.

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 ACTION ITEMS

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue left at 9:25 a.m., Deputy P.A. Zach Wesley left at 9:25 a.m., Deputy P.A. Dan Blocksom left at 9:13 a.m., Chief Marv Dashiell left at 9:25 a.m., Captain Daren Ward left at 9:25 a.m., Director of Juvenile Detention Steve Jett, Lt. Harold Patchett left at 9:25 a.m., Health Care Administrator Jose Murray left at 9:25 a.m., Sheriff's Office employee left at 9:25 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider consenting to sale of Canyon County Sheriff's Office's mass spectrometer: This machine is not being used on a consistent enough basis to justify the maintenance costs. The Idaho State Police crime lab is now able to process the chemical analysis of suspected drugs that were brought into the facility or seized by the office in a timely manner at no cost to the county. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to consent to the sale of Canyon County Sheriff's Office's mass spectrometer.

Receive written recommendation from relevant EO/DA for Detention Center Medical Services: Captain Ward explained that the committee reviewed and scored the 7 proposals that were received thru the RFP process and each was thoroughly vetted. Vital Core Health Strategies was the company selected and the committee would like to move forward with negotiations. Captain Ward spoke about why Vital Core was chosen and how they are able to provide all the services that are necessary for both the adult and juvenile detention centers. Steve Jett and Sean Brown made the reference checks and all came back glowing. The company is located in Kansas and have contracts in several states. A conversation ensued regarding how current county employees filling these positions will be handled, the increased hours of coverage, and the shift in liability. The meeting was for informational

purposes only and no decisions were made. The Board will consider accepting the recommendation on Thursday.

At the request of Zach Wesley, Commissioner Dale made a motion to amend the agenda to include receiving the written recommendation from relevant EO/DA for Detention Center Medical Services. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider approval/denial of April 2019 and May 2019 Treasurers tax charge adjustment by PIN: The Board would like Treasurer Lloyd to explain the adjustments but she is not available this morning. The meeting will be rescheduled to a later time.

The meeting concluded at 9:28 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 9:48 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Ms. Catalano updated the Board on the following:

- She asked if the Board had any questions about the probation report that she presented last month.
- In response to a question by Commissioner Van Beek, Ms. Catalano spoke about the working relationship she has with the PAs Office. She said that she meets regularly and/or as needed to make sure they are following the standards and rules.
- Ms. Catalano addressed Commissioner Van Beek's question about the metamorphosis of juvenile probation over the next several years. She explained that the biggest change has been the types of people that are coming in. As mentioned in her last meeting she is considering applying for a grant to provide more resources as an alternative to detention. She is working with the Public Defender's department and Prosecuting Attorney's office to develop a plan and apply for the grant and hopes to set up a meeting with Judge Onanubosi. The grant total is \$60,000 for communities in the state.

Director Breach updated the Board on the following:

- He has been speaking with Health and Welfare about substance abuse monies. There was a federal grant that was paying for substance abuse funding but our district is on hold right now with new referrals because there has been so much spending. He's hoping that in July they'll be able to start referring again thru December. After that it will be up to what the legislature does with Medicaid expansion.
- One PO will be leaving for a federal probation position; her last day will be July 3rd. That open position has been posted and he hopes to have it filled in the next month.
- Numbers continue to be high: community service finished the month with 332 people and an additional 12 people from the problem solving court which are reoccurring every week; 1278 people on active supervised probation and 476 on bench warrant status.

The meeting concluded at 10:03 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 10:03 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Juvenile Detention Steve Jett, Deputy Director of Juvenile Detention Sean Brown and Deputy Clerk Jenen Ross.

Director Jett and Mr. Brown updated the Board on the following:

- Numbers continue to fluctuate.
- Garden is going well although nothing has been harvested yet. They are looking for a donation for fertilizer.
- They have been notified by the National School Lunch program that the county's food service contract doesn't meet guidelines. Director Jett forwarded the issue to legal for review. The county currently receives \$70K/year from the program.
- The National Partnership for Juvenile Services is having a leadership institute in September and the national symposium will be in Salt Lake City. They are planning to send people to the leadership institute in New Orleans and then possibly taking a van to the symposium in Salt Lake City.
- A team training was recently done at Bodies in Motion and Mr. Brown feels it was a great benefit to staff as a teambuilding event.
- Mr. Brown spoke briefly about the ILEETA classes and how they are hoping to have the state assist in paying for everyone to attend the classes. He will address further at a future meeting where Shawn Anderson can be in attendance.

The meeting concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 19, 2019

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

APPROVED CLAIMS ORDER NO. 6/25/19

The Board of Commissioners approved payment of County claims in the amount of \$162,854.99, \$91,554.71, \$87,978.89 and \$42,652.36 for accounts payable.

No meetings were conducted today.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 20, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Mariscos La Perla to be used 6/29/19 – 6/30/19 for a tour.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pineapple Express to be used 6/28/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Company in the amount of \$2500.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 1919

The Board of Commissioners approved payment of County claims in the amount of \$1,604,007.23 for a County payroll.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Kelly Galloway and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-831, 2019-823, 2019-835, 2019-838, 2019-732, 2019-824, 2019-725, 2019-840, 2019-853, 2019-986, 2019-826, 2019-832, 2019-820, 2019-817, 2019-952, 2019-836, 2019-1005, 2019-828, 2019-894 and 2019-839. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the following cases with written decisions within 30 days 2019-0968, 2019-0965 and 2019-0837.

The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-47

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2019-47. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Emelia Demetru for St. Lukes via teleconference (left the hearing at 10:40 a.m.) and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-569

The Board met today at 11:10 a.m. to conduct a medical indigency hearing for case no. 2019-569. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Donna Sharp for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek 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 11:16 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-636

The Board met today at 11:16 a.m. to conduct a medical indigency hearing for case no. 2019-636. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Donna Sharp for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 11:23 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-608

The Board met today at 11:23 a.m. to conduct a medical indigency hearing for case no. 2019-608. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Donna Sharp for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to August 15, 2019. The hearing concluded at 11:33 a.m. Two audio recordings are on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-554

The Board met today at 11:38 a.m. to conduct a medical indigency hearing for case no. 2019-554. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Attorney Mark Peterson for St. Lukes, Dahlia Torres for St. Lukes, Interpreter Annie Chamberlin, the applicant, relative of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to July 25, 2019. The hearing concluded at 12:03 p.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-519

The Board met today at 12:04 p.m. to conduct a medical indigency hearing for case no. 2019-519. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek 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 12:11 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 12:12 p.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George, Customer Service Specialist Kelly Galloway and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared on the following cases: 2019-307, 2019-546, 2019-478, 2019-481 and upon the motion of Commissioner Van Beek and second by Commissioner White 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 hospital requested that case no. 2019-549 be continued to August 15, 2019. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case as requested.

Commissioner Van Beek made a motion to place case no. 2019-532 into suspension pending additional resource information. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue a final approval with written decision in 30 days for case no. 2019-417.

Commissioner Van Beek made a motion to continue case no. 2019-607 to September 12, 2019 and case no. 2019-542 to July 25, 2019. The motion was seconded by Commissioner White and carried unanimously.

As a matter of follow-up Commissioner Van Beek made a motion to issue a final denial with a written decision within 30 days for case no. 2019-481. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 12:17 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE LEGAL STAFF UPDATE AND ACTION ITEMS

The Board met today at 12:17 p.m. to continue the legal staff update and action items. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner White made a motion to continue the meeting with county attorneys to 1:00 p.m. today. The motion was seconded by Commissioner Van Beek. The Board noted that the action items will be continued along with the legal staff update. The motion carried unanimously. The meeting concluded at 12:19 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; ALSO, CONSIDER TWO ACTION ITEMS: 1) CONSIDER A NOTICE OF INTENT TO AWARD FOR THE DETENTION CENTER MEDICAL SERVICES RFP; AND 2) CONSIDER SIGNING A NOTICE OF PUBLIC AUCTION OF THE SHERIFF'S OFFICE MASS SPECTROMETER

Note for the record: The Board was scheduled to meet today at 10:00 a.m. for a legal staff update and two action items: 1) Consider a notice of intent to award for the detention center medical services RFP; and 2) consider signing a notice of public auction of the Sheriff's Office mass spectrometer. Due to medical indigency hearings, the legal staff and action items were rescheduled to 1:00 p.m. At 1:05 p.m. a request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 1:06 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Clerk Yamamoto, Controller Wagoner and Director Baumgart left at 1:54 p.m. The Executive Session concluded at 2:13 p.m. with no decision being called for in open session. While in open session the Board considered the scheduled action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Captain Daren Ward, Lt. Harold Patchett, Health Service Administrator Josie Murray, and Deputy Clerk Monica Reeves. Mike Porter said it's time to send a letter to the seven companies who submitted proposals for the detention center medical services RFP stating that the County is going to pursue the possibility of entering into a contract with VitalCore Health Strategies. There will be more discussion with the Board when it comes time to negotiate the contract itself and whether we're going to enter into it. Upon the motion of Commissioner Van Beek and the

second by Commissioner White, the Board voted unanimously to authorize the Prosecutor's Office to proceed with the intent to award letter to VitalCore Health Strategies and pursue that with the possibility of entering into negotiations. Dan Blocksom said the notice of public auction of the Sheriff's mass spectrometer has been coordinated with the facilities department because they have an online auction tool. The minimum bid is \$2,500 which is what a recycling company would be willing to take it for. Commissioner Van Beek said given the length of time we've owned the equipment and the problems that were articulated she will make a motion to go through the auction process. The motion was seconded by Commissioner White and carried unanimously. The online auction will open July 8 at 8:00 a.m. and close on July 19, 2019. The meeting concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH IT DIRECTOR TO DISCUSS THE PROVISION OF IT SERVICES TO AMBULANCE DISTRICT

The Board met today at 2:26 p.m. for a meeting with the IT Director to discuss the provision of IT services to the Canyon County Ambulance District. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, IT Director Greg Rast, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. Director Rast said they are currently standing up servers in the server infrastructure for the ambulance district, which means a server runs in our data center, pulls information from Spillman and goes to the cloud and they collect the data on their site. It is using County resources and the annual cost is \$800 and the payment will come back to IT in the general fund. Director Rast said there have been discussions about IT providing services to the district for a couple of reasons: IT can do it for \$30 an hour with a staff of 35; and the district is currently paying another company to provide service but that firm only has one person to provide the service and the cost is \$100-\$120 per hour. While Director Rast is confident his staff can provide more timely service it may require him to hire another employee to dedicate to assist the ambulance district. Commissioners White and Van Beek are not in favor of the County IT department being the provider for the ambulance district. They do however, agree that the district should reimburse the County for the use of the servers. Director Rast said perhaps the district needs their own in-house IT, but if they reach out to him with questions he will be a resource for them. Commissioner White thinks that's a good idea. Dan Blocksom will strike the language about the hourly rate portion and will bring the revised version back to the Board for review. The meeting concluded at 2:42 p.m. An audio recording is on file in the Commissioner's Office.

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 21, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – IAB Annual meeting
Commissioner Leslie Van Beek

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/25/19 for a women's collaboration.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Pluralsight in the amount of \$9264.00 for the Information Technology department
- Idera, Inc. in the amount of \$7969.50 for the Information Technology department

APPROVED CLAIMS ORDER NO. 6/25/19

The Board of Commissioners approved payment of County claims in the amount of \$23,844.08, \$86,933.95, \$203,269.40, \$17,890.83, \$57,854.05 and \$39,316.45 for accounts payable.

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

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd left at 9:12 a.m., Controller Zach Wagoner, Chief Deputy Assessor Joe Cox left at 9:12 a.m., Chief Public Defender Aaron Bazzoli, Clerk Chris Yamamoto and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of April and May 2019 Treasurer's tax charge adjustment by PIN: Some of the adjustments are due to State Board of Tax Appeal (BTA) adjustments. Several of the adjustments are to the Nampa Gateway parcels; Joe Cox gave a review and history of the property regarding sales and tax assessment. BTA lowered the land and theater value which resulted in the required adjustment. By the time the adjustments were made by BTA it was too late for the adjustments to be made to the tax rolls which is why it's done as an adjustment by the Treasurer. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the April and May 2019 Treasurer's tax charge adjustments by PIN.

Consider signing addendum for Public Defense Commission Grant letter: A letter was received from the PDC requesting additional information. The addendum was put together to address the questions; a lot of statistically information was provided to give an accurate

outline of numbers. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the addendum for Public Defense Commission grant letter. A copy of the letter and addendum are on file with this day's minute entry.

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

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY JAY WALKER FOR A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION & DRAINAGE PLAN FOR KACHUPA RIDGE SUBDIVISION; CASE NO. SD2018-0005

The Board met today at 10:01 a.m. for a public hearing regarding Kachupa Ridge Subdivision. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. Ms. Almeida spoke with the representative for the applicant and was informed they are still working to complete the improvements and had not gotten everything certified yet. He is also still obtaining signatures on the Mylar. Commissioner Van Beek made a motion to continue the hearing to August 21, 2019 at 10:00 a.m. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER SIGNING BOARD OF EQUALIZATION SUBPOENAS FOR CERTAIN PROTEST NOS/PINS

The Board met today at 10:33 a.m. to consider signing Board of Equalization subpoenas for certain protest/PINs. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender, Commercial Appraisal Supervisor Mike Cowan, Commercial Appraiser Sam Stone, Administrative Property Appraisal Supervisor Greg Himes, Deputy P.A. Dan Blocksom, Administrative Analyst Jennifer Loutzenhiser, Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. Dan Blocksom said his office drafted these subpoenas with the idea that they can be issued to the taxpayers for certain information. Some of this information can be helpful in determining what the value of certain property assessments are. There are several statutes that allow the authority to issue the subpoenas as both the Board of County Commissioners and as the Board of Equalization. Commissioner Van Beek asked what sets these particular ones apart from other protests. Mike Cowan said there have been a lot of public record requests from this particular property type - self-storage properties. They were physically reappraised this year and they've received a lot of inquiries, however, they've not been able to get requested information from the property tax owners. They haven't received anything from the majority of the property owners as far as income and expenses in order to see if their income models are aligned. There are three approaches to value that are run - the cost approach, sales comparison approach and income approach. These are the three approaches that are required to be considered. For income producing properties such as self-storage, retail, industrial warehouses or office spaces - those are investor owned properties where they lease out to tenants so the income approach, in most

cases, is the most relevant approach to take in valuating properties so this is why the information is requested. When reappraising a self-storage property they asked all the property owners for their income and expenses over a three year period to try to get an average because the other requires that they use market rates and not actual rates. They need the information, not just from one property owner, but from a host of property owners so that they can do their job and try to find out what the normal market rates are and what the expenses are and then using a market capitalization rate to determine the value of the property. They've been inundated with public record requests on how they do things but they have not received much support in receiving financial information from property owners. These subpoenas are only being issued to property owners who are protesting their appraisal. Joe Cox said Idaho is not a full disclosure state so they don't have to disclose this information but once they've appealed this is used as a tool to get the most factual information in front of the Board to make an informed decision. Normally you would request financial information and if there were other appraisals done they would like to see some of those appraisals. Mike Cowan said the main information that they're trying to collect is the potential gross income that they can produce. The vacancy factor is very important in trying to figure out what the market and "norm" are. When they use market rates and market data in the income approach it creates uniformity and equity in the assessment. Mike Cowan said that what they are specifically asking is for the property owner to be present at the hearing and the 2018 year-end financial report of the subject property or properties as well as all appraisals of the subject property or properties performed within the last 3 years. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the subpoenas presented by legal and the Assessor's staff. Subpoenas for the following case nos. /PINs were signed by the Board: Case No. 19048/PIN 37056000 0, Case No. 19083/PIN 31067118 0, Case No. 19084/PIN 31067129 0 and Case No. 19085/PIN 20336000 0. The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM
CALDWELL, IDAHO JUNE 24, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$3086.00 for the Information Technology department
- Sunbelt Controls in the amount of \$3100.85 for the Facilities department

APPROVED APRIL 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of April 2019 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE 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 Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell left at 9:11 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell, Fair Director Diana Sinner left at 9:16 a.m., IT Director Greg Rast left at 9:13 a.m., Business Manager Caiti Pendell left at 9:13 a.m., Assistant Director of IT Eric Jensen left at 9:13 a.m., Solid Waste Director David Loper left at 9:11 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Ongoing Wood Waste Removal from Pickles Butte Sanitary Landfill Request for Proposals and legal notice: For the past 15 years the landfill has had a contract in place for the removal of clean wood waste. This RFP is to see if there are other proposals for removing the waste, to make sure the county is getting the best price and to see if there are options of other things, such as sheetrock, being removed from the waste-stream. One factor in considering a new contract will be to make sure the cost breaks even between what is charged to the customer and what the contractor charges the county. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Ongoing Wood Waste Removal from Pickles Butte Sanitary Landfill Request for Proposals and legal notice. Four (4) companies have been identified to send the notice to and Mr. Goodsell requested Board signatures for the cover letters. Copies of the RFP, notice and cover letter are on file with this day's minute entry.

Consider signing Law Enforcement Services agreement with Canyon County and Melba School District: This is a renewal of the school resource officer agreement with the Melba School District for 15 hours per week during the school year at a cost of \$20K which is the same contract as previous years. Upon the motion of Commissioner Van Beek and Second by Commissioner Dale the Board voted unanimously to sign the Law Enforcement Services agreement with Canyon County and the Melba School District (see agreement no. 19-079).

Consider signing Addendum No. 3 to FY2019 Canyon County Weed and Pest Fiber Optic Extension Project: The addendum is to address questions but none were received so the addendum states as such. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 3 to the FY2019 Canyon County Weed and Pest Fiber Optic Extension. A copy of the addendum is on file with this day's minute entry.

Consider signing 2019 Canyon County Fair contract with Caldwell Bowling, Inc. for use of the parking lot during fair dates: This is the same contract as previous years. The parking lot is leased during the dates of the fair for a \$500 fee. Director Sinner said the bowling alley is closed during that week. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2019 Canyon County Fair contract with Caldwell Bowling, Inc. for use of the parking lot during fair dates (see agreement no. 19-080).

EXECUTIVE SESSION – PERSONNEL MATTER

Commissioner Dale made a motion to go into Executive Session at 9:17 a.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:27 a.m. with no decision being called for in open session.

Commissioner White asked Mr. Blocksom to do some further research on a request that was made by Habitat for Humanity. Commissioner Van Beek said she has also reached out for some additional information and will forward anything she receives to Mr. Blocksom.

The meeting concluded at 9:28 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 which was held in the Administration Building located at 111 North 11th Avenue in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Chief Civil Deputy P.A. Sam Laugheed, DSD Director Tricia Nilsson, Facilities Director Paul Navarro, IT Director Greg Rast, PIO Joe Decker, and Deputy Clerk Monica Reeves. Prosecutor Bryan Taylor arrived at 10:00 a.m. The following topics were discussed:

- Treasurer Lloyd reported that Mayor Garret Nancolas has been invited to speak at the upcoming District III meeting.
- Assessor Stender reported that today is the last day of the appeal season and they are behind the counts for the past years.

- Commissioner Van Beek said at the last elected officials' meeting there was interest expressed in a capital improvements plan and a funding plan so she met with Director Paul Navarro and Director Tricia Nilsson to explore that possibility. They met with the Board last week regarding a strategy for moving forward on how to implement that and get buy in from the rest of the elected officials. Director Nilsson said the process they envision is having some assistance from the elected officials as well as a facilitated dialogue to set out what our needs and expectations are for this plan and how we want to use it which will help develop a scope of work. The value of this document is knowing what everybody else's needs are, what the funding needs are, and how you can stage them and phase them, and budget for them. Director Nilsson spoke of the process Ada County went through when they were creating their plan and she will forward a copy of the plan to the elected officials. Director Navarro said the plan will allow us to look at the County as a whole and not just islands of pieces of real estate we own. He spoke about strategic planning as well as master planning – strategic planning is when you ask for a new building and a campus and indicate how many employees you are hiring, do they require uniforms, cell phones, vehicles, gas cards, etc. It's more than just buying and setting up shop, it's where a strategic plan and a master plan are "hand in glove" together and it looks at facilities and personnel. It's a tool that can be used year-after-year to budget. Clerk Yamamoto said we need to do the growth studies of what's going where in conjunction with what we're talking about. What is good growth and what isn't, as well as what's going where, and that gives a clue into the future of what our tax base is going to do. Director Nilsson recommends we pursue the fiscal impact calculator used by Galena Consultants which looks at the cost of growth and at the tax base for each community. (It's basically a large spreadsheet.) We need all elected officials to participate and have a facilitated discussion with resources available through BSU's school of public policy. Commissioner Van Beek said the goal in having a third-party involved is to eliminate any bias. Commissioner White said the study, which Director Nilsson will forward to the elected officials, is an excellent tool.
- IT Director Greg Rast reported there are major issues with email and security but his staff is working hard to keep us secure. There were a lot of email issues in the last 60 days but that's been remediated. The County receives approximately 1.2 million emails in three weeks; 200,000 are legit emails, 200,000 are malicious or virus, and the rest is junk/spam. There are serious issues with people clicking on email links and providing their credentials which has resulted in computer hacks and local agents being installed on their machine which in turn started spamming out of their county email address. Director Rast wants to purchase a module that is a reporting tool so that elected officials can see who is clicking on what, and he wants to use it as a measure to see how many people are clicking. He's not looking for disciplinary actions, he's just looking for awareness. The cost is \$4,500. Commissioner Dale is in favor of it as long as it's not going for retribution or punishment, but rather awareness because people may not be aware of what they are doing. Awareness is key and there

has to be accountability. Director Rast has submitted a purchase order for \$12,000 (\$6,000 for the spam filtering licensing and \$6,000 for the web security) in order to deal with the email issues. Some of the elected officials said they want to know if someone in their office is clicking on links and causing issues so that they can address it with them. There was consensus for Director Rast to move forward with the module and communicate with the elected officials on this topic.

The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER SIGNING BOARD OF EQUALIZATION SUBPOENAS FOR CERTAIN CASE NOS/PINS

The Board met today at 11:02 a.m. to consider signing Board of Equalization subpoenas for certain case nos. /PINs. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Commercial Appraiser Supervisor Mike Cowen, Commercial Appraiser Sam Stone and Deputy Clerk Jenen Ross. Mike Cowan said these subpoenas will be going out to property owners that have appealed their tax assessments. They've requested information from them that they've failed to provide to the Assessor's Office. Consequently they've also sent several public record requests for all of the Assessor's information but they have not reciprocated in providing their information. This information is needed to consider any reduction in their assessment. All of these cases pertain to self-storage businesses. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the requested subpoenas. Subpoenas for the following case nos. /PINs were signed by the Board: Case No. 19051/PIN 31745014, Case No. 19058/PIN 04082000, Case No. 19059/PIN 35336000 and Case No. 19060/PIN 31223011. The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH PARKS DIRECTOR TO DISCUSS AND CONSIDER THE APPROVAL/DENIAL OF HISTORIC PRESERVATION COMMISSION FY2020 GRANT RECOMMENDATIONS

The Board met today at 1:32 p.m. with the Parks Director to discuss and consider the approval/denial of Historic Preservation Commission FY2020 Grant recommendations. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Parks Director Nicki Schwend, Assistant Parks Director Kathy Kershner, Representatives from Historic Preservation organizations, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross.

Director Schwend gave background and information about the Historic Preservation Commission including the advisory board members, information about being a Certified Local Government, the grant award program, grant application review and evaluation process. She then provided for the Board a detailed overview of each request. The recommendations are as follows:

American Legion Chateau - Joseph H. Murray Post 18: total request \$47,430, recommendation of \$47,430 on a 2-year contract which would allow the flexibility to complete the project without having to apply again next year.

Canyon County Historical Society – Nampa Train Depot: total request \$19,850, recommendation of \$19,850

Greenleaf Historical Society – Greenleaf Schoolhouse Museum: total request \$4,840, recommendation of \$4,600

Historical Society of Middleton – Lee Moberly Museum: total request \$13,630, recommendation of \$13,630

Melba Valley Historical Society – Melba Valley Museum: total request \$14,300, recommendation \$14,300

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 2:12 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records that are exempt from public disclosure and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend, Assistant Parks Director Kathy Kershner, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:34 p.m.

At the conclusion of the executive session a discussion was had regarding the need for more clarification for the American Legion Chateau and Canyon County Historical Society.

Commissioner Van Beek made a motion to approve funding for Melba Valley Historical Society, Greenleaf Historical Society and the Historical Society of Middleton. The motion was seconded by Commissioner White and carried unanimously.

Commissioner Van Beek moved to continue the historical society discussion for the American Legion Chateau as a courtesy to county legal to draft revised language and re-present it to the Board with the understanding that there will be some funding coming forward. Commissioner Dale revised the motion to approve the American Legion pending clarification in the contract language. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Van Beek made a motion to deny the request of the Canyon County Historical Society as presented pending more information and a meeting with the Mayor of Nampa to discuss those needs. Commissioner White seconded the motion for discussion only stating that she is not ready to deny today and believes they completed the process correctly but there are some unanswered questions and further discussion is needed. A vote was taken on the motion with Commissioner Van Beek voting in favor and Commissioners White and Dale voting against. The motion failed in a 2-to-1 split vote. Commissioner White made a subsequent motion to hold on the decision until there could be further discussion. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 25, 2019

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

APPROVED CLAIMS ORDER NO. 6/25/19

The Board of Commissioners approved payment of County claims in the amount of \$516,493.50 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- R&H Wholesale in the amount of \$2160.42 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 7/27/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 7/13/19 for a wedding.

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 meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following:

- Fair set-up is about 85% complete; they are just doing some touch-up work
- Remodels have started for both the new Security Department office and at the Norman Property
- A maintenance employee retired last week so interviews will start this week to fill the vacancy
- Grass is growing well at both Gabiola Fields and Wilson Creek

Director Rast updated the Board on the following:

- Met with Misdemeanor and Juvenile Probation and they would like ID badges so that will be done thru the print shop; he anticipates working with DSD next to create badges for that department
- Received a quote back of \$2400 for the phishing module; before he submits the PO he would like to follow up with Bryan Taylor on an email he sent a couple years back regarding concerns he has about the program
- He had a pre-budget meeting with auditing yesterday that went well; they are having issues with the PaperVision program but he plans to do the OnBase conversion at the beginning of the year that coincides with getting HR onto OnBase
- He is working with legal on the “punch list” of policies; several policies will be either revised or added
- Controller Wagoner asked him to do an IT book to reflect what his department has done over the past four years which he shared with the Board to review at a later time
- A discussion was had about the possibility of some IT security training being done as part of the new hire orientation process

The meeting concluded at 8:45 a.m. An audio recording is on file in the Commissioners’ Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:00 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. Mr. Laugheed discussed with the Board potential meeting times to discuss jail related issues and possibly alternative funding. Commissioner Van Beek wants to make sure that the Clerk and the Controller have time to weigh-in so if need be the budget can be revised accordingly. A tentative date of August 5th has been scheduled which should still be enough time before the budget is formally adopted

at the end of August. Additionally, a meeting will be scheduled for the Board to meet with the security committee to discuss issues that have been brought to their attention. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – HOMEOWNER'S EXEMPTION PROTEST HEARING FOR MARTHA WHEELER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:02 a.m. to conduct a homeowner's exemption protest hearing for Martha Wheeler, Account No. 32044246 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Assessor's Office Manager Karen DeLuna, Admin. Analyst Jennifer Loutzenhiser, Martha Wheeler, Laura Hallenberger, Steve and Marci Harrel, and Deputy Clerk Monica Reeves. Martha Wheeler offered testimony in support of her protest for a homeowner's exemption. Karen DeLuna and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the hearing, which was seconded by Commissioner Van Beek and carried unanimously. Commissioner White made a motion to uphold the Assessor's opinion in this case. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – HOMEOWNER'S EXEMPTION PROTEST HEARING FOR LAURA HALLENBERGER

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:21 a.m. to conduct a homeowner's exemption protest hearing for Laura Hallenberger, Account No. 37577013 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Assessor's Office Manager Karen DeLuna, Admin. Analyst Jennifer Loutzenhiser, Laura Hallenberger, Steve and Marci Harrel, and Deputy Clerk Monica Reeves. Laura Hallenberger offered testimony in support of her protest for a homeowner's exemption. Karen DeLuna and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to uphold the decision of the Assessor's Office for this account. The hearing concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – HOMEOWNER'S EXEMPTION PROTEST HEARING FOR STEVE AND MARCI HARREL

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:33 a.m. to conduct a homeowner's exemption protest hearing for Steve and Marci Harrel, Account No. 36501000 0. Present were: Commissioners Pam White, Tom Dale and Leslie

Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Assessor's Office Manager Karen DeLuna, Admin. Analyst Jennifer Loutzenhiser, Steve and Marci Harrel, and Deputy Clerk Monica Reeves. Steve Harrel offered testimony in support of the protest for a homeowner's exemption. Karen DeLuna and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to grant the exemption for 2019 for this account. The hearing concluded at 10:45 a.m. An audio recording is on file in the Commissioners' Office.

DISMISS CASES FOR HICKMAN LIFE ESTATE, DAVID AND JENNIFER BOLLINGER, AND KENNETH AND DEBORA WYNN

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:46 a.m. to consider the tax assessment protest applications for Hickman Life Estate, David and Jennifer Bollinger and Kenneth and Debora Wynn. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Assessor's Office Manager Karen DeLuna, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. None of the applicants were present for their cases. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to dismiss the three cases. The meeting concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - CONSIDER APPROVAL/DENIAL OF AN APPLICATION FOR CASUALTY LOSS UNDER IDAHO CODE §63-602X (CANCELLATION OF VALUE) FOR SUSAN JARVIS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to Consider approval/denial of an application for casualty loss under Idaho Code §63-602X (cancellation of value) for Susan Jarvis, account no. 19487000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowen, Commercial Appraiser Sam Stone, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, Additional Assessor's Office staff, Susan Jarvis and Deputy Clerk Jenen Ross. Ms. Jarvis offered testimony in favor of her application. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption. The hearing concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - CONSIDER APPROVAL/DENIAL OF AN APPLICATION FOR CASUALTY LOSS UNDER IDAHO CODE §63-602X (CANCELLATION OF VALUE) FOR FLOYD MITCHELL

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:41 p.m. to Consider approval/denial of an application for casualty loss under Idaho Code §63-602X (cancellation of value) for Floyd Mitchell, account no. 11279000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowen, Commercial Appraiser Sam Stone, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimburger, Customer Service Specialist Annette Canada, Additional Assessor's Office staff and Deputy Clerk Jenen Ross. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption. The hearing concluded at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR HILLTOP STORAGE LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:44 p.m. to conduct a property tax assessment protest hearing for Hilltop Storage LLC, account no. 37056000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowen, Commercial Appraiser Sam Stone, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimburger, Customer Service Specialist Annette Canada, Additional Assessor's Office staff, Jeff Church, Richard Church and Deputy Clerk Jenen Ross. Jeff and Richard Church offered testimony in favor of their protest application. Greg Himes, Mike Cowen and Sam Stone offered testimony on behalf of the Assessor's Office. Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 2:11 p.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR DAVID KIRK ANDERSON TRUST

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 David Kirk Anderson Trust, account no. 07343000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimburger, Customer Service Specialist Annette Canada, Appraisal Supervisor Greg Himes, Residential Supervisor Barbara Wade, Residential Appraiser Ken Watters, Additional Assessor's Office staff, David Kirk Anderson and Deputy Clerk Jenen Ross. Mr. Anderson offered testimony in favor of his protest application. Mr. Watters, Mr. Himes and Ms. Wade offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously

to close testimony. Commissioner Dale made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek for discussion. After discussion a vote was taken on the motion which carried unanimously. The hearing concluded at 2:51 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – PROPERTY ASSESSMENT PROTEST HEARING FOR GRANT AND PAULETTE GLASCOCK

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:57 p.m. to conduct a property tax assessment protest hearing for Grant and Paulette Glascock, account no. 06070000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. The Glascocks did not appear for the hearing today but they have been in communication with the Assessor's Office. Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:58 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 26, 2019

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

APPROVED CLAIMS ORDER NO. 6/25/19

The Board of Commissioners approved payment of County claims in the amount of \$1059.99 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

The Board met today at 8:46 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale arrived at 8:47 a.m., Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. A discussion was had about the gun range regarding the range consultant and the parcels of land the gun range sit on. Mr. Wesley indicated that in regards to the parcels of land that is a project Brad Goodsell is working on and would have more information at a later time. In regards to the gun range consultant, Mr. Wesley said more information will be forthcoming but he indicated Director Schwend is working to get more detailed costs in the report which will contain recommendations and other options for the gun range. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY CONTROLLER TO DISCUSS COMMISSIONERS FY2020 BUDGET

The Board met today at 9:02 a.m. with the Clerk and Controller to discuss the Commissioners' FY2020 budget. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. There was a review of budget and the highlights were as follows:

Commissioners' Budget

- Advertising line item was increased \$16,000 to \$17,000
- There was discussion regarding the mileage line item and Commissioner Van Beek said there's a significant opportunity for savings if people will use a fleet car because the County reimburses at a pretty high rate (52 cents per mile) and there are people making a significant amount of money on mileage. The fleet director can provide a car at 25 cents per mile. Controller Wagoner said they have encouraged certain departments to use a county vehicle, especially for longer trips, but for the local/quicker trips there is a certain value for using your own vehicle. If the county buys a fleet car we want it to be used. Commissioner Van Beek agreed and said it's the longer trips that are expensive and she asked at what point do we say they need to use a fleet car? Clerk Yamamoto said it's more of a culture thing than it is matter of setting a policy. Commissioner Dale questioned the cost of 25 cents per mile when using a fleet car. There could be some opportunities to save cash outlay for a reimbursement but it will be a wash in the whole picture. Commissioner White said it's good to have an awareness discussion about it.
- Subscriptions line item was reduced from \$1,000 to \$600
- Miscellaneous line item was increased from \$200 to \$400 for water expenditures
- Office supplies/office furniture line items. Commissioner White wants to budget for new chairs for staff, and one for the meeting room. There was discussion about the balance of quality and cost. It was suggested that \$1,500 be budgeted for four new office chairs, with the note that the entire amount does not have to be spent.

General Department/Current Expense Fund

There was discussion about the contingency/reserve amounts. The County has typically run with 10% of the budget unfunded. It is funded with fund balance but it's anticipated that it won't be spent. Clerk Yamamoto said it will be different this time around but that remains to be seen when they crunch the numbers, but that would be the reason that not having contingency or cutting it down to a low level is an unsafe position to be in. Most contingency line items we've had in the past were not funded with actual tax dollars. Commissioner Van Beek said Ada County has one \$500,000 contingency fund and if they have cost overruns the department would come to the Commissioners and explain it and use the fund to cover it. In Canyon County we have contingencies broken up by department and she wants to know what the cumulative total is. In the justice fund there is a contingency line of \$250,000, and

in current expense we have \$500,000 in reserve and that would cover any entity that's paid from current expense fund. And, there is \$150,000 in the tort fund reserve line item.

The Controller suggested increasing the outside auditor amount from \$52,000 to \$55,000 because the fee tends to go up 3%-5% each year.

Miscellaneous professional services will be left at \$5,000. The year-to-date actual is \$16,059, which is the amount paid for the jail bond consultant Ysabel Bilbao.

There was discussion regarding VRT funding. Commissioner Van Beek wants to look at the information before feeling good about the increase. Commissioner White is in favor of the funding.

Western Alliance for Economic Development is set at \$27,650, which is down from \$30,000.

The community development line item was reduced from \$5,000 to zero. There was discussion about moving that amount to the employee appreciation line item which had \$3,000 budgeted for FY2019. Commissioner Van Beek asked for clarification on the policy for employee appreciation expenditures in terms of award/plaques as opposed to employee luncheons. Clerk Yamamoto said every department has a small line item that's almost entirely used for retirement plaques, there's no allowance for food. The only entity in the County that's paying for a dinner is the Commissioners. Commissioner Van Beek doesn't see a problem with departments who want to use their employee appreciation budget for an appreciation lunch rather than for awards/plaques, as long as they have the budget to cover the expense. The Clerk said he will be opposed to that because it has a tendency to get out of hand. Following the discussion, Commissioners White and Dale were in favor of increasing the employee appreciation line item from \$3,000 to \$8,000 given that last year's event cost \$6,400 due to the increase in employee attendance.

\$30,000 was budgeted for Advocates Against Family Violence (AAFV) for FY2019. The Controller wants to move that line item from the indigent budget to the general fund. Commissioner White wants to budget \$2,500 to the Kim Fest event which is held in honor of the young mother who was murdered in a domestic violence situation. Commissioners Dale and Van Beek feel it's a worthwhile cause but believe the County funds should go to the organizations such as the Nampa Family Justice Center, the AAFV, or the crisis center rather than individual nonprofit organizations. Commissioner Van Beek said she wants to reinstate some of the funding that was taken away from AAFV and given to the Nampa Family Justice Center. Commissioner Dale said we need to keep the \$20,000 that was budgeted for the Nampa Family Justice Center.

The Controller noted that the reserves line item is the big item in the general fund. \$500,000 has been budgeted for reserves but the amount can be adjusted.

Health District Fund

This fund includes the \$1,048,309 contribution to Southwest District Health which is based on the formula in state code. It's tied to population and assessed valuation.

Tort Fund

The big expense there is the ICRMP premium. The overall total premium has increased 3% from last year. In the past we have included \$150,000 for a reserve for anything where ICRMP doesn't fully cover it and we need to pay out of the county's pocket. It puts it around \$767,000; \$40,000 of the premium is paid from the current expense fund for fire insurance.

Historical Society Fund

This is its own separate accounting fund. There's a specific tax levy for this fund and there have been some initial conversations with the Parks Director, but nothing formally needs to

be decided right now. The amount we could fund is much greater than we're actually doing. We are not raising the historical society levy to its maximum. (Commissioner Van Beek left at 10:56 a.m. for another appointment.)

In regards to Commissioner White's point about *Kim Fest*, he said there were very good points made by everyone, but Commissioner White's point about evaluating items on a case-by-case basis and the impact they have on the community is very important. We don't want to set a precedent but we also need to consider the magnitude of the event and the impact on the community and the County as a whole. Commissioner Dale said maybe next year we can help support it. Commissioner White said perhaps the Board could support it this year and evaluate it next year. In closing, Clerk Yamamoto said we just did a line-by-line review of the budget and with the exception of the PIO budget, the Commissioners' budget is the simplest budget. The others are very complex and nuanced and the Clerk and Controller go through them completely and vet everything and we do that so the Board doesn't have to. The Board needs to know what is different and why. He said they have no intention of doing a line-by-line review of all budgets with the Board, they will provide a budget book and talk about what is different. No Board action was required or taken. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR CTI-SSI FOOD SERVICES LLC

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 CTI-SSI Food Services LLC, account no. 36764010 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Commercial Appraisal Supervisor Mike Cowen, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, additional Assessor Office staff, David Smith for CTI-SSI Food Services and Deputy Clerk Jenen Ross. Mr. Smith offered testimony in support of the protest application. Mike Cowen offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Van Beek made a motion to close the public hearing. The motion was seconded by Commissioner White and carried unanimously. Commissioner Van Beek then made a motion to accept the applicants recommended appraisal value. The motion died for lack of a second. Commissioner Dale made a subsequent motion to uphold the Assessor's value. The motion was seconded by Commissioner White. A vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. The hearing concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR ADMIRAL BEVERAGE CORPORATION – NAMPA

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 Admiral Beverage Corporation

- Nampa, account no. 62222166 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Personal Property Appraiser Dawn Houghton, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, additional Assessor Office staff and Deputy Clerk Jenen Ross. Dawn Houghton 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 Van Beek and carried unanimously. The hearing concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 27, 2019

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

APPROVED CLAIMS ORDER NO. 7/10/19

The Board of Commissioners approved payment of County claims in the amount of \$67,973.66 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1052.00 for the Information Technology department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-877, 2019-906, 2019-939, 2019-800, 2019-827, 2019-916, 2019-908, 2019-856, 2019-881, 2019-905, 2019-1017, 2019-860, 2019-902, 2019-841, 2019-875, 2019-928, 2019-879, 2019-858 and 2019-775. Upon the motion of Commissioner Dale and second by Commissioner Van Beek 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.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:08 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. The Executive Session was held as follows:

Commissioner Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, IT Director Greg Rast, Facilities Director Paul Navarro, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:30 a.m. with no decision being called for in open session.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JEREMY AND ERIN JOHNSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:00 a.m. to conduct a property tax assessment protest hearing for Jeremy and Erin Johnson, account no. 12639634 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Office Manager Karen De Luna, Administrative Analyst Jennifer Loutzenhiser, additional Assessor Office staff, Jeremy Johnson, Erin Johnson, Sharon Johnson and Deputy Clerk Jenen Ross. The Johnsons offered testimony in support of their protest application. Karen De Luna offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to grant the exemption. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR STOR-IT SELF STORAGE, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:32 p.m. to conduct a tax assessment protest hearing for Stor-It Self Storage, LLC, Account Nos. 20336000 0, 31067129 0, and 31067118 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Appraisal Supervisor Mike Cowan, Appraiser Sam Stone, Imaging Specialist Christine Heimbigner, Cust. Service Specialist Annette Canada, Admin. Analyst Jennifer Loutzenhiser, Kathleen Weber, C.W. Hurless, and Deputy Clerk Monica Reeves. Kathleen Weber offered testimony in support of her protest for a homeowner's exemption. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Regarding the combined cases for Protest Nos. 19083 & 19084, Commissioner Dale said the Assessor has suggested a three percent (3%) reduction in the overall assessed value for this year and based on the

information he's hearing on how close the model has come to the actuals, he believes it's a fair adjustment and he made a motion to offer an adjustment on the property of a three percent 3% reduction, which would be \$3.8 million. Commissioner Van Beek seconded the motion and said that represents a \$1,028,400 difference in what was listed as the purchase price which we don't have evidence to say that it's not that. The motion to approve the three percent reduction carried unanimously. (Chairman White noted that that action was for Protest Nos. 19083 & 19084.) Ms. Weber and Mr. Stone presented their respective cases for the property located on Cleveland Blvd., Protest No. 19085. Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to adjust the value to \$3,895,000 for Protest No. 19085. The hearing concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR ANDY CRATTY

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:38 p.m. to conduct a tax assessment protest hearing for Andy Cratty, Account No. 15126517 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Assessor Brian Stender, Appraiser Brett Hartley, Admin. Property Appraisal Supervisor Greg Himes, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. There was a recommendation by the Assessor's Office to uphold the decision allowing the applicant to go to the board of tax appeals. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 2:39 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2019 TERM

CALDWELL, IDAHO JUNE 28, 2019

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

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

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

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

The Board met today at 8:32 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Captain Daren Ward left at 8:41 a.m., Chief Deputy Sheriff Marv Dashiell left at 8:41 a.m., Director of IT Greg Rast left at 8:37 a.m., Operations Manager Don Dutton left at 8:37 a.m., Controller Zach Wagoner left at 8:47 a.m., Auditing Supervisor Shawna Larson left at 8:47 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom left at 8:37 a.m., Deputy P.A. Mike Porter left at 8:41 a.m., Deputy P.A. Zach Wesley left at 8:47 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open FY2019 Canyon County Weed and Pest Fiber Optic Extension project proposals:

The deadline for submitting a proposal was today at 8:15 a.m. The following proposals were received:

- **Track Utilities, LLC**

Received June 28, 2019 at 8:06 a.m.

- **Das-Co of Idaho**

Received June 28, 2018 at 8:05 a.m.

The proposals will be reviewed today and a recommendation to the Board is scheduled for Monday, July 1st.

Consider signing Addendum to agreement with GTL to provide legal research library to jail communications contract: For years there has been an attorney that provided legal services to inmates in the jail. Recently the person the county had a long-standing contract with took a position with Public Defenders department so he can no longer keep that contract. The county has attempted twice to find a replacement to no avail. Captain Ward and Lt. Stafford spoke with the telecommunication provider, Telmate/GTL, and learned that they have an agreement in place with Lexis Nexis where services are provided at a discount. GTL is in a good position to provide these services as they already provide tablets at the jail. This service is also used by Ada County with a certain amount of success. Since the Board and Sheriff's Office, to varying degrees, are required to provide a law library to the inmates this is the least expensive way they've found to fulfill that obligation. The annual cost of this service is approximately \$5300 which is a cost savings over the previous service that was offered. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the addendum to agreement with GTL to provide a legal research library to the jail (see agreement no. 19-081).

Consider signing unemployment insurance representative authorization for Employer Advocates: This is an authorization that came thru the Idaho Association of Counties, there is a historic relationship that as part of the services provided by IAC is that they have set up this unemployment insurance management company for the counties to work with. When a former employee turns over an unemployment claim they will handle the paperwork, provide responses to the unemployment Department of Labor and manage everything up thru a hearing process. If a hearing occurs then it does require the HR department to become involved usually with legal. IAC has found a new company to work with and it is Mr. Wesley's

understand that the county does not independently pay for the service, it's something that IAC provides. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the unemployment insurance representative authorization for Employer Advocates. A copy of the authorization is on file with this day's minute entry.

Brad Goodsell spoke about the project at Anderson Corner and the Brownfield grant that was not awarded. At this point DEQ will continue cleaning up the property although it may take longer and at some point the county may have to partner with DEQ to waive tipping fees at the landfill. In January of 2007 an agreement for site access was signed allowing DEQ on the site to work. This agreement will need to be extended in order to allow DEQ to continue working at the site. The modified agreement for site access at Anderson Corner will be considered Monday July 1, 2019.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH SHERIFF DONAHUE AND FBI REPRESENTATIVE TO DISCUSS BUILDING REMODEL PROJECT

The Board met today at 10:10 a.m. for a meeting with the Sheriff and a special agent from the FBI to discuss a building remodel project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Facilities Director Paul Navarro, FBI Special Agent Doug Hart, via conference call, and Deputy Clerk Monica Reeves. Director Navarro said he met with Agent Hart and Sheriff Donahue along with Commissioner White at the Norman property to discuss the FBI's request that the County conduct a serious remodel of the space using funding in the form of a reimbursement for approximately \$60,000 in forfeiture money. The purpose of today's meeting is to memorialize that discussion and make sure everybody is aware of how it's being handled. The project was started two days ago and there will be costs for lumber, sheet rock, insulation, electrical, and carpet. Demolition will occur next week. Director Navarro is not hiring contractors because of the unique qualities of the property, therefore the work will be done in-house. Agent Hart said that is his recollection of the earlier discussion. He doesn't have the exact dollar figure but the last balance was roughly \$60,000 and one of the allowable line items for that money is for build-out so we're in line with an allowable use for those funds. Director Navarro anticipates he will spend between \$48,000 and \$50,000 which will leave \$10,000 for contingency. He added that the project will include a rolling gate with an ID badge. Commissioner White was pleased to hear about the security gate. Director Navarro has reached out to the landowner and he has given the County permission to proceed with the project. Sheriff Donahue said he met with the owners several months ago and got the okay to move forward with the project and then he met with the Board and Director Navarro about it as well. He expressed his appreciation to all involved for the cooperative effort toward public safety. Agent Hart said with this type of federal equitable sharing they would like the funds spent by the end of the federal fiscal year which is September 30, although that's not a hard and fast date their goal is to spend it prior to that so they can close that account.

Director Navarro anticipates they will be 80%-90% complete by that date. The Board is in support of the project. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING BOARD OF EQUALIZATION SUBPOENAS FOR CERTAIN CASE NOS. /PINS

The Board met today at 11:32 a.m. to consider signing Board of Equalization subpoenas for certain case nos. /PINS. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Commercial Appraiser Supervisor Mike Cowan, Deputy P.A. Dan Blocksom, Other concerned citizens and Deputy Clerk Jenen Ross. Dan Blocksom said these are subpoenas that his office has drafted templates for which allows the Assessor's Office to put in the requested information which is authorized under Idaho code statutes §31-844, §31-845 and §63-505 asking appellants to the Board of Equalization to provide certain information so the Board can make fair and equitable decisions. These subpoenas are for self-storage businesses. In response to a question from Commissioner Dale about delivery of the subpoenas Mr. Blocksom said the way they are typically delivered is by hand-delivery but his understanding is that the Assessor's Office has been emailing them. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the subpoenas as listed. Subpoenas for the following case nos. /PINs were signed by the Board: Case No. 19229 & 19230/PINs 08280534A & 14285549A2; Case No. 19129 & 19131/PINs 31308000, 31309000 & 31310000; Case No. 19295/PIN 35731000; Case Nos. 19124 & 19125/PINs 075405000 & 24368000 and Case Nos. 19217 & 19218/PINs 30933000 & 32441000.

A brief conversation was had about conjunctives within code and how they pertained to a case that was previously heard.

The meeting concluded at 11:37 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR PATRICK BURNHAM

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a tax assessment protest hearing for Patrick Burnham, Account No. 25625000 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, Appraiser Roger Craig, Appraiser Gerri Tallabas, Appraiser Katrina Ponce, Patrick Burnham, Larry Stevenson, Denise Bolen, other interested persons, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she had ex parte communication with Mr. Burnham who in good faith reached out wanting to have help understanding his tax information. She's looked at the information he provided several weeks ago not knowing that he would come before the Board with an appeal, but she does not feel that his information would sway her in being unable to make a competent decision

today. Also, Larry Stevenson reached out to her and when she learned he would be appearing before the Board she told him she could not participate in ex parte communication. She offered the same disclaimer and said it will not impact her ability to make a competent decision today. Patrick Burnham offered testimony in support of his protest application. Gerri Tallabas, Roger Craig and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to close the hearing. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 2:00 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LARRY STEVENSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:01 p.m. to conduct a tax assessment protest hearing for Larry Stevenson, Account No. 28129002 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, Appraiser Roger Craig, Appraiser Gerri Tallabas, Appraiser Katrina Ponce, Larry Stevenson, Denise Bolen, Matt Harrington, other interested persons, and Deputy Clerk Monica Reeves. Larry Stevenson offered testimony in support of his protest application. Greg Himes and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to close the hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's discussion, 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 2:57 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DENISE BOLEN

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:10 p.m. to conduct a property tax assessment protest hearing for Denise Bolen, account no. 28984012A0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Rural Appraiser Katrina Ponce, Rural Supervisor Roger Craig, Appraisal Supervisor Greg Himes, Customer Service Specialist Annette Canada, Denise Bolen, Matthew Harrington, Other Assessor Office staff and Deputy Clerk Jenen Ross. Denise Bolen and Matthew Harrington offered testimony in support of their protest application. Katrina Ponce, Roger Craig and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Van Beek made a motion to close the public hearing. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner White made a motion to adjust the value to \$168,610. The motion was seconded by Commissioner Dale. A vote was taken on the motion with Commissioners White and Dale voting in favor of the motion and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. The hearing concluded at 4:05 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JEFFREY AND MARIA LUKE

The Board of County Commissioners, sitting as a Board of Equalization, met today at 4:07 p.m. to conduct a property tax assessment protest hearing for Jeffrey and Maria Luke, account no. 33970107 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Rural Appraiser Gerri Tallabas, Rural Supervisor Roger Craig, Appraisal Supervisor Greg Himes, Customer Service Specialist Annette Canada, Other Assessor Office staff, Jeffrey Luke and Deputy Clerk Jenen Ross. Jeffrey Luke offered testimony in support of his protest application. Gerri Tallabas, Greg Himes and Roger Craig offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 4:38 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JUNE 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 20th day of September, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk

JULY 2019 TERM
CALDWELL, IDAHO JULY 1, 2019

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

APPROVED CLAIMS ORDER NO. 7/10/19

The Board of Commissioners approved payment of County claims in the amount of \$42,837.37, \$124,542.59, \$61,610.23, \$64,307.62 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Hop House to be used 7/6/19 – 7/7/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- SANS in the amount of \$2400.00 for the Information Technology department

MEETING TO DISCUSS GEORGE NOURSE GUN RANGE

The Board met today at 8:30 a.m. to discuss the George Nourse Gun Range. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend, Director of DSD Tricia Nilsson, Landfill Director David Loper, Facilities Director Paul Navarro, Controller Zach Wagoner, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Commissioner Van Beek explained the reason for today's meeting is to discuss separating the gun range from the landfill for liability issues and to get a roadmap of where Parks is going and what the fund balance is for Parks as they have an upcoming building construction project. She would like to know if there are any options for moving the gun range property out of the Landfill's Enterprise fund and to the Parks Department in a non-monetary way. Mr. Goodsell said he has spoken with the Auditor's office about transferring this property from the Enterprise fund to Parks because it's not being used for Enterprise fund purposes and any resource being used by the Enterprise fund toward this are not being properly allocated, however, the property cannot just be given to the Parks department. The Auditor has done some research and determined that the property is worth about \$1000/acre or \$40,000. In order to account for this correctly funds would need to be both transferred into and out of the Enterprise fund as the land was purchased with money that was collected thru the fund and paid for that purpose. It is a little unclear as to when the county acquired the 40 acres the gun range sits on but the question was raised as to if it would be possible to

payback the value it was purchased at vs. the currently assessed value; Mr. Wagoner believes that could be an option. Director Nilsson said she could do some research and try to determine when the county purchased the property. Commissioner Dale said this has been talked about for years but it's just a matter of finding the best mechanism for making that happen and which budget year we do it in. He wondered if perhaps a way to get out from the liability issue would be thru a lease arrangement in the interim until the cash is available to accomplish a purchase. Director Navarro thought that if improvements were made to the gun range and memberships were able to be sold that is a potential revenue stream the Parks could use to purchase the parcel later rather than now. Mr. Goodsell said he doesn't believe the question of liability is as big an issue as there is a statute that grants immunity to counties that have gun ranges. He feels the bigger issue is the use of Enterprise funds for non-Enterprise fund issues. Commissioner Van Beek thought that maybe a gun range fund should be set-up to function as a clean-up mechanism. She would also like to call for a new look at what the actual charges, which department heads should be able to generate, indicating their actual time and materials charged against the Enterprise fund. She would also like to get an answer for Director Schwend on the available amount of fund balance and the percentage that represents of her budget as she tries to plan for this upcoming year and to determine what year an expansion could happen at the landfill. Director Schwend said she is trying to figure out a way to fund both the purchase of land and an office expansion without a significant increase to the Parks budget. Commissioner Van Beek spoke about the capital improvement plan that is being worked on how that really needs to be a coordinated effort between the Board, Auditor and departments to lay out a strategic plan which would help meet the long term goal of planning. The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS WRITTEN RECOMMENDATION TO BOCC FOR PROPOSALS FOR FY2019 CANYON COUNTY WEED AND PEST FIBER OPTIC EXTENSION PROJECT

The Board met today at 9:05 a.m. to discuss the FY2019 Weed and Pest Fiber Optic Extension Project proposals. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, IT Director Greg Rast, Assistant IT Director Eric Jensen, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Director Rast said there were two proposals received Friday, both of which he reviewed and scored. Both proposals came in far over what was expected or budgeted for and at this time Director Rast's recommendation is to do nothing. Weed and Pest runs adequately but not efficiently so they will go out to some of the carriers to what other options are available to possibly do a fiber build. The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JAY WALKER ON BEHALF OF MIKE PROVOST FOR A REZONE, CASE NO. 2018-0017

The Board met today at 10:07 a.m. to conduct a public hearing in the matter of a request by Jay Walker on behalf of Mike Provost for a rezone, Case No. RZ2018-0017. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD

Planner Dan Lister, Jay Walker, Mike Provost, Warren Fry, Dennis Zattiero, Linda Mims, Debbie Ary, Pedro Granado, Dan Carpenter, Sue Carpenter, James Haskett, Lee Belt from the City of Greenleaf, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is to rezone a 24.42 acre parcel from agricultural to rural residential. In addition to the dairies, feedlots and gravel pits there are also three subdivisions in the area which were created between 1976 and 2000. The City of Greenleaf's future land use designation shows it as high density residential area if annexed into the city. Staff recommends the request be denied. The P&Z Commission recommended the application be denied due to the city's concern that: 1) it will potentially block their future development and annexation into the city by developing a rural subdivision outside the city limits creating suburban sprawl outside the city area; 2) it will bring traffic into an area that's not been planned; and 3) there are environmental repercussions of adding more septs and wells in an area outside the city. This is a nitrate priority area. The property does not have development rights as they gave up their rights in 2014 through a building permit relocation to push the building permit rights to the north and to save this portion for agricultural preservation. Jay Walker testified that the Provosts are community-minded people and are great farmers in the area and they want to do what's best. They did not understand the transfer of the development rights and farm ground preservation and they should have done a better job in approaching the city and understanding their desired growth path and the desire to extend public services through the property. They want to retain the opportunity to continue farming the ground and after working with the city they want to come back with a new application at a future date. Director Nilsson said if an application is withdrawn a new application will have to go back through the P&Z Commission and then come back to the Board. If the applicant wishes to make a material change to the application it can stay with the Board but we will have to re-notice that for a new public hearing. Mike Provost stated he has come up with a different plan and they want to work in conjunction with the City of Greenleaf if it's to be developed at a future date. He doesn't want to do anything contrary to what the city wants so at this point he is withdrawing the application. Commissioner Van Beek is pleased to hear the applicant will work with the city. Mr. Walker said most of the studies, reports and maps are going to be incorporated into the future development work and he wants to be conscientious of the application fees that have already been paid and so he asked if there will be any reimbursement of their fees given that they have withdrawn the application. Director Nilsson said the request needs to be made in writing and then staff will do an accounting of the hard costs and see what the difference, if any, would be. Commissioner Dale said urban development belongs in the city limits and if there's a pathway to annexation that's the path he encourages them to take. Commissioner Van Beek wants the Board to work in conjunction with DSD on the recorded document (No. 2014-020421) to assure the public that we will take under consideration this instrument that was filed five years ago and as a statement that we are cognizant of the agricultural component that is documented in the comprehensive plan. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to accept the withdrawal as requested by the applicant, Mr. Provost. The matter concluded at 10:29 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 11:02 a.m. for a meeting with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PD Scott James left at 11:11 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider modifying agreement for site access to Anderson Corner: This agreement is to extend an existing agreement for DEQ to access the site for another year. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board authorized Mr. Goodsell to sign the agreement.

Consider signing a resolution to adopt the change to the job description of the Legal Support Specialist position in the Public Defender's Department: Scott James explained they used a Legal Support Specialist (LSS) job description from the Prosecuting Attorney's Office as an example and revised it to fit the same position for the Public Defender's department. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution adopting a change to the job description of the Legal Support Specialist position in the Public Defender's department (see resolution no. 19-112).

Consider signing approval/denial of a new alcohol license for Holy Cow!: Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution granting a new alcohol license to Holy Cow! (see resolution no. 19-113).

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 and held as follows:

Commissioner Dale made a motion to go into Executive Session at 11:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:39 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 - TAX ASSESSMENT PROTEST HEARING FOR TWIN ISLANDS, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:32 p.m. to conduct a tax assessment protest hearing for Twin Islands, LLC, for Account Nos. 04082000 0, 35336000 0, & 31223011 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Appraiser Sam Stone, Appraiser Mike Cowan, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Attorney Mike Band, Greg Rudell, Dick Phillips, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner White said the Board will discuss and rule on the motions that have been filed (copies of which are included with this day's minute entry). Regarding the motion to quash the subpoena, Commissioner Van Beek said she has reviewed the records provided and it appears the subpoena was delivered after the deadline listed on the subpoena and as such she made a motion that the Board grant the motion to quash the subpoena. The motion was seconded by Commissioner Dale and carried unanimously. Regarding the motion to disqualify the Commissioners, Commissioner White said it's her understanding that the remedy set forth in Idaho case law for ex parte communication is to disclose the nature of the communications, not to replace the Commissioners. She said the Board only had training specific to methodology. There has been no ex parte discussion on any specific protest, or business entity, or residential entity with regard to board of equalization hearings. Commissioner Van Beek said she does not have anything to disclose in the way of ex parte. Commissioner Dale concurred and said all discussions with the Assessor's Office were germane to methodology used to determine values, not with specific issues. Commissioner White made a motion to deny the motion to disqualify the Commissioners. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale said there is a motion from the appellant to go into executive session, and he is open to doing that but only for the purposes that are specifically outlined in the state code which is very particular about what can be discussed outside of the public view. In this case the only thing that comes close to qualifying for a discussion in an executive session is material that might be considered a trade secret. He proposes we should conduct as much of the hearing as possible in open session and then if the appellant requests to go into executive session for discussion of trade secrets he would be open to that. He said the Board will be relying upon the appellant's representation that the information does indeed count as a trade secret and it has to fit under Idaho Code, Section 74-107 (1), and then after the executive session the Board will have to come back into open session to make a determination and a decision. Commissioner White said we are going to discuss as much of this as we can in open session until the appellant says it is a trade secret. Greg Rudell and Attorney Mike Band offered testimony in support of the protest applications. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the comment portion of this hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale made a motion to uphold the Assessor's valuation on all three accounts for Twin Islands, LLC. Commissioner Van Beek seconded the motion for discussion. She said with the previous year in district court it would not be hard to ascertain what was going to be called for in the way of information so it is fair to say that information was withheld that would have potentially made a different outcome here today, so whether it's labeled as trade secrets or competition, information was not provided that the appellant could have provided that would have made it different, potentially, from this side of the table and she finds that problematic. There's a

difference in the approach but reasonable people should be able to disagree and then come to some consensus that makes it uniform. Having a different model should not impugn someone's character and she takes issue with that on the record, she did not appreciate that portion of the testimony because the spokesperson for the storage unit did not have his credentials undermined or impugned in that process and so what we really need to get down to is how are we both going to read these item-to-item, page-to-page. She believes the Assessor's Office has done a reasonable job. The questions were answered but they simply used a different approach and to her evaluating that at the district court level she would find support for what we've done here based on the judge's written decision on last year's information so she will support Commissioner Dale's motion to uphold the appraisers decision and move this to the board of tax appeals or the district court should they choose to do that. The motion carried unanimously. The hearing concluded at 3:12 p.m. An audio recording is on file in the Prosecuting Attorney's Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 2, 2019

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

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

The Board approved a salary rate request and/or key & security access request form for Brandi Beard, Eric Arthur and Carl Dille.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fair Director Diana Sinner left at 9:07 a.m., Assistant IT Director Eric Jensen, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2019 Canyon County Fair agreement with Mariachi Sol de Acapulco: Director Sinner said this is a standard entertainment agreement for a local mariachi band who will perform on Sunday of the fair. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Mariachi Sol de Acapulco (see agreement no. 19-082).

Consider Notice of Intent to award contract for FY2019 Canyon County Weed and Pest Fiber Optic Extension Project: Mr. Jensen explained that after receipt of the RFP process it was decided that the value was not there to continue this project. At this point they'd like to close the RFP. They will continue to look at ways to get more reliable service out to the weed and pest office. Commissioner Van Beek made a motion to terminate the RFP and not award the contract at this time. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the letter that will be sent to the vendors is on file with this day's minute entry.

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

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR TRINITY NEW HOPE INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:02 a.m. to conduct a property tax assessment protest hearing for Trinity New Hope, account no.12983500. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Commercial Appraiser Sam Stone, Chief Deputy Appraiser Joe Cox, Tami McHugh for Trinity New Hope, Attorney Matt Johnson for Trinity New Hope and Deputy Clerk Jenen Ross. Ms. McHugh and Mr. Johnson offered testimony in support of the protest application. Jennifer Loutzenhiser and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted to uphold the exemption. A vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. The hearing concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RICHARD NELSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:53 a.m. to conduct a property tax assessment protest hearing for Richard Nelson, account no. 24456007A1. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek Assessor Brian Stender, Administrative Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Commercial Appraiser Sam Stone, Chief Deputy Appraiser Joe Cox, Greg Ruddell, Rosemary Nelson and Deputy Clerk Jenen Ross. Greg Ruddell and Rosemary Nelson offered testimony in support of the protest application. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Following

testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 11:34 a.m. An audio recording is on file in the Prosecuting Attorney's Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RCG-NAMPA, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:39 a.m. to conduct a property tax assessment protest hearing for RCG-Nampa, LLC, account no. 30498011. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Commercial Appraiser Sam Stone, Chief Deputy Appraiser Joe Cox, Richard Brien for RCG-Nampa, Jeff Banka on behalf of BSU and Deputy Clerk Jenen Ross. Mr. Brien and Mr. Banka offered testimony in support of the protest application. Jennifer Loutzenhiser and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to grant the exemption. The hearing concluded at 11:51 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAME BROTHERS CO, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:53 a.m. to conduct a property tax assessment protest hearing for Dame Brothers Co. LLC, account nos. 24489010 and 2733000 Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Chief Deputy Appraiser Joe Cox, David Eastman for Woodgrain and Deputy Clerk Jenen Ross. Mr. Eastman offered testimony in support of the protest application. Mike Cowan, Joe Cox and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to adjust the value to \$8,495,760. The hearing concluded at 12:50 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR GRAYE CANYON INDUSTRIAL PARK, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:34 p.m. to conduct a tax assessment protest hearing for Graye Canyon Industrial Park, LLC, Account No. 02530525 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, Appraiser Darryl Spieser, Appraiser Ken Allen, Residential Supervisor Barbara Wade, R. Alan Good, other interested persons, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Darryl Spieser offered testimony on behalf of the Assessor's Office and made a recommendation to adjust the value from \$92,700 to \$32,760. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to accept the adjusted value of \$32,760. The hearing concluded at 1:42 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RICHARD ALAN GOOD

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:44 p.m. to conduct a tax assessment protest hearing for Richard Alan Good, Account No. 15033756 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Admin. Property Appraisal Supervisor Greg Himes, Admin. Analyst Jennifer Loutzenhiser, Appraiser Ken Allen, Residential Supervisor Barbara Wade, R. Alan Good, other interested persons, and Deputy Clerk Monica Reeves. R. Alan Good offered testimony in support of his protest application. Ken Allen offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the comments. Upon the motion of Van Beek and the second by Commissioner Dale, the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 2:08 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM
CALDWELL, IDAHO JULY 3, 2019

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

APPROVED CLAIMS ORDER NO. 1920

The Board of Commissioners approved payment of County claims in the amount of \$1,655,242.55 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$3540.00 for the Information Technology department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0901, 2019-1021, 2019-0909, 2019-0912, 2019-0930, 2019-0929, 2019-0927 and 2019-1035. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days. The meeting concluded at 8:49 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 9:01 a.m. for a legal staff update.

Commissioner Van Beek made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:16 a.m. with no decision being called for in open session.

RESCHEDULE HEARING REGARDING THE REQUEST BY NATE MITCHELL REPRESENTING BAAS GROUP, LLC FOR A REZONE, CASE NO. RZ2018-0040

The Board met today at 9:30 a.m. to go on the record to reschedule the public hearing in the matter of a request by Nate Mitchell, representing BAAS Group, LLC, for a rezone, Case No. RZ2018-0040. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Director Nilsson said the applicant has requested a continuance of their hearing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to reschedule the hearing to August 6, 2019 at 10:00 a.m. The meeting concluded at 9:31 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LAFKY PROPERTIES, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:06 a.m. to conduct a tax assessment protest hearing for Lafky Properties, LLC, (Big Storage) Account No. 31308000 0, 31310000 0, and 31309000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Appraiser Sam Stone, Appraiser Mike Cowan, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Imaging Specialist Christine Heimbigner, Aaron Lafky, Attorney Andrea Rosholt, Greg Rudell, other interested persons, and Deputy Clerk Monica Reeves. Commissioner White said the Board will discuss and rule on the motions that have been filed, copies of which are included with this day's minute entry. Regarding the motion to quash the subpoena, Commissioner Van Beek said she's reviewed the records provided from Lafky in this written decision and based on the information provided she moved that the Board quash the subpoena. The motion was seconded by Commissioner Dale and carried unanimously. Regarding the motion to disclose ex parte communications, Commissioner White said there was no ex parte communication with regard to exact names of entities or individuals. The Board had training and she hopes counsel would not find a problem with the fact that the Board had training in methodologies that can be used, there was nothing specific, it was just training. Commissioner Van Beek said she did not have ex parte communication with the Assessor's Office or any other entity. Commissioner Dale disclosed that he had no ex parte communication regarding any of these properties. Commissioner White disclosed there was no ex parte communication regarding anything specific or any of the properties listed. With regard to the motion to go into executive session, Commissioner Dale said executive sessions are carefully controlled and defined by state statute and we are only allowed to do that on certain, very narrow, specific subjects. He said they will discuss everything they can in open session and if there are trade secrets the Assessor needs to hear about then he will be willing to go into executive session only to discuss those things which are deemed trade secret. Other than that they are not able to do executive session on anything that's public matter. Ms. Rosholt said in terms of reasons for executive session, we are talking about market information and information that might be available online for her client to the extent that we go into or talk about anything of a private concern including finance records, which are considered trade secrets – her client's actual income information and actual vacancy information. She thanked the Board for its time and she said doesn't like motions suggesting that there's been ex parte communication, but that's what it appeared to be and it's just something that needs to be flushed out so her client can have a fair hearing. Ms. Rosholt and Aaron Lafky offered testimony in support of the protest applications. Mike Cowan and Sam Stone offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner White made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's discussion, Commissioner Van Beek made a motion to uphold the

Assessor's value on all three accounts. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 11:22 a.m. An audio recording is on file in the Prosecuting Attorney's Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JKRJ INVESTMENTS, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:23 a.m. to conduct a tax assessment protest hearing for JKRJ Investments, LLC, Account No. 35731000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Admin. Property Appraisal Supervisor Greg Himes, Appraiser Sam Stone, Appraiser Mike Cowan, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Imaging Specialist Christine Heimbigner, other interested persons, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Mr. Cowan said the appellant is out of town and requested the Board uphold the Assessor's value and if they wish to take it to the board of tax appeals that will be their prerogative. Commissioner Dale made a motion to quash the subpoenas for JKRJ Investments. The motion was seconded by Commissioner Van Beek and carried unanimously. Regarding the motion to disclose ex parte communication, Commissioner White said she has had no ex parte communication with the Assessor's Office, nor specific conversations about any business or amounts, she received training only. Commissioner Van Beek said she's had no ex parte communication with JKRJ Investments regarding their property or assessed values or ex parte communication with the Assessor's Office. Commissioner Dale said he has not had any information or communication regarding their properties from anybody whatsoever. He then made a motion to uphold the Assessor's value for JKRJ Investments. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:26 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR RCG-NAMPA LLC

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 RCG-Nampa LLC, account nos. 30498010, 30504000, 30503010, 30498011, 30503013, 30504012, 30498000, 30498012A0, 30501010, 30503011, 31086112, 31086107, 31086109, 31086110. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Commercial Appraiser Keven Sorensen, Commercial Appraiser Sam Stone, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, Administrative Analyst Jennifer Loutzenhiser, Attorney Rick Smith for RCG-Nampa LLC and Deputy Clerk Jenen Ross. Mr. 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 White made a motion to close the public hearing. The

motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value for all of the protest applications. The hearing concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR TIMOTHY BENEDICK

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:52 p.m. to conduct a property tax assessment protest hearing for Timothy Benedick, account no. 01469000. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Commercial Appraiser Keven Sorensen, Commercial Appraiser Sam Stone, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, Administrative Analyst Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Mr. Benedick was not present for the hearing. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 2:53 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LEO TAYLOR

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:54 p.m. to conduct a property tax assessment protest hearing for Leo Taylor, account nos. 20342010, 20463000 and 20464000. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Spieser, Commercial Appraiser Keven Sorensen, Commercial Appraiser Sam Stone, Imaging Specialist Christine Heimbigner, Customer Service Specialist Annette Canada, Administrative Analyst Jennifer Loutzenhiser, Leo Taylor, Brooke Taylor, Natalie McElhaney and Deputy Clerk Jenen Ross. Leo Taylor, Brook Taylor and Natalie McElhaney offered testimony in support of the protest applications. Darryl Speiser, Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 3:39 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR 208 STORAGE LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:43 p.m. to conduct a property tax assessment protest hearing for 208 Storage, account nos.

30933000 and 32441000. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Sam Stone, Imaging Specialist Christine Heimbigner, Administrative Analyst Jennifer Loutzenhiser, Additional Assessor Office staff, Greg Ruddell for 208 Storage, Marty Camberlungo for 208 Storage and Deputy Clerk Jenen Ross. Greg Ruddell and Marty Camberlungo offered testimony in support of the protest applications. Sam Stone, Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 4:16 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - CONSIDER SIGNING ASSESSOR ADJUSTMENTS TO 2019 CERTIFIED VALUES

The Board met today at 4:17 p.m. to consider signing Assessor adjustment to 2019 certified values. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Additional Assessor Office staff and Deputy Clerk Jenen Ross. Adjustments have been made based on information collected during Board of Equalization. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Assessor adjustments to 2019 certified values. A copy of the adjustments are on file in the Commissioners' Office. The meeting concluded at 4:18 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 5, 2019

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

FILE IN MINUTES

The Board filed the Treasurer's monthly report for May 2019 in today's minutes.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR WAL-MART AND AMALGAMATED SUGAR COMPANY

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:04 a.m. to conduct a tax assessment protest hearing for Wal-Mart, Account Nos. 32275000 0, 32497010 0, 32044900 0, 08522100 0, & 32576302 0, as well as a protest hearing for

Amalgamated Sugar Company, Account Nos. 62222153 0 & 30977000 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Property Appraisal Supervisor Greg Himes, Appraiser Mike Cowan, Appraiser Sam Stone, Appraiser Darryl Spieser, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Imaging Specialist Christine Heimbigner, Brad Miller, Attorney Andrea Rosholt, Jake Smith, and Deputy Clerk Monica Reeves. The appellants for Wal-Mart and Amalgamated Sugar did not appear for today's hearing. Mike Cowan and Joe Cox offered brief comments on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to uphold the Assessor's value on all five of the Wal-Mart accounts. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to uphold the Assessor's value on both accounts for Amalgamated Sugar. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR ARI NAMPA, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:10 a.m. to conduct a tax assessment protest hearing for ARI Nampa, LLC, Account No. 31029011 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Property Appraisal Supervisor Greg Himes, Appraiser Mike Cowan, Appraiser Sam Stone, Appraiser Darryl Spieser, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Imaging Specialist Christine Heimbigner, Brad Miller, Attorney Andrea Rosholt, Jake Smith, and Deputy Clerk Monica Reeves. Brad Miller offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Dale and the second by Commissioner Van Beek, the Board voted unanimously to uphold the Assessor's value. The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR U-SAVE STORAGE, LLC, AND CITY DEVELOPMENT, INC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:27 a.m. to conduct a tax assessment protest hearing for U-Save Storage, LLC, Account No. 24368000 0, and City Development, Inc., Account No. 07540500 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Property Appraisal Supervisor Greg Himes, Appraiser Mike Cowan, Appraiser Sam Stone, Appraiser Darryl Spieser, Admin. Analyst Jennifer Loutzenhiser, Customer Service Specialist Annette Canada, Imaging Specialist Christine Heimbigner, Attorney Andrea Rosholt, Jake Smith, other interested persons, and Deputy Clerk Monica Reeves. With regard to the motion to quash the subpoena, Commissioner Van Beek said the attorney has indicated

we have a four or five year history of records with the exception of 2019. Due to timely reasons she made the motion to grant the motion to quash the subpoena. The motion was seconded by Commissioner Dale and carried unanimously. Andrea Rosholt and Jake Smith offered testimony in support of the protest applications. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Upon the motion of Dale and the second by Commissioner Van Beek, the Board voted unanimously to uphold the Assessor's value on both accounts, Protest Nos. 19124 and 19125. The hearing concluded at 11:56 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 8, 2019

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

APPROVED CLAIMS ORDER NO. 7/10/19

The Board of Commissioners approved payment of County claims in the amount of \$20,001.12, \$64,695.00, \$79,577.01 and \$120,667.09 for accounts payable.

MEETING WITH INFORMATION TECHNOLOGY DIRECTOR TO DISCUSS THE PROVISION OF IT SERVICES TO THE AMBULANCE DISTRICT

The Board met today at 8:36 a.m. with the Director of Information Technology to discuss the provision of IT services to the Ambulance District. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, IT Director Greg Rast, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. This is the follow-up meeting regarding IT services to the Ambulance District. At the last meeting the Board directed that they did not want IT services offered at the \$30/hour rate due to being a different taxation district and resources on the county side. Director Stowell is fine with the service they have in place so the letter now just references the two Ambulance District servers that are on maintained by Canyon County; those will be paid at \$400/year per server. The letter outlining the services provided by the County will be sent to the Ambulance District for review before it comes back to the Board for signatures. The meeting concluded at 8:39 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR FORTRESS

STORAGE LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:04 a.m. to conduct a property tax assessment protest hearing for Fortress Storage, LLC - account no. 31745014. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes, Commercial Appraiser Sam Stone, Commercial Supervisor Mike Cowan, Residential Supervisor Barbara Wade, Residential Appraiser Bret Hartley, Other Assessor Office staff, Greg Ruddell for Fortress Storage, LLC, Eric Murrell, Jr. for Fortress Storage, LLC and Deputy Clerk Jenen Ross. Mr. Ruddell and Mr. Murrell offered testimony in support of the protest application. Sam Stone, Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to uphold the Assessor's amended valuation. The hearing concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR SAINT ALPHONSUS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:58 a.m. to conduct a property tax assessment protest hearing for Saint Alphonsus, account nos. 64932721, 64937541, 64940652, 64941293, 64941490 and 64941585. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes, Commercial Appraiser Sam Stone, Commercial Supervisor Mike Cowan, Residential Supervisor Barbara Wade, Residential Appraiser Brett Hartley, other Assessor Office staff, Frank Lee for St. Alphonsus, Miguel Rosus-Muniz for St. Alphonsus and Deputy Clerk Jenen Ross. Mr. Lee and Mr. Rosus-Muniz offered testimony in support of the protest application. Joe Cox and Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption on all six parcels. The hearing concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – CASUALTY LOSS TAX EXEMPTION HEARING FOR KATHLEEN WELCH ROBNETT

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:08 a.m. to conduct casualty loss exemption hearing for Kathleen Welch Robnett, account no. 72595000. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Analyst Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes, Commercial Appraiser Sam Stone, Commercial Supervisor Mike Cowan, Residential Supervisor Barbara Wade, Residential Appraiser Bret Hartley, other Assessor Office staff and Deputy Clerk Jenen Ross. Jennifer Loutzenhiser offered testimony in support of the casualty loss exemption

application. Following testimony, Commissioner Dale made a motion to grant the casualty loss exemption. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - CONSIDER SIGNING ASSESSOR ADJUSTMENTS TO 2019 CERTIFIED VALUES

The Board met today at 10:11 a.m. to consider signing Assessor adjustments to 2019 certified values. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, other Assessor Office staff and Deputy Clerk Jenen Ross. Adjustments have been made based on information collected during Board of Equalization. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the adjustments to 2019 certified values. A copy of the adjustments are on file with this day's minute entry. The meeting concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White and Leslie Van Beek, Judge Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Mr. Tyler spoke about the Magistrate Commission and the judge selection that will take place this Friday. A discussion was had about a Boise State representative working with the county on small claims mediation. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING IN THE MATTER OF A REQUEST BY JAY WALKER REPRESENTING KOLO, LLC FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. RZ2018-0037 AND OR2018-0007

The Board went on the record at 2:02 p.m. to reschedule the public hearing in the matter of a request by Jay Walker representing KOLO, LLC, for a comprehensive plan map amendment and rezone, Case No. RZ2018-0037 and OR2018-0007. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Dan Lister, interested citizens, and Deputy Clerk Monica Reeves. Dan Lister reported there has been a change in the applicant's representative and when he reached out to contact them he was informed they did not receive notice of today's hearing so the matter will have to be rescheduled. The new hearing date is August 12 at 10:00 a.m. Commissioner Van Beek said the Board did not have prior

knowledge of the information staff brought today and she offered her apologies for the inconvenience. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 9, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Overhead Door of Idaho in the amount of \$1950.00 for the Facilities department

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

The Board met today at 8:32 a.m. for a biweekly meeting with the Facilities Director and the IT Director to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant Director of IT Eric Jensen, and Deputy Clerk Monica Reeves. Director Rast reported on the following items:

- The cameras on the Sheriff's Office radio towers have gone offline. IT was not involved with the camera project and the company that installed them is no longer in business so Director Rast will meet with the Sheriff's Office and see what he can do to help, but it's unknown if it will be an IT project or a facilities project to get the cameras working again.
- AA Tronics, the company that does the recording system in the Board's meeting room and the public meeting room, will perform some work on the system to improve the resolution on the monitors.
- The licenses have been procured for the phishing module (*Secure the Human*) and he is reviewing options and will report back to the Board at a later date.
- IT has six projects that were closed and Director Rast will present those to the Board after the budget hearing process concludes.

Director Navarro reported on the Pod 6/temporary jail pods project. An alleyway vacation project was started three years ago with Commissioners Rule and Hanson as part of their desire to build an addition to the Dale Haile jail. All utilities were removed from the alley except for CenturyLink so he is now in the process of trying to get them out of the way. There is going to be a sizeable cost for this work which was not budgeted for. He spoke about the inspection process for the pods and is still working through the landscape plan, fencing bids, ADA issues, and constructional issues for the recreation yard lid. Commissioner White said a meeting has been scheduled with the Sheriff's Office and ADS to get an update and find out where we're at and moving forward. Director Navarro said the ADA issues associated with the pods are difficult and it's been very challenging. A lot of rough-in have been done but none of the final details because they don't have an approved set of plans to install from. ADS still believes we will have delivery of the first 12 units by the second week of August. The initial plan review has been given back to us with ADA requirements and it requires a lot of detailed drawings and structural engineering and he doesn't think ADS was prepared for this level of minutiae and detail the state is requiring.

The items discussed were general in nature and did not require Board action. The meeting concluded at 8:51 a.m. An audio recording 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 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender left at 9:23 a.m., Deputy P.A. Dan Blocksom left at 9:23 a.m., Deputy P.A. Zach Wesley left at 9:24 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:27 a.m., Fair Director Diana Sinner left at 9:24 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing expert witness contract with J. Philip Cook, MAI CRE for an appraisal of the CTI-SSI Food Services processing facility and related support services: Assessor Stender explained this is for 2018 and 2019 and, if needed, would like to be able to hire Mr. Cook for hearings. Discussion ensued in reference to the history of CTI-SSI valuations and the expectations of where they'd like to use Mr. Cook's services. The contract has been reviewed by legal and includes an estimate of the costs. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the expert witness contract with J. Philip Cook, MAI CRE (see agreement no. 19-083).

Consider signing 2019 Canyon County Fair entertainment agreement with Special Reserve: This is a standard entertainment contract for the opening act at the Latino Fair Fest. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2019 entertainment agreement with Special Reserve (see agreement no. 19-084).

Consider signing a resolution approving award of officer's badge and duty weapon to Captain William Adams: Captain Adams has served 29 years in the Sheriff's Office and the retirement ceremony will be held in August. Upon the motion of Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution approving the award of officer's badge and duty weapon to Captain William Adams (see resolution no. 19-118).

Consider signing a resolution to make reappointments to the Canyon County Historic Preservation Commission: Director Schwend sent an email indicating that Mr. DeFord has served and is recommending that he serve again. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution appointing Mr. DeFord to the Canyon County Historic Preservation Commission (see resolution no. 19-117).

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

PUBLIC HEARING – REQUEST BY RICH PICKETT/PICKETT AUCTIONS FOR A REZONE, CASE NO. RZ2019-0015

The Board met today at 10:01a.m. to conduct a public hearing in the matter of a request by Rich Pickett of Pickett Auctions for a rezone of 1.3 acres from "A" (Agricultural) to "M1" (Light Industrial), Case No. RZ2019-0015. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, DSD Director Tricia Nilsson, Rich Pickett, Rhonda Pickett, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is to rezone approximately 1.3 acres of a 6.19 acre parcel. The majority of the parcel (4.89 acres) is currently zoned "M1" and the request is to change the 1.3 acres to "M1" to match the balance of the property so that it can be utilized by the Pickett Auction facility. The area does have industrial commercial zoning along Highway 95 and they have obtained approval for their access points for the auction service. Staff is recommending approval of 1.3 acres to "M1". Rich Pickett testified this is a house cleaning effort as they are building their business on the site. Commissioner Van Beek asked Mr. Pickett about his plans for the property and following comments she said there are many reasons the Board should approve the request. Commissioner White said the request is straightforward and is perfectly suited and designed for the area. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the request by Rich Pickett for a rezone, Case No. RZ2019-0015 and sign the findings of fact, conclusions of law and order, as well as the ordinance for this case. (See Ordinance No. 19-030A.) The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM
CALDWELL, IDAHO JULY10, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Carousel Industries in the amount of \$2129.74 for the Information Technology department
- Manage Engine in the amount of \$10,795.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 7/10/19

The Board of Commissioners approved payment of County claims in the amount of \$100,009.77 and \$38,735.43 for accounts payable.

APPROVED CLAIMS ORDER NO. 7/12/19

The Board of Commissioners approved payment of County claims in the amount of \$5441.49 for accounts payable.

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

The Board met today at 10:32 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell left at 10:48 a.m., Controller Zach Wagoner left at 10:48 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing agreement to provide school resource officer services to the Vallivue School District: This is a new agreement with the Vallivue School District for a School Resource Officer primarily at the middle school, which is in Canyon County's jurisdiction, at \$82K/year for 80 hours every 2 weeks. Chief Dashiell spoke about the role of an SRO in the school. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the agreement to provide school resource officer to the Vallivue School District (see agreement no. 19-085).

Consider signing Idaho Department of Parks and Recreation Grant Agreement project WW20-3-14 for re-power search and rescue outboard boat: These grant monies will be used to replace a motor on one boat. In order to keep the accounting portion clean, this will be added to next year's budget as both a revenue and expense. The grant amount is \$11,883 with a matching amount of \$3961 for a total of \$15,844. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Idaho Department of Parks and Recreation Grant agreement (see agreement no. 19-086).

Consider signing 2019 Canyon County Emergency Operations Plan: Lt. Schorzman was not able to attend the meeting today so this action item will be postponed to a later time.

A discussion was had about a letter received from Nereida Lopez offering her home for sale to the county. Mr. Goodsell provided a print out and pictures of where the property is located, which is approximately a block away from the courthouse campus. Ms. Lopez is asking \$160K for the property, however the county cannot pay more than the appraised value for a property. Commissioner White said she is not interested in property that is a block away from the courthouse campus. Commissioner Van Beek feels it's a minimal investment and wonders if it has been passed thru the Assessor's Office to know what this property is actually worth. She would like a GIS map of this property along with mapping of all county property. Mr. Goodsell said we can get a GIS map of this area that shows all county owned property in this area.

There has been a request to rent the garage on a property the county recently purchased for a boxing club. Mr. Goodsell explained there is no power, sewer or water at the location and Director Navarro has indicated that the space isn't even good enough for storing materials and has planned to tear down and repurpose the materials. Commissioner Van Beek doesn't feel this is a good fit for use of this building and Commissioner White agreed.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 11:02 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 Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A.

Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:20 a.m. with no decision being called for in open session.

Consider signing approval/denial of a new alcohol license for G&G Investments doing business as BUD'S: Commissioner Van Beek noted for the record that the application needs to be more fully vetted by legal. This action item will be added back to the agenda at a later date.

The meeting concluded at 11:22 a.m. There are two audio recordings on file in the Commissioners' Office.

JULY 2019 TERM
CALDWELL, IDAHO JULY 11, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek

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 Pam White and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0956, 2019-0954, 2019-0913, 2019-0957, 2019-0958, 2019-0953, 2019-0949, 2019-0907, 2019-1045, 2019-0942, 2019-1068, 2019-0935, 2019-0955 and 2019-0937. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue case no. 2019-708 to August 29, 2019.

Commissioner Van Beek made a motion to issue final denials for case nos. 2019-561 and 2019-540. The motion was seconded by Commissioner White and carried unanimously.

Commissioner Van Beek made a motion to issue final approvals with written decision within 30 days for case nos. 2019-350 and 2019-362. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue a final approval for case no. 2019-47.

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

MEDICAL INDIGENCY MATTERS

The Board met today at 8:56 a.m. to consider medial indigency matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Director Baker has requested the Board sign subpoenas to be issued to the Social Security Administration for information they have not been able to obtain in any other way. The case numbers are as follows: 2018-901, 2017-1595, 2017-988, 2017-1657, 2017-557, 2018-667, 2018-1452 and 2019-331. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the requested subpoenas. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-467

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2019-467. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to continue the case to November 21, 2019. The hearing concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-699

The Board met today at 9:41 a.m. to conduct a medical indigency hearing for case no. 2019-699. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen, Donna Sharp for St. Alphonsus, Relative of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Van Beek, the Board voted unanimously to issue a final approval for case no. 2019-699. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-345 AND 2019-494

The Board met today at 10:04 a.m. to conduct a medical indigency hearing for case nos. 2019-345 AND 2019-494. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen, Donna Sharp for St. Alphonsus and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue a final denial for case no. 2019-494. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve case no. 2019-345 for the amount of \$34,551.55. The hearing concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-587

The Board met today at 10:24 a.m. to conduct a medical indigency hearing for case no. 2019-587. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen, Donna Sharp for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the hearing to October 24, 2019. The hearing concluded at 10:41a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-628

The Board met today at 10:43 a.m. to conduct a medical indigency hearing for case no. 2019-628. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen, Donna Sharp for St. Alphonsus and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to continue the case to August 1, 2019. The motion was seconded by Commissioner White but after further discussion it was decided that additional time would be beneficial. Commissioner Van Beek made an amended motion to continue the case to August 29, 2019 which was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-444

The Board met today at 10:54 a.m. to conduct a medical indigency hearing for case no. 2019-444. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy

P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Applicant and relative of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to place the case in suspension. The hearing concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-551

The Board met today at 11:00 a.m. to conduct a medical indigency hearing for case no. 2019-551. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to continue the case to September 26, 2019. The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY MATTERS

The Board met today at 11:13 a.m. to consider medical indigency matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on case no. 2019-671. Commissioner Van Beek made a motion to issue a final denial with written decision to be issued within 30 days. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 11:15 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 11:25 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom arrived at 11:30 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Case Management Systems Professional Services agreement for Canyon County Juvenile Probation Department: This is a work order for CMS (Case Management System) to create a module that will better allow for Juvenile Probation staff to take better notes during court hearings. The estimate of work is 40 hours at \$150/hour with the not to exceed amount being \$7200. The work will be billed at an hourly rate and will be a one-time cost, not ongoing. Upon the motion of Commissioner Van Beek and second by Commissioner White the

Board voted unanimously to sign the agreement with Case Management Systems (see agreement no. 19-087).

Consider signing 2020 Memorandum of Agreement to support Clinical Services in Juvenile Detention Facilities: These are monies received from the state to the county to employ both a full-time and part-time clinician to do intakes and evaluations as needed. The State reimburses the county for those salaries. This agreement covers all the services, cost-wise. Requirements of the county include data tracking and making sure screenings are done on 70% of the juvenile intakes. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the MOA to support clinical services (see agreement no. 19-088).

Consider signing Thomson Reuters West Publishing Corporation's subscription order form for the Canyon County Prosecuting Attorney's Office: The Prosecuting Attorney's Office does a lot of research of case law and this is the system that allows that. The current subscription only has 30 attorneys and the office has 37 attorneys using the system so the agreement needs to be modified to accommodate all of the attorneys. The monthly fee will increase but the budget will accommodate that change and they have spoken with the Controller to have FY2020 budget adjusted to include the change. Mr. Blocksom is trying to get clarification as to whether the fee includes the hard copy. Due to the clarification still needed Commissioner Van Beek made a motion to continue this action item to 3:30 p.m. today. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 11:37 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED MEETING TO CONSIDER SIGNING THOMSON REUTERS WEST PUBLISHING CORPORATION'S SUBSCRIPTION ORDER FORM FOR THE CANYON COUNTY PROSECUTING ATTORNEY'S OFFICE

The Board met today at 3:32 p.m. for the continued meeting to consider signing the Thomson Reuters West Publishing Corporation's subscription order form for the Canyon County Prosecuting Attorney's Office. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Mr. Blocksom was able to confirm that the hard copy books are purchased thru another source and not Thomson Reuters or West Law. Commissioner Van Beek made a motion to sign the Thomson Reuters West Publishing Corporation's subscription order form. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 19-089). The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM
CALDWELL, IDAHO JULY 12, 2019

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

APPROVED CLAIMS ORDER NO. 7/25/19

The Board of Commissioners approved payment of County claims in the amount of \$36,471.08 and \$66,949.19 for accounts payable.

No meeting were held today.

JULY 2019 TERM
CALDWELL, IDAHO JULY 15, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell in the amount of \$209,600.92 for the Information Technology department
- Miller Creek Associates in the amount of \$7757.00 for the Solid Waste department
- Jim's Metal Works in the amount of \$2537.00 for the Facilities department
- Sunbelt Controls in the amount of \$2950.00 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 7/19/19 for a wedding.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Eric Arthur.

MEETING WITH COMMISSIONERS' OFFICE STAFF TO DISCUSS UPCOMING CALENDAR EVENTS

The Board met today at 8:31 a.m. for a staff meeting to review upcoming calendar events. Present were: Commissioners Pam White and Leslie Van Beek, Deputy Clerk Jamie Miller and Deputy Clerk Jenen Ross. Discussion was had regarding upcoming calendar items and expectations of certain meetings including Pod 6, CAFO, land use hearings, Fleet Director, Human Resources Director, BOE processes, fire district impact fees and budget meetings among others. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Lt. Dave Schorzman left at 9:12 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing 2019 Canyon County Emergency Operations Plan: Preparation of the updated plan was done by Lt. Schorzman, the master plan requires an update every 3 years and some components within the plan require annual updating. The County is required to have a plan in place in order to have access to grant funding. The plan lines out the Board's responsibility in case of a disaster and a "how-to" for the emergency operations manager. Discussion ensued about mock simulations of a disaster and how that could be beneficial to the Board. In response to Commissioner Van Beek's question, Lt. Schorzman said he would provide a list to the Board of trainings that would be good to attend. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2019 Canyon County Emergency Operations Plan. A copy of the plan is on file with this day's minute entry.

Mike Porter explained that Mr. Laugheed planned to attend today's legal staff update but he is out of the office this morning. There was a matter that was addressed by email last week that he intended to follow up on today but would be happy to address tomorrow when he's back in the office. Mr. Porter said he would pass on the Board's thoughts to Mr. Laugheed so that they can be addressed tomorrow.

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

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER ACTION ITEMS

The Board met today at 9:35 a.m. for a meeting with Development Services staff to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Representative for Riverfront Estates Subdivision and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing final plat for Riverfront Estates Subdivision for Dan & Jonna Rohl and Erik & Sarah Heasley; Case No. SD2019-0021: This re-plat has no subdivision improvements so there is no bond or certification required. The plat has been reviewed by Keller and Associates and was recommended for approval. The required signatures are in place on the Mylar and is ready for Board signatures. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the final plat for Riverfront Estates Subdivision; Case no. SD2019-0021.

Consider signing final plat for Riverfront Estates Subdivision HOA; Case No. SD2019-0005: There are no subdivision improvements on this development. It is a replat of an existing lot within Riverfront Estates Subdivision. Keller has reviewed the plats and recommended approval. Required signatures are in place on the plat Mylar and is ready for Board signature. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the final plat for Riverfront Estates Subdivision HOA; Case no. SD2019-0005.

Consider signing a letter requesting the Department of Agriculture to form a site advisory team to review Sun Ridge Dairy's request for CAFO expansion; Case No. CU2019-0010: This particular request is for a signature on a resolution for a siting team to be formed for the expansion of the Sun Ridge Dairy. Idaho administrative code requires that the Board of County Commissioners request the formation of a CAFO site advisory team to provide site suitability determination and that is done by submitting a written request to the director of the Department of Agriculture supported by the adoption of a resolution by the county. The resolution and letter will go to Idaho Department of Ag and a siting team will be formed for the expansion of Sun Ridge Dairy. Ms. Almeida and Director Nilsson outlined the responsibilities and make-up of the advisory team.

Zach Wesley noted for the record that the resolution portion of this CAFO expansion request was not on the agenda. Commissioner Van Beek made a motion to amend the agenda to include the resolution. She made a secondary motion to sign the letter and resolution requesting the Department of Agriculture form a site advisory team to review the Sun Ridge Dairy's request for a CAFO expansion; case no. CU2019-0001. Both motions were seconded by Commissioner White and carried unanimously.

The meeting concluded at 9:48 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 Pam White and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following:

- A commuter authorization form was signed by the Board for the Code Enforcement Officer. A copy of the form is on file with this day's minute entry.
- Preparing vehicles for auction. Discussion ensued regarding the value of trading-in vehicles vs. auction.
- Prepping emergency equipment for the Fair July 24th – 28th; it will then be taken to the Emergency Management Inter-Operation in Notus the 29th – 1st.
- Director Tolman spoke about a potential additional person and how work coming in from outside sources should pay for the salary and benefits.

The meeting concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:06 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek. HR Director Sue Baumgart, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross.

Director Baumgart updated the Board on the following:

- The front desk person has resigned so she will use current staff on a rotating schedule to cover the position. The rotating schedule will be in place for the summer but she will evaluate the department needs and determine what will work best for the office going forward.
- The training with Ron Price has been included in the 2020 budget at the same cost as 2019. Department Administrators have requested to continue with the training and Commissioner White said she had gotten good feedback about it.
- Nicole Ahlstrom and Jennifer Allen have been working with Department Administrators on performance evaluations.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner Van Beek made a motion to go into Executive Session at 11:23 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records that are exempt from public disclosure. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, HR Director Sue Baumgart, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:15 p.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.

JULY 2019 TERM

CALDWELL, IDAHO JULY 16, 2019

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

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

The Board approved a salary rate request and/or key & security access request form for Linda Ellis, Nancy Horton, Linda Vanacore, Tina Wetzell, Naida Camacho Jimenez and Jose Carranza.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Company in the amount of \$16,785.00 for the Facilities department
- Idaho Post in the amount of \$1,200.00 for the Sheriff's Office

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd left at 9:05 a.m., Deputy P.A. Dan Blocksom, Weed and Pest Director AJ Mondor and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of Treasurer's tax charge adjustments by PIN for June 2019: Treasurer Lloyd explained the reasons for these monthly adjustments. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for June 2019.

Consider signing agreement for noxious weed control between Idaho Transportation Department and Canyon County: This is a contract that has been done for the last 15-20 years for the county to assist in clean-up of ITD ground such as major state highways in the area. Upon the motion of Commissioner Van Beek and second by Commissioner White the

Board voted unanimously to sign the agreement for noxious weed control between Idaho Transportation Department and Canyon County. Director Mondor spoke about the liability of his personnel while out spraying. Commissioner Van Beek said she would like more information on county exposure, hazmat clause and liability before she signs (see agreement no. 19-090).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE 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 communicate with risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:24 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records that are exempt from public disclosure and communicate with 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 Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Weed and Pest Director AJ Mondor, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:43 a.m. with no decision being called for in open session.

At the conclusion of the executive session the following action item was considered:

Consider signing cooperative agreement for gopher control between Idaho Transportation Department and Canyon County: Director Mondor said this agreement is similar to the weed spraying. They address areas of concern if they are in the area and notice an issue or get a complaint. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the cooperative agreement for gopher control between Idaho Transportation Department and Canyon County (see agreement no. 19-091).

The meeting concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER THE REQUEST BY ION & MIHAELA STANCIU FOR A PRELIMINARY PLAT AND FINAL PLAT FOR STANCIU SUBDIVISION NO. 2; CASE NO. SD2019-0001

The Board met today at 10:00 a.m. for a public hearing to consider the request by Ion & Mihaela Stanciu for a preliminary plat and final plat for Stanciu Subdivision No. 2; case no. SD2019-0001. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, TJ Wellard, Ion Stanciu and Deputy Clerk Jenen Ross. Ms. Almeida gave the staff report stating that the subject property is zoned single

family residential (R-1) and the average minimum lot size in the R-1 zone is one acre. The property is designated as residential on the Canyon County future land use map and the property lies within Nampa's area of city impact. This project contains two residential lots and will utilize individual domestic wells and individual septic systems. The property does not have water rights. Lot 1 has frontage on South Stanford St. and lot 2 will be accessed via a 28 foot easement. An easement reduction to 28 feet was approved by the director on March 29, 2019. Keller and Associates has reviewed the preliminary plats and their comments are found in exhibit 5 as well as added to the recommend conditions of approval. No written opposition to the plat was received. The subdivision meets Idaho code and Canyon County zoning ordinance requirements for the preliminary and final plats. The planning and zoning commission recommended approval of the preliminary plat on May 16, 2019. Staff is also recommending approval of the request with the proposed conditions of approval as outlined in exhibit 1 of the staff report. There are no subdivision improvements for this project. The plat Mylar has been signed by all the necessary agencies and is ready for the Board signature. Commissioner Van Beek asked about the reduction in access from 60 feet to 28 feet. Director Nilsson said they look at how this particular street fits into the overall network in the area. It will only serve this local need, the surrounding properties have other ways to access the local system. The fire department is okay with the reduced width. Commissioner Van Beek asked for the surface irrigation water rights to be addressed. Ms. Almeida said that the lot that is being built on is 1.371 acres and you can irrigate up to a ½ acre by a domestic well which she believes is their intent.

TJ Wellard offered testimony stating that Mr. and Mrs. Stanciu are requesting to divide this existing lot in the subdivision to add an addition residence for their daughter. He addressed the access, he said it is just a driveway for the back lot, lot 2, so it would be just one residence using that driveway. There is no connection to anything behind so it is only to be used by lot 2, no other properties can use it in the future unless those property owners want to grant use to some other property. As far as water goes, they do not have surface irrigation water rights, so currently the sprinkler system is hooked up to the well to water their yard. Whatever they are legally allowed to use is what they'll do as far as watering the lawn. By the time you build a house, shop and driveway it uses up a fair amount of the acreage. Commissioner Van Beek asked the issue of weed control. Director Nilsson said there are hundreds of one acre lots around the county and they get more complaints about the larger size properties vs. the smaller ones. Commissioner White made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek made a motion to approve the request by Ion & Mihaela Stanciu for case no. SD2019-0001 for the preliminary and final plats and sign the findings of fact, conclusions for law and order. The motion was seconded by Commissioner White and carried unanimously. A copy of the FCOs are on file with this day's minute entry.

The meeting concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ANNE WESCOTT TO DISCUSS FIRE AND RECREATION DISTRICT IMPACT FEES

The Board met today at 1:33 p.m. with Anne Wescott to discuss fire and recreation district impact fees. Present were: Commissioners Pam white and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, PIO Joe Decker, Anne Westcott with Galena Consulting, Attorney Bill Gigray, Michael Stoll with Canyon County Ambulance District, Jim Bower with Marsing Fire, Chris King with the City of Nampa, Andy Petersen with the Nampa Fire Protection District, Krystal Hinkle with Kuna Fire, L.V. Buzz Beauchamp, Steve Rhodes with Wilder Fire District, Greg Timinsky with Star Fire and Rescue, Robin Ward with Star Fire and Rescue, Victor Isias with Middleton Fire, Deb Sandbogh, Tim O'Meara, Hubert Osborne and Brion Showalter and Deputy Clerk Jenen Ross.

Presentation includes 8 final reports that each district commissioner have approved and have asked to move ahead with the County prosecutor in seeking the Board's approval of collecting these fees.

The question is: what will growth in Canyon County do to our ability to provide fire and emergency services?

When talking about the level of service it's talked about in terms of response time minutes.

- Review of Treasure Valley target response times
 - Canyon County fire districts are currently meeting the recommended response times but growth is eroding the ability to continue to do so in the unincorporated areas of the county.
- Fire district population growth projections – 10 year forecast
 - Over the 10 year period there is a growth projection of 33,002 households for the 7 districts that are being represented.
 - As growth continues to move into Canyon County they anticipate that at the end of the 10 year period they will have revised the growth projections.
- Fire district non-residential growth projections – 10 year forecast
 - Where rooftops are built they know that other types of non-residential land use will go up.
- Increased calls for service
 - Average increase in call volume per fire district over past 10 years is 88%.
- Growth's impact on level of service
 - Significant growth is putting a strain on the districts' ability to respond to calls within the desired amount of time.
 - There are not enough stations and/or ideally located stations to provide current levels of service to new growth which could cause longer response times, increased mortality, increased property loss and insurance rates for residents.
- How can a district maintain their level of service in the midst of significant growth?
 - In evaluating district budgets the increase in costs is about even with increased revenue from property taxes generated by new growth thus not

- leaving any funds for station construction or purchase of apparatus and equipment.
 - Impact fees are a way to equitably assign the burden of the cost of growth related capital.
 - Canyon County fire districts would like to collect impact fees to support their growth related capital needs in order to maintain current service levels.
- Fee calculations
 - Equation to determine fee is: Purchase or construction to support future growth ÷ number of residential units/non-residential square fee = full cost recovery impact fee per unit.
 - Only items necessary to support growth are allowed with monies collected from the impact fee.
- Current capital assets needed for current level of service
 - To date the 7 districts being represented have \$85,208,516 in assets as far as stations and apparatus.
 - Each household has paid \$1649 into the system.
 - Most districts already have some capacity built in so they will probably never ask new growth to pay what existing residents have already paid in.
- Value of 10 year capital improvement plans by district
 - Develop a capital improvement plan based on each districts' data points – those points being what their level of service is today, amount of growth predicted for that district over the next 10 years and specific to that district what amount of capital they will need to make sure that their current response time doesn't erode due to growth.
 - For all 7 districts the total capital improvement cost due to growth is \$35,738,864.
 - The way to determine if something is growth related is to ask the question 'If you never added another house would you need to build this?' If you need to build regardless of growth then it is not impact fee eligible.
- Capital improvement plans for each district were reviewed by Ms. Wescott. The capital improvement plan amounts that are CIP eligible are as follows:
 - Caldwell/Caldwell Rural Fire District: \$10,515,798
 - Kuna Fire District: \$7,240,942
 - Marsing Fire District: \$656,000
 - Middleton Fire District: \$4,007,600
 - Nampa/Nampa Rural: \$8,720,324
 - Star Rural Fire: \$4,117,200
 - Wilder Rural Fire: \$481,000
- Proposed impact fees per fire district – per residential unit
 - Caldwell/Caldwell Rural Fire District: \$665
 - Kuna Rural Fire District: \$824
 - Marsing Rural Fire District: \$1238
 - Middleton Rural Fire District: \$849

- Nampa/Nampa Rural Fire District: \$560
- Star Rural Fire District: \$809
- Wilder Rural Fire District: \$825
- Fee comparisons
 - Impact fees will vary by jurisdiction due to differences in current assets, level of service, growth projections, growth patterns, etc.
 - Between 10,000 – 15,000 additional people demands a new station.
- Legal process
 - Fire districts have conducted their impact fee studies and developed 10-year CIPs in compliance with state statute.
 - Advisory committees made up of community members in development, real estate, lending, construction, etc. have given their unanimous recommendation to adopt the proposed fees.
 - District commissioners have reviewed these proposals and have determined they would like to pursue the adoption of fees with the cities and Canyon County.
 - The cities of Kuna and Star have already adopted fees for their rural fire districts; the cities of Middleton and Wilder have indicated their willingness to do so as well.
 - All documentation for adoption of impact fees for the respective fire districts has been developed in compliance with state statute and can be provided to Canyon County legal for review
 - Required steps
 - Approval of impact fee advisory committee membership
 - County public hearing on each fire districts capital improvement plan and resolution approving each plan.
 - County public hearing on the ordinance adopting fire district impact fees
 - County planning and zoning public hearing to amend the Comprehensive Plan to include the fire district capital improvement plans; resolution of amendment by county commissioners.
- Administration fees
 - County would assess and collect the appropriate fee at the point of building permit.
 - Revenue would be disbursed to the districts on an agreed upon schedule.
 - Districts would pay the county an administrative fee for processing.
 - District would be responsible for managing required reporting to the development impact fee advisory committee and fund/manage the required study updates at least every 5 years.

Commissioner Van Beek asked at what point in the collection process it allows for a station to be build. Ms. Wescott said these are calculated based on 10-year growth and being able to

recover the cost to build the station. The first monies into the account have to be spent within 8 years which can include the purchase of land, design or purchase of equipment or apparatus. They can choose to wait until they have all the money in the account or they can build the station upfront and have the impact fee revenue pay back their general fund over time. Ms. Wescott addressed the concern about the appeal process, she said they have an administrator in each district and if a developer were to come forward not wanting to pay an impact fee they could be referred over to the district administrator. Her thought is that since the county doesn't have staff who would know how fire service is related to a house that 99% of all questions from a developer would happen at the fire district.

Mr. Gigray spoke about the guideline regarding spending of the monies. There is a process allowed by statute that notice can be provided by the agency and they can get up to a 3 year extension if they cannot spend the money in the 8 year timeframe. Mr. Gigray also addressed the issue of the economy or growth not growing as fast as projected. His understanding is that the fire district would have to forecast in their budget process that they are going to use an impact fee for an eligible project in the following fiscal year. The money is placed in a trust fund so it has to be added as an additional income item. Ms. Wescott spoke about the inflationary rate stating that it could go either up or down. She spoke to what she believes Commissioner Van Beek's concerns are regarding the changes in the market and the concern that if fees are being collected but building is not happening. Ms. Wescott said that is why the statute says you have to update the plan every 5 years and the fire districts are committed to updating their plans every 2 years because things are changing so fast. They will be meeting with the advisory committee every year and if at any point things seem to be declining they can re-open the plan and adjust. They don't want the fee to be changing for any reason other than inflation. If anything in the environment has changed significantly from the studies they've done, that is where the advisory committee comes in to help gage the economic environment for development. Ms. Wescott said she evaluates the permits for every community every year and watches the COMPASS update to track that they are still reasonably in line, if not they will stop and re-do everything. With impact fees there is a correlation between growth and capital.

- Middleton Parks & Recreation District
 - Estimated CIP value is 83% making the fee amount \$3,014,420
 - Improvements include curbs, gutter, parking lots, pathways, baseball diamonds, playgrounds, community center improvements and land acquisition for fields for growth at several locations.

Ms. Wescott explained how her report shows the full dollar amount of the issue but breaks down what can come from impact fees and what portion will need to be planned to keep up the rest. Although it's not legally required to fund projects that are non-impact fee eligible, it would not be a good policy decision to take impact fees to keep the level of service going while allowing everything else to degrade. If there are any projects on the CIP that are anything but 100% or 0% it's saying that the district has to be able to pay for the remaining portion not covered by impact fees.

Zach Wesley said that he believes from the Commissioners' perspective there is a tremendous amount of information that has been presented and a lot of ground-work with detail and explanation has already been done. The fire districts and the recreation district have done a lot of work and want to remove some of that burden from the county. He said Ms. Wescott provided a lot of perspective on the annual reviews and how those are handled but as Commissioners and as a county we have to prepare for a situation where Ms. Wescott isn't involved anymore and we have to have systems in place so that we have a committee and people that are appointed by the county commissioners that are there to come in every year and make sure the annual reviews happen and then in addition we also have to plan for the potential that growth doesn't occur. Say in a rural area they predict 300 homes and in 5 years from now they only have 30 homes in that area we have to be prepared to go in there and adjust the plan, figure out where the money can be spent thru a committee, thru cooperation with that district and prepare for the potential of a refund, potential of an appeal that could go to the county commissioners, something that could go to court in the county's name. What we've discussed is putting together a committee that would meet those requirements that are required in statute by the Idaho legislature to initially look at all this information, tell the commissioners where they need to look, where there is potential liability going forward, where there is potential concern with the plans, if there are any, and give the Board a recommendation and then we can proceed much like it's laid out in Ms. Wescott's presentation. That would be the first step but that doesn't mean that all of the work that's been done is not valuable and isn't ready to go. One thing that we talked about is having all of the existing committees come in as subcommittees. You've got a group beyond the county commissioners that can get in touch with the 8 different entities. Mr. Wesley said that ultimately the fire districts want to ease the burden on the county but the county needs to look at worst case scenario. Need to plan out for what happens in 8.5 years, what happens in 10 years if a district hasn't fulfilled its responsibilities or if we don't have Ms. Wescott to rely on for advice and counsel. We need to look at building this system so it lasts beyond all of us. Commissioner Van Beek said she would like the opportunity to visit with county legal and digest the bulk of what's been done.

Mr. Gigray represents all 7 fire districts along with the greater Middleton area recreation district. He addressed a point about liability with intergovernmental agreements which they are working thru with Ada County. They are providing an indemnity to the county for the administration of the impact fee ordinance that the county has applied. That can be done by statute and if the county gets sued and end up with a big judgment then there could be a judgement levy to collect money to pay the county back; that is how it is being handled in Ada County. With regards to the committees, Ms. Wescott has worked with the committees, they've been established but they will be Board committees; when the impact fee law was amended to provide for the intergovernmental agreements in 2007 they didn't change anything else, they just provided an additional section that says you can enter into and intergovernmental agreement with fire, highway or irrigation districts for the imposition of impact fees. The advisory committee has to meet at least once a year, it's under the open meeting law and it will continue in that process and it is mandated by statute to update the capital improvement plan at least once every 5 years but it can be done more often if needed. The way the documents have been drafted, those committees are your committees, they're already in place. If the Board looking for a separate committee to be established then he

assumes the Board is looking at a separate advisory committee to advise about the law and the administration and he feels it's a needless duplication because that's what those committees are designed and intended to do. In working with Ada County, there is some interest on the part of the PA's office to combine the committees under one umbrella thru an intergovernmental agreement or thru a joint powers agreement. The reason there are so many committees now is because these didn't all start at the same time and because we're dealing with all these different jurisdictions. Only government entities with ordinance authority can do impact fees; that limits it to counties, cities and ACHD. We've tried to be meticulous in establishing the advisory committees that have functioned for each of those jurisdictions. The way this process would work is you would consider to approve the capital improvement plan, enact a resolution which would be inclusive in your ordinance that would establish the advisory committees as your committee. In order to provide synergy with each of the fire districts the fire districts board could recommend and then affirm your appointment for all of the members of those committees each year. So those committees are always fully staffed with the correct people and it's the responsibility of the administrator of the impact fee to fully staff those committees. They will have to report to the Board of Commissioners under the open meeting law. The idea is that all that administrative expense would be footed by the fire districts and in the case of the recreation district it would be footed by them thru an intergovernmental contract services agreement. If it's liability you're concerned about in the administration it can be taken care of as an indemnity provision in the intergovernmental agreement.

Commissioner Van Beek feels in the absence of one commissioner, she would want the privilege of going back and reevaluating the information that's been provided not only by Ms. Wescott but by Mr. Gigray and taking that into consideration as a Board so Commissioner Dale would need to be present. In order to reevaluate if the suggestion is that we use their appointed committee, that would be a directional change that she would want to have our legal weigh in on in light of the information that's been provided.

Mr. Wesley said we would want some indemnification in our joint powers agreement but it's important to make sure we have a checks and balances system in place. It's a lot of committees to manage in perpetuity so we need to build something simpler that can be managed, we don't want to have 8 committees that the Board has to be in charge of.

Mr. Gigray thinks the conversation about combining committees should come about after the ordinances are in place and we get started. You don't have to have different people on different committees, it can be the same people but they will have the function because each district will have their own capital improvement plan – all that work could be done by one committee and they're going to be administrators of each one of those jurisdictions, they could all be done at once. We need to work on how that would all be coordinated which he thinks could be done after the ordinance is approved.

Ms. Wescott asked the Board not to dilute the process to where they are not authentically involving the people who are intended to be on the committees, she fears it could backfire in the future.

Commissioner White said she has always been an advocate of impact fees – she believes in them and knows the value of them and how important they are. She would like to encourage everyone to know that the Board’s purpose is to communicate with the attorneys and the intent is not to dilute or undo any of the work that has been done. She understands with growth that the need is great. She would like to have the opportunity to get Commissioner Dale on the same page.

Mr. Gigray said that if the Board decided to reconfigure the advisory committee they would literally have to start completely over because the advisory committee is the committee that makes the recommendation of the capital improvement plan to the governing body which would be the Board of County Commissioners and to all of the cities. That means they would have to meet, they would have to receive the report from Ms. Wescott, and go back thru everything again and then all the fire and rec district boards would have to approve because they’ll be the recipients of the impact fees and have to administer it.

Ms. Wescott said her and Mr. Gigray would be happy to sit in on any future meetings so that there aren’t decisions made without the whole story. She works with a lot of clients who want to put in area of oversight and there are many ways to do it which she may have ideas of how to accomplish that without undue burden but still achieves the same intent.

The meeting concluded at 3:07 p.m. An audio recording is on file in the Commissioners’ Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 17, 2019

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

APPROVED CLAIMS ORDER NO. 1921

The Board of Commissioners approved payment of County claims in the amount of \$1,609,970.10 for a County payroll.

MEETING TO DISCUSS UPDATE ON CANYON COUNTY TEMPORARY DETENTION FACILITY

The Board met today at 8:32 a.m. for an update on the temporary detention facility. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Facilities Director Paul Navarro, Captain Daren Ward, Sheriff Kieran Donahue, PIO Joe Decker, Chief Deputy P.A. Sam Laugheed, Michael Stowell with CCAD, Rick Bugatsch and Skip

Young with Huston-Bugatsch, Jarom Wagoner with the City of Caldwell, Michael Shuey, Tom Carter and Timothy Kelly with ADS via teleconference, Clerk Chris Yamamoto arrived at 8:40 a.m. and Deputy Clerk Jenen Ross. Director Navarro updated everyone that the issue with Century Link has now been resolved. Lines were abated several years ago but left in place so the alleyway can now be vacated. He met recently with the City of Caldwell to review the Special Use Permit requirements; there are requirements for landscaping and issues with fencing but they think they've gotten the issues resolved. The fencing came in at \$46K but Director Navarro believes this is something that can be done by Facilities staff and has started the process of procuring the materials. Mr. Navarro addressed Captain Ward's concerns about having enough time for completion stating that his staff does have several projects in the works but believes they can all be managed. The site is well prepared and the utilities such as power, fiber optic, cable TV, water and sewer are in place. The logistics of the blueprints are being worked thru; it's a very complicated relationship with 3rd party inspections and obtaining the insignias thru the State of Idaho-Division of Building Safety. The City of Caldwell will need to issue another building permit along with an occupancy permit and meet with Planning and Zoning to finalize the conditions of the Special Use Permit. Plans have been submitted once to the State of Idaho and first comments have been received back. There were a lot of issues with ADA compliance but Mr. Bugatsch has worked with ADS and plans were resubmitted to the state yesterday for the second round. It's anticipated that comments should be received back within 2-4 weeks. In response to Commissioner White's question, Mr. Navarro and Mr. Bugatsch said they hope that nothing more will be found but the state does have the ability to backtrack, find something else and/or question what was submitted in response to the first round of comments. Director Navarro doesn't anticipate more issues coming back from the state which should allow ADS to continue moving forward and get the 3rd party inspection. Mr. Bugatsch explained the State of Idaho has created this process for out of state manufacturers to go thru in order for the modular units to be imported and it all has to be approved by the state before it can be submitted to the city. The code these units fall under is a combination of motorhome, mobile home, institutional and building code. A discussion was had about the outdoor rec areas and placement of some of the posts for the rec yard fencing. Sheriff Donahue expressed concern about columns being next to the structure to help carry the load of the rec yard cover; he doesn't feel there is much of a load carried there and has concerns about the placement of poles. ADS said that if there are additional requirements pushed back to drive additional posts into the asphalt beside the units that create the perimeter of the rec yard that there are some other options. Mr. Bugatsch believes that the issues of the pole placement has been adequately addressed. Based on the drawings he thinks they made it weight bearing on the edges of the trailer so he doesn't have concerns with the posts coming down inside the rec yard. He said that if something else needs to be done or the state has an issue with the calculations that were provided that they'll find a workaround because they are aware this is a correctional facility and it can't be built in a way that would facilitate someone getting out. In response to a question from Sheriff Donahue, Mr. Bugatsch said they very well could require us to resubmit again if anything needs to be revised which will push the project out further, however, Mr. Bugatsch did say they had a conversation with the planner on Monday about the plans and his initial response indicated it sounded adequate as long as it's supported with the math. Commissioner White asked about the need for both rec yards to be ADA compliant. Mr. Bugatsch clarified that the comment back from the State was that both

yards have to be accessible with either a ramp or lift provided. He said the State's take on a facility is that every portion of the facility has to be accessible by an individual without assistance. Captain Ward and Mr. Bugatsch agree that it's more of an operational concern and how personnel and the schedule is managed. It seems to come down to a matter of timeline and what you're willing to battle to get the project back on track. Sheriff Donahue said it's his position that we just need to move forward, the State is the regulatory agency and at this point has the power and the county may need to do whatever is required. Commissioner Van Beek asked about the cost of the wheelchair lifts. ADS believes the cost is about \$30-\$40K which includes hardware and installation. Director Navarro asked ADS to address timeframes. Once the approval from the state is received they anticipate the 3rd party inspection to take 1-2 weeks assuming ADS will be allowed to make any corrections as the inspection goes along; at that point the insignia is anticipated. Once the insignia is applied ADS will be able to close up the walls along with installing toilets, bunks, window assemblies, access panels and HVAC grilles. They will work to get the first 12 units closed up and then it takes 3-4 weeks for delivery. ADS will be onsite for the set-up and as those are being set-up the remaining 16 will be on their way. At this time it's looking like, if everything goes 'best case scenario', delivery would be the first couple weeks of September with the "grand opening" being in October providing all permits thru the city are able to be obtained in a timely manner. Commissioner Van Beek asked for a list of the change orders and a financial review of where the project is at. Director Navarro believes there has only been one change order and said he would provide that information. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETINGS

The Board met today at 9:31 a.m. for the FY2020 Tentative Budget Workshop meetings. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Michael Stowell with CCAD, Accountant Marina Mendoza, PIO Joe Decker left at 9:45 a.m., TCA Doug Tyler, Assistant TCA Benita Miller, Admin Assistant Tara Hill and Family Court Services Manager Mary Hoffman (arrived at 10:00 a.m. and left at 10:57 a.m.), Fair Director Diana Sinner arrived at 10:29 a.m. and Deputy Clerk Jenen Ross.

Review of the budgets were as follows:

Public Information Officer 9:31 a.m. to 9:45 a.m.

Major Budget Changes:

- Wages and benefits – increase of \$3,709

Commissioners 9:45 a.m. to 10:15 a.m.

Major Budget Changes:

- Staff wages and benefits – increase of \$6,682
- Office equipment – increase of \$1,500

Commissioner Van Beek said she would like to see the budget follow current trends and spoke about how she'd like to see the budget prepared.

Trial Court Administrator 10:15 a.m. to 10:57 a.m.

Family Court Services

Major Budget Changes:

- Requesting new position for admin in the Family Court Services office – increase of \$35,998 for salary and \$20,298 for benefits, total increase amount of \$56,286

Charges for services revenue budget increase is due to:

- Focus on Children class revenue previously budgeted under District Court has been moved to Family Court Services
- Fees for Focus on Children class have been increased resulting in an estimated revenue increase of \$15,000 (Fiscal year 2019 budgeted revenues for the Focus on Children class were \$56,000) – total change of increase of \$71,000

District Court

Changes to wages and benefits:

3 magistrate secretaries moved to Court Operations

1 staff attorney transferred to Payette County

New judicial marshal position: salary \$41,600, Benefits \$23,548

Budget change – decrease of \$119,641

Changes for services revenue decrease is mostly due to:

No longer receiving reimbursement for the staff attorney position that transferred to Payette County

Focus on Children class revenues moved to Family Court Services

Budget change - decrease of \$85,542

Problem solving courts:

Changes to wages and benefits – increase of \$12,253

Professional and technical services increase mostly due to increase in urinary analysis fees – increase of \$40,300

Changes for services increase from an increase in budgeted fee revenues – increase of \$63,300

Benita Miller spoke about the services they provide in each area including District Court, Family Court Services and specialty courts.

Fair 10:58 a.m. to 11:18 a.m.

Changes to wages and benefits:

Wages increased by \$7,527

Benefits increased by \$14,375 – the increase is due to a change in the workers compensation fees. During the annual financial statement audit, the workers compensation rate and code was changed for the staff in the fair department resulting in the need to increase the budget for benefits expenditures.

Total amount increase of \$21,902

Capital outlay increase due to Fair Expo building – total amount increase of \$971,225
Increase in minor equipment is mostly due to budgeted amounts to purchase a new copier – total increase of \$8,800.

The meeting concluded at 11:18 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETINGS

The Board met today at 2:02 p.m. for FY2020 Tentative budget workshop meetings. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Weed and Pest Director AJ Mondor, IT Director Greg Rast, Assistant IT Director Eric Jensen, Business Analyst Caiti Pendell, Don Dutton, Ryan Cronrath, Teresa Urvina, Tu-Ahn Bockenstette, Becky Brady, and other IT staff and Deputy Clerk Jenen Ross.

Review of the budgets were as follows:

Weed and Pest 2:02 p.m. to 2:18 p.m.

Major Budget Changes:

- Wages and benefits for Weed Control – increase of \$8,162
- Wages and benefits for Pest Control – increase of \$4,358 (Increase in benefits is due to a new position budgeted for in fiscal year 2019 whose initial benefits amount were included in FY 19 personal services under the new/reclassified positions expenditure line item. For fiscal year 2020, these benefits are now included under employee benefits expenditures.)

Information Technology 2:18 p.m. to 2:52 p.m.

Major Budget Changes:

- Wages and benefits – increase of \$59,792
- Professional and technical services budget decrease is due to completion of a project – decrease of \$31,000
- Minor equipment budget increase is for the purchase of computer equipment, a backup solution software, and additional OnBase licensing – increase of \$63,750
- Repurposing one PCN which changes the wage range - Telecom Analyst to Network Administrator

The meeting concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 18, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 7/19/19

The Board of Commissioners approved payment of County claims in the amount of \$32,865.36 for accounts payable.

APPROVED CLAIMS ORDER NO. 7/25/19

The Board of Commissioners approved payment of County claims in the amount of \$56,733.87, \$100,347.03, \$9039.33, \$103,510.61 and \$68,205.15 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Henriksen Butler in the amount of \$2300.00 for the Prosecuting Attorney's Office

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0991, 2019-0964, 2019-1062, 2019-1080, 2019-0963, 2019-0961, 2019-1067, 2019-0962, 2019-1099, 2019-0974, 2019-0852, 2019-0960, 2019-1071, 2019-0959 and 2019-0993. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously 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.

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 legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Lt. Ben Keyes left at 9:19 a.m., Communications Manager Roxanne Wade left at 9:13 a.m., Chief Marv Dashiell left at 9:13 a.m., Sgt. Rob Whitney left at 9:13 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Idaho Public Safety Communications Commission FY2020 Dedicated Enhanced Emergency Communications Grant Fee Fund application: The Sheriff's Office is looking to replace the Higher Ground recording system as it's at end of life right now. The requested amount is \$42,676.00 and no match is requirement if the grant is awarded. The application is due by the end of July and they should know by the end of October if the grant will be awarded. A description of what the system does was provided to the Board along with the reasons this system was chosen. A new system is a necessity and if the grant is not awarded it will be something that will have to be included in next year's budget. Rob Whitney spoke about the current system and that they are seeing some failures just due to the age of the system. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Public Safety Communications Commission FY2020 Dedicated Enhanced Emergency Communications Grant Fee Fund application. A copy of the application is on file with this day's minute entry.

Consider signing reimbursement/close-out report for match funds of the Idaho Department of Parks and Recreation Boating Safety Grant CFDA 97-012: This is reimbursement of \$35,299. County funds have been expended from the vessel account. This grant has a 50% match of \$17,649 which is comprised of Lt. Keyes salary. Money is used to hire seasonal deputies to patrol out on the water. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the reimbursement/close-out report for match funds of the Idaho Department of Parks and Recreation Boating Safety Grant CFDA 97-012. A copy of the report is on file with this day's minute entry.

Consider signing expert witness contract with Steve Johnson, MAI, for appraisal reports and related support services pertaining to certain self-storage facilities: This is a contract with an expert appraiser who has expertise in the self-storage arena and his business partner helped write the self-storage appraisal textbook. This contract is for the appraisal of five separate self-storage properties. Assessor Stender gave an overview of the necessity of hiring an outside appraiser for upcoming court cases. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the expert witness contract with Steve Johnson, MAI, for appraisal reports and related support services pertaining to certain self-storage facilities (see agreement no. 19-092).

Consider signing legal notice of entering into personal services contract with J. Philip Cook, MAI, CRE and Steve Johnson, MAI: The contract with Robin Brady, MAI has not yet been signed (as noted on the agenda) so the notice is just for the agreements with J. Philip Cook, MAI, CRE and Steve Johnson, MAI. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the legal notice of entering into personal services contract.

Mr. Blocksom said that the contract with Robin Brady MAI is still being negotiated so it will be rescheduled to a later date.

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

Commissioner Dale made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation, and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek. The Executive Session concluded at 10:13 a.m. with no decision being called for in open session.

The meeting concluded at 10:13 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETINGS

The Board met today at 10:24 a.m. for the FY2020 Tentative Budget Workshop meetings. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Chief Probation Officer Elda Catalano left at 10:48 a.m., Director of Misdemeanor Probation Jeff Breach left at 11:01 a.m., Director of Juvenile Detention Steve Jett, Deputy Director of Juvenile Detention Sean Brown, Juvenile Detention Training Coordinator Shawn Anderson and Deputy Clerk Jenen Ross. During a review of the budgets the following major changes were noted:

Juvenile Probation 10:24 a.m. to 10:48 a.m.

Major Budget Changes:

- Wages and benefits – increased amount of \$35,703

Community Incentive Program Revenues and Expenditures:

- Increase to Professional and Technical Services expenditures – increased amount of \$250,000
 - Increase to Charges for Services revenue – decreased amount of \$250,000
 - Total net effect is \$0
- Capital Outlay for New Ford Explorer – increased amount of \$12,000
 - Minor Equipment for Motorola Radios – increased amount of \$20,000

Misdemeanor Probation 10:49 a.m. to 11:01 a.m.

Major Budget Changes:

- Wages and benefits – increased amount of \$95,537
 - Continued implementation of the County Compensation Plan
 - Probation Officer Position - Salary \$38,915 Benefits \$22,920

- Capital Outlay mostly due to the replacement of a vehicle – increased amount of \$35,000
- Request to replace radios for \$5200 and a copier for \$8000

Juvenile Detention 11:01 a.m. to 11:25 a.m.

Major Budget Changes:

- Professional and Technical Services - increase in budgeted expenditures for the medical care contract – increased amount of \$138,000
- Capital Outlay for upgrade of the fingerprint machine – increased amount of \$13,000

The meeting concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CLERK AND CONTROLLER REGARDING FY20 SUGGESTED BUDGET WORKSHOPS PROCESS

The Board met today at 2:02 a.m. for a meeting with the Clerk and Controller to discuss the FY20 suggested budget workshops process. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Prosecutor Bryan Taylor, Chief Deputy P.A. Sam Laugheed, Office Manager Melinda Longoria and Deputy Clerk Jenen Ross.

The Board met today at 2:02 p.m. for a properly noticed FY2020 Tentative Budget Workshop meeting. A request was made to amend the agenda to include a meeting to discuss the budget process due to additional questions being raised in earlier meetings. Commissioner Dale made a motion to amend the agenda. The motion was seconded by Commissioner Van Beek and carried unanimously.

Clerk Yamamoto said the intention was to set the tone of the budgets to highlight goals and accomplishments. The idea was not to have a line by line discussion but to discuss the major changes – what's gone up, what's gone down and why. This is the opportunity for the departments and offices to discuss their needs, accomplishments and goals of their own office or department. He thinks maybe it would be helpful if the roles and timelines are defined. The Board's function is the operational aspect, at the end the Board sets the taxing and budget authority. The role of the Controller and the Chief Budget Officer is the accounting portion. What he'd really like to see is that the department or office is given the opportunity to tell their story and not get into the minutia of the accounting. The suggestion is to wait until the end and then have meetings to discuss how it's all accounted for. Commissioner White's understanding is that once all the meetings with department administrators and elected officials are complete the Board, with the Clerk and Controller, will all come back together with notes and that is when there would be a more in-depth discussion. The Clerk agreed that would expedite these meetings and explained they have already met with everyone and are really in these meetings as a courtesy to assist the Board.

The Clerk stated that everyone needs to be apprised of what's really being talked about – how many dollars? Where are they going? Where are they coming from? He suggests that happens prior to the suggested budget.

Commissioner Van Beek said that the budget book was only received on Tuesday at 10:00 and she is a person who going to ask questions and for further detail which she believes is fair. She referenced pages 17 and 18 which notes revenue sourcing and a part of a complete capital improvement program. She wonders if the department head might like the opportunity to present to the Board just as they've had the opportunity to sit one-on-one with the Clerk and Controller and might be beneficial for the department administrators to field questions. She understands the Clerk is frustrated with the process but believes the questions she's asking on revenue/expense and amount of fund balance are reasonable. In her understanding of the process and the statute this is a joint process for all elected officials and department administrators but it then becomes the responsibility of the Board to set the budget and how to fund it but there has only been one meeting to discuss the capital improvements plan. Commissioner Van Beek believes that it would be beneficial for everyone to hear where the county is going with a 5-year outlay and in the absence of that using fund balance or in the absence of a capital improvements funding plan then we potentially are not strategizing and poisoning ourselves. She said that as a person trying to look at how that might work we have to value the time that we're here and she is just asking questions and she thinks they are reasonable questions. The Clerk said beyond the budget book everything in regards to budget meetings are being done just as they've always been done. He has indicated that there will not be any capital improvement monies included in his suggested to because no one has had time work look at it.

Mr. Laugheed thinks there are really important policy decisions and policy discussions that are implicated by this that need to take place. His take away right now is that those need to happen in an orderly fashion to make sure that we are maximizing everyone's time. The way he sees the budget process is that there are 4 parts. The first part is when department/offices sit down and determine what their request is going to be and then send it to the Clerk. After the request is sent to the Clerk he and the Controller meet privately with each department/office to see if they're on the same page. Everyone then comes in front of the Board for these workshop meetings where the department/office can explain their needs and wants and the Clerk and Controller can give their thoughts on the impact to the budget. This allows the Clerk an opportunity to see if he is on the same page with the Board and/or the department/office so he can create the suggested budget and it doesn't take as much work for the Board to turn it into the tentative budget which is the third part of the process. The fourth is the final budget after the tentative budget is set where there is another version of this discussion. He looks at this as a phased project/procedure and this is point where questions about the budget requests can be asked of the department/office but generally the budget administrator doesn't know which fund the request will come out of or what the levy rate is going to be. They are just listing their needs and wants for the upcoming fiscal year. Commissioner Van Beek said she feels it's not an unreasonable expectation, being a budget decision maker, to be able ask a question and have it answered.

Mr. Laugheed believes the Clerk and Controller are willing to answer any questions but perhaps in the interest of expediting these workshop meetings the question could be tabled to be addressed at a later time.

Commissioner Van Beek expressed her frustration in sometimes having to ask a question multiple times before receiving a complete answer.

Commissioner White said that these workshop meetings are a time for the department/office to come before the Board to present their story and express the reasons for their requests.

Commissioner Dale said the other thing he heard the Clerk say is that this is not the time to discuss methodology of accounting practices. That is in the Clerk's purveyance so this is a time to hear what everyone needs and wants in order to do their job.

Clerk Yamamoto concluded by saying this is the chance for departments/offices to plead their case. The accounting side can be discussed more in-depth at a later time.

The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE PROSECUTING ATTORNEY

The Board met today at 2:25 p.m. with the Prosecuting Attorney for a FY2020 tentative budget workshop meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Prosecutor Bryan Taylor, Chief Deputy P.A. Sam Laugheed, Office Manager Melinda Longoria and Deputy Clerk Jenen Ross. During a review of the budgets the following major changes were noted:

Prosecuting Attorney

Major Budget Changes:

- Wages and benefits – increased amount of \$348,961
 - Continued implementation of the County Compensation Plan
 - Part-time Legal Interns (2) - Salaries:\$25,000 Benefits: \$6,250
 - Domestic Violence Investigator - Salary \$60,000 Benefits \$28,332
- Minor Equipment – increased amount of \$22,000
 - Software expenditures including the annual amount for JustWare maintenance and support.
- Capital Outlay – increased amount of \$76,000
 - Vehicle replacements and 2 new copier machines

The meeting concluded at 3:01 p.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 3:14 p.m. for a meeting to discuss VitalCore Medical Services. A request was made to go into executive session as follows: Commissioner Van Beek made a motion to go into Executive Session at 3:15 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records that are exempt from public disclosure. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Juvenile Detention Director Steve Jett, Deputy Juvenile Detention Director Sean Brown, Juvenile Detention Training Coordinator Shawn Anderson and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:44 p.m. with no decision being called for in open session.

JULY 2019 TERM

CALDWELL, IDAHO JULY 19, 2019

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

No meetings were conducted today.

JULY 2019 TERM

CALDWELL, IDAHO JULY 22, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Visual Studio Live in the amount of \$3420.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 7/25/19

The Board of Commissioners approved payment of County claims in the amount of \$5,553.17 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 Leslie Van Beek, Deputy P.A. Mike Porter, Elections Supervisor Haley Hicks left at 9:03 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing a resolution designating polling locations for the August 27, 2019 election: Ms. Hicks reviewed the elections that will be taking place. There are only 9 polling places for this election all of which are the same as the May election. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution designating polling locations for the August 27, 2019 election (see resolution no. 19-121).

Consider signing approval/denial of a new alcohol license for G&G Investments doing business as BUD'S: This application meets all the requirements for approval. Commissioner Van Beek made a motion to sign the resolution granting a new alcohol license to G&G Investments dba BUD'S. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 19-120).

The meeting concluded at 9:04 a.m. an audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE HUMAN RESOURCES OFFICE

The Board met today at 11:00 a.m. to conduct FY2020 tentative budget workshop meeting for the Human Resources Office. Present were: Commissioners Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Accountant Marina Mendoza, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Human Resources

Major Budget Changes:

Wages and benefits – increased amount of \$45,734

- Continued implementation of the County Compensation Plan
- Convert 2 part-time front desk positions into 1 full-time administrative specialist.

(Part-time salary \$27,625 converted to Full-time salary of \$37,542 and benefits of \$20,173)

Capital Outlay – increased amount of \$8000

- Due to a new copier

No Board action was required or taken. The meeting concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE TREASURER'S OFFICE, ASSESSOR'S OFFICE AND DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 1:33 p.m. to conduct FY2020 tentative budget workshop meeting for the Treasurer's Office and the Assessor's Office and the Development Services Department. Present were: Commissioners Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Accountant Marina Mendoza, Treasurer Tracie Lloyd left at 2:07 p.m., Assessor Brian Stender arrived at 2:03 p.m. and left at 3:11 p.m., Chief Deputy Assessor Joe Cox arrived at 2:03 p.m. and left at 3:11 p.m., Director of Development Services Tricia Nilsson arrived at 3:04 p.m. and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Treasurer's Office

Major Budget Changes:

Wages and benefits – Increased amount of \$17,368

- Continued implementation of the County Compensation Plan
 - All positions that have been funded in previous years need to continue to be funded this year

Minor Equipment – Increased amount of \$4000

- Replacement of computer equipment and a cashier station

Capital Outlay – increased amount of \$7800

- Purchase of a new copier

Miscellaneous Revenue – Increased amount of \$100,000

- Increase is in interest revenue due to higher interest rates on investments

Assessor's Office

Major Budget Change – Motor Vehicle

Wages and benefits – Increased amount of \$225,789

- Motor Vehicle Customer Service Positions (4) - Salaries: \$114,780 Benefits: \$75,220
- Continued implementation of the County Compensation Plan

Property Services – Increased amount of \$448,000

- Increase is mostly due to budgeted amounts to remodel the proposed South Nampa DMV estimated to be \$500,000

Capital Outlay – Increased amount of \$1,652,000

- Increase is largely due to budgeted amounts to construct a DMV in South Nampa

Major Budget Changes – Reappraisal

Wages and benefits – Increased amount of \$68,319

- Reappraisal Staff Position - Salary: \$28,965 Benefits: \$18,805
- Addition of lead and specialty pay - \$9,375

Professional and Technical Services – Increased amount of \$87,000

- Increase is due to budgeted amounts for outside appraisals to support mini-storage assessments to cost approximately \$125,000

Capital Outlay – Increased amount of \$30,000

- Increase is due to budgeted amounts for 3 new copy machines

Development Services Department

Major Budget Changes

Wages and benefits – Increased amount of \$79,979

- Part-time Code Enforcement Officer Salary: \$22,500

Capital Outlay – Increased amount of \$42,900

- Increase is mostly due to 2 new pick-ups for inspectors (\$70,000 for both) and a large format scanner for \$12,500

Miscellaneous Revenue – Increased amount of \$18,000

- Increase is due to anticipated increases in the Rural Community Planning Assistance Program

No Board action was required or taken. The meeting concluded at 3:38 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 23, 2019

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

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

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

APPROVED CLAIMS ORDER NO. 7/25/19

The Board of Commissioners approved payment of County claims in the amount of \$5994.22, \$3563.00, \$20,339.34, \$5903.10, \$65,900.71, \$2730.00, \$83,743.77 and \$160,045.00 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 8:33 a.m. with the Directors of Facilities and IT. Present were: Commissioners Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross.

Director Rast and Mr. Jensen updated the Board on the following:

- IT is now doing ID cards for Juvenile and Misdemeanor Probation; there may be a couple more departments they'll approach to see if they're interested in the ID badges.
- There is a piece of equipment that is not working out in the print shop so they are working with BOE to find an alternative. A PO for the machine was signed and processed but a check has not actually been cut yet. The alternative machine may be an attachment for the copier which they estimate will be less expensive than the current stand-alone machine.
- They will be writing a program for the Sheriff's Office to track 'use of force' reports.
- Recently there was a meeting with IDOC and the Sheriff's Office to discuss video conferencing for pre-sentence investigations. The Sheriff's Office is looking for a place to set up the equipment.
- Commissioner Van Beek asked about the Studio Live conference; Director Rast said this is training for coding which two employees will be attending.

Director Navarro updated the Board on the following:

- The Fair is in full swing. They were able to repurpose some old tents into shades for some of the animal exhibits, paint has been refreshed and fans have been added. They have received several compliments on the electrical upgrades to the Charolais barn.
- Once the fair is done they will start getting ready for the Caldwell Night Rodeo along with working on remodels at the Norman property and the security office.

- The State of Idaho granted the building permit for pod 6 yesterday; the forwarded stamped plans will be sent to the 3rd party inspector and Mr. Bugatsch is heading down sometime in the next few days to get the insignias. Next steps will include working with the City of Caldwell and continuing to work on the landscaping plan. They are hoping to have the plans to the city by Friday. They are continuing to round-up materials for the fence.

The meeting concluded at 8:47 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 9:03 a.m. for a legal staff update.

Commissioner Van Beek made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c) and (d) regarding personnel matters, acquisition of an interest in real property and records that are exempt from public disclosure. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Landfill Director David Loper and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:35 a.m. with no decision being called for in open session.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE FLEET DEPARTMENT

The Board met today at 9:38 a.m. for a FY2020 tentative budget workshop meeting with the Fleet department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Accountant Marina Mendoza, Fleet Director Mark Tolman, Sr. Administrative Specialist Dawn Pence and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Fleet

Major Budget Changes:

Wages and benefits – Increased amount of \$70,331

- New Fleet Technician: Salary \$38,275 Benefits \$22,467
- Continued implementation of compensation plan

Charges for Services Revenue – Increased amount of \$25,000

- Increase due to analyzing revenue trends from prior fiscal years

Discussion was had regarding the use of flex cars and the savings that could be realized vs. paying mileage, management of the Fleet budget and how there should be policy in place that anything in relation to a vehicle needs to go thru the Fleet department. No Board action was required or taken. The meeting concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE FACILITIES DEPARTMENT

The Board met today at 11:01 a.m. for a FY2020 tentative budget workshop meeting for the facilities department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Accountant Marina Mendoza, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Maintenance

Major Budget Changes:

Wages and benefits – Increased amount of \$192,409

- 2 positions transferred from Parks Department
- Reclassifying Assistant Facilities Director

Professional and Technical Services – Decreased amount of \$95,000

- Decrease is due to a non-reoccurring expenditure. \$100,000 was budgeted last year under professional and technical services for matters relating to county jail needs. The budgeted amount has not been carried forward to fiscal year 2020

Director Navarro spoke about some of the increased line items with Pod 6 coming online, large ticket tools that have been requested by facilities employees and several capital improvement projects including the sidewalk at the Sheriff's entrance, roofs on the juvenile detention and CCOA buildings, necessary courtroom improvements, lighting at the DMV and crime lab buildings along with a fire alarm system and windows at the DMV, parking lot improvements at several locations and additional AED devices for the courthouse campus. No Board action was required or taken. The meeting concluded at 11:37 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE CORONER'S OFFICE

The Board met today at 1:31 p.m. for the FY2020 tentative budget workshop meeting for the Coroner's Office. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Coroner Jennifer Crawford, Chief Deputy Coroner Steve Rhodes, Accountant Marina Mendoza, Chuck Staddick, and Deputy Clerk Monica Reeves. During a review of the budget the following major changes were noted:

Continued implementation of the compensation plan, and a request for a fulltime investigator position: +\$75,071

Replacement of radio equipment and upgrade of office computers: +\$15,700

Request for a new vehicle: +\$37,000

No Board action was required or taken. The meeting concluded at 1:55 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE SHERIFF'S OFFICE

The Board met today at 1:58 p.m. for the FY2020 tentative budget workshop meeting for the Sheriff's Office. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Finance Manager Dave Ivers, Accountant Marina Mendoza, Chuck Staddick, Kathy Alder and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto arrived at 2:25 p.m. During a review of the budget the following major changes were noted:

Sheriff and Security Administration

Request for 6 new positions and continued implementation of the compensation plan: +\$1,334,131

Intergovernmental revenues: +\$69,800

(Increases are due to budgeted increases for High Intensity Drug Trafficking Area revenue)

Waterways and Boating

Changes to wages and benefits: +\$5,888

Property Services & Capital Outlay: -\$36,500

(Decrease is due to a grant for the acquisition of a vehicle that occurred in FY2019)

Emergency Communications

Changes to wages and benefits: +\$4,326

Property Services: -\$922,100

(Decrease is due to a budgeted decrease in services contracts expenditures related to the Spillman upgrade and prepayment of annual maintenance fees completed in FY2019)

Minor Equipment: +\$21,835

(Increase is due mostly to an increase in the budgeted amounts to purchase computer equipment

Capital Outlay: -\$368,988

(Decrease is mostly due to budget decreases to computer equipment and communications equipment expenditures)

City-County Narcotics Unit

Capital outlay: +\$7,713 for a copier

No Board action was required or taken. The meeting concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 24, 2019

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

CONDUCT TAX DEED HEARING AND CONSIDER SIGNING WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board met today at 1:31 p.m. to conduct tax deed hearing and consider signing written findings of fact and conclusions of law. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Deputy Treasurer Tara Lehman, and Deputy Clerk Monica Reeves. Treasurer Lloyd said in August of 2018 there were 749 accounts that were delinquent and in jeopardy of tax deed. In November tax bills were sent showing the delinquency, and in January a courtesy reminder was sent. In February there were 80 delinquent accounts and they ordered litigation guarantees (at cost of \$200 per account) where the title company does the research and pulls the documents related to each account. In April they sent certified mailings regarding the 63 accounts, which resulted in 960 certified mailings being sent for a cost of \$6,600. Publication costs totaled \$3,159. The Treasurer's Office is able to recoup those costs. Personal visits were made to nine different properties on Monday so that the properties could be posted. Of the original 749 accounts we are down to 7 accounts today:

Parcel No. 05033000 0
Parcel No. 21520000 0
Parcel No. 22426000 0
Parcel No. 30509010A1
Parcel No. 31077732 0
Parcel No. 31489278 0
Parcel No. 34482012 0

Treasurer Lloyd said after the tax deed is filed the property owners will have the opportunity to redeem the properties up until the date of the tax sale which is scheduled for November 20, provided they pay all five years' worth of taxes. No one was present to offer public comment. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to adopt the written findings of fact and conclusions of law which directs the tax collector to issue tax deeds on the seven delinquent properties. The meeting concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETINGS

The Board met today at 2:01 p.m. for FY2020 tentative budget workshop meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Parks Cultural and Natural Resources

Major Budget Changes:

Wages and benefits – Decreased amount of \$96,121

- 3 seasonal positions converted to 1 full-time Maintenance Coordinator: Salary \$31,454 Benefits \$21,078
- Parks Manager converted to Educational Programs Coordinator : Salary \$31,454 Benefits \$21,078
- Reclassify Programs Manager \$14,110
- Transfer 2 parks technicians to Facilities and Operations department

Capital Outlay – Increased amount of \$101,464

- Increase is due to budgeted amounts to expand the office at Lake Lowell and also to run power to the gun range

Total Revenues – Increased amount of \$20,714

- Increase is mostly due to a \$13,000 Historic Preservation grant.

No Board action was required or taken. The meeting concluded at 2:54 p.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETINGS

The Board met today at 3:05 p.m. to conduct FY2020 tentative budget workshop meetings. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Shawna Larson, Accountant Marina Mendoza, County Agent Jerry Neufeld left at 3:32 p.m., Sr. Administrative Specialist Debbie Lowber left at 3:32 p.m., 4-H Educator Carrie Johnson left at 3:32 p.m., Solid Waste Director David Loper arrived at 3:09 p.m. and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

County Agent

Major Budget Changes:

Wages and benefits – Increased amount of \$10,714

Professional and Technical Services – Increased amount of \$40,914

- 4-H Program Assistant is an employee of the University of Idaho with a portion of the funding provided by Canyon County through the county agents contract.

Minor Equipment – Increased amount of \$1,640

- Increase is due to budgeted amounts to purchase new computer equipment.

Capital Outlay – Increased amount of \$6,073

- Increase is due to budgeted amounts to purchase a new copy machine

Solid Waste (Landfill)

Major Budget Changes:

Wages and benefits – Increased amount of \$39,711

Minor Equipment – Increased amount of \$19,500

- Increase is due to budgeted amounts to purchase a diesel diagnostic tool and 2 scraper tires.

Capital Outlay – Increased amount of \$632,000

- Increase is mostly due to budgeted amounts to purchase a new dozer for approximately \$500,000 as well as purchase 20 bull fences for approximately \$110,000.

Overall budgeted revenue increase is due to an increase in building activity, increased population, acceptance of Bio-solids, and increased fees. Increased amount of \$1,416,514.

No Board action was required or taken. The meeting concluded at 4:21 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 25, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/3/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/17/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/10/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/30/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 8/24/19 for a wedding.

APPROVED CLAIMS ORDER NO. 7/26/19

The Board of Commissioners approved payment of County claims in the amount of \$775.50 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1033, 2019-969, 2019-970, 2019-971, 2019-1028, 2019-1100, 2019-1018, 2019-1025, 2019-1000, 2019-995, 2019-1026, 2019-1014, 2019-1013, 2019-1012, 2019-859, 2019-999, 2019-1002, 2019-1007, 2019-1016 and 2019-1086. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place case no. 2019-1087 into suspension pending a resource. Commissioner Van Beek made a motion to issue an initial approval on case no. 2019-904. The motion was seconded by Commissioner Dale and carried

unanimously. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:52 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Case nos. 2019-554, 2019-709 and 2019-656 meet all eligibility criteria for county assistance. Commissioner Van Beek made a motion to issue final approvals with written decisions within 30 days on the cases as read into the record. 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. 2019-655

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2019-655. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Kelsee Hale, Becky Herrera for St. Alphonsus, Applicant and applicant's mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-577

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for case no. 2019-577. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Kelsee Hale, Dahlia Torres with St. Lukes, Applicant and relatives and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to October 10, 2019. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-686 AND 2019-713

The Board met today at 9:37 a.m. to conduct a medical indigency hearing for case nos. 2019-686 and 2019-713. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner

Dale the Board voted unanimously to continue the case to August 15, 2019. The hearing concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER MEDICAL INDIGENCY MATTERS

The Board met today at 9:45 a.m. to consider medical indigency matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2019-664, 2019-542 and 2019-612. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record. The meeting concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:08 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Landfill Director David Loper and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing ongoing wood waste removal from Pickles Butte Sanitary Landfill request for proposals addendum no. 1: Four questions were received from a potential vendor and this addendum will address those. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign addendum no. 1 for ongoing wood waste removal at Pickles Butte Landfill. Hard copies of the addendum will be sent to the two vendors who showed for the walk-thru, it will also be posted on the website.

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

MEETING WITH CLERK'S OFFICE FOR A PRESENTATION BY HART

The Board met today at 1:33 p.m. with the Clerk's Office for a presentation by HART. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Sr. System Analyst Steve Onofrei, Elections Supervisor Haley Hicks, Elections Specialist Bianca Cuenca, Elections Specialist Brandi Long, Elections Tech Kylie Marks, Davi Bosch with HART, John Mullen with HART, Representatives from HART and Deputy Clerk Jenen Ross. HART representatives gave a demonstration of

their product, spoke about security protocols and efficiencies. The Board asked questions about processes currently being used by the elections department and the benefits of this product. The meeting concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 26, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Western Building Supply in the amount of \$1103.74 for the Facilities department

APPROVED CLAIMS ORDER NO. 7/25/19

The Board of Commissioners approved payment of County claims in the amount of \$126,564.74 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/10/19

The Board of Commissioners approved payment of County claims in the amount of \$41,315.60 for accounts payable.

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

Consider signing Idaho Parks and Recreation grant agreement form for the Lake Lowell west end upper dam fishing dock: Monies for this grant come from the Cutthroat license plate fund and is restricted to use benefitting fishermen. The amount applied for is \$19,214 with \$4525 in match. The match amount will come from the purchase of an ADA gangway that was already budgeted for this particular dock. Director Schwend discussed the items they would be addressing with the grant monies. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Parks and Recreation grant agreement form for the Lake Lowell west end upper dam fishing dock (see agreement no. 19-093).

Consider signing Canyon County Fair entertainment agreement with Danza Azteca Tonatiuh/Erika Garcia: This is a 30 minute show that will take place on Sunday for the Latino Fair-fest. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Fair entertainment agreement with Danza Azteca Tonatiuh/Erika Garcia (see agreement no. 19-094).

The meeting concluded at 9:12 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.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING

The Board met today at 11:04 a.m. for a FY2020 tentative budget workshop meeting with the Public Defender. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Marina Mendoza, Auditing Supervisor Shawna Larson, Chief Public Defender Aaron Bazzoli, Assistant Public Defender Scott James and Deputy Clerk Jenen Ross. During a review of the budget the following major changes were noted:

Public Defender

Major Budget Changes:

Wages and benefits – Increased amount of \$270,115

- Continued implementation of the County Compensation Plan
- Legal Support Specialist I: Salary: \$37,524 Benefits: \$20,173
- Deputy Public Defender: Salary: \$60,480 Benefits: \$25,557

Capital Outlay – Decreased amount of \$21,000

- Decrease is due to a decrease in other improvements expenditures that are not needed for fiscal year 2020.

No Board action was required or taken. The meeting concluded at 11:59 a.m. An audio recording is on file in the Commissioners' Office.

FY2020 TENTATIVE BUDGET WORKSHOP MEETING FOR THE CLERK'S OFFICE

The Board met today at 1:30 p.m. for the FY2020 tentative budget workshop meeting for the Clerk's Office. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Operations Denise Kennel, Raena Bull, Taryn Peterson, Yvonne Baker, Camille Tilden, Emily Howell, Rachel Gray, Shawna Larson, Marina Mendoza, Julie Meyers, Haley Hicks, Kandice Taylor, Davi Bosch and Drew Maffei from HART, other interested persons, and Deputy Clerk Monica Reeves. During a review of the budget the following major changes were noted:

Court Operations:

Changes in wages and benefits: +\$437,214
(4 new court clerks: Salaries \$155,617, Benefits \$83,821
Transfer of 3 employee positions from the TCA budget; and
continued implementation of the County Compensation Plan)
Capital Outlay: +\$150,000
Increases are due to demolitions, remodels, and work stations.

Auditor's Office:

Changes in wages and benefits: -\$3,767
Capital Outlay: +\$8,000
(Increase due to the purchase of a copier)

Recorder's Office:

Changes in wages and benefits: +\$20,341
Supplies expenditures : +\$5,000
Minor Equipment Expenditures: - \$8,500
Capital Outlay Expenditures: \$20,000

Elections Office:

Changes in wages and benefits: \$11,979
Property Services Expenditure: \$49,300
Supplies Expenditures: \$37,000
Capital Outlay: \$3,508,000
(Increase due to budgeted requests for elections equipment and a new copier)

Indigent

Changes to wages and benefits: + \$31,988
(Continued implementation of the compensation plan)
Other services and fees: - \$405,000
(The amount needed for involuntary mental commitments has decreased
\$400,000 from FY2019. Year-over-year involuntary mental commitment spending
is down 6% and they are trying to accurately align budget and actuals)

Language Access:

Clerk Yamamoto and Taryn Peterson spoke about the language access program for interpreters and the difficulty in managing it. The state is supposed to take the management of the interpreter program but it's not known when or how that will occur. The Clerk referred to a chart created by Ms. Peterson which lists the 20+ languages served during the fiscal year for the state and it also shows the events have increased 25% while the increase in dollars was almost 21%. The budget will be increased by \$15,000 to \$135,000. Discussion ensued regarding the process for scheduling interpreters. Currently there are 40 interpreters on contract. Ms. Peterson said they do not have a lot of state support. The state is currently testing their scheduling system with three counties and they plan to expand in the next few months and it's likely they will take over in a couple of years. In closing Clerk Yamamoto said they are fine with the work and the nuanced complexity, but what they are not okay with is the absolute sabotage they are seeing within the system.

No Board action was required or taken. The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 29, 2019

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

MEETING TO DISCUSS NEW RETAIL ALCOHOL LICENSES

The Board met today at 9:49 a.m. to discuss new retail alcohol license. Present were: Commissioners Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. The licenses were considered as follows:

Consider approval/denial of a resolution granting a new retail alcohol license to Amano: Commissioner Van Beek has a question on the application as one of the applicants is not a US citizen and she wonders about the liability of on and off premises consumption. She would like to hear from legal staff before she will sign off on this one.

Action Item: Consider approval/denial of a resolution granting a new retail alcohol license to Los Panchos Tortilleria: Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new license to Los Panchos Tortilleria (see agreement no. 19-122).

At the request of Commissioner Van Beek, Commissioner Dale gave the background and purpose of the Treasure Valley Partnership.

The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY LEROY ATWOOD ON BEHALF OF MONARCH HOLDINGS, LLC, FOR A PRELIMINARY PLAT, AND AN IRRIGATION AND DRAINAGE PLAN FOR ARBOR LANDING SUBDIVISION, CASE NO. SD2018-0023

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by Leroy Atwood on behalf of Monarch Holdings, LLC, for a preliminary plat, and an irrigation and drainage plan for Arbor Landing Subdivision, Case No. SD2018-0023. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Leroy Atwood, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The proposed development contains 15 residential lots on approximately 21 acres of "R1" (Single Family Residential) zoned property. They are proposing individual wells, individual septic systems, and public streets. The property is located south of 12502 Smith Avenue in Nampa and is in an area that's designated residential on the future land use map. The P&Z Commission forwarded this case with a recommendation of approval on June 6, 2019. Leroy Atwood testified that he is the managing partner of Monarch Holding Company which has owned this property for nine years. The proposal is to develop the property into 15 single-family lots. The project has been fully approved by the health department. Mr. Atwood gave testimony regarding the character of the area as well as their plans for the irrigation system. 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 Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the findings of fact, conclusions of law and order, and the irrigation and drainage plan for Leroy Atwood on behalf of Monarch Holdings on Case No. SD2018-0023. The hearing concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO RECEIVE THE CLERK'S SUGGESTED FY2020 BUDGET

The Board met today at 3:31 p.m. to receive the Clerk's suggested FY2020 Budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Marina Mendoza, Assessor Brian Stender, Director of Court Operations Denise Kennel, Court Training and Dev. Manager Raena Bull, PIO Joe Decker, Captain Daren Ward, Chief Deputy Sheriff Marv Dashiell, Sheriff's Financial Manager Dave Ivers, Landfill Director David Loper, Trial Court Administrator Doug Tyler, Assistant Trial Court Admin. Benita Miller, TCA Admin. Assistant Tara Hill, Misdemeanor Probation Supervisor Jeff Breach, Ambulance District Director Michael Stowell, other interested persons, and Deputy Clerk Monica Reeves. Controller Wagoner reported on the top priorities:

PRUDENT FINANCIAL MANAGEMENT

- Suggested property tax request is \$4.424 million below the maximum allowable amount
- Ongoing mandated expenditures are appropriately funded
- Capital needs are prioritized and suitably realized
- Charges for services and other fee revenues are maximized to mitigate property taxes

MEET GROWTH RELATED DEMANDS

- Continued implementation of the county compensation plan
- New and refunded positions are targeted in specific areas of rapid expansion
- Service levels and methods are evaluated to increase efficiencies

NEEDS vs. WANTS

- Operational activities are focused on needs not wants
- Personnel and other operating budgets are established on core needs
- Amounts budgeted reflect a sensible needs-based approach
- Providing essential services in the most economical manner is priority

INVESTMENT IN HUMAN CAPITAL

- County government is a service-oriented enterprise and function
- Adequate, skilled, trained staff provide quality services
- Employee retention decreases training and associated opportunity costs

Once the property tax amount is fixed it is set and we take the responsibility to suggest/recommended a property tax levy amount very seriously. Over the past 11 years Canyon County has left \$72 million in property taxpayers' pockets and that says a great deal about our mindset and how we view our property tax request, to be as conservative as we can while still preserving appropriate levels of fund balance to make sure the County has adequate cash to respond to any emergent needs. For FY2020 the county has the authority to levy just over \$60 million in property tax. The suggested levy amount is \$55,682,926 which is \$4.4 million less than our allowable levy authority. Based on current information it's projected that our levy rate would decrease by 8% with that property tax request and the levy rate would be at .0036, down from .004 from FY2019, and it would be the lowest levy rate over the past 10 years.

The Clerk's suggested FY2020 expenditure budget is \$104,251,356. \$68.4 million is budgeted for salaries and benefits; \$35.8 million is budgeted for other operating expenditures which is an increase of \$9,010,652 over last year's budget:

\$ 2,560,168	Compensation plan
\$ 1,465,045	New and refunded positions
\$ 1,643,000	Inmate medical services professional contract
\$ 3,500,000	Improved voter experience and election efficiency
\$ 1,100,000	Landfill equipment and facilities investments
\$ 977,000	County fair capital projects
\$ 297,880	Operating supplies and minor equipment
\$ 501,135	Various professional services
\$ 300,000	County parks and court clerk's facilities and properties investments

- \$ 280,000 PERSI required employer contributions
- \$(1,344,576) Spillman server upgrade, data migration, and ongoing maintenance project
- \$(1,036,000) Unfunded positions
- \$ (450,000) Reserves
- \$ (400,000) Involuntary mental commitments
- \$ (383,000) Inmate medical professional services

Commissioner Van Beek had questions regarding new position and reclassification requests and the landfill equipment investment (a dozer) and why we are not looking at leasing a piece of equipment that's not dedicated for a number of hours as opposed to having a million dollars in capital outlay.

David Loper responded said they're always looking at the best value, the cheapest overall operating costs, especially on equipment they use on a daily basis, a lease is more expensive to the taxpayer than a purchase, but if the Board wants him to look into a used lease situation he will. Commissioner Van Beek also had questions about the voting equipment for the Elections Office and how the initial cost estimate was \$2 million but now it's nearly double that amount. She expressed concern that a no funds have been allocated for public safety, a long-term permanent facility, or a permanent long-term strategic capital improvement. Controller Wagoner said there is money budgeted for ongoing jail functions, but nothing for a jail facility. Commissioner Van Beek has concerns about the annual maintenance agreement fee of \$84,000 on the voting equipment and although she understands they are challenged with some outdated equipment it is double the anticipated cost. Clerk Yamamoto said the \$2 million cost for the equipment was an estimate and it was before they were aware of the new equipment they had coming online. Commissioner Van Beek had questions regarding the fair expo building and the sale of the property on Highway 20-26 for \$1.6 million. Controller Wagoner said the \$1.6 million is still sitting in the county fair fund being held for when we are ready to proceed with the building. There was a discussion regarding the funds for the Parks Department's \$120,000 building expansion project. Commissioner Van Beek asked why we wouldn't use their fund balance instead of raising property taxes to fund their building. Controller Wagoner said we could use their fund balance to pay for their building but we want to maintain an appropriate level of fund balance in each fund and we feel that would be pushing fund balances to possibly a level that is uncomfortable. Commissioner Van Beek said the department head would be in favor that and it would still leave them approx. \$250,000 in fund balance against a \$1.5 million levy authority. They also have the potential to generate revenue from their museum and potential revenue from the gun range. She wants to take that out and allow them to do that project because of the savings the facilities staff can do. There was discussion regarding the amount of reserves the County has. Commissioner Van Beek asked if anything has been done with the Assessor's request for a facility. Controller Wagoner said they have not included any dollars for a new facility for motor vehicles; however, two additional positions have been included. Controller Wagoner reviewed the offices/department budget highlights as follows: Assessor's reappraisal – the A budget changes due to the compensation plan and in the B budget more monies are budgeted for professional appraisal services.

Buildings and Grounds (facilities) – the salaries and benefits budget has increased due to the transfer of 2 positions from parks to facilities.

Dispatch fund – there is a position that will be re-funded in the dispatch function.

Clerk, Auditor, Recorder budget change is reflective of over \$3.5 million for elections equipment

Clerk of Court salaries and benefits budget increased and is reflective of 3 positions that were transferred from the TCA budget, and four new court clerk positions.

Coroner's budget includes a new position and the purchase of a vehicle.

Fair budget - the majority of the \$1 million increase is reflective of the inclusion of the fair expo bldg.

Fleet budget increase includes an additional position.

Weed control budget decreased because of the dark fiber project.

County agent requested a 4-H program assistant to assist with STEM activities, but it was not included in the suggested budget. We talked about a possible match, a partnership, but it didn't materialize. It would have been a University of Idaho position paid for by county taxpayers and 100% of the cost would have been borne by Canyon County.

DSD budget remains largely unchanged.

E911 fund decreased because the Spillman upgrade project was completed in FY2019.

General department budget reduction is related to the accounting change for the amount budgeted for reserves and contingencies.

HR budget is reflective of 2 part-time positions being transferred to one full-time administrative front desk position.

Historical society budget reflects the historic preservation commission's recommended amount of \$99,810.

Indigent budget decreased because the involuntary mental commitment line item was decreased by \$400,000.

Justice contingent budget was decreased by \$100,000.

Juvenile detention B budget increase is related to the inmate medical services contract.

Juvenile probation budget reflects an increase in other expenses is the community incentive re-entry and mental health program and that increase needs to be shown on the expenditure side, it's offset by grant revenue on the revenue side.

Landfill budget shows an overall increase around \$1.1 million, largely for capital projects including fencing, well monitoring, and tarp cover. Also included is \$500,000 for the dozer.

Misdemeanor probation includes a new misdemeanor probation officer position and a vehicle purchase.

Motor vehicles budget includes two new customer service positions.

Parks and recreation budget shows a decrease in salaries and benefits budget, which is reflective of two positions that were transferred out to the facilities budget and the increase on the other expenses includes building addition and a land purchase. Commissioner Van Beek said the land purchase needs to be discussed.

Prosecuting Attorney budget includes two replacement vehicles and two summer interns and an investigator, a part-time position that is being converted to a fulltime position.

Public Defender budget includes two new positions - one attorney and one legal support specialist.

Security department – this is a new department that has been included in the budget and it includes a security director position and an administrative assistant for half a year. Clerk

Yamamoto said he is uncomfortable with that program because he doesn't know what the program is and he thinks there is a lot of work to do. It's included in the budget but he's not happy about it.

Sheriff's budget includes four new positions and changes on the other expenditures budget represent the change with the inmate medical services contract.

Problem solving courts increase is related to testing fees. (There are no property tax dollars allocated for this, the funds come from state monies and fees.)

Trial Court Administrator budget shows a decrease in salaries and budgets related to the three positions that were transferred to the court clerk's budget.

Waterways budget shows a decrease related to a truck that was purchased in FY2019.

Commissioner Van Beek asked what the average increase is for the employees on the compensation plan and the cost of living. Controller Wagoner said the average increase is 4%, and the cost of living increase included in the compensation plan is 2%. Commissioner Van Beek asked what it would do to the requested compensation if we built the budget on a 2% increase. Controller Wagoner said if it was just 2% of salaries it would change the compensation number to around \$1.2 million. Commissioner Dale said because of the way the compensation plan is structured to be fair and equitable throughout the positions it varies according to position how much of an increase they get based on their experience, training, and certifications. A lot of things go into that to making it equitable, it's not just an across the board of 4% or anything like that. Controller Wagoner said cost of living applies to the position and range, not directly to the person. Each position has a salary range, the 2% shifts the range up 2%, it's not tied to a person but rather a range of a position. As people are improving, learning new tasks, they also are credited where appropriate for an additional year of experience. That's how you get the 4% average, those two factors. Clerk Yamamoto said the retention program is working and while we're not at the top of the range we are trying to find the place where we are taking care of the taxpayers but also retaining good people. Commissioner Van Beek asked if the \$2.56 million includes the allocation for equity. That estimate is \$400k this year.

Controller Wagoner said over \$47 million has been budgeted for public safety. There was a review of the expenditures by function and it was noted that a key figure to look at is \$8.7 million; that is the 2020 budgetary use of fund balance. To strictly balance the budget we are utilizing \$8.7 million of funds that are already in the bank. We don't fund the expenditure budget at 100% of new revenues. We are relying on \$8.7 million of existing cash to balance the budget. We have consistently seen offices and departments come in under budget so that money in the past has not actually been spent.

In response to Commissioner Van Beek's question about the 3% inflationary factor, Controller Wagoner said they are looking to 2020 and making an effort to project what's going to happen so in our B budget, other operating expenditures, based on actual spending, we are factoring in a 3% increase in actual spending tied to inflationary factors. Also included is in the compensation plan and the 17 new fulltime positions and 6 re-funded positions. We include those three factors and we anticipated expenditure increase of \$4.3 million. On the revenue side to offset that we are factoring in a 3% inflationary factor for our revenues, sales tax revenues, development revenues, and general revenues. On our property tax revenues we are including the new construction increase, a 3% increase, and \$120,000 for prior years' property tax reductions. The grand total for the revenue changes is \$4.3 million. The thought process is to estimate actual spending increases, actual revenue

increases and make sure they offset each other. They are projecting over \$1.5 million remaining from the FY2019 funding for inmate overcrowding. They budgeted \$2.3 million in 2019 for overcrowding and we are estimated to spend \$600,000 for out of county housing, plus \$109,000 for modifications to Pod 6, projecting a balance of \$1.5 million. That balance will be applied to the 2020 Pod 6 lease.

The Board will meet again on July 31st at 9:30 a.m. for a discussion regarding the FY2020 Budget. Another meeting is scheduled for August 1st at 3:00 p.m. to finalize the tentative budget. On August 12th the Board is scheduled to approve the tentative budget for publication. The meeting concluded at 5:06 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM

CALDWELL, IDAHO JULY 30, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hanson Janitorial in the amount of \$2899.40 for the Sheriff's Office

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Lt. Dale Stafford, Deputy P.A. Dan Blocksom left at 9:13 a.m., Deputy P.A. Mike Porter, Chief Juvenile Probation Officer Elda Catalano left at 9:13 a.m., Parks Director Nicki Schwend left at 9:18 a.m., Juvenile Detention Deputy Administrator Sean Brown, Deputy P.A. Zach Wesley arrived at 9:08 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Status Offender Service Grant application for the Juvenile Probation department: Ms. Catalano explained she is applying for a grant requesting \$55K from the Idaho Department of Juvenile Corrections. There are no matching funds for this grant and would specifically serve the status offender population which are juveniles who are primarily runaways. Ms. Catalano spoke about how the grant monies would be used. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Status Offender Service Grant application. A copy of the application is on file with this day's minutes.

Consider signing vendor license agreement with Ride the Water: Director Schwend explained this company would like to rent paddleboards at Lake Lowell. They are essentially requesting to use a parking spot which will be on a first come - first serve basis, their van will not be left overnight and no power is required. At this time the agreement will be done on a seasonal basis. The standard vendor indemnification and insurance language has been used and has been set up like a vendor agreement similar to ones used for the Fair. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Ride the Water (see agreement no. 19-096).

Consider signing an agreement between Canyon County and VitalCore Health Strategies, LLC for Inmate Healthcare Services: Mike Porter reviewed the steps that have been taken thru the RFP process up to this point naming VitalCore as the selected company. A discussion has been had between the county and VitalCore and all the requested changes have been accepted with the exception of one regarding transportation but he jail has reviewed and deemed it acceptable. The agreement has been run thru the county insurance company to make sure it meets their criteria. The agreement is for a one-year period with four one-year auto renewals. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with VitalCore Health Strategies for Inmate Healthcare Services (see agreement no. 19-095).

The meeting concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY TJ WELLARD ON BEHALF OF RON AGUIRRE FOR A CONDITIONAL REZONE, CASE NO. CR2019-0002

The Board met today at 10:02 a.m. to consider a request by TJ Wellard on behalf of Ron Aguirre for a conditional rezone from Agriculture to CR-Rural Residential, Case No. CR2019-0002. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Deb Root, Ron Aguirre, TJ Wellard, Jill Seamands, Carol Green, other interested citizens, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is to conditionally rezone a 7.7 acre parcel from "A" (Agriculture) to "CR-RR" (CR-Rural Residential) for the purpose of obtaining one residential building permit. The rezone would allow for placement of restrictions on the property to a two-acre area where structures would be built. The conditions don't set in stone where the two acres might be placed, but it is conditioned that four acres will remain in agricultural production. There is opposition to the request. Staff is recommending approval as conditioned. TJ Wellard testified the applicant is requesting to build one residence on the 7.7 acre parcel. They held a neighborhood meeting and tried to explain that the request is not for a subdivision development; it will only allow for one house, it will not be divided any further. According to Mr. Wellard the neighbors are concerned about water availability. The property is an awkward shape and it's difficult to make a profit on land with short rows. Mr. Aguirre's proposal is make better use of the property as a hobby-type farm.

Carol Green testified in opposition to the request noting that at an earlier meeting Mr. Wellard said the ground is bare and difficult to farm, but that is not accurate. She is concerned about the wells and the dangerous traffic conditions on Red Top Road. The Greens owned the land for 20 years and when her husband could no longer take care of it they leased it and renters grew hops and corn on it. During rebuttal testimony Mr. Wellard said the highway district has required access be taken from Rodeo Lane, not Red Top Road. He also said Mrs. Green's testimony on leasing it or cutting it for their own hay proves a point that it's not economically feasible. He said the property has been farmed and was in corn this last fall. It is currently being farmed. All speculation about wells, is purely that – speculation. According to Mr. Wellard, he performed the surveying for the Greens when they divided the property three previous times and this last time he worked through their realtor and the Greens and provided them with options on dividing the property. They knew they had the option of doing a rezone or conditional rezone to get a residence on it, but they decided to split it off as a nonconforming use and sell it as such so that that the buyer could go through that process if they wanted to, or they could buy it at a lower price and keep it as agricultural ground. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Commissioner Van Beek spoke about how the ground was sold without restriction. Commissioner White noted that 1.5 acres will be for right-of-way and four (4) acres shall remain in agricultural production as crop land or pasture. There will be one single-family dwelling and outbuildings. The request is straightforward and comes with a recommendation of approval from the P&Z Commission and staff. Commissioner Dale said the request is reasonable and the development agreement restricts what can be done on the property. He is satisfied it meets the need and intent of our land use policies and ordinances. Commissioner White made a motion to approve the request for the conditional rezone, Case No. CR2019-0002 and to approve of the findings of fact, conclusions of law and order. The motion was seconded by Commissioner Dale and carried unanimously. The development agreement and the ordinance will be signed on Friday, August 2nd. The hearing concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH REPRESENTATIVE RUSS FULCHER

The Board met today with Representative Russ Fulcher. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek (Commissioner White left the meeting at 1:37 p.m.), Representative Russ Fulcher, Mike Huntington with Mr. Fulcher's Office and Deputy Clerk Jenen Ross. Discussion topics included Lake Lowell, national healthcare, boarder security, indigent populations, and prescription drug costs. The meeting concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2019 TERM
CALDWELL, IDAHO JULY 31, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Slicks Bar to be used 8/3/19 for a class reunion.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Capital City Event Center to be used 9/21/19 for a wedding.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 8:32 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Mr. Goodsell explained that the date to sign the notice of intent to award the Ongoing Wood Waste Removal project was scheduled for August 7th but since there will not be a quorum that day it will be moved to August 6th which also moves up the date for protest by one day. Notice of the date changes will be forwarded to the two vendors who submitted proposals and posted to the county website. Commissioner Van Beek made a motion to adjust the dates as noted by Mr. Goodsell. The motion was seconded by Commissioner Dale and carried unanimously.

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY

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

Commissioner Van Beek made a motion to go into Executive Session at 8:35 a.m. pursuant to Idaho Code, Section 74-206(1) (c) regarding acquisition of an interest in real property. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:52 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 MABRY SUBDIVISION, CASE NO. SD2019-0024

The Board met today at 9:01 a.m. to consider the final plat for Mabry Subdivision, Case No. SD2019-0024. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Dan Lardie, and Deputy Clerk Monica Reeves. Jennifer Almeida said the subdivision contains three residential lots and one agricultural lot, and is located north of Ustick Road and east of Prescott Lane in Nampa. Each lot will utilize individual well and septic. The final plat meets the requirements of the Canyon County Zoning Ordinance and Idaho Code. The pressurized irrigation system has been installed and certified. The internal road and storm drainage system have been installed and certified. There are no other required improvements and there is no need for a bond to be in place for this development. The final plat has been signed by the required agencies as well as Keller and Associates. Staff is recommending approval and it's ready for Board's signature. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the chairman to sign the final plat for Mabry Subdivision. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD DISCUSSION REGARDING THE FY2020 BUDGET

The Board met today at 9:32 a.m. for a discussion regarding the FY2020 budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Commissioner Van Beek is proposing a 2% cost of living increase that would cut the salaries amount out of the budget down to \$1.2 million. She has presented on multiple times a request to have the budget balanced at the beginning so we'd look at only new construction that's taken to make that happen, that's a 3.5% increase in the amount of over last year. She proposes the removal of the 3% allowable increase in property tax and just operate on the new construction and development increase. That's going to increase our amount of foregone revenue which could potentially help us in the funding for a jail if we need that down the line. She is suggesting the removal of approximately \$1.6 million. This is service-oriented organization but statutorily we are not and have not met the need for public safety and not included in this budget are any revenues allocated for a capital improvements fund to help the crisis that we're in. We have money for Pod 6 but we still have to have a meeting with all department heads and elected officials to talk about revenue sourcing. If we look at the \$2.3 million that was allocated last year for jail overcrowding, once that pays out we could potentially stream that as a payment source into a capital improvements fund. The City of Caldwell is collecting revenue from the taxing districts in excess of the amount of the bond payment, and the city is talking about a new revenue allocation area and the retirement of that. Their new revenue allocation area includes Pond Lane, and that should be an ongoing part of our discussion.

Commissioner Dale said when you start urban renewal there is zero money there because it takes time to build that up so there is not \$2 million that would come from a new urban renewal district. Commissioner Van Beek said that is correct – there are two different conversations – she is talking about the sunset of the revenue allocation area in 2023. Clerk Yamamoto said he and the Controller met with the urban renewal team and the Assessor a

couple of days ago and it became abundantly clear that Caldwell Urban Renewal has no plans of remitting any of that money to the County. Commissioner Van Beek said she's spoken to Alan Dornfest from the state tax commission about this issue. She has heard that Caldwell wants to use the funds, but it's not theirs, it belongs to the taxing districts and so we need to continue to look for clarification. The amount of revenue returning to that taxing district is in excess of the bond payment. Commissioner Dale said it's true that once urban renewal district sunsets then whatever money has been diverted to the district from the County will come back to the County, but the money they have collected during the life of the urban renewal district is the urban renewal board's prerogative on how to spend that. They do not have to give that back to the local taxing districts. Clerk Yamamoto said they can spend that on any project as long as they do not acquire new debt and it's his understanding that they plan on spending it on projects. They talked about shutting it down early, which he and the Controller lobbied for and said let's shut this down and disperse that money to all taxing districts, but they said that's not going to happen. They're going to take it to the very end which would be 2023. Controller Wagoner said that money is Caldwell Urban Renewal's and they plan on using that money for improvement-type projects. It's their money from now until 2023 to do with as they see fit. Clerk Yamamoto said we should get in line for a project even if it's something small such as re-doing sidewalks. Or, should we take this to a public vote on a public building, and get in line for our portion of the money which is somewhere over \$2 million. Commissioner Dale said the project has to be within the urban renewal district. We could not take that money and apply it to a DMV building in Nampa, for example, it would have to be something within this area. Commissioner Van Beek said we need to put our heads together and say this is our project and we would like our fair share. She said in 2023 when they open and retire that revenue allocation area it's going to return at a percentage as new construction for Canyon County and she's heard estimates of \$450 million which would equate to about \$1.8 million for the County. Controller Wagoner said yes, that would be the new construction, the increase we could potentially take in property taxes. Commissioner Van Beek proposes we establish a plan, get funding sources identified because at some point the fund balance in there is going to be great enough that we can go to a bank and say we have voter approval to identify this revenue and here's the projects we would like to do and here is our amortized payment amount and here's how we'd like to go. Commissioner White said when you have a capital improvement fund it doesn't have to be just for public safety, it's for capital expenditures. If we're going to start building a jail account then it will be like the landfill fund where it's only for jail because you cannot use it for operations. Commissioner Van Beek said the proposal was that if we started construction in the fall of 2021 and it was a two-year project and you had an identified revenue source so 2023 you get a year to wait with interest only and then start making payments. The timelines could work but it has to be staged. Commissioner Dale addressed the comments that have been made regarding the compensation plan. When he took office five years ago raises had been put off and we were losing employees at a rate of 25% per year and that's an untenable situation because the cost of replacement and retraining is far more than the cost of retention. A committee spent a year or two studying the compensation plan to try to come up with a long term strategy in a comprehensive compensation plan that takes care of the people that are our biggest asset. The compensation plan, as it has been developed, is defensible and sustainable and he is concerned that if we say let's not do the compensation plan then we are abandoning all that work that was put into place and we are guaranteeing

that at some point we'll have a big hole to fill and it will be much more painful. He said we need to keep with the plan as it has been outlined and care for our employees. Commissioner Van Beek said in 2016-2017 and 2017-2018 the County gave increases in the compensation plan that were not commensurate with the current market and some of those were at 20% and she doesn't know anybody in the private sector who's doing that. She proposes allowing a 2% cost of living adjustment. She said our greatest asset is our citizen base and she objects to taking money out of their pockets so we can pay ourselves more. Commissioner Dale disagrees with the statement that the salary increases went way beyond market. The reason the large increases occurred 3-4 years ago was because of the hole that had been dug and it was to catch up to the market rate. We did not even come up to market on a lot of those positions, they are still slightly below and if we allow that to fall behind we are not taking care of our employees. The philosophy that was embarked upon in the compensation plan was to take care of the people who take care of our citizens and we need to continue with that or we will have to make what appears on the surface to be huge increases. Commissioner Van Beek said she's spent a number of hours with committee members studying the plan; she is not disrespecting the plan, or the strategy, she is saying we better stand with the citizens and if everybody else has to tighten their belts it means we do too. Controller Wagoner said the compensation plan for FY2020 is a 2% cost of living adjustment. That is a 2% increase in the pay range, also included for individuals who qualify for an additional year of experience, year in position, they move one step forward on the pay scale. If a position starts at \$30,000, a 2% cost of living adjustment moves it to \$30,600. As we fill positions we need to offer a salary that's competitive and equitable with the market. Clerk Yamamoto said this has been a good discussion and we need to continue it. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JOSEPH TAGUE FOR A COMPREHENSIVE PLAN AMENDMENT AND REZONE, CASE NOS. OR2019-0004 & RZ2019-0010

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by Joseph Tague for a comprehensive plan amendment and rezone, Case Nos. OR2019-0004 & RZ2019-0010. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Joseph Tague, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a comprehensive plan map amendment from an agricultural designation to residential designation, and also a rezone request from an "A" (Agricultural) zone to an "R-1" (Single Family Dwelling) one-acre minimum lot size zoning. This is part of what's been approved as Kestrel Estates Subdivision in 2007. Right after the subdivision was approved the applicant divided it without approval and created a one-acre lot so today they are here to clean that up through a comprehensive plan amendment and rezone. The future land use map shows that area to be residential except a three-acre portion that is designated as commercial. Nampa's plan shows it to be medium density residential. This is a residential growth area. Both staff and the P&Z Commission have recommended approval. Joseph Tague testified in favor of his request. He is seeking a building permit. When the property was divided he wasn't aware it was illegal. The ground is useless for farming, it's on a hillside and it has lava rock. He wants to get the property ready to be sold. Commissioner White believes the request is straightforward and

compatible with the area. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the comprehensive plan amendment from Commercial to a Residential designation. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the rezone from "A" (Agricultural) to "R1" (Single Family Residential). Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order. (See Resolution No. 19-123 and Ordinance No. 19-031.) The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY TREVOR SOGGS FOR A CONDITIONAL REZONE, CASE NO. RZ2019-0009

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Trevor Soggs for a conditional rezone, Case No. RZ2019-0009. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Zach Wesley, Trevor Soggs, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is for a conditional rezone from "A" (Agricultural) to "CR-R1" (Single Family Residential) for the purpose of further developing lot 1, block 1 of Rustic Acres Subdivision, a 7.5 acre parcel. The lot is platted as a larger rural residential lot and the applicant wants to develop five lots and he chose to enter into a development agreement to provide the comfort that he's not going to develop more than what he's proposed in his concept plan and allow the opportunity to provide conditions as required for the development. The area is developing as residential, and the lot has been vacant for quite a while, not developed since 2006. There is some opposition to the application by the adjacent neighbors about having built fence lines which encompass the easements on the property. That will have to be worked out depending the access Mr. Soggs chooses to use. The easement is not sufficient for the required road block and they are negotiating with the neighbors. There is also the possibility of extending Blessinger Road to this property. The applicant does have legal access to the property. Ms. Root has not had any communication from the owners of the nearby airstrip. Trevor Soggs testified in support of his request. He spoke about the property elevation. There's no viable flight path above his property to the airport and when he spoke to the pilot he said the actual concern was noise complaints from people in the area and not anything to do with flying airplanes. He is willing to put in a clause about no complaints. The bottom left of his property has a 6% grade and the top right is much higher and is subject to the hillside development statutes. There is one house he plans to put there and the other four will go on the flatter areas which slope gently. He's met with the Wagemans three times. There is no fence on the easements, but there is a gate. When he filed his application they were worried about getting gates up so they put in two gates, one that stops access from Willis Road and another one to the right which is how he accesses his property. They are concerned that if they wanted a pasture in the future this would make it difficult, but as of right now there is no fencing or pasture. As

far as extending the right of way, he has a letter of support from the neighbor to the east, Curtis Bodenbender, saying he would like to see this go through. Rustic Court is not a preferred access method, he prefers Blessinger Road as it's more direct. He is willing to put fencing similar to what exists between the two neighbors' properties which would be barbed wire and hog wire. The neighbor wants upgraded fencing but he doesn't think that's relative to this discussion. Two large lots to the west have a rezone application in process and he's spoke with the owner who indicated they dedicated 80 feet of right-of-way in preparation for their rezone hearing. Mr. Soggs has a general contractor's license and he will be the developer of the property. The new private road labeled at the southern portion will stay the same, it almost touches Blessinger, either way Blessinger will eventually go through. He has two possible accesses from his property and if they have already dedicated the 80 feet whether they move forward or not maybe it will be that he uses that dedicated right-of-way to put Blessinger Road to the edge of his property. Regardless of the access the new private road will remain the same. Lots 1, 2, and 3 will look substantially the same but where the drainage kiddy corners through, lot 3 won't have anything on the north side of the drainage to keep them from trying to build anything across it. Lot 4 will go across and take that triangle and Lot 5 will go across where there was a crossing previously. They will be substantially the exact same shape except Lot 4 which will have a little triangle across the drainage. Mr. Soggs said there are 160 lots within a one mile radius that are less than 2 acres; 50 of those are less than one acre and more in keeping with an R-2 designation. With regard to septic and well criteria, Mr. Soggs said the health department has been on site and he has dug five test holes and he has been approved. He is limiting himself to five residences. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close the public testimony. All three Commissioners indicated they are support of the request. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law, and Order as well as the conditions of approval which will be enumerated in the development agreement for Case No. RZ2019-0009. The development agreement and ordinance will be considered on August 2 at 8:30 a.m. The hearing concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JULY 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 3RD DAY OF DECEMBER, 2019.

CANYON COUNTY BOARD OF COMMISSIONERS

Tom Dale

Pam White

ATTEST: Chris Yamamoto, Clerk

M. Reeves, Deputy

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 1, 2019

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

APPROVED CLAIMS ORDER NO. 1922

The Board of Commissioners approved payment of County claims in the amount of \$1,695,372.52 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Copperfasten Technologies in the amount of \$12,000.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Chonies Sports Bar to be used 8/3/19 – 8/4/19 for a quinceanera.

FILE IN MINUTES

The Board filed the Treasurer's quarterly report for April 1, 2019 thru June 30, 2019 and monthly report for June 2019 in today's minutes.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1031, 2019-1024, 2019-1036, 2019-0711, 2019-1052, 2019-1042 and 2019-1001. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days.

Commissioner Dale made a motion to issue an initial approval with written decision on case no. 2019-1015. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign a subordination agreement on case no. 2010-100.

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

INDIGENT MATTERS

The Board met today at 8:52 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the following cases accordingly:

Case no. 2019-396 – continue to October 10, 2019

Case no. 2019-727 – continue to August 29, 2019

Case no. 2019-652 – continue to September 26, 2019

Case no. 2019-572 – continue to September 26, 2019

Case no. 2019-582 – continue to August 29, 2019

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue a final denial with written decision in 30 days on case no. 2019-763.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final approval with written decision on case no. 2019-589.

The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-724

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2019-724. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Donna Sharp with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek, the Board voted unanimously to approve 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. 2019-768

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for case no. 2019-768. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Interpreter Annie Chamberlin, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek, the Board voted unanimously to continue the case to August 29, 2019. The hearing concluded at 9:35 a.m. Two audio recordings are on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-594

The Board met today at 9:42 a.m. to conduct a medical indigency hearing for case no. 2019-594. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the case. The hearing concluded at 9:51a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MEDICAL INDIGENCY MATTERS

The Board met today at 9:53 a.m. to consider medical indigency matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, 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: 2019-711, 2019-635, 2019-659, 2019-716 and 2019-695. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final denials with written decisions in 30 days. The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MEDICAL INDIGENCY MATTERS

The Board met today at 9:58 a.m. to consider medical indigency matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for case nos. 2019-541 and 2019-568. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record. The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY TRADITION CAPITAL PARTNERS FOR A REZONE, CASE NO. RZ2019-0008

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Tradition Capital Partners for a rezone, Case No. RZ2019-0008. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Alan Mills, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 3.54 acres; the current zone is agriculture and the future land use is commercial on the northern portion and residential on the southern portion. The proposed rezone from Ag to C-2 and Ag to R-1 is consistent with the designation that exists on the property. There are 19 platted subdivisions within one mile with a total of 408 lots and an average lot size of 1.73 acres. There is commercial zoning within 463 feet of the subject property. R-2 zoning is located north of the subject property and the proposed rezone to C-2 and R-1 would fit with the mix of zoning designations that exist in the vicinity. The subject property is not located within a nitrate priority area. The current approach is permitted for single family residence only. The applicant will need to work with ITD to apply for the new approaches. Future development of the parcel will require trip generations to ITD and may trigger a traffic impact study. The applicant will be working with ITD as the development of the property continues. The property is located within the AE flood zone and will be required to adhere to zoning ordinance and FEMA requirements for development or platting within the flood plain. The P&Z Commission recommended approval on June 6, 2019. Staff has recommended approval finding the request meets the standards of review. Alan Mills testified in support of the request. There is another property to the east with a home on it. They have an approach side-by-side with the approach to this property and they've met with ITD and have a plan to consolidate the two. The use of the property will be kept to a low-volume use. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said the request conforms with the comprehensive plan as far as the mix between commercial and residential and it is appropriate for the area. Commissioner Van Beek said the request is supported by the findings of fact and conclusions of law cited. Commissioner White made a motion to approve the request by Tradition Capital Partners for a rezone, Case No. RZ2019-0008 and to approve the findings of fact, conclusions of law and order as well as the ordinance. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-032.) The hearing concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTIONS GRANTING REFUNDS TO CRAIG AND DEBRA PRUETT, AND SUPERIOR SIGNS

The Board met today at 1:46 p.m. to consider resolutions granting a refund to Craig and Debra Pruett due to a withdrawn application for a conditional rezone and development agreement, as well as a resolution to Superior Signs due to withdrawn applications for a sign permit and a rezone. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Alan Mills, and Deputy

Clerk Monica Reeves. Director Nilsson reported that after the Pruetts filed an application staff found they could accomplish their goal because they already had an available split. Staff didn't do any work on the case so they are recommending the Pruetts get their entire fee refunded in the amount of \$1,235. Superior Signs submitted some permits and then decided to annex into the City of Caldwell. Staff didn't do any work on the case and Director Nilsson is supporting a refunding of \$1,400. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to grant the refunds to the Pruetts in the amount of \$1,235 and to Superior Signs in the amount of \$1,400. (See Resolution Nos. 19-124 and 19-125.) The meeting concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CANYON COUNTY CLERK AND CONTROLLER TO DISCUSS FY2020 BUDGET

The Board met today at 3:00 p.m. with the Clerk and Controller to discuss the FY2020 budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Marina Mendoza, Chief Civil Deputy P.A. Sam Laugheed, Captain Daren Ward, Sheriff's Financial Manager Dave Ivers, PIO Joe Decker, Facilities Director Paul Navarro, Ambulance District Director Michael Stowell, Kathy Alder, Hubert Osborne, Mike Pullin, other interested persons, and Deputy Clerk Monica Reeves. Controller Wagoner said the County has experienced tremendous growth and in response to that growth a large part of the budget is for personnel, which includes an investment in our current personnel, a recognition for a 2% cost of living adjustment, and when applicable a step forward on the pay scale for an extra year in position for those employees who are continuing to improve themselves and learn their craft. The budget also includes monies for new positions targeted in areas of growth. Commissioner Van Beek finds it problematic that this budget has not accounted for a revenue allocation to public safety. She said last year's property tax of \$52,191,430 plus this year's new construction of \$1,780,000 puts us at \$53,971,503 and if we take that to determine a levy rate by the current assessed market value (\$15 billion) that eliminates the 3% increase and would drop our proposed levy by 12%. She questions taking from the taxpayers, who will get less, and giving it to the employees who will get more. In the absence of a capital improvements plan and a facilities plan, she believes we need to go back and take another look because there are areas where there's an excess based on the year-to-date actuals and the projections. The trends are consistent and the numbers are consistent but the inflation on those numbers is not and she believes we are budgeting more than what the trend shows we should and have to get it down to where we don't have such a big burden on the taxpayer. Commissioner White asked what Commissioner Van Beek is proposing to be cut in order to allocate funds for public safety or capital improvement, and she spoke of the difference between the two proposed funds. Commissioner Van Beek said we have to identify revenue sourcing and dedicate a portion and rather than using current expense and fund balance and triaging where the immediate and urgent takes priority over the necessary and the long term; for instance, this year there is a request for \$3.5 million for improved voter experience. That takes the fund balance to a point where we've used all of the discretionary without allocation for streaming any revenue source to a building. Commissioner Van Beek spoke of Ada County's plan which takes a five-year look at what the vision for their county looks like. When you have a dedicated fund over time you're going to get to where you can use out of that pool and it can

be set up in a way that allows us to plan for the future. Clerk Yamamoto said one of the reasons we don't have anything in a capital improvement line is we don't have a plan or a prioritization of that plan so if that was to happen in a hurry we could perhaps do something, but it was his opinion that no one had the time. When he and the Controller met with each office and department, they asked what their needs are and they had one request and it was from the Assessor for a south Nampa and Caldwell DMV location, and possibly stopping service at the boulevard DMV. It was difficult for him to put something in the budget addressing the DMV request when he believes the bigger need is with driver's license wait times. The Clerk said they reason he included the \$3.5 million elections equipment in the budget is because of what they experienced in 2016 and what they project to happen in 2020 and the potential to have a problem with the current equipment. Commissioner Van Beek said she is working to have a facilitator meet with department heads and elected officials and have a coordinated effort as a whole, a unified effort where everyone hears the needs of the County. Her proposal is to keep the budget as lean as possible. She proposes we keep last year's property tax amount, plus new construction and build the budget and build the capital improvement and the facilities to strategic plan. She appreciates the time and effort spent on the employee compensation plan, but believes it should be kept at a 2% maximum, perhaps 1% equity and a 1% cost of living adjustment. And, it may mean that the new and refunded position requests may have to wait. She is compassionate to the elections equipment request, but believes we should wait on the purchase because we are 2 ½ years into the election cycle and we don't have all of the RFQ's or proposals in yet. She questioned why almost \$1 million has been put in the fair budget when the cost of the project is not yet known and there is a possibility there could be a donation of steel that could equate to several hundred thousand dollars. She suggests we remove that portion from the budget. Due to the parks department's fund balance and potential revenue source she recommends we not levy property taxes, it can come out of their fund balance. She does not support the funding request for the Clerk's vault issue as it will interrupt the work stream and because we need more cost information. Commissioner Van Beek and Clerk Yamamoto had a discussion about the definition of a balanced budget. Regarding the elections equipment request, the Clerk said he hasn't made up his mind and it's possible he may not make the purchase but he wants the option to do it if he is satisfied with the equipment. Commissioner Van Beek spoke of her concern with the taxing authority for the parks and fair funds and the moving of money between them. Controller Wagoner said we do not move monies between funds. We have different funds that levy tax and current expense is one of those funds, indigent is one of those funds, weed control, reappraisal, and when monies are levied for that specific fund that's where they stay. The property taxes are fund specific and that's where they are receipted and where they stay. The 3% is applicable to the County as a whole, not for each specific fund. Discussion ensued regarding calculation of the 3%. Regarding the fair budget, Controller Wagoner said we are utilizing almost \$1.5 million fund balance to balance that fund; we are not levying tax for a new building, we are using fund balance for a new balance. There is more happening in the county fair fund than just a building, there are the operations of the fair, the county extension office is paid out of the county fair fund, ongoing day-to-day expenses that need to be paid for. The \$1.5 million fund balance is in there from the sale of the land and that's the money for the building. The other revenues, property tax are for operational costs. Commissioner Van Beek said the number should be \$2.25 million. Controller Wagoner said the money is in the current year's budget, we're still operating in

FY2019. Commissioner White spoke about the employee compensation plan and how prior Commissioners put thought and discussion into it and it went forward. It has not been rolled out to its fullest to where we will see where the weaknesses are or where it needs to be tweaked. She is not in favor of making changes to the compensation plan. She said we should put \$500,000 in a capital line and then she asked what is the most we can plan every year. Controller Wagoner said we could look at possible revenue reallocation and get \$500,000 in the current expense fund in a capital investments line.

We could shift the \$3.5 million for elections equipment out of the Clerk's portion of the budget and into a line for current expense fund for capital investments because that project is of such importance to all of us. Commissioner White likes that idea. Commissioner Van Beek said we should also look at taking the expiring tax incentives, a portion of new construction. Commissioner Dale said growth has occurred at every level of government and employees are having to pick up the slack where they don't have enough personnel to meet the service needs. Our facilities are strained to the max and demands for service are up. There is a 2% adjustment for cost of living in a compensation plan and that moves the range of the plan, it doesn't mean that everybody is going to get a 2% raise. Those raises are dependent on the plan and where each position falls in that plan and where each individual employee falls in that range. The compensation plan needs to stay intact so we can retain people and so our employees have some predictability and ability to plan for the future and hopefully stay on here for their full career. In fairness to our citizens, that's what we're trying to do. We are budgeting a lot of money for public safety. The compensation plan that has allowed us to retain valuable employees, and by retaining experienced deputies that increases public safety. We also have money budgeted for Pod 6 to address the overcrowding in the jail. It's a temporary fix but it does get us 122 beds for female inmates to help open up space to take care of long delayed maintenance in the old jail and that is directly enhancing public safety. Commissioner Dale is in favor of a capital improvement plan, it'd be a great idea to put all capital needs in one place and so that we can prioritize those needs based on what we have available. With regard to the fair, we have to budget based on what we think the entire cost of the building will be. If we are fortunate enough to get donations towards the cost of the building that would be great, but it's not a guarantee so we have to budget for the full amount. Commissioner Van Beek said employees have to have predictability and that is also true of our citizens, they have to have to predictability. She objects to taking more from the citizens so we can be paid more. We need continued negotiation on the capital improvements plan; dedicating that by resolution is going to take a 2/3 majority vote by the public to say, we agree to reallocate. We need to put our heads together and identify a project that will qualify for infrastructure so the County can receive those funds that rightfully belong to that taxing district. We need a plan for the jail. if we were able to identify we could with some planning and push forward. We have to justify every expenditure and we have to weigh the compensation plan against what we're asking the citizens to do which is tighten your belt. Clerk Yamamoto said most of the counties in Idaho determine what the maximum levy rate is, set it, and then figure out how much taxes it will be, but we don't do that in Canyon County. We assess needs instead of taking everything we can take. Growth is killing us and the amount of the budget is killing him but he doesn't know what else to do with it. He is not keen on putting \$500,000 in the capital improvement line, but he is in favor of a plan, but as far as putting money there this year with the high level of taxes he's not in support of that but he is willing to compromise that we add

that line item. Sam Laugheed said Idaho Code, Section 63-802 sets the 3% growth factor for the taxing district and as has been discussed it doesn't go down to funds, it's the taxing district. In reference to the different language we're using and making sure we're sharing common terms he's hearing a couple different things being talked about in reference to a construction line. There has been some talk about a construction fund that's set by Idaho Code 31-1008, that if there's a separate levy for it there'd have to be a vote. If there's no separate levy for it then it's just monies that are available in the year that can be put into it and then there is capital line discussed by Commissioner White and those are different things. If we establish a line we don't have to get a 2/3 vote. Commissioner Van Beek said we'd have to be diligent to continue to dedicate and fund that in a way that it takes priority recognizing a long-term goal. Commissioner White said there are some questions and disagreements and we need to be comfortable with it. Controller Wagoner said it would be helpful if we were working towards putting \$4 million in a capital investments line in the current expense to begin thinking about how that will fit into the budget. Commissioner Dale said you may have to reduce a few lines to get that, but he is fine with the concept. Clerk Yamamoto said they worked on that when they thought we were getting urban renewal funds, but now that it appears we're not and it has changed their plans. Commissioner Van Beek appreciates the support and said we have to triage and stage the fulfillment of those needs with the priority list, which is what we're getting to so that we can be sustainable. The meeting concluded at 4:32 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 2, 2019

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

CONSIDER REQUEST BY TREVOR SOGGS FOR A DEVELOPMENT AGREEMENT AND ORDINANCE; CASE NO. RZ2019-0009

The Board met today at 8:31 a.m. to consider the development agreement and ordinance in the matter of Trevor Soggs' request for a conditional rezone from an "A" (Agricultural) Zone to a "CR-R1" (CR-Single Family Residential) zone. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Debbie Root, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The hearing was held on July 31 and the rezone request was approved but the matter was continued to this day to allow time for the applicant and his spouse to sign the development agreement. Debbie Root reported that she has obtained the notarized signatures of the applicant and his spouse. The conditions of approval that were approved through the signing of the Findings of Fact, Conclusions of Law, Conditions of Approval and Order are included in the development agreement. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted

unanimously to authorize the Board to sign the development agreement and ordinance for Case No. RZ2019-0009. (See Agreement No. 19-100 and Ordinance No. 19-033.) The meeting conclude at 8:32 a.m. An audio recording is on file in the Commissioners' Office.

OPEN PROPOSALS FOR THE ONGOING WOOD WASTE REMOVAL FROM PICKLES BUTTE SANITARY LANDFILL PROJECT

The Board met today at 9:01 a.m. to open proposals for the Ongoing Wood Waste Removal from Pickles Butte Sanitary Landfill project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Representatives from Timber Creek Recycling and Deputy Clerk Jenen Ross. Proposals were received from the following vendors:

Enviro-Progress, Inc.

Received via email August 1, 2019 at 10:56 p.m.

Timber Creek Recycling

Received August 1, 2019 at 2:52 p.m.

Both of the submissions will be forwarded to Director Loper for review and he is scheduled to give his recommendation to the Board next week. Copies of each proposal are on file with this day's minutes.

The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A. Mike Porter left at 9:19 a.m., Deputy P.A. Zach Wesley left at 9:15 a.m., Controller Zach Wagoner left at 9:13 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:19 a.m., Jail Captain Daren Ward left at 9:19 a.m., Facilities Director Paul Navarro left at 9:15 a.m., Director of Juvenile Detention Steve Jett left at 9:12 a.m., Juvenile Detention Training Coordinator Shawn Anderson left at 9:12 a.m., and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing independent contractor agreement with Wayne R. Liddell and Associates for PREA audit for the Southwest Idaho Juvenile Detention Center: Director Jett explained he sent out solicitations to nine different auditors and Mr. Liddell was the only one who submitted a proposal. The proposal and agreement have been reviewed by legal. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board

voted unanimously to sign the agreement with Wayne R. Liddell and Associates (see agreement no. 19-099).

Consider approval/denial of a purchase order to All Detainment Solutions for ADA compliance: Paul Navarro said this is for the rec yard wheelchair lifts at Pod 6 in order to be in ADA compliance as required by the State of Idaho Division of Building Safety. Per Controller Wagoner the funding for this will come from the Justice Fund. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the purchase order to All Detainment Solutions.

Consider modifying extension request for water permit 63-34359: Dan Blocksom explained the Board previously signed a request for an extension of time for a water permit related to the museum dormitories, at that time a 5 year extension was requested. A few days ago an email was received from IDWR stating only 3 years may be requested. This document memorializes that the county will modify the extension request from 5 to 3 years. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the modified extension request for water permit 63-34359. A copy of the modified request is on file with this day's minutes.

Consider signing Amendment No. 5 to Food Service Agreement with Summit Food Services: Mike Porter said this is an amendment to the existing contract that provided meals to both the adult and juvenile detention centers. The increase is 2.7% over last year, which is about the nationwide average. Commissioner Van Beek has requested the contract be reviewed as she feels there is some language that needs to be amended because there is a scope of work included that is being done by the county. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign amendment no. 5 to the food service agreement with Summit Food Service (see agreement no. 19-098).

The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING ORDINANCE AND DEVELOPMENT AGREEMENT FOR THE RON AGUIRRE CONDITIONAL REZONE REQUEST, CASE NO. CR2019-0002

The Board met today at 9:31 a.m. to consider the ordinance and development agreement for the Ron Aguirre conditional rezone request, Case No. CR2019-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The request was heard at a public hearing held on July 30, 2019 at which time the Board approved the request but the signing of the development agreement was continued to allow time for staff to obtain the spouse's signature on the agreement. Today Ms. Root reported there are no changes and the notarized signatures have been obtained on the agreement. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Board to sign the development agreement agreeing to conditions that are contained therein, as well as the

ordinance for the rezone for Case No. CR2019-0002. (See Agreement No. 19-097 and Ordinance No. 19-034.) The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING –REQUEST BY BOB COPE FOR A REZONE, CASE NO. RZ2019-0013

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Bob Cope for a rezone from "A" (Agricultural) zone to the "R-1" (Single Family Residential, one-acre average minimum lot size) zone. Present were: DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Bob Cope, Leslie Robinson, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The property is located at 12301 Moss Lane in Nampa and it is zoned within that section as agricultural, but it is surrounded by the City of Nampa and City of Caldwell jurisdiction. There is R-2 zoning and commercial zoning in the area. The future land use shows residential and commercial uses. The City of Caldwell is showing this as a medium-density residential area where they foresee duplexes and triplexes in the future. It is well within the growth pattern shown in the area. Within a one mile radius there are 49 subdivisions with an average lot size of 0.56 acres. The traffic analysis zone forecasts this area will grow from 251 houses to 1,263 houses within the area. Staff is recommending the Board approve the rezone request. Commissioner Dale asked if the City of Caldwell expressed a desire for this property to be annexed. Mr. Lister said not at this moment. The next step is to do a land division; this is not going to require platting, it's just a land division application. This will still have to potentially meet their improvement requirements as part of that, or they can be waived or deferred at that point but that's up to the city. Commissioner Dale said when properties are contiguous he prefers they be annexed but if it's not been requested by Caldwell he's not going to force the issue. Commissioner Van Beek said there will be a total of two parcels and each will have a building permit, and potentially the impact in doing this without annexation into the city is that it could pock the development and they could divide it again and put more things on the land. Mr. Lister said this is a straight rezone that doesn't come with restrictions. One of the potential impacts is that this could be built out much more and so they are only asking for one division for family reasons. Without city services they can have a total of three parcels but it would require platting and they would have to come back to the County and city requirements would have to be met and at that point the city could say they want it annexed. Commissioner Van Beek said it's an odd shaped parcel that would be difficult to farm and it fits with the comprehensive plan. Bob Cope testified that he wants to give his daughter, Leslie Robinson, some land. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Van Beek made a motion to approve the findings of fact, conclusions of law and order for the rezone from Agriculture to R-1 on a 3.95 acre parcel, and to approve the change to the ordinance. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 19-035.) The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS NEW ALCOHOL LICENSE FOR AMANO RESTAURANTE LLC DBA AMANO

The Board met today at 1:36 p.m. to consider ratifying the resolution granting a new alcohol license to Amano Restaurante LLC dba Amano. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. This resolution was originally agendized for Monday but was sent for legal review which Zach Wesley provided a written opinion on. There was no legal reason not to proceed as they meet all the requirement of the county ordinance. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution granting a new alcohol license to Amano (see resolution no. 19-126). The meeting concluded at 1:37 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 5, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 8/17/19 for a wedding.

MEETING REGARDING NEW JAIL MATTERS

The Board met today at 3:03 p.m. to discuss new jail matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Sheriff's Finance Manager Dave Ivers, PIO Joe Decker, Assessor Brian Stender, Rachel Spacek from the Idaho Press-Tribune, Hubert Osborne, Larry Olmstead, and Deputy Clerk Monica Reeves. Commissioner Van Beek said in the 2019 budget we allocated \$2.3 million for jail overcrowding and at the end of that five years that dollar amount could be redirected to support a payment on a jail. Caldwell Urban renewal also has a revenue allocation district which is getting ready to close and there is money that is accruing that's greater than what it takes to make the bond payment. There will be approximately \$2.5 million available and when that revenue allocation area sunsets and returns to the tax rolls that amount of new tax dollars will equate to approx. \$450M and that will translate to an annual "new construction" amount of \$1.9M. We also have new construction that we schedule for and right now that is also about \$450M, and if we take 15% of that represents a portion of the levy rate corresponding to that. We could take

approximately \$240,000 annually to dedicate to capital construction and in four years we'd have almost \$1M. The last of the funding options would be the retiring tax incentives that it is currently estimated at \$400,000. It is complicated and it takes people wanting to look at the numbers with some level of respect for the ideas and the integrity. The Caldwell Urban Renewal District was a 20-year vision and all the projects that were included in that taxing district have been completed and she believes that kind of revenue identification needs to occur at the County. She proposes we do not fund any new capital improvement projects without putting the needs of the jail first. She met with the Clerk last Friday and in the interest of evaluating the financial considerations in how to put that together, her proposal is that we contact Banner Bank, who worked with the City of Caldwell. We could coordinate the banks locally to provide a funding source and once the revenue is identified we have to protect that stream, it cannot be interrupted once we've identified it but if we can build our payment. She's looked at the numbers for the new proposed budget and in the last five years it's a \$21M increase but we haven't built any new municipal projects, but a lot of that amount has gone for employee compensation. She understands we want to pay our employees fairly, but we have to dedicate dollars and work in a unified way to identify the funding source that's going to move public safety forward. Commissioner Dale said Caldwell Urban Renewal has no intention of sun-setting that district early and they fully intend to spend all that money on projects. Clerk Yamamoto said the only way we're going to see any of those funds from the original "RAA" (revenue allocation area) is to go after that as a project with urban renewal and have a public vote. Commissioner Dale said the funds collected belong to the urban renewal district for their discretionary spending and it has been suggested that we should put together a project or two to present to them to see if they would fund it but they are not obligated to give us that money back. Controller Wagoner said over the next 3-4 years that money is Caldwell Urban Renewal's money to do with as they see fit. In FY2023, potentially, that RAA would sunset and at that point the County could increase its property tax levy by \$2M cash from the value we get – new construction. Commissioner Van Beek said the RAA closes, but the urban renewal stays open and they are going to reopen a new RAA and it's the city's intent to declare the urban renewal area where Pond Lane is located and we could look at that. All options would be on the table, which is important because there's some ambiguity and some unknowns and now is the time to look at that because that would equate to about \$2M that would come out of urban renewal. We need to see if there is property that is closer than Pond Lane. She has spoken to the Caldwell City Council and the Mayor and thinks we should invite them to the table and hear what they have to say. Commissioner Dale spoke about how the city council voted no two times on building in the downtown area and it did not mention other properties that may be closer. He suggested the Board also look at the Nampa Urban Renewal District as well as they have a district that will sunset in 2030.

Commissioner Van Beek received information from HOK which she shared with Captain Ward in hopes that he'd share it with the Sheriff. Sheriff asked if she's suggesting we do an RFI (request for information) to not just HOK, but to other companies as well. Sam Laugheed said an RFI is something that is not directly contemplated in Idaho statutes, but is something we've done in the past to try to consolidate information without favoring any one particular vendor who might have an interest moving forward in having a contract with us. In the winter of 2018 the County did an RFI as part of the initial process and we found it was

difficult to get vendors to lock in anything on such an exploratory process. We had people who were a lot more willing after it was over to say they could make a deal but when we were compiling information, they were reluctant to say much. Commissioner Dale said he met with Eric Herringer from Piper Jaffray a week ago regarding a letter he supplied to the Board. They have done a close analysis of what they believe is a legal means to do something like this, the private/public partnership and lease to purchase. They've done it several times with other governmental entities in Idaho and they cited a couple of court cases that have opened the door and made it legal without question. The cost of a lease to purchase is one quarter percent higher interest than a standard general obligation bond. Using the figure that have been talked about there is approximately \$7M that could be gleaned over a period of time. For the sake of discussion, \$7M would fund a \$115M facility over a 30-year lease to purchase. With that figure Mr. Herringer ran a calculation and the quarter percent extra interest that you're paying would amount to about \$170,000 per year over the cost of a general obligation bond. Commissioner Van Beek said the difference in interest between a 20-year bond and a 30-year bond is phenomenal. An amortization schedule would be appropriate to show that difference; she's not in favor of a 30-year bond. Sheriff Donahue asked what HOK is proposing. Commissioner Van Beek said they have found a niche market across the country because the principals are no longer with DLR, and so HOK is picking up those projects and they feel they could do it for \$120M. If we got \$100M with a \$7M a year payment that would leave a \$20M new property tax bond amount. HOK would like to make a presentation but she doesn't want to impugn their ability to be a part of the bid process. Sheriff Donahue said some of the principals are still at DLR, and then he asked if HOK is estimating a similar structural concept that DLR produced. Are they saying they can do 1055 beds for \$120M? Commissioner Van Beek said yes, that is what HOK is saying - bed for bed, classification for classification - they believe they could improve efficiencies. Sheriff Donahue said that's interesting because from the operational standpoint and the efficiencies, that's something they worked very closely with DLR on so he expects that when the time comes they would be looking at the Sheriff's Office to know where the deficiencies are and where the efficiencies are and what the must-haves are from an operational barebones standpoint. There are things we need to look at from an operational standpoint to make sure those things are met. Sam Laugheed said there could be informal communication with reports back to the main stakeholders, as long as it's clear to the vendors that they don't have any advantage and that there is no relationship. Another way would be to open it up to more potential vendors and what that would look like in an actionable forum is something he's been thinking about for a long time based on that RFI experience we had. We started from a place where we were looking at what the need was and the concept derived from the need and the money came afterwards. HOK is almost suggesting that we start with what the money is and reverse back from that. The easy analogy is to a design build so he's going to bring in the construction delivery options. The administration building was a design build process and that's fine for lower value construction, but for projects over \$100M he worries about setting it at \$120M (for example) and then bringing in people who could do it for \$120M which is the quick way to do it by saying we're looking to contract for some set amount, what can you give us? He thinks vendors would still be reluctant to put too much skin in the game without knowing they were getting a contract out of it. The other option is a design bid build which is traditional construction where we pay for a design and then we bid it out and HOK and others could bid and then it's the money the County puts in up front to get the design

complete which is why a construction manager general contractor would be the way to go. Maybe doing an RFP for a construction manager would help us on that path to be bringing in the HOK's and other national jail construction experts without unfairly giving anybody an advantage. Make it very clear that it's an informational meeting, there are no expectations attached with it. That opens us up to offering that same opportunity if other contractors ask for it. Sheriff Donahue said Mr. Laugheed is correct, we got nothing with the last RFI because they didn't want to put their stamp on their secrets of the trade. He likes the explanation of the design bid build, maybe thinking about that design and every company out there and many others that will come out of the woodwork will probably have a lower amount they could build it for, but it's a huge disadvantage to them to not have a design to work from. If you have a more narrow narrative by all those companies and they can more directly and accurately tell you what they can and cannot do or if they're even interested in the first place. Mr. Laugheed said the construction manager idea is a good in-between sort of design build and design bid build because it doesn't require complete construction-ready blueprint documents, but a percentage of it that would give more accuracy. We're never going to have 100% until we have construction documents, which is estimated to cost 10% of the construction costs. In the past the County has tried that and spent millions on blueprints and then not constructed so something in between basing it on a concept design and basing it on construction-ready documents could be a way to get more accuracy than we've had which would maybe enhance the ability of HOK and other vendors to talk about what they could deliver but we're still putting money into it; we've been able to use County resources so far and this would be more of a commitment to millions. Sheriff Donahue said that goes back to the issue of funding revenue streams. Theoretically, let's say urban renewal sunsets, would \$2M be available for the County? Controller Wagoner said we could increase our property tax request by \$2M and it would then come to the County. Commissioner Van Beek said there are two components: The first component is the amount being paid to the general obligation bond for the urban renewal projects that are in that district exceeds the amount of the bond payment so you have this accrual in that difference. That's one set amount and then the other portion when that revenue allocation area ends that's the other portion that if we keep the taxing stream the same – so a set figure but then when that returns as new construction you would have that. Controller Wagoner said the first pool of money is urban renewal's money, and it could all be spent in its entirety by 2023 and there could be nothing left. Commissioner Van Beek said she's heard if we can find a project, infrastructure, if we can get a public vote to build a building, if we can come together and identify a use that's allowed then the County could use those funds. Clerk Yamamoto said he agrees but that won't help us with a jail. The timing and the dollar amount doesn't work so if you had some other project, yes, that's a possibility. Commissioner Dale said there is no obligation of the urban renewal district board to say they'll do our project. Clerk Yamamoto said they can spend every nickel as long as they do not acquire new debt. Commissioner Van Beek said she understands from Alan Doornfest from the Idaho State Tax Commission that if the money belongs to the taxing district of Canyon County we have first right of refusal and so we need to identify something and claim it. Controller Wagoner said Mr. Doornfest was here a few weeks ago and they talked with him extensively and the key word there is *if*, if there is money remaining then it would be distributed to the taxing districts. Commissioner Dale likes the idea of utilizing monies that were already collected to help pay for this type of thing, that way as you had indicated if you were able to fund \$100M of a jail project without having to ask for new taxes.

If you needed \$120M you'd still have to get a bond for \$120M. Controller Wagoner said he's trying to figure out how it was determined that we have \$7M available for annual payments. Commissioner Van Beek referred to an amortization schedule that shows the annual payment amount of \$6.67M for \$96M. The four sources of revenue are as follows: \$2M for the FY2023 estimate, allocation of the dollars we spend every year for Pod 6, and if we add the dollars we are getting from new construction, and from the property tax exemptions that will drop off. Controller Wagoner said he's still not seeing \$7M. Our new construction in the FY2020 budget is largely allocated to the compensation plan, new positions and carrying out the day-to-day requirements. Commissioner Van Beek recognizes that a lot of work has been put into the compensation plan but she questions why the only things we have done in the last five years with \$21M is raise salaries and fund the health insurance fund. She said we need to look at what our revenue is and have that revenue pared down to what we really need. Speaking to the \$21M amount, Clerk Yamamoto said the reason that happened was because we didn't compensate our employees, we didn't fill positions, we didn't buy patrol cars, there is a long list of what was deferred and not taken care of and we got in a huge hole and that is why we had to make up for all the things we didn't take care of when we should have. The benefit package was down to almost zero because nothing was put in it. Sheriff Donahue spoke to the same issue and said in those years they lost a lot of employees because the law enforcement salaries were non-competitive. The compensation committee was formed and they looked at the market salary analysis across the board and now we are more competitive and in a position where people are coming to work for the County and staying here and that saves the taxpayers a lot of money. For the first time in a long time the Sheriff's Office is at full staff. He understands Commissioner Van Beek's point but we cannot sacrifice the employees to solve the jail problem because that will just create another problem. Commissioner Van Beek said from a marketing standpoint if we say we're going to try to hold the costs and if everybody makes a sacrifice to be in this together that has the potential to get the taxpayers on our side perhaps approve a 2/3 vote on the additional money required for the general obligation bond. Our expenses are outpacing our revenue so how do we solve that? She's not disrespecting the work that's done, she just saying it has to be a community effort. Sheriff Donahue gave the example of the Nampa Police Department which is giving its employees a 4.5% raise this year and 4.5% next year and we cannot compete with that, but the wider the chasm becomes the more staff we lose to the another agency. Prosecutor Taylor said we have to know what the actual cost of the jail is. He's heard amounts ranging from \$60M to \$189M; if we can get an additional 1,000 beds for a cost that is feasible without hurting the taxpayers let's do it. If it has to be less because that's all we can afford then those are conversations we have to have, but we have to do something to figure out what the cost is and have somebody put it in writing. Commissioner Dale asked how to get a more realistic understandable figure we can count on without going to an architect and paying \$10M to have them draw a plan? Sam Laugheed said in order to get a more precise number for the amount of beds we have to put some money into additional design development. Not complete blueprint-ready construction documents but going through additional design development based on the concept we have. If we're looking for a couple million for design development that could be the best bang for the buck at this point to move forward while keeping all these different options open about what a development would look like and so that could be an RFP for construction manager, it could be talking with architects and making it clear that we're talking about a percentage of design development. That is one actionable

road we could go down. The other thing he heard is interest on the part of several of stakeholders to hear more from vendors like HOK and potential bank and bond type lawyers. We could have pre-procurement informational meetings where a vendor could come in and talk to the Board and stakeholders, and we could have bond counsel come in and talk to the stakeholders, and have Banner Bank, and Zions Bank come in and see if they can generate other ideas. If we are looking at action he thinks the Board and stakeholders need to be prepared to talk about what kind of resources they want to put into design development, that's the next actionable phase besides information gathering. Clerk Yamamoto said construction costs will go down so if that's the case, what's the hurry? Pod 6 is coming on line and we should see what it does. He is not willing to spend another nickel on design or anything else until we have a clear path of how we're going to pay for it. Sheriff Donahue said Pod 6 will not solve the issue of 700 people on pre-trial. There is an urgency and Pod 6 will help us on our female population, and once we can get the females moved to that pod we can hopefully revamp Pod 3 to accommodate some male inmates. Once we move females we'll have 122 in the temporary and net gain will be 86 beds. But, there are still some classification issues. There are only four cells in that female unit that's hard cells so that means there are only four individual males once we convert it that we can put into a hard cell by themselves. The rest are dormitory unless we make some serious modifications and that's the problem we have. We have dormitory cells, we have Pod 5 – and we have Unit G and Unit F and that's not what we need because those people are on pretrial. Commissioner Dale said taxpayers are the only ones who can pay for this. We don't have the option to go for local option sales tax, we don't have grants that are available. Sheriff Donahue said it's very clear that nobody wants to raise property taxes. He's spoken to the legislature about local option sales tax and it's still an option and it shouldn't be up to people like Mike Moyle who is not from Canyon County, nor should it be up to Rep. Collins and Sen. Rice; they should allow the people the decision to have a vote and let there be committee hearings on both tax committees. Let the hearings be held and let the house speak for itself and let the senate speak for itself and let the people of every county speak for themselves. It's not up to the people to decide if they want to tax themselves. Commissioner Van Beek said someone emailed her with a suggestion about a lottery where a percentage goes back and can be dedicated for the revenue stream to fund a jail. Sam Laugheed said the lottery commission is at state agency and he's sure they have IDAPA rules and statutes that govern it, but he hasn't looked at those. Clerk Yamamoto said it's an uphill climb with local option sales tax, however, it's gaining some traction and the schools are getting in on the act now too. Commissioner Dale said he presented a resolution at the clerks and commissioners conference and it will be before the entire body in September for a vote to move forward once again and he thinks we need to keep it every year. We need to engage people to talk to their legislators and ask why they won't allow them to have a meeting and talk about this in committee and give the people an opportunity to vote on a funding source for a jail or a school, etc. It comes down to trusting the voters. Prosecutor Taylor said a previous meeting in May, he thought the Board had planned to invite Jim Rice and Gary Collins to this collective body and ask those questions. In response to a question from Commissioner Van Beek regarding the Skagit County, Washington blueprints, Sheriff Donahue said he will make an inquiry of that county. Commissioner Dale said we need to continue this discussion every week or once a month and we need to find out information about getting HOK and other interested parties to have an opportunity to meet with the Board and if they are concerned

about trade secrets we could do it in executive session. Sam Laugheed said we have to be conservative with what we would allow them to describe as trade secrets but that is an option. Commissioner Dale said we need to talk to our local legislators and get Collins and Rice and some others and have a discussion about local option sales tax. Commissioner Van Beek will invite Banner Bank to make a presentation. Commissioner Dale said and perhaps have Eric Herringer from Piper Jaffray and Nick Miller do a presentation on financing options. The first step will be to get some informational meetings with Banner Bank and talk about financing options and then have a subsequent meeting with the construction people, and the third meeting will be the legislators. He said one of the biggest mistakes in this process was that it's been 10 years since this issue was brought before the voters last and that's a lag and it says we're not doing anything about it. This is a big issue and it needs to be continually worked on. Chief Dashiell said working on finance is great, but if you work it backwards that your finances are going to determine what you build rather than having your construction vendors give you cost estimates for what you need you're going to end up doing the same thing the expansion from three years ago ran into where we said we have this much money so we'll build however many beds and we don't care what the results will be. That expansion was going to cost a lot more in the long run by trying to figure out how to operate it as to the advantages we were going to see. The meeting concluded at 4:23 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 6, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Agave Cantina to be used 8/10/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 8/15/19 for a wedding.

APPROVED CLAIMS ORDER NO. 8/9/19

The Board of Commissioners approved payment of County claims in the amount of \$152,817.60, \$53,302.32, \$67, 570.72, \$348,111.16, \$51,840.98 and \$2992.70 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/10/19

The Board of Commissioners approved payment of County claims in the amount of \$145,389.47 and \$51,061.86 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 Director of Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Director Navarro was not able to make today's meeting. Director Rast updated the Board on the following:

- One scanning project was just completed in the Clerk's Office; historical dockets where photographed instead of actually scanned.
- Discussion was had regarding electronic storage.
- Contract with Carousel Industries is a maintenance contract for the telephone systems – it provides 24/7/365 monitoring for any alarms.
- A meeting will be had next week with Century Link to discuss the fiber optic build out to the weed and pest office. There will be a \$25K install for the fiber circuit and a monthly charge of \$711 for 3 years. They anticipate a 30-90 day build.
- The Network Tech position has been filled, a Programmer position still open and they will be going to market soon.
- JobScore is done; there were concerns about Title VII but the issue has been resolved and the county is in compliance.

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

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Landfill Director David Loper left at 9:18 a.m., Director of Indigent Services Yvonne Baker, Deputy P.A. Brad Goodsell left at 9:18 a.m., Deputy P.A. Dan Blocksom, Representatives from Timber

Creek Recycling left at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Receive written recommendation and consider signing notice of intent to award Ongoing Wood Waste Removal from Pickles Butte Sanitary Landfill request for proposals: There were two proposals submitted for this RFP – one from Enviro-Progress (the current vendor) and one from Timber Creek Recycling. Director Loper and his staff scored both proposals and they are recommending Timber Creek Recycling. Timber Creek offered two different proposals one is to remove the waste as is currently being done, the other is a slightly modified version of what is currently being done. Timber Creek also submitted a proposal for the removal of other waste types which Director Loper recommends evaluating at a later time and just staying with wood waste at this time. The intent would be for the contract to begin October 1, 2019. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the notice of intent to award the Ongoing Wood Waste Removal from Pickles Butte Sanitary Landfill project to Timber Creek Recycling. A copy of the recommendation and notice are on file with this day's minutes.

Consider signing independent contractor agreement with Annie Chamberlain for interpreter services: This is a standard contract paid at \$30/hour with a one-hour minimum and automatic renewal. Mr. Blocksom spoke about the differences between a court certified interpreter and interpreters used for medical indigency. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement with Annie Chamberlain (see agreement no. 19-101).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner Van Beek made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:52 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 - REQUEST BY NATE MITCHELL REPRESENTING BAAS GROUP, LLC, FOR A REZONE, CASE NO. RZ2018-0040

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Nate Mitchell, representing BAAS Group, LLC, for a rezone, Case No. RZ2018-0040. Present

were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Mr. Lister requested the hearing be rescheduled to a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing to August 15, 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 POST-INCARCERATION PRESCRIPTION DRUG PROGRAMS

The Board met today at 1:30 p.m. with representatives from local care facilities to discuss prescription programs and needs for County inmates who are being released back into the community and have a roundtable discussion to problem solve on how to meet these needs. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Lt. Harold Patchett, Josie Murray-May, Health Service Administrator at the jail, Angie Davis from West Valley Med. Center, Heidi Hart with Terry Reilly Health Services, Sherry Ainsworth with Saint Alphonsus, Kelly Curtis, June Agee, and Michael Rawdan from St. Luke's, other interested persons and Deputy Clerk Monica Reeves. The focus centered on the 340B drug pricing program. Kelly Curtis said drug pricing program is put on HRSA, a government body, and it's provided to health systems who are eligible such as standalone cancer centers, certain children's facilities, and non-profit hospitals. When you're a 340B entity it entitles you to drug pricing about 30%-40% off what a non-340B entity would pay. The intent is to bring savings to the institution, not the patient. It's for the institution to extend care to further serve the community. All the money comes from pharma, not from tax dollars. Heidi Hart said the County does not qualify. It has to be a hospital, or a care facility, or a cancer institution; she does not believe a government entity can qualify. Commissioner Van Beek said inmates many times have prescription drug needs and once they leave the jail they may not have access to that and the County could end up seeing them again at a medical indigency hearing. She wants to know if there's a way to partner with health care leaders so that the burden doesn't fall to one hospital or care facility. Ms. Curtis said St. Luke's has programs in place for charity needs, in fact, they use the 340B savings towards more charity care. They have a medication access team funded from the program that helps patients who have little or no insurance enroll in medication/prescription assistance programs. To utilize this program the prescription has to be eligible and that only happens if it's written by a St. Luke's provider who owns the medical record for that patient, and they fill it at St. Luke's pharmacy. For profit facilities are not eligible for the program. Lt. Harold Patchett said in our jail system 20 days is the turnover rate for somebody to get released and come back in. They are given a small amount of medication when they leave, but it's just a seven-day supply. He wants to know how jail staff can treat them more like a patient rather than a criminal and get them the care they need. Josie Murray-May said it's an issue of access. She spoke of the procedure they use to dispense medications and the formulary they stick to. She said the medical unit at the jail is going through some major changes and is about to be taken over by a company (Vital Core) and she thinks that will affect the whole process because they will have discharge planning and that's huge because they will be able to set these folks up with appointments. They will have a lot more staff and will be able to do discharge planning to connect them with the community when they leave so it should open up new ideas for what does that end ideal look like versus what it looks like currently. At the last meeting she

mentioned some community meetings she was a part of and it started with a Jansen representative who provided them with an injectable for free and that was a huge benefit. They could get an injectable mental health medication in the hopes the patients would stick to it better than taking a pill and hopefully it would decrease the recidivism and so that's where that came from. They started having community meetings to get on the same page since they share the same patients. There was discussion about the coordination of care when someone leaves the jail. Commissioner Dale said the primary goal is to reduce recidivism that's directly related to the lack of access to ongoing medications. Beyond that would be set up a sustainable plan so that in five years they are doing better than they were and they are not coming back to the jail. Ms. Hart said she does not see how the 340B program can help the jail when people are incarcerated. There's probably a better opportunity for it to help the patient when they're not in the jail, but she doesn't see how there's anything in there that could save the jail money or get access to medicine. Mr. Curtis asked if the County uses Dispensary of Hope. They work with pharma and they take donations; it's when pharma makes an oversupply of drugs they will donate to this company. They have a set formulary and you have to give a once a year fee of \$25,000, for instance, but after that you have access to the formulary medications and you can dispense them for free. The caveat is they cannot have any insurance. It's self-pay only. It's worth a phone call to see if it can help the jail. Ms. Hart said Terry Reilly has a contract with the Department of Health and Welfare/Department of Corrections to provide mental health services for people that are on probation/parole if they meet certain criteria. It covers their visits as well as their medication, but they have to be referred by their officer. It would take some coordination where the parole officer is engaged who could make a referral so the DOC could authorize/approve it and then that would be at no charge for the inmate once they are released. The funding is allocated through the middle of next year. Angie Davis said by implementing discharge planning in the jail that's setting the stage for where you want to go. Inmates should have a follow up appointment at the time of discharge and hopefully they will follow up. Lt. Patchett said from the patrol side of things they see a lot of times when a person needs help and that's what they're to figure out, how to direct them to a facility. Commissioner Van Beek asked what the group sees as necessary from the County side or health care side that someone needs in the way of resources when they leave the jail. The response was that discharge planning needs to be done and someone needs to sit down with the person and find out what they need access to and help them make appointments, etc. The plan of care is what they need to walk out the door with and so the continuity of care can occur. Ms. Murray-May said they have touched on all of this for years, but the problem is it stops quickly because they are short staff. Ms. Davis said the hospitals could help with checking into a program called Passport to see if the person is Medicaid eligible and share that with the jail. She said going forward if the jail is going to do discharge planning that's going to be beneficial. It was decided to wait until Vital Core comes on site and see how things are going in a few months before it's decided if the group should meet again. The meeting concluded at 2:27 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 7, 2019

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

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

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

APPROVED CLAIMS ORDER NO. 8/9/19

The Board of Commissioners approved payment of County claims in the amount of \$180,268.13 (adjusted amount \$180,226.13) for accounts payable.

No meetings were conducted today.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 8, 2019

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

No meetings were conducted today.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 9, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 8/12/19 for a team roping event.

No meetings were conducted today.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 12, 2019

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Ferguson in the amount of \$1417.11 for the Weed and Pest department
- Paessler AG in the amount of \$1264.38 for the Information Technology department

COMMISSIONERS' OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Deputy Clerk Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff and there was discussion regarding coordination of calendars for upcoming meetings. There was also discussion regarding a meeting with Anne Wescott from Galena Consulting regarding impact fees for fire districts and the Middleton Parks and Recreation District. Commissioner Van Beek would like Ms. Westcott to verify the population figures and she wants the Board to take a closer look at the fee proposal. She suggested the meeting with Ms. Wescott be scheduled after the FY2020 budget hearing. The items discussed were general in nature. No Board action was required or taken. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

FINALIZE FY2020 TENTATIVE BUDGET

The Board met today at 9:02 a.m. to finalize the FY2020 tentative budget. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Coroner Jennifer Crawford, Sheriff

Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Chief Deputy Sheriff Marv Dashiell, Chief Probation Office Elda Catalano, Juvenile Det. Director Steve Jett, Juvenile Field Training Coordinator Shawn Anderson, DSD Director Tricia Nilsson, Fleet Director Mark Tolman, HR Director Sue Baumgart, IT Director Greg Rast, Director of Court Operations Denise Kennel, Weed Control Superintendent AJ Mondor, Indigent Services Director Yvonne Baker, Audit Supervisor Shawna Larson, Landfill Director David Loper, Public Defender Aaron Bazzoli, Fleet and Fuel Analyst Dawn Pence, Ambulance District Director Michael Stowell, and Deputy Clerk Monica Reeves. Clerk Yamamoto said they have decided to alter the Clerk's original suggested budget. Controller Wagoner said they are constantly evaluating actual revenues - monies in and actual expenditures out - and based on the strength they are seeing in revenues in multiple areas it is his feeling they could forgo the 3% property tax increase, which would be roughly \$1.5M in property tax. He believes we can still meet all the needs and for the onetime significant type projects those projects will rely on fund balance. Commissioner Van Beek wants to see an outline of the projects where we're going to use fund balance, she would like to see what resources have been allocated for alternative revenue sources for funding a public safety facility. Controller Wagoner said in the FY2020 current expense fund they have included a \$4M line for capital investments. \$3.5M of that for elections equipment and \$500,000 for possibilities that may arise during the year. We have roughly \$2M in the County fair fund reserved for the fair expo building so that's money that's already in the bank for that building. Those types of activities would be the more significant uses of fund balance proposed in the 2020 budget. Regarding the elections equipment, Commissioner Van Beek said she's not negating the need that exists, but we have not vetted all the requests and we haven't addressed the additional years of maintenance agreement that's almost \$90,000. She asked about the status of the RFP/RFQ process for the equipment. Clerk Yamamoto said he is waiting for the certifications from the state which should be coming within 30 days. It's a timing issue, and if it doesn't work out with the equipment they won't move forward, but if it does work out we need to have that equipment and use it in an election prior to the 2020 Presidential Election. Commissioner Van Beek said collectively we need to make a decision on how to allocate those funds, prioritize it with a capital improvements plan and identify a revenue. She referred to an email she received asking what is being done to improve the long wait times at the DMV. Sheriff Donahue said he's asked for an additional position which will address some of the need but not all of it. He's talked about moving two of the part-time positions to fulltime positions around the first of the year but there needs to be more discussion with the Chief Deputy on that subject. He spoke about how the Star Card program, which is a federally mandated project, has prompted discussions about the possibility of having another facility and hiring more personnel. We need to be more strategic rather than just throwing personnel at the issue. Commissioner Dale asked what two additional fulltime employees (eliminating one part-time position) at DMV would do to our need for revenue. Controller Wagoner said it would increase the cost by \$25,000-\$30,000 on an annual basis. Commissioner Dale said one of the biggest headaches for citizens is the hours it takes to get through the DMV and he thinks they would understand if we spent extra to improve the DMV experience. Clerk Yamamoto said they've had those discussions and it's ongoing; the Assessor has been looking at the possibility of moving out of the current DMV location and having a Nampa location and a Caldwell location with driver's license taking over the entire facility on Graye Lane. Chief Deputy Sheriff Dashiell said they risk losing three part-time

employees by going with another fulltime position because of the way they work with their schedules. Commissioner Van Beek asked if the parks and weed/pest departments have levying authority and if so, could their amounts could be removed from the property tax request. She said some department administrators are frustrated because they are not sure what their revenues sources are. Controller Wagoner said the taxing district is Canyon County and the property taxes levied are allocated between the various funds. For instance, a certain amount of property tax goes to the fair fund, the property tax is combined with revenue generated at the fair. The parks department gets a certain dollar amount of property tax as well. Those entities also generated revenue streams, charges for services and other fees and it's combined with property tax to carry out operations. Commissioner Van Beek said the difference is that it would give department heads greater control over their budget and we wouldn't be guessing; in the 2020 property tax dollars leveled there's almost \$1M for a fair project and yet the project has not been bid out. Commissioner White said the expected expense for the fair building is \$2M and even though we don't have a plan completed we know the expected expenses so we put a figure in the budget, and we know the expected expense for the election equipment, also recognizing that we still have the RFP. It's a savings account/capital investments line. Rather than removing the 3% allowable, she proposes we take 1%, which is approximately \$500,000, and commit it to the capital fund giving us a total of \$4.5M. Commissioner Van Beek said in the absence of a capital improvements plan with a resource identification we are just "stabbing in the dark." She asked the Sheriff and the Prosecutor how they feel about allocating \$3.5M to improve the voter experience rather than putting that amount toward public safety. Sheriff Donahue said he's going to rely on the Clerk telling us what they need in the election's office. With the jail he thinks we need to be looking for any type of funding stream. He believes we should take the 3% and put it into a capital investment fund. The jail is the number one priority right now but it's also the hardest one to come by. Prosecutor Taylor said he will defer to the Clerk on what the elections office needs. He agrees that the public is looking for us to set forth a capital plan; he likes the 1% aspect as suggested by Commissioner White. Commissioner Dale said we are allocating a ton of money to public safety. We have \$2M going to the temporary jail as well as all the money in the Sheriff's budget which is used for public safety. Regarding the 3%, it is not a levy number, it's a budget number. We are allowed to increase property tax budget by 3%. What that does to the levy is dependent upon what happens in the assessable value, it's not a 3% levy increase. We do not have independent taxing districts – there is no taxing district for the fair, or the parks department, indigent services, or weed control. There are funds that get allocated a certain amount of dollars from the taxing district of Canyon County. The 3% is allowed by state statute because of inflation. The cost of doing business goes up and it happens every year and we are allowed to take that 3% to make up for inflation. The added tax revenue from the increased assessable value within the County hopefully takes care of most of the growth. Fund balances should be used judiciously for onetime expenses – if you're counting on utilizing fund balance annually for operational expenses, you're going to dig yourself a hole as happened here 10 years ago. It's very wise in the long run to take that inflationary factor into account understanding if you leave it on the table you don't get it back. He thinks we should take at least 1%, maybe more, and he likes the idea of putting it into the capital fund. We don't have a capital improvement plan located in one book, but department heads and elected officials know what they need for the future. He does support putting it into one place, and he feels we should be putting something aside for that.

Commissioner Van Beek supports the decision to not take the 3%. In good faith to taxpayers we need to have the plan and the funding identified, it shows coordination as a County. Controller Wagoner said whatever we do not take this year we cannot go back in time and change things so there has to be balance between protecting the financial wellbeing of the county, ensuring that we have adequate reserves to respond to emergency or unanticipated situations, and there has to be a balance for the needs of the taxpayer. 1% is an option and that's a fair option - we're not taking everything we possibly could, we're taking what we think we need to preserve adequate fund balances and still look out for the taxpayer. Clerk Yamamoto said most counties don't argue about forgone because they don't have any. They take all they can every year, but that's not the case in Canyon County, we have left \$72M on the table since he's been in office. His recommendation is to forgo the 3% and leave \$1.5M in the local economy. The Board had a land use hearing scheduled at 10:00 today so the budget discussion was continued to 1:30 p.m. this afternoon. The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JAY WALKER REPRESENTING KOLO, LLC, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NOS. RZ2018-0037/OR2018-0007

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Jay Walker representing KOLO, LLC, for a comprehensive plan map amendment and rezone, Case Nos. RZ2018-0037 and OR2018-0007. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Deputy PA Zach Wesley, Assessor Brian Stender, Kerry Calverley, Laverne Smith, Lori Smith, Carol Huffman, Rudy Dewinkle, Cindy Lower, Larry Crist, Butch Frish, Sam Moore, Steve Huffman, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is to change the comprehensive plan map from Agricultural to Residential and a rezone from Agricultural to Rural-Residential. The land was previously split, the applicants have exhausted their land division uses so they are requesting additional splits. In 2007 the owner at the time received a conditional use permit for four lots but it has expired. The applicant's request is for a total of four lots, however, they have submitted a letter explaining that after hearing the neighbors' concerns they are fine with having the comprehensive plan portion denied and are seeking an alternative for the rezone portion. The property is zoned Agricultural, except for a small portion that is R-1. The history behind it is a subdivision was approved prior to changes to the County's comprehensive plan and zoning ordinances. It was agreed upon at that point to rezone it to match what it was really going to be and that's why there is an R-1 zone in the middle. Most subdivisions in the area are five acres or more but they were created at a time that does not match our zoning. The soils are moderately suited, and the neighbors have provided evidence that it is farmable. The neighbors are concerned that the four lots will change the character of the area possibly impacting agricultural uses. The future land use map shows nothing but agriculture in the future. It's not a growth area. The applicant has provided a letter saying they just want one additional split, as it is now they can have a house and a secondary dwelling. They are requesting an alternative for the rezone basically asking to create two lots that are over 5-acres in size. If they are over five acres in size they can be granted an agricultural exemption through the

Assessor as long as they can show they are using it for agricultural purposes. They just want to split it once. They would also give up their secondary housing rights as part of a development agreement that would be required. They would have a primary dwelling on each lot and no secondary housing after that. It would be up to the Board if more restrictions are added. Staff is recommending denial of the request. Kerry Calverly testified that she represents Calvera Capital, the owner of the property, and their initial plan was to subdivide the land into four parcels. A year and a half ago they were working with Jay Walker and he had done a lot of their representation, but in the meantime they had a partner helping with the process so the timeline took a little longer and when he stepped away from the process they had to step in a figure out how to proceed. They had the preliminary plat finished and when they went back to seek final plat approval, they found the opinion and direction of the County is more about keeping south Nampa in more agricultural preservation. She said the 11-acre parcel is farmable but given its rocky loam soils it is difficult to irrigate. Their original direction was to subdivide but as we went to the P&Z Commission there was strong opposition so as a compromise they decided to changed their position and ask for two five plus acre parcels with a structure on each parcel. It's conducive to what's already around it. Testimony in opposition was offered by Lori Smith, Carol Huffman, Rudy Dewinkle, Larry Crist, Steve Huffman, Butch Frish, and Cindy Lower. Concerns were summarized as follows: Newcomers moving to the area and complaining about existing dairy and farming operations; development could negatively impact the rural lifestyle the neighbors enjoy; there should be protection for the dairy operations in the area; the applicants should have done their due diligence prior to purchasing the property so that they would have known it is an Agricultural area; the aquifer will not sustain the additional housing; and there is an indoor arena on Sunrise Avenue and the horse trainer who operates a business there is concerned with how additional residences will impact his operation. During rebuttal Ms. Calverly said they heard the neighbors' concerns and they made changes to their application. They are not bigtime developers trying to change things; she cherishes farmland and its traditions. She is a realtor and she values property rights. She is not going to live on the property, but she said there are people who want to live in the area and have what the neighbors have. Upon the motion Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. As part of Commissioner Van Beek's comments said we have a good P&Z Commission and they've taken a lot into consideration and their recommendation is well thought out. We have an out-of-county developer with no intention to live there and if we allow this exception it will set a precedent that we can continue to chop up small pieces of land. She believes the request should be denied. Commissioner Dale said the change to two five-plus-acres is significant, but his mind is not made up. Currently they can build two houses on the land and they can build as many outbuildings as they want. If we put a development agreement allowing two homes there could be a restriction on how much land has to stay available for crop farming or pasture ground. That would minimize the impact that is already available there. Commissioner White said it's an 11-acre piece that a home can be built on, and it's still farmable. The P&Z Commission gave extreme consideration and due diligence with its decision. She is not in support of a conditional rezone. Commissioner Dale said there are people who want a change of lifestyle and they cannot afford 11 acres but they could afford five or six acres; he will go along with the majority of the Board. Commissioner White made a motion to deny the request for the conditional rezone for Case No. RZ2018-0037. Commissioner Van Beek

seconded the motion. Commissioner Dale made a motion to deny the change to the comprehensive plan map. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED DISCUSSION TO FINALIZE FY2020 TENTATIVE BUDGET

The Board met today at 1:32 p.m. for continued discussion to finalize the FY2020 tentative budget. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Civil Deputy PA Sam Laugheed, Coroner Jennifer Crawford, Assessor Brian Stender, Treasurer Tracie Lloyd, Chief Deputy Sheriff Marv Dashiell, Chief Probation Office Elda Catalano, Juvenile Det. Director Steve Jett, Juvenile Field Training Coordinator Shawn Anderson, DSD Director Tricia Nilsson, Fleet Director Mark Tolman, Fleet and Fuel Analyst Dawn Pence, HR Director Sue Baumgart, IT Director Greg Rast, Weed Control Superintendent AJ Mondor, Audit Supervisor Shawna Larson, Accountant Marina Mendoza, Landfill Director David Loper, Ambulance District Director Michael Stowell, Public Defender Aaron Bazzoli, Asst. TCA Benita Miller, Admin. Assistant Tara Hill, Director of Misdemeanor Probation Jeff Breach, and Deputy Clerk Monica Reeves. This afternoon's discussion was continued from this morning. Commissioner Van Beek asked what the \$1.5M that is suggested to be removed was allocated for. Controller Wagoner said it was allocated for general operating activities and expenditures and because they have seen strength in revenues outside of property tax they feel they don't need that \$1.5M for day-to-day operational-type expenditures from property tax. They are not making any cuts on the expenditure side, they are proposing that revenues outside of property tax are increasing and those revenues will be used to provide support for services. Commissioner Van Beek asked for a list of projects that would be funded from fund balance. Controller Wagoner said that would be the elections equipment, the fair expo building, and we have talked about carrying forward \$1.5M of fund balance for the Pod 6 project. There is a budgetary increase for landfill equipment/operations of \$1.1M and \$3.5M for elections equipment. Commissioner Van Beek said the landfill is cash flowing and the revenue will be up so why are we including expenditures for that when they can cash flow outside of the current expense. Controller Wagoner said they are not in the current expense fund and in order to spend money it needs to be included in an expenditure budget. It's not co-mingled, it is in its own separate fund, the landfill enterprise fund. The 21% number is an overall countywide increase including both governmental funds and the enterprise fund. Clerk Yamamoto said those accounting practices are what our outside auditor wants to see. Commissioner Van Beek said they do not audit the internal controls so there are limitations on what they review. Controller Wagoner said we have been through audits with multiple accounting firms and Eide Bailly's audit is extremely thorough and we've passed with flying colors many years in a row. They do look at internal controls. Clerk Yamamoto said the property taxes in Canyon County in general are too high and the Board can send a strong message to the voters and taxpayers that we are forgoing the 3%. The Board could also go with 1% (\$500,000) but that's a token and he thinks the token is better spent by telling the taxpayers we are making every effort to take care of their money the best way we know how. His suggestion is to forgo the 3%. Commissioner Dale said he trusts the Clerk and Controller

and he said their methodology is bulletproof as proven by the audits year after year. He understands we're good this year, but looking down the road in the next year, or five years, does he have assurance that by forgoing the 3% it will not damage the County in the coming years? Controller Wagoner said yes, our fund balances will still be appropriate adequate amounts, there will still be reserves available to respond to emergency type needs, or unanticipated shifts, and we will still have healthy reserves to respond appropriately, if needed.

Clerk Yamamoto said if we see the economic status stay static or improve, we are great, and if it stalls out we are okay, but if the economy takes a crash we're going to be hurting. He thinks we'll have a decent economy for the immediate future and he is completely comfortable with the recommendation they've made. Commissioner White likes the idea of 1% going into the capital fund, and, she appreciates the diligence and the commitment the Clerk and Controller have to doing it right. Commissioner Van Beek appreciates the Clerk and Controller for their evaluation of the information over the weekend and the good faith that's been extended to the taxpayer in forgoing the 3%. Commissioner White said the consensus of the message is we will forgo the 3%. Controller Wagoner will format the notice and send copies to the Board this afternoon or evening and the original will be signed tomorrow morning at 8:30 a.m. Commissioner Van Beek wanted to make the point that the levy rate is made up of the called for budget divided by the total assessed market value of the asset base so it is important because what it shows is economic development against what our expenses are and it does make a difference in that number. Commissioner Dale said the Clerk has presented a really good budget, a conservative budget that acknowledges the growing cost of providing services and acknowledges the good progress we've made with retention and the adoption of the compensation plan three years ago and it continues that progress. It meets some of the needs on a priority level of the capital needs we are facing and he is committed to looking at those in a comprehensive fashion and getting them in one location so we can have comparative discussions throughout the County. The meeting concluded at 2:02 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 13, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Core & Main in the amount of \$18,034.50 for the Solid Waste department
- JMR Painters in the amount of \$3600.00 for the Solid Waste department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Cowgirls to be used 8/17/19 for a family reunion.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for GRIT to be used 8/17/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 8/24/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 8/24/19 for a wedding.

MEETING WITH CLERK AND CONTROLLER TO CONSIDER SIGNING THE FY2020 TENTATIVE BUDGET

The Board met today at 8:31 a.m. with the Clerk and Controller to consider signing the FY2020 tentative budget. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Public Defender Aaron Bazzoli, Audit Supervisor Shawn Larson, Accountant Marina Mendoza, Asst. TCA Benita Miller, Admin. Assist. Tara Hill, Juvenile Detention Director Steve Jett, and Deputy Clerk Monica Reeves. Controller Wagoner said the tentative expenditure budget is \$104,751,356; also included are the budgets for the pest control at \$307,475, and the Melba gopher district at \$12,000. The grand total is \$105,070,831. The total property tax request is \$54,119,386. Commissioner Van Beek said there is a new line for capital investments of \$4M which is a great plan. Commissioner Dale said there are ongoing legislative meetings regarding how to fund Medicaid expansion and we don't know how it will impact our indigent department, or if that will be another line item that we have to fund through property tax. Clerk Yamamoto said a recent news article said the state is looking at passing the cost down to the counties. Commissioner Van Beek had additional follow-up questions of the Controller regarding the budget. Following discussion Commissioner Dale made a motion to authorize the publication of the tentative budget for FY2020. The motion was seconded by Commissioner Van Beek and carried unanimously. The public hearing will be

held on August 28, 2019 at 5:00 p.m. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER AUGUST 13, 2019 AGENDA ITEMS

The Board met today at 9:00 a.m. to consider the August 13, 2019 agenda items that were scheduled for 9:00 a.m. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, Juvenile Detention Director Steve Jett, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider signing resolution to transfer alcohol license to George or Kayla White doing business as Keystone Pizza and consider signing resolution for a new alcohol license for Local First – Commissioner Dale said the applicants have completed the requirements and there are no disqualifying factors in their paperwork, and then he made a motion to authorize the Board to sign transfer license to George or Kayla White dba Keystone Pizza, and to approve the new alcohol license for Local First. Commissioner White questioned why the transfer license used the word *Or* rather than the word *And* in the applicants' name. Commissioner Van Beek had other questions related to the license. Commissioner Dale withdrew his motion. Zach Wesley said he is not comfortable with the word "Or" as noted so he will figure out what's intended. Commissioner Van Beek wants legal counsel to review the application for Local First as well. She then made a motion to delay action on both applications until legal has had a chance to investigate. The motion was seconded by Commissioner White. Commissioner Dale was opposed to the motion to delay. The motion carried by a two-to-one split vote.

Consider signing Ada County Sheriff's Office Jail Housing Billing Agreement –The fee is \$80, which is down from \$92. Commissioner Van Beek asked questions of Chief Dashiell regarding services under the contract. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the Ada County Sheriff's Office Jail Housing Billing Agreement. (See Agreement No. 19-102.)

Consider Signing Request for Proposals and Legal Notice for FY2020 Southwest Idaho Juvenile Detention Center Food and Commissary Services – Mr. Wesley said Summit, formerly known as CBM, provides food services for the jail and the juvenile detention center. The juvenile center receives a reimbursement through the school lunch program, a federal program administered by the state department of education but they have advised that we would not qualify for that reimbursement because our contract with Summit/CBM has been in place for five years and the federal law requires we go out for procurement every five years so because we're at the sixth year they require we go through a procurement process. Summit is aware of the requirements and they intend to submit a proposal. Hopefully a contract is in place by October 1st. Commissioner Van Beek made a motion to sign the RFP and legal notice for the FY2020 Southwest Idaho Juvenile Detention Center Food and Commissary Services. The motion was seconded by Commissioner White and carried unanimously.

As part of the legal staff update, Deputy P.A. Mike Porter requested the Board go into Executive Session as follows:

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

Commissioner Dale made a motion to go into Executive Session at 9:25 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:37 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.

MONTHLY MEETING WITH THE HUMAN RESOURCES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION; AND TO CONSIDER APPROVING AND SIGNING AN ENGAGEMENT LETTER WITH JENNIFER JONES HOOFT FROM HIGHER RESOURCES, LLC

The Board met today at 9:37 a.m. for a monthly meeting with the Human Resources Director to discuss general issues, set policy, and give direction, as well as consider a letter of engagement with Jennifer Jones Hooft from Higher Resources, LLC. Present were: Commissioners Pam White, Leslie Van Beek and Tom Dale, HR Director Sue Baumgart, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Mike Porter said this is a continuation of the discussion regarding training for the directors, this is an agreement with the provider who would teach specifically on avoiding situations of harassment, sexual harassment in the workplace. They solicited four different people, absent an attorney they thought might be a conflict, and this was the least expensive alternative. The trainer comes with a lot of accolades. Director Baumgart said she is scheduled for two separate training times with the directors for a total cost of \$800 and she has an additional date on hold that she wants to add on for \$350. She would like the Board's support to make it mandatory for all employees under the Board which is why she wants that third date. Commissioner Dale said the training is highly valuable and he supports making attendance mandatory. He asked if there are other training dates scheduled because that's a lot of people (nearly 300) for three days. Director Baumgart said additional classes are \$350 and if the Board wants she could open it up to the entire County personnel, but for right now it's just for those under the Board. She has not yet discussed it with the other elected officials. Mr. Porter said they wanted to get the Board's approval to enter into an agreement and spend the money. Commissioner Dale said the next step is to reach out to the other elected officials and make them aware of this opportunity and see if they are interested in case we need to schedule more days beyond that. Commissioner Van Beek is not in favor of delaying this just because people don't attend a mandatory meeting; there are three days and if we need to space them out we can do that. This is one segment of training but we want others and so we want to spend the dollars in a way where we can get as many varied topics as possible. Director Baumgart said she has budgeted for the training; she takes into account countywide trainings that are mandatory as well as her own department trainings. Commissioner Van Beek asked if online training has been considered. Director Baumgart said the Equal

Employment Opportunity Commission has certain standards they have changed and made recommendations specifically for sexual harassment training and in-person training is one of those changes. Mr. Porter said they will set the three dates and check attendance and evaluate after the first two dates. We want to make sure if something happens we are not accused of failing to train or failing to supervise because that greatly limits our liability. Ms. Jones Hooft is affiliated with someone we know and who does a good job. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the engagement letter with Jennifer Jones-Hooft with Higher Resources for training. (See Agreement No. 19-103.) Mr. Porter left at 9:51 a.m. Director Baumgart reported that she'd been working to get the training organized with Jennifer Jones Hooft with Higher Resources, LLC, and she has been working on the Security Director position. Commissioner Van Beek asked what kind of workload the administrative assistant would have. Director Baumgart said she hasn't had any explanation on that but it was her understanding the director would dictate that the HR office would be available to help write that job description. Commissioner Dale said the discussion has been that we will hire the director who would determine the needs for the administrative position. Director Baumgart reported that she's been working on Job Score, a job posting source, and it's been a very smooth process has been saving time and the departments are very happy with it. One of her employees has returned from leave and is handling front desk duties until they can get coverage for that. The meeting concluded at 9:56 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

WEED AND PEST COUNTY CONNECTIVITY DISCUSSION AND CONSIDER SIGNING CENTURYLINK ORDER FORM FOR INTERNET SERVICES TO WEED AND PEST DEPARTMENT BUILDING

The Board met today at 10:00 a.m. for a discussion regarding County connectivity for the Weed and Pest Control office, and to consider signing a CenturyLink order form for internet services to the Weed and Pest Control Building including a one-time \$25,000 expenditure. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen, Weed Control Superintendent AJ Mondor, IT Operations Manager Don Dutton, Controller Zach Wagoner, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Dan Blocksom addressed the legal side of the document and Greg Rast can explain the operational benefits of it. He asked CenturyLink about changes and modifications, but he has not heard back from them. Director Rast said the master service agreement is done with the State of Idaho and our existing account is under that so the things we are concerned about are probably already in there in the government clauses. We currently have an existing service with Century Link in 5-6 different locations. There was an RFP project but it was cancelled because the costs were out of bounds so he reached out to CenturyLink, who merged with Level 3, a company that provided our internet service and they provided more options. The best option is for a 50 mg connection, which is 10-12 times faster than the current connection, plus it gives a whole different type of delivery circuit. It's a 3-year term. There is a \$25,000 one-time cost plus a new monthly rate of \$711. Over the course of three years the cost will be \$50,596, which is the fiscally more

responsible option of the three provided. Controller Wagoner said if you look at the three options over three years there is nearly a \$20,000 savings and from a budgetary standpoint in the 2019 budget we included roughly \$80,000 for this project. We went through the RFP process but the price tags were significantly above \$80,000. He appreciates the solution to raise the speed by 12 times at a cost of \$25,000. Director Mondor said we're currently paying over \$800 a month for what little service we have and with this option we'll save \$100 a month and increase the speed. Commissioner Van Beek prefers to have all the legal things in place, unless we're going to lose something in the two days it takes to wrap up the contract issues. Commissioner Dale asked if there is a way to authorize the Board to sign the agreement contingent upon the adequate answer to the questions. Mr. Blocksom said if the Board wants to delegate authority to Director Rast for the purposes of this contract you could because the statute has been recently amended so that the Board can delegate purchasing authority to different department heads or elected officials. Director Rast wants to make sure the \$25,000 is spent out of this fiscal year because we have to pay it before the work starts and he's hoping to have the work completed in calendar year 2019. Commissioner Van Beek prefers we set a date certain to come back for a status report. Controller Wagoner said there is no allotment for this in the FY 2020 budget so we need to have this completed by September 30 to pay it out of FY2019 funds. Director Rast has a purchase order ready but he can send that at the next meeting when the contract is ready. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 14, 2019

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

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

The Board approved a salary rate request and/or key & security access request form for Dave Duncan, Robert Culley and Elena Lagunas.

CONSIDER SIGNING DESIGNATED EXAMINER AGREEMENTS WITH BRAD LEVITT, JACOB ATKINSON, PHARES BOOK, RICHARD SONNENBERG, AND RYAN HULBERT

The Board met today at 10:01 a.m. to consider signing designated examiner agreements with Brad Levitt, Jacob Atkinson, Phares Book, Richard Sonnenberg and Ryan Hulbert. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Indigent Services Director

Yvonne Baker, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The rate has increased from \$100 per examination to \$125 per examination. The rest of the changes are updates in the boilerplate terms. Director Baker said the budget line item for this expense has been increased from \$80,000 to \$100,000. Commissioner Van Beek had questions for Mr. Blocksom and Director Baker regarding the exemption from the formal procurement requirements and licensure as well as the process utilized by indigent services in requesting a designated examination. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the designated examiner agreements with Brad Levitt, Jacob Atkinson, Phares Book, Richard Sonnenberg and Ryan Hulbert. (See Agreement Nos. 19-105 through 19-108.) The meeting concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 15, 2019

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

APPROVED CLAIMS ORDER NO. 1923

The Board of Commissioners approved payment of County claims in the amount of \$1,602,652.30 for a County payroll.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Local First, LLC dba Local First. See resolution no. 19-127.

MEDICAL INDIGENCY DECISIONS

The Board met today at 8:45 a.m. to consider medical indigency decisions. Present were: Commissioners Pam White and Leslie Van Beek, Indigent Services Director Yvonne Baker, Indigent Financial Specialist Lina Millar, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue denials with a written decision to be issued within 30 days for the following cases: 2019-1091, 2019-1053, 2019-1079, 2019-1082, 2019-1093, 2019-1083, 2019-1066, 2019-1200, 2019-1078, 2019-1096, 2019-1075, 2019-1212, 2019-1214, 2019-1215, 2019-1034, 2019-1088, 2019-1113, 2019-1097, 2019-1084, 2019-1029, 2019-1089, 2019-1092, 2019-1069 and 2019- 1190. Upon the motion of Commissioner Van Beek and

the second by Commissioner White, the Board voted unanimously to issue approvals for the following cases with a written decision in 30 days for Case Nos. 2019-1085 and 2019-1121. The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-788

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for Case No. 2019-788. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Financial Specialist Lina Millar, Hearing Manager Kellie George, Steven Deville from Saint Alphonsus Regional Medical Center, the applicant and her spouse, the applicant's son, Interpreter Grace Almeida, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the hearing to September 12, 2019 with the stipulation that the applicant does not have to be present. The hearing concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-549

The Board met today at 9:30 a.m. to conduct a medical indigency hearing for Case No. 2019-549. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Financial Specialist Lina Millar, Hearing Manager Kellie George, Cassie Cacciopo from Saint Alphonsus Regional Medical Center, the applicant and his daughter, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve Case No. 2019-549. The hearing concluded at 9:37 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-691

The Board met today at 9:42 a.m. to conduct a medical indigency hearing for Case No. 2019-691. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Financial Specialist Lina Millar, Hearing Manager Kellie George, the applicant, and Deputy Clerk Monica Reeves. The hospital did not appear for today's hearing. Commissioner Van Beek made a motion to deny Case No. 2019-691, and then following comments from staff she withdrew her motion and made a motion to adjourn to Executive Session.

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

Commissioner Van Beek made a motion to go into Executive Session at 9:53 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 Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners White and Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:09 a.m. with no decision being called for in open session.

The indigent hearing resumed at 10:09 a.m. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Financial Specialist Lina Millar, Hearing Manager Kellie George, the applicant, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to deny Case No. 2019-691. The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:11 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Financial Specialist Lina Millar, Hearing Manager Kellie George, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue continuances as follows:

Case No.	Continuance Date:
2019-710	September 12, 2019
2019-726	September 12, 2019
2019-810	October 10, 2019
2019-690	October 10, 2019
2019-782	October 10, 2019
2019-851	September 12, 2019
2019-786	October 10, 2019
2019-686	October 10, 2019
2019-713	October 10, 2019

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue final denials for Case Nos. 2019-754 and 2019-818 with a written decision in 30 days. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue a final approval for Case No. 2019-828 with a written decision in the next 30 days. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue a final denial for Case No. 2019-733 with written decision in the next 30 days. The meeting concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY NATE MITCHELL REPRESENTING BAAS GROUP, LLC, FOR A REZONE, CASE NO. RZ2018-0040

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Nate Mitchell representing BAAS Group, LLC, for a rezone from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone, Case No. RZ2018-0040. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Nate Mitchell, Bonnie Cooper, Michael Kalafactic, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The zoning ordinance describes a C-2 zone as an area where activities of a service nature, which are more intense in character than in other commercials, may be carried out. It's a heavier commercial designation that they are requesting. The area is currently zoned agricultural, and the future land use plan shows a multi-designation of residential and commercial which is consistent with Middleton's future land use plan for the city impact area which is a mixed commercial residential use. The parcel is surrounded by 29 subdivisions within a one mile radius and is adjacent to four subdivisions. The soils are moderate to least suited soil and so it's not ideal for agricultural use especially against a highway. The TAZ shows that by 2040 there will be 10-39 job opportunities in this area, however, if you look at the radius of that area there are roughly 1,100 jobs anticipated in the entire area. This is an area that is anticipated for commercial growth. There are two impacts that staff identified and that the P&Z Commission agreed upon and that is the commercial use – we don't know what the use will be and being that close to an existing residential subdivision and neighborhood. The neighbors are concerned about potential impacts from the commercial use as in traffic noise emissions that may decrease their property value and their enjoyment of the property so staff provided a land use matrix showing what the C-2 zone could allow which is vehicle repair, trucking terminals, warehousing, food processing facilities that could potentially create these impacts. Canyon Highway District said Old Highway 30 is a designated as a principal arterial and is experiencing 5,800 average daily trips already. ITD identified the highway as being congested and without knowing they want a traffic impact study either as part of a development agreement or before it came to the hearing bodies for decision. The P&Z Commission recommended denial because at the time the applicant did not want to do a development agreement. Staff is recommending denial because they feel it needs a development agreement.

Nathan Mitchell said some of the concerns expressed by neighbors are valid and there are things staff has pointed out about some of the allowed use that could take place in a C-2 zone that aren't really what his clients have in mind but they are out there and if the property were sold and it were zoned blanket C-2 somebody could come in with a food processing plant, however, he doesn't think that is the intention. According to Mr. Mitchell, they have not come up with a specific use but rather a list of uses they would like to be zoned for and that they would be willing to put into development agreement recognizing that this is evolving as we speak. Staff hasn't had an opportunity to assess the impact of each individual one but we've tried to narrow it down to what we think the use of the property is going to be. First would be the RV mini-storage with a caretakers unit – those are two separate uses in your zoning ordinance so we would ask for both of those. RV Park – one of the allowed uses we think is appropriate because of the proximity to the freeway and Old Highway 30 is

contractor shops. Their concept of that is having an area where somebody could be build a shop and store material and employees could show up for work and come back at night and park their work trucks at the end of business hours. They are not asking to alter the definition in code for a contractor shop but that is one of the uses they identified as a potential use. They are not looking for welding shops or similar uses but for technical trade people to be able to park their company vehicles and have an office space for a bookkeeper and receptionist.

Mr. Lister said all the uses except for the RV storage, mini-storage, and caretaker are the only ones that are not allowed in the current agricultural zone. RV parks and contractor shops are allowed with a conditional use permit. The contractor shops they typically see are associated with a residential use where they want to use their house as a portion of that contractor shop where they run their office and they store things on site. Code requires that they are stored behind a structure of some sort. It doesn't change the character of the neighborhood. They could be allowed through a conditional use permit to conditionally have that type of use in that agricultural zone. If it's changed to commercial it's just an allowed use, they can run their contractor business through it. Mr. Mitchell said the key difference between a commercial park and an industrial park is we wouldn't be manufacturing product on site. We wouldn't have a welding shop, building trailers, that's more of an industrial park rather than a commercial park where people are operating their business out of it but their business is elsewhere. The two big ones they would ask for would be vehicle fueling with convenience store and retail stores or personal service shops. They recognize the concerns of the neighbors and staff regarding traffic, and they understand the congestion on Highway 44 and Old Highway 30, but Canyon Highway District retains the ability to issue an approach permit and he is confident they will require appropriate traffic studies necessary for whatever use they apply for at that time. The owners of the property are Casey Kensley and Jake Smith. They are having thoughts of a combination of mini-storage and contractor yard development that they will do themselves. Mr. Kensley farms ground which is owned by the owner of Republic Storage so they've discussed partnering on some mini-storage and they have discussed doing some contractor shops outside of that. Mr. Smith's relative owns 208 Storage so there has been some pressure to do some partnering for mini-storage on the property.

Michael Kalafatic offered neutral testimony. He shares a property line with the applicants and his concern is not knowing what's going in there and getting zoned C-2 with all the possibilities and if it is storage facility and it can be zoned ag with a conditional use permit he would have no opposition to that but for it to be wide open C-2 where the sky is the limit is concerning to him.

Director Nilsson said a conditional use always requires a site plan and then you can look at what mitigating conditions to have the use fit in to respect neighboring properties or land uses. With a straight rezone we don't have a design review process where we can control any of that. The highway district can control the intensity through the approach permit, but any landscaping or lighting we don't have any ordinance standards to apply. Making the uses conditional you would have that process or standards within a development agreement if the Board felt some mitigation was warranted. If the Board does see the C-1 as an option she believes that would be a material change and we might have to have another hearing before the Board on that so we might not want to make a decision, or continue that and have that discussion with legal counsel. Mr. Mitchell said if the Board is more comfortable with a C-1

zone he thinks that will put his clients in a better position. He then asked the Board to consider two options: A development agreement with the uses they requested or a C-1 zone. He said they can live with either one of those, either one would have to come back before the Board. They do not want to have a single use identified and therefore be tied to a specific use on the entire property. That's why they came up with the short list. If C-1 is more acceptable and staff feels they can administer that better they would be comfortable with it. Director Nilsson said the applicant might want to consider if there is a logical definition to have the northern portion be C-1 and this other portion C-2. We can have two different zones but without a specific uses desired that's another option. Mr. Mitchell said they are not going to put a food processing plant or other intense uses on the property. C-1 adds an additional step to come back to P&Z and as property owners they don't want additional steps. He said Director Nilsson is correct, the properties to the north are residential and if they do CUP's on those there is a lot more leeway in requiring a transition or a buffer to them than if they just have to get a building permit and that is understandable and acceptable.

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Van Beek said the P&Z Commission was unanimous in its denial. There are too many loose ends to make a decision or to even allow the conditional uses; she is also concerned about the letters of objection. ITD sent a letter stating in order for them to withdraw the objection to the proposed rezone the applicants would need to provide an avenue for determining the possible traffic mitigation needed by development of the parcel. A possible solution would be to enter into a development agreement for the parcel requiring a site plan and necessary traffic analysis prior to construction. She wants to make sure the neighbors' safety concerns are mitigated. Safety and mobility are paramount to ITD and they said they cannot remove their objection until sufficient information has been provided to determine traffic impacts. She wants to see the property owners and hear their position on the property. Commissioner White noted the objection of the neighbors and ITD and she encouraged Mr. Mitchell to come in with a more concept plan of what they want to see on the property. She is leaning towards a new public hearing to decide on a C-1 zone. She would also like to see a development agreement. Commissioner Van Beek said the applicant needs to come back with something concrete. Director Nilsson said hearing that the Board wants a site plan, some certainty, it might be helpful to the applicant if you think beyond just a C-1, do you think there is a need to have a development agreement for some basic standards. We can work with the applicant on some basic mitigation buffers, such as fencing or things like that and what those triggers would be when the use develops. If there is a concept plan it can be referenced in the development agreement. Commissioner Van Beek said it clearly states in the staff report that some of the uses under either a condition for C-1 or allowed for C-2 would negatively impact the residential area and the surrounding neighbors and a vehicle fueling station with a convenience store was specifically cited to have a negative impact so we either have to exclude that under C-1 and C-2. Mr. Lister said the C-1 would make it a conditional use permit and they would have to prove they can mitigate for that if not we couldn't make those findings and we'd recommend denial. ITD feels they will miss their chance to look at whatever use goes in and that's why they are deeply concerned but if it's a CUP they will have the chance to review it before it goes to a hearing body and they will be able to express their comments at that point. Commissioner Van Beek said if they come back as a C-1 designation the areas of concern that would be conditioned would have to be overcome or it would be

denied. Commissioner White said the applicant's representative submitted that they would be open to a C-1 designation and the uses of C-1. The Board is not forcing C-1, the applicant contributed to that decision. Commissioner Van Beek made a motion to direct staff to look at this application from an Agricultural designation to a C-1 designation so that we can review this under different zoning criteria and schedule a new public hearing. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS RETAIL ALCOHOL BEVERAGE LICENSE FOR GEORGE AND KAYLA WHITE DBA KEYSTONE PIZZA, AND LOCAL FIRST

The Board met today at 2:44 p.m. to discuss a retail alcohol beverage license for George and Kayla White doing business as Keystone Pizza (transfer license), and for Local First (new license). Present were: Commissioners Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. The transfer license for Keystone Pizza will be rescheduled to allow time for staff to provide further review. When the application for Local First was considered at a previous meeting there was a "hiccup" in the application but legal has reviewed the documentation and provided explanation to the Board's satisfaction. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the resolution for a new alcohol license for Local First. The meeting concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM CALDWELL, IDAHO AUGUST 16, 2019

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

APPROVED CLAIMS ORDER NO. 8/16/19

The Board of Commissioners approved payment of County claims in the amount of \$24,033.32 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/1/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/13/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/15/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/7/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/18/19 for a reunion.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/28/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/29/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 9/20/19 for a wedding.

CONSIDER AUGUST 16, 2019 AGENDA ITEMS

The Board met today at 9:06 a.m. to consider the August 16, 2019 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, IT Director Greg Rast, and Deputy Clerk Monica Reeves. The items were considered as follows:

- **Consider signing appraisal agreement with Robin Brady, Integra Realty Resources, and an appraisal review agreement with Robin Brady, Integra Realty Resources:** Mr. Blocksom said there are two agreements for Mr. Brady, one is an appraisal and the other is an appraisal review. Assessor Stender referred to a sheet which noted some properties owned by RCG (JC Penney's and Macy's) in the Nampa Gateway area. In 2018 the Assessor started out with a value of \$29 million, but the board of tax appeals reduced it to \$20,995,000, but the owner's opinion of value is about \$12 million. He is requesting to hire Robin Brady as a third-party independent appraiser to see what his value would be on the facility, and once they get that back the Assessor's Office may be in a stronger position in negotiations. Commissioner Van Beek had questions regarding the cost for Mr. Brady's services against the amount of tax revenue, and in previous conversations it was said it may end up being a break even situation. Assessor Stender said the total difference between two years is \$328,000 and the appraisal is \$17,500. Commissioner Van Beek said there are a number of cases going to court that will need to be appraised and what she understood from legal counsel was that hiring the appraiser will get it closer. At the point the appraisal comes back there will be a re-evaluation of how close or how far apart we are and how we pursue that. Assessor Stender said this is odd in that we are defending the board of tax appeals' decision and we are trying to get a third-party opinion of what they believe the assets are. One of the facilities, Circus Trix, sold for about \$4.5 million and the owner wanted \$2.5 million on the building alone so there is some correlation between the Assessor's numbers and what has actually been sold. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the appraisal agreement and the appraisal review agreement with Robin Brady of Integra Realty Resources. (See Agreement Nos. 19-109 and 19-110.)
- **Consider signing appraisal services agreement with Steven Johnson, Newmark Knight Frank Valuation & Advisory, LLC:** Assessor Stender said this is another property owner who was not happy with the way his value went through BOE and he decided to bypass the board of tax appeals and is going straight to district court. Steven Johnson, who specializes in this industry, is going to appraise several other properties and the Assessor's Office would like to have this one added to the list while he is here. The 2019 assessed value was \$5.4 million, but the owner would like a value of \$4.4 million. The facility sold within the last couple of years for around \$6 million. Commissioner Van Beek said on the earlier contract that was signed there was a not to exceed but on this one it's a flat fee of \$5,500, unless we have to go to court. She asked for an explanation of "fee simple estate." Mr. Blocksom said if somebody owns a piece of property as fee simple, not as a leased interest or

something else, how much is it worth. Assessor Stander said it's not encumbered by anything else, it's not a leased interest – you own the whole bundle of rights with the property. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the appraisal services agreement with Steve Johnson with Newmark. (See Agreement No. 19-111.)

- **Consider signing legal notice of entering into a personal services contract with Steve Johnson, MAI; and Robin Brady, MAI:** The County is required to publish notice of entering into a personal services contract if payment may exceed \$10,000. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the legal notice of entering into a personal services contract with Steve Johnson, MAI and Robin Brady, MAI.
- **Consider signing sole source declaration for CenturyLink connectivity service order to the Weed and Pest Department building:** Mr. Blocksom said this item is a follow-up to a meeting held earlier in the week. There are several different ways to procure things without having to go through a formal procurement process and it's possible that at least two would apply to the CenturyLink situation but we haven't been able to get concrete confirmation on those. Just in case those other exemptions do not come through we can also go through a sole source procurement and that would definitely work in this case. If the others don't come through, on September 6 the Board can consider the CenturyLink contract that would provide the services to the Weed and Pest department. Commissioner Van Beek said we set aside money in 2019 for the fiber optic project and this came in significantly over that which basically shut it down in the best interest of the taxpayers. We want to have a legally defensible contract and we want to wait for information, but on the other side we can do sole source to move ahead and secure it. Director Rast explained the contract he's had with CenturyLink and how we got to this point. He feels comfortable moving to the sole source side of it. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the sole source declaration for the CenturyLink connectivity service order to the Weed and Pest Department.

At 9:28 a.m. Deputy P.A. Zach Wesley requested the Board go into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:28 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) to discuss records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/ imminently likely litigation, and 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 Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:13 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.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 19, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Staples in the amount of \$1679.88 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 8/19/19

The Board of Commissioners approved payment of County claims in the amount of \$108,664.27 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/26/19

The Board of Commissioners approved payment of County claims in the amount of \$129,241.47 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Family Dollar, Inc. dba Family Dollar #27513 and Jackson Food Stores, Inc. dba Extra Mile #164. See resolution no. 19-130.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for George & Kayla White dba Keystone Pizza. See resolution no. 19-129.

LEGAL STAFF UPDATE AND CONSIDER AUGUST 19, 2019 AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider the August 19, 2019 agenda items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The first item considered was the request for a refund to Jay Walker/All Terra Consulting on behalf of Mike Provost for the withdrawal of a short plat application. Ms. Almeida said the applicant submitted applications for a rezone, short plat and a private road, the total fees were \$2900. On July 23 the applicants requested to withdraw the applications and requested a partial refund. They are working with the City of Greenleaf to annex into the city. Based on the work completed by staff, specifically the rezone was the application that was worked on by staff we are requesting that not be refunded, but the fee for the short plat be refunded for \$2,050. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting the refund in the amount of \$2,050. (See Resolution 19-128.) Ms. Almeida left at 9:03 a.m. As part of the legal staff update a request was made to go into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) discuss records exempt from public disclosure and attorney-client communication, and to communicate with the legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale, Van Beek, and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Monica Reeves. Deputy P.A. Mike Porter arrived at 9:08 a.m. The Executive Session concluded at 9:22 a.m. with no decision being called for in open session.

While in open session the Board resumed its consideration of the agenda items as follows:
Consider Request for Reconsideration for Karcher Farm, LLC & SS Karcher, LLC, Case No. OR2018-004 – Zach Wesley said the Board received a letter from Morrow and Fischer on June 28, 2019 regarding the Karcher Farms, LLC, and SS Karcher, LLC comprehensive plan map amendment that came before the Board on June 17, 2019. The letter is from the law firm of Morrow and Fischer signed by William Morrow and it states that the letter is on behalf of Mr. Morrow's clients who have property in the area, although he does not identify the clients. There is not an obligation to review an anonymous letter just because it came from a law firm in order to have a land use matter before a court or before this Board, the parties

have to identify their names and how they are affected, that's a prerequisite before going forward so Mr. Wesley's recommendation is the Board deny this request on those grounds. Commissioner Dale said with the explanation, regarding Case No. OR2018-004, which is a request for a reconsideration regarding the Karcher Farm, LLC decision the Board made on June 17, 2019 he made a motion based on the fact they have not met the fundamental requisite for standing on recordation, that the Board deny the request for reconsideration. The motion was seconded by Commissioner Van Beek and carried unanimously. (Mr. Wesley left at 9:26 a.m.)

Consider new and transfer alcohol licenses for Extra Mile #164 (new license); Family Dollar #27513 (new license); and George and Kayla White dba Keystone Pizza (transfer license) - Commissioner Van Beek noted her concern about the number of alcohol licenses, new or otherwise, in the Treasure Valley. She is not into prohibition but she is into managing the amount of alcohol and seeing what the County's tolerance is. Commissioner Dale said he reviewed the applications and they have met all the requirements to receive licenses from the County. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the resolutions for new licenses for Extra Mile #164 and Family Dollar #27513, and to approve the transfer license for George and Kayla White dba as Keystone Pizza.

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

PUBLIC HEARING - REQUEST BY BRECKON LAND DESIGN ON BEHALF OF LEIGHTON, LLC FOR A PRELIMINARY PLAT, IRRIGATION, AND DRAINAGE PLAN FOR LEIGHTON LAKE ESTATES SUBDIVISION, CASE NO. SD2018-0008

The Board met today at 10:05 a.m. to consider a request by Breckon Land Design on behalf of Leighton, LLC, for a preliminary plat and an irrigation and drainage plan for Leighton Lake Estate Subdivision, Case No. SD2018-0008. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Debbie Root, Jon Breckon, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is for a 17-lot subdivision in an R-R zone on an existing mineral extraction site. The applicant received a rezone to R-R zoning and the current plat is consistent with the R-R lot size of a minimum two-acre average. They have received, via a director's administrative decision, a road width reduction from 60 feet to 50 feet to accommodate the septic systems on site. It's a layout location issue because of the live water of the ponds. Prior to the rezone being approved they had also received water rights from the Idaho Department of Water Resources for the accessory use of the ponds once they re-fill from the mineral extraction. There is some mineral extraction still occurring on the site and they are completing that. They have reclaimed and prepared portions of the site already in preparation for the development. They have dedicated future roadways on this site. Lot 12 will be dedicated for future roadways, there is an irrigation easement for Middleton Mill. ITD has confirmed that the approach permit for the current commercial access is in place for the change of use for the residential use. It will be residential and commercial combined access at the existing location onto Highway 44. The plat is in substantial conformance with Idaho Code and the County code for subdivision planning. The Northwest Pipeline gas line runs through this property. The easements have

been provided and staff has consistently encouraged the applicant to ensure that potential buyers are aware of that. It is clearly noted on the plat and the documents. Staff recommends approval of the request. Following her report, Ms. Root responded to questions from the Board regarding the technical details of application and the plat. Jon Breckon testified in support of the request. The highway frontage and approach are in the works. They have a permit for the gravel extraction which is a commercial use and once the gravel extraction is complete ITD will require that permit to be changed to a residential use. It's anticipated that will not require any additional modification to the approach because when they started this project the owner was required to widen Highway 44 and put in a turn lane. They did a traffic impact study at that time. The traffic engineering is doing an update to the traffic study to make sure the current turn lanes meet current requirements. Mr. Breckon responded to questions from the Board regarding the irrigation, roads, the gas line, and the lakes on the property as well as his plans for the property. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat, irrigation and drainage plan for Leighton Lake Estates Subdivision, Case No. SD2018-0008. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the Findings of Fact of Conclusions of Law and Order for Leighton Lake Estates Subdivision. The hearing concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE PUBLIC HEARING IN THE MATTER OF A REQUEST BY LEIGH SALISBURY FOR A PRELIMINARY PLAT AND FINAL PLAT FOR STITES FARM SUBDIVISION; CASE NO. SD2019-0003

The Board met today at 1:30 p.m. to continue the public hearing in the matter of a request by Leigh Salisbury for a preliminary plan and final plat for Stites Farm Subdivision; Case no. SD2019-0003. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. Ms. Almeida said the applicant is working on completing the road improvements as well as the irrigation and needed a little more time. The road is near completion and they plan to submit a letter of credit for the irrigation to finish those improvements in the fall. Commissioner Van Beek made a motion to continue the hearing to September 5, 2019 at 1:30 p.m. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 1:31 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 20, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- SHI in the amount of \$36,042.00 for the Information Technology department
- BOE in the amount of \$45,000.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Slicks Bar to be used 8/24/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 9/21/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 9/14/19 for a wedding.

APPROVED CLAIMS ORDER NO. 8/26/19

The Board of Commissioners approved payment of County claims in the amount of \$7380.23, \$25,183.53 and \$106,923.10 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 8:30 a.m. with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following:

- Fair is done for the year and all cleaned up although there is still one issue to deal with at Gabiola Fields. The fair midway took place on the field and was immediately

followed by the rodeo thus ruining the newly planted grass. He feels the best course of action would be to meet with Director Sinner and the stakeholders to determine how cost will be divided to repair the lawn as both the fair and rodeo have some amount of culpability. The County installed and paid for the sprinkler system, the college paid for the grass seed but there is some contention about who owns the property so the County has stepped out but has not heard anything more from the city.

- They are about 70% complete on the Norman property project and anticipate being done in 2-3 weeks.
- The Security office is almost complete and anticipated to be complete in 2-3 weeks.
- There are several projects that different Eagle Scout groups will be helping with including at the gun range, Lake Lowell and Celebration Park.
- Discussion was had about the roof on the animal shelter. The project will not have to go out for RFQ due to being able to use the architect of record.
- The process to remodel the Lake Lowell office has been started.

Director Rast updated the Board on the following:

- There was a \$37K PO for a printer in the print shop that has been voided as the machine did not perform as expected and has been sent back to Boise Office Equipment. BOE has a certified pre-owned machine for \$45K which includes a booklet maker. Director Rast spoke about his budget and how it will allow for this purchase. A new PO was presented to the Board for consideration.
- Several years ago the county fell behind on Microsoft licensing. Director Rast created a 5 year plan to get everything caught up and this is the last 100 licenses. He presented a PO to the Board for \$36K, however only \$18K was budgeted but he has found savings in other areas as he feels this is more important in order to get the county into compliance with Microsoft.

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

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed left at 9:36 a.m., Facilities Director Paul Navarro left at 9:09 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing declaration and notice of professional services contract with Houston-Bugatsch Architects for architectural and engineering services for the Canyon County Animal Shelter roof: Mr. Laugheed explained that an architect needs to be hired for the architectural and engineering services. Rick Bugatsch was the principle architect for Olsen and Associates in 1999 and was the one who stamped the drawings for the current shelter and roof. There is an exception for A&E services in Idaho code for projects that are associated or phased and this project comes close to meeting those requirements. They have combined the phased/associated project with the same kind of notice that is done for sole source giving the public opportunity to offer comment. Noted for the record there is a significant savings in having the project move forward in this manner. Director Navarro spoke about the necessity of a new roof and materials that could be used to better serve the shelter and make it more energy efficient. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the declaration and notice of professional services contract with Houston-Bugatsch Architects for architectural and engineering services for the Canyon County Animal Shelter roof.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records that are 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

After the executive session the following action items were considered:

Consider signing a resolution for a new alcohol license for Family Dollar Store #27267 and The Farmhouse Tap House: Commissioner Dale made a motion to sign the resolutions granting new alcohol licenses to Family Dollar Store #27267 and The Farmhouse Tap House (see resolution no. 19-131). The motion was seconded by Commissioner White. The motion carried by a majority vote with Commissioner Van Beek choosing not to vote. The meeting concluded at 9:38 a.m. An audio recording of the open portion of the meeting 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 10:00 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Juvenile Detention Steve Jett, Field Training Coordinator Shawn Anderson and Deputy Clerk Jenen Ross.

Director Jett updated the Board on the following:

- Numbers are currently down which is normal for this time of year with school starting.
- Currently there are 4 open positions, 3 officers and one clerical, although the clerical position will not be filled at this time.
- Use of force training is coming up, along with a PREA annual training and a first aid/CPR training recently took place.
- PREA audit is coming up at the end of September.
- The food contract RFP is continuing to move forward.
- Four people will be attending the National Partnership for Juvenile Services Leadership Institute and the National Symposium for Juvenile Services will take place in Salt Lake City this year which Director Jett will be attending.
- Recently a \$500 grant was received from an organization in Nampa for use in the garden.

The meeting concluded at 10:15 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 10:14 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Controller Zach Wagoner left at 10:20 a.m. and Deputy Clerk Jenen Ross.

Director Breach updated the Board on the following:

- The Odyssey system does not want any fees collected that are not part of state statute – for his department that means the urine analysis fees. The solution to this would either be to collect the fee in CMS or write off the charges for indigent persons. So far this year only \$50 has been collected for this fee and Mr. Wagoner feels the cost of trying to collect the fee in CMS far outweigh the return. The Board agreed it would be best to just write off the fee and not try to track in CMS.
- A DUI diversion program is being explored by the Prosecutor's Office and Public Defender's department where they would want Misdemeanor Probation to monitor

participants. Director Breach feels this could be a fair amount of people to manage and hasn't committed to anything at this point until he knows some real numbers.

- He is continuing to work to fill the vacant PO position.
- Update of numbers: 1304 on supervised probation; 477 on bench warrant status; 301 in the community service program with an addition 10 problem solving courts people that are on a recurring sanction.

Ms. Catalano updated the Board on the following:

- Spoke about her department's use of CMS to track and collect fees for urine analysis.
- Transferring of cases between different juvenile probation departments and the issues associated with it.
- Currently have 299 kids being supervised by the probation department; of those kids, 652 hours of community service were completed in July.
- Kickball tournament/truancy event will take place this Saturday. About \$7000 was promised to put the event together; 120 backpacks will be put together for give-away; several bikes will be given away. All portions of the event are done by donation only.

The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH JEFF BRADLEY FROM HOK TO DISCUSS CANYON COUNTY JAIL

The Board met today at 2:02 p.m. for a meeting with Jeff Bradley from HOK to discuss the Canyon County Jail. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Jeff Bradley and Curt Parde from HOK, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Lt. Harold Patchett, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Chuck Staddick, and Deputy Clerk Monica Reeves. A PowerPoint presentation was given by Mr. Bradley and Mr. Parde, a copy of which is on file with this day's minute entry.

They gave examples of other projects HOK has done:

Wichita County Jail – 672 beds for \$70M

Hays County Jail – 634 beds for \$69M

Davidson County Jail – 1132 beds for \$123M

Wayne County Jail – 2422 beds for \$476M

Indianapolis County Jail Campus – 3000 beds for \$626M

They spoke of projects where they came in after an initial master plan was done and showed owners a different solution. Their philosophy is to establish a scope of work for a county, a budget that supports the scope of work, and designing to that budget. It's a process where they establish the needs and developing a solution that supports those needs and a budget for that project that supports that scope. The Hays County project is an example of a stalled project where HOK came in. The county had a master plan for \$187M and soon after they didn't know what to do, they knew they couldn't put that large of a bond referendum out to the constituents. Two years later HOK was hired to come up with a different scope and

different ideas, and they came up with a \$106M solution that enabled the project to get underway. HOK was able to do similar work on projects in Pueblo County, and Wichita County. Commissioner White noted that HOK did not submit a proposal for Canyon County's design; she asked if it's their general business to watch what counties are doing and then come in and make presentations. Mr. Bradley said he has Google alerts for bond measures and failed jail projects and that's how they know who to meet with. It's not all they do, it's probably about 20%-30% of their business and the other 70%-80% is working with counties initially and developing their needs assessment, master plan, schematic design, and cost estimate. Commissioner Van Beek asked what HOK's contingency amount is, and if they are familiar with the DLR firm. Mr. Parde said they include a 10% contingency at master planning because they feel that is enough to cover things that might come up during the design of the project. It gives the ability to add something during design and construction phase if needed. And yes, they are familiar with DLR and they know they had a 27.5% contingency factor built into their design. A question and answer session ensued and there was discussion about HOK's experience and knowledge of the industry. In their presentation of about facility design, bed space, and program space, Sheriff Donahue asked the gentlemen if they are aware that what they're talking about is in the DLR plan. We don't have mental health facilities in this state. Prosecutor Taylor asked if HOK has evaluated the Pond Lane site, and he asked what the difference is in cost between HOK vs. DLR. Mr. Parde said having driven by what the County has downtown he doesn't think we would "dream of adding a bunch of stuff onto that jail facility" and try to reuse what we have. Putting 1000 beds here is not an option. Mr. Bradley said HOK didn't want to spend their time going over a plan they were told wasn't moving forward; they were told the DLR plan was a greenfield site so that's what they focused on. Prosecutor Taylor asked if HOK can do the project for a cheaper cost and if so, what is the cost? And, how do we build a jail cheaper than what DLR proposes. Mr. Parde said what got their attention a year and a half ago was then \$541 price per square foot. That's a lot and he doesn't understand why it would be that much. They have been successful in working with counties to try to reduce the amount of money they have to spend on these facilities and just to be able to get a bond passed and tell voters that this is what you need and what it costs so they have the confidence you are doing everything you can to make this project work. Commissioner Dale asked if we should be doing a complete architectural drawing and rendering so we know what it will cost. He asked if HOK is proposing they can get us hard numbers to tell the citizens this is a good number because we have "X" amount of drawings, renderings completed and projecting forward this is a good number to go from? Mr. Parde said they work with some of the largest construction companies in the world and they have third-party cost estimators that help them get the right numbers, so yes, they can get Canyon County to that point. If it made more sense to design a building completely and then have it priced he thinks everyone would be doing it, but nobody does that because that's would mean we have to pay someone \$15M (based on a project cost of \$187M) to get to that point, that's unconscionable and we shouldn't have to do that. The CMGC process sometimes, if done properly, is designed to have a contractor selection process done at the beginning of the design phase so that they are mirroring the design process and providing cost estimates on what they think the building will cost, add schematic design, design development and construction documents. They said the County has said it needs 1055 beds by the year 2037 and so HOK asked what the reasoning is for building all of those now. He described the process they would go through with us as we look at the amount of scope for the project.

Sheriff Donahue talked about the extensive work the Sheriff's Office has done with DLR on the needs assessment and the options they looked at. He is confused by the statement that the County needs 1055 beds in 2037 – the County needs 1055 beds today. Mr. Parde said the 1055 beds was in the final cost estimate they looked at. Early in the package there are different options of the number of beds based on the type of growth line you want to consider and it looked like they were including the 1055 as the option that they were moving forward with for the year 2037. Sheriff Donahue said he doesn't want to fill it up as soon as it's built; by 2037 we will have already expanded to handle the additional growth. He talked about the temporary jail trailers (Pod 6) that are being brought in to help with overcrowding but that's only going to net an additional 86 beds. He said they are going to ask the Board to shut down forever the 1948 jail and so we'll lose beds. There are a lot of variables here and he wants to make sure we're on the same page. Captain Ward said the 1055 beds is what they were hoping to reach by 2037 but if you look at the study there were two additional pods to be put in there to bring the capacity up to about 2100 on the Pond Lane site knowing that with the growth in this County 1055 beds will not take us through that 20-year period. Mr. Parde spoke of cost-savings design trends: normative environment, day reporting and inmate programs to reduce recidivism, direct supervision, minimize inmate and staff movement, distributed rear chase maintenance, mental health and pretrial diversion, specialized housing – acute/subacute mental health. Mr. Bradley said in the last 10 years HOK has designed facilities with specialized beds for mental/medical health and transitional needs. Sam Laugheed said architectural and engineering services above \$25,000 have to be awarded on the basis of demonstrated qualifications and experience. Three years ago the County went through an RFQ process and entertained presentations remarkably similar to this one today, and most of what he's heard today has been heard several times and it's not new to most of us. We selected a firm, we went through six months of in-depth discussion and we came up with a concept that before we were able to take it to bond we had HOK and others saying they could do it for much cheaper so we're stuck going well, we could have gone through an RFQ process with you, but instead we're at this point. The County spent \$200,000 on a study and it's a lot of what we're hearing here today. He asked HOK what they are proposing and what unique thing they can offer. Mr. Bradley reviewed more slides of projects they've worked on and he spoke about potential designs and what HOK can deliver. They are good at saving tax dollars and getting buildings built. Commissioner Dale said we have a high level of confidence in the strategic analysis of jail needs and we believe what DLR projected is accurate. HOK is talking about master planning which is interchangeable with what we did with DLR. He asked if HOK is able to use those projections and results that DLR produced without having to start over and do everything again. Mr. Bradley said they call it re-validation. They need to have feedback and input; we are not going to make their future depend on what another firm said Canyon County should do. To do a targeted master plan it's a matter of spending time with the Sheriff's Office. It can be a quick turnaround. Commissioner Dale said it's been two years since DLR started their study so revalidation would be very appropriate to get to the next bond. We're not going to be able to build anything like this even at HOK's lower cost without having a bond. We need to continue this conversation so we can look at the alternatives in both construction and financing and see what's out there. He believes HOK has some good ideas. Mr. Bradley said the longer projects stretch out we are using between 5%-6% in annual cost escalation. Clerk Yamamoto said cost escalation was figured into DLR's number. Commissioner Van Beek thanked those who

attended the meeting and said there is a commitment to work together. Commissioner White said we have to get a map and figure out where we go from here and continue the thoughts. No Board action was required or taken. The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 21, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Scottco Distributors, Inc. in the amount of \$4829.37 for the Parks department

APPROVED CLAIMS ORDER NO. 8/24/19

The Board of Commissioners approved payment of County claims in the amount of \$429.00 for accounts payable.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley left at 9:02 a.m., Juvenile Detention Deputy Director Sean Brown left at 9:02 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing addendum no. 1 for FY2020 Southwest Idaho Juvenile Detention Center food and commissary services request for proposals project: Zach Wesley noted for the record that no questions were received and no corrections are needed so there is no addendum necessary. Proposals are scheduled to be opened on August 28, 2019.

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

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

Commissioner Dale made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (i) 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. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:27 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.

RESCHEDULE PUBLIC HEARING - REQUEST BY JAY WALKER FOR A PRELIMINARY PLAT, FINAL PLAT, IRRIGATION & DRAINAGE PLAN FOR KACHUPA RIDGE SUBDIVISION, CASE NO. SD2018-0005

The Board met today at 10:00 a.m. to reschedule the public hearing for Kachupa Ridge Subdivision. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida reported that the applicant updated her on the status of the improvements for this project. They've had issues with the contractor being busy on a more pressing project which has not allowed them to complete the storm drain improvements or the improvements required by the highway district so they are requesting a date towards the end of September. This case has been continued several times so Ms. Almeida asked if the Board would direct staff to re-notice the hearing so the surrounding property owners are aware of the new date and time. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing for Kachupa Ridge Subdivision, Case No. SD2018-0005, to September 27, 2019 at 10:00 a.m., and to direct staff to re-notice the hearing to provide notice to surrounding property owners. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH MAYOR KLING TO DISCUSS MANAGEMENT OF THE CANYON COUNTY HISTORICAL SOCIETY NAMPA TRAIN DEPOT MUSEUM AND CONSIDER ACTION ITEM

The Board met today at 11:04 a.m. with Mayor Kling to discuss management of the Canyon County Historical Society Nampa Train Depot Museum and to consider action item. Present were: Commissioners Pam White and Tom Dale, Commissioner Van Beek arrived at 11:13 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, PIO Joe Decker, Mayor Debbie Kling, Amy Bowman, Joe Bell, David Ferdinand and Deputy Clerk Jenen Ross. Director Schwend gave background information about the Historic Preservation Commission and the grant process. Discussion ensued on the following points:

- There are two issues to be considered: the organization is struggling but still in charge of the care of the building but the application meets all the requirements for historical funding.
- The Nampa Train Depot is still owned by Union Pacific.
- Concerns have been raised about why the \$1.5M the Canyon County Historical Society has been given since 1974 hasn't been used for maintenance and care of the building.
- Mayor Kling spoke about the commitment of the city to the train depot and how they won't let it go. She discussed the struggles of the volunteer community aging out and that there are very few, if any, grants available for the administration portion of organizations. She cannot attest to how funds were used in the past but is committed to the present and future and since 2013 there has been a better accounting and allocation of the funds.
- Director Schwend reviewed the request for FY2020 as follows: \$19,850 for the professional inspection, repair, cleaning, coating and restoration of the building's entire 400 linear feet of 1920's era gutter system on the Union Pacific building. She also spoke about the importance of the repair to the gutters.
- Suggested to the city for the historical society to apply for a grant for a capital improvement and maintenance plan which could help with the direction and organization of the historical society which could be encouraging for more people to volunteer.

Commissioner Dale made a motion to approve the historic preservation funding to the Canyon County Historical Society. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 11:42 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 22, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Acapulco Mexican Restaurant to be used 9/2/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 9/2/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- SHI in the amount of \$1270.68 for the Information Technology department

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility requirements for county assistance: 2019-1119, 2019-1172, 2019-1221, 2019-1044, 2019-1257 and 2019-1255. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days.

Case no. 2019-1211 is pending a resource. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place the case into suspension.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval on case no. 2019-1217.

Director Baker brought to the Board's attention two cases for one applicant that have both been approved, case nos. 2019-121 and 2019-825. The applicant has been diagnosed with cancer, the previous applications did not include radiation therapy so an additional request has been submitted to include that treatment. Director Baker, with advice from the PA's Office, suggest this treatment just be added to the existing, approved case. It is the same dates of service and the county has already paid its \$11K for the catastrophic year so this would go straight to the catastrophic fund for payment. Commissioner Van Beek made a motion to include these dates of service for approval. 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.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell left at 9:15 a.m., Landfill Director David Loper left at 9:15 a.m., Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution rescinding the transfer of PIN 04972000 0 to the Caldwell Housing Authority: Brad Goodsell explained this property was taken by tax deed and transferred to the Caldwell Housing Authority but there have been some issues raised about whether the transfer was proper. Instead of going thru litigation the housing authority has agreed to quitclaim the deed back to the county so the original owner will have the opportunity to redeem the property. Mr. Goodsell said the previous owner was asked to tender the checks for redemption and reimbursement to the housing authority and those certified checks have been given to the Treasurer's Office. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution rescinding the transfer of PIN 04972000 0 to the Caldwell Housing Authority (see resolution no. 19-132).

Consider signing agreement for ongoing wood waste removal from Pickles Butte Sanitary Landfill: A notice of termination will be sent to the current contractor to terminate on September 30th if the Board chooses to move forward with the new vendor; the new contact would begin October 1, 2019. Director Loper spoke about the two proposals that were received and the savings offered by Timbercreek Recycling, LLC. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement for ongoing wood waste removal from Pickles Butte Sanitary Landfill (see agreement no. 19-112).

Consider signing MOU with Twin Falls County for the assignment of Steve Jett to conduct PREA Audit: Twin Falls County has accepted all the terms and Canyon County has been indemnified. Director Jett will do the inspection and provide the report to Twin Falls County who will reimbursement all costs to Canyon County. At the request of Commissioner Van Beek, Mr. Jett spoke about the audit process. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the MOU with Twin Falls County for the assignment of Steve Jett to conduct PREA audit (see agreement no. 19-113).

The meeting concluded at 9:22 a.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 9:30 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following:

- Budget hearing is next Wednesday and he is working with Zach Wagoner to get some additional information up on the website.
- A reporter will be here today to interview the code enforcement officer for DSD.
- Bryan Taylor has an interview today with Emily Lowe regarding the Clark decision which was the Idaho Supreme Court ruling regarding misdemeanor arrests.
- Election is next Tuesday and the logic and accuracy test will take place today.
- Last week he and the PAs Office met with Nicole Foy regarding public records requests to show the process and the number of requests received.
- Commissioner White is scheduled to be on KBOI in September.
- Commissioner White asked about an email she received to live stream meetings. Mr. Decker gave his opinion of what might be able to be done and potential issues. He will check with IT about possibly live streaming the budget meeting.

The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING – REQUEST BY TREASURE VALLEY RENEWABLES, LLC, FOR A DEVELOPMENT AGREEMENT MODIFICATION AND SIGNATURE, CASE NO. DA2019-0006

The Board met today at 10:03 a.m. for a public hearing to consider a request by Treasure Valley Renewables, LLC, for a development agreement modification and signature, Case No. DA2019-0006. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Commissioner White opened the hearing by stating she wants all three Commissioners to be in attendance to consider this request because it's a big decision and it has been a "divided house" in the past. Following a brief discussion about a proposed new hearing date/time, Commissioner White made a motion to reschedule the hearing to September 13, 2019 at 1:00 p.m. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 23, 2019

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

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

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

MEETING TO DISCUSS PROGRESS ON THE TEMPORARY JAIL PROJECT

The Board met today at 9:01 a.m. to discuss progress on the temporary jail project. Present were: Commissioners Pam White and Tom Dale, Clerk Chris Yamamoto, Controller Zach Wagoner, Facilities Director Paul Navarro, Captain Daren Ward, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, PIO Joe Decker, and Deputy Clerk Monica Reeves. Director Navarro said they found the insignias and they are shipping them to the third-party inspector. The City of Caldwell has reviewed the plans, and the building permit is a staggering cost of \$112,000. Captain Ward spoke with ADS last week and the first 12 trailers will be on the road September 6 and are due to arrive in Caldwell on September 9. He will travel to Missouri next week for a final inspection. Director Navarro reported that ADS does not yet have a contractor's license and a building permit will not be issued until they have obtained their license. Also, they took their public works exam but they have not been issued their public works license. Commissioner White asked if ADS could hire a contractor and sub out the work, but Director Navarro said that's a question for legal counsel. He also reported there is another issue involving paint. Sheriff Donahue said there are other issues for this meeting, such as: 1) Is the Board going to approve the change order to paint the exterior walls of the temporary facility. As was pointed out by legal counsel, the most expedient solution is for the Board to sign the change order. 2) If the Board is going to approve the change order it would seem prudent to have ADS do the painting in Missouri and we should get that resolved. 3) If the change order is approved but the County is going to do the painting he sees no reason to amend the special use permit (SUP). Commissioner White said if it has to go back through planning and zoning it could push it out another 60 days. The painting has to be done because it's in the SUP and therefore we need to keep it moving forward. Director Navarro said they reached out to ADS and asked for a paint bid and to make sure the color matched the skirting and he expects to have those numbers by early next week. The SUP was very clear that the color has to match the Dale Haile Jail. Commissioner Dale said he agrees with Sam Laugheed's assessment of the process, and he recalls conversations where they assured us they could paint the trailers and make it look the right way and it was understood that it would be required. Clerk Yamamoto said ADS was given three color swatches and so he's curious as to why this issue is coming up now. He agrees with the premise to get it done but we need to know what the cost is and if ADS is trying to make up some ground with the paint job that's where we need to negotiate. The units are not stainless steel, they are powder-coated (aluminum, metal and tin) on the outside. When asked if the facilities staff can paint the trailers, Director Navarro expressed concerns about the prep work and weather. Sheriff Donahue said he doesn't believe ADS is trying to pull a fast one. The contract was signed and the tentative SUP was in place but we did not have the paint in the contract so it's not ADS's fault, it's ours. They have to be painted based on the SUP and that comes back on the County. The longer we delay the prices will go up. He said if we are

thinking about changing the SUP and going back 3-4 months they should shut the project down. He expressed his frustration with the pitfalls and setbacks associated with the project and he said we need to get this moving forward. The SUP is an important piece and the County agreed to it. Commissioner White said we were fortunate to the SUP and we want to keep moving this forward as efficiently as we can. Sheriff Donahue referred to an email from Commissioner Van Beek who suggested the County consider amending the SUP, but he is opposed to that idea because the SUP has been finalized. He asked if there's an opportunity for the Board to approve the change order, and if so, we need to decide if we're going to have ADS paint them in Missouri or in Caldwell. Commissioner White agreed that we do not need to revisit the SUP, and with regard to the paint, she wants to do what is the most efficient and cost effective. She thinks the trailers should be brought here and painted once they're in place. Commissioner Dale and Sheriff Donahue agreed. Clerk Yamamoto said ADS should do the painting because we don't want to muddy the water with the warranty, and he urged the Board to not take any action until a cost has been affixed to it. Where the trailers are painted or how they are painted is up to the ADS, we need to stay out of that. Commissioner White said we need to stay involved to make sure it's the least expensive for us. Director Navarro said we can go back to ADS and ask them to expedite the price quote but please, no further delays. Sheriff Donahue said that message needs to come from the Board. Commissioner Dale said that message can be sent by Director Navarro based on the Board's direction today. Director Navarro will send an email and copy everyone, and Captain Ward can follow up with a telephone call. He will also ask about the status of their contractor registration and their public works license. Commissioner Dale said that needs to be pursued because we don't want any hiccups with getting the license while the trailers sit here. The state needs to know this is an alternative solution to jail overcrowding and we need help to expedite it. Director Navarro said perhaps ADS should contact the state. He also said if ADS erects the trailers without the building permit the penalty will be four times the cost of the permit and we'd be looking at a fine of half million dollars. They need their license to do ANY work. Commissioner White asked Director Navarro to follow up and let ADS know that. Sheriff Donahue said he's certain ADS is aware they would face a stiff penalty and they're not going to try to erect anything and we're not going to allow that. Commissioner Dale said if someone has contact information for the state agency he will contact them. Director Navarro said he will forward the contact information for the director of the Idaho Bureau of Occupational Licenses which is where they are getting their contractor registration. Captain Ward said we make progress and then there's a pitfall and so he asked if Director Navarro can check for any other issues that could come up. Director Navarro said this is not a normal construction project and the hiccups are unknown to him too; he's never had a building constructed in another state and inspected by a third-party. He said the erecting of the trailers and putting them in place is going to be the easiest part of the process. We have to build the fence and provide landscaping before occupancy, and we have to submit an emergency evacuation and fire plan. As soon as the trailers are placed staff will be right behind them with the fence. Commissioner White asked Director Navarro to prepare a checklist for the project. In addressing the Sheriff, Commissioner Dale said any communication with ADS or the City of Caldwell needs to go through "you guys", not anyone else. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY BRENT COMPTON FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. OR2019-0003 & RZ2019-0007; AND A REQUEST BY BRENT COMPTON FOR A PRELIMINARY PLAT AND FINAL PLAT FOR COMPTON SUBDIVISION, CASE NO. SD2019-0007

The Board met today at 10:08 a.m. to conduct a public hearing in the matter of a request by Brent Compton for a comprehensive plan map amendment and rezone, for Case No. OR2019-0003 & RZ2019-0007, and a public hearing for preliminary plat and final plat approval for Compton Subdivision, Case No. SD2019-0007. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, Kris Compton, Brent Compton, Tyler Compton, Jackie Mayo, David Mayo, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report for both cases. The subject property is currently designated as agricultural on the 2020 future land use map. There is a residential designation to the north of the property. It is within Nampa's impact area, and the city designates the property as low-density residential with one to three dwelling units per acre. The surrounding area contains residential and agricultural uses. There are two platted subdivisions within one mile for a total of five lots; those lots have a 2.92-acre average lot size. To the north of the subject property is a platted subdivision, Joplin View, which contains four residential lots. There is rural residential zoning located north of the property. The property is not located within a nitrate priority area; it does have frontage on Joplin Road. The Canyon Highway District said there is a gravel driveway for the existing residence that accesses the public road system. Driveway access facing onto a major collector road is 210 feet. Any new accesses will require approval of an approach permit and that can be obtained at the time of building permit. The highway district indicated there would not be any significant traffic impacts from the proposal. The P&Z Commission recommended approval on June 20, 2019. Staff is recommending approval of comprehensive plan map amendment and rezone. Regarding the plat, Ms. Almeida said Compton Subdivision will contain two residential lots, one of the lots contains the existing residence. The subdivision utilizes individual domestic wells and septic systems, gravity irrigation and both lots will have frontage on Joplin Road. Keller and Associates has reviewed the plats. The City of Nampa has no concern with the application. The requested right-of-way of 40 feet is shown on the plat. The domestic well for Lot No. 2 lies within the 40-foot dedication shown on the plat. The applicant gained approval of a variance from the highway district on April 18, 2019. No written objections to the plat have been received. The P&Z Commission recommended approval on June 20, 2019. The plat and irrigation plan meet Idaho Code requirements. Staff is recommending approval of the pre plat and final plat. Brent Compton testified that they started this process a year ago, and the main purpose is to split off a lot to allow their son to build a home on the property. They have obtained agency approvals. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner Dale said this is very straightforward case where all requirements have been met and he feels both applications should be approved. He then made a motion to approve the findings of fact, conclusions of law and order for Compton Subdivision, Case No. SD2019-0007. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the comprehensive plan map amendment and the resolution that goes along with

it. (See Resolution No. 19-133.) Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve Case RZ2019-0007 for a rezone and to sign the ordinance for Brent Compton. (See Ordinance 19-036.) Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the preliminary plat and final plat for Compton Subdivision, Case No. SD2019-0007. The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS MOU WITH THE CITY OF NAMPA

The Board met today at 1:19 p.m. to consider signing the 2019 Byrne Justice Assistance Grant (JAG) Program MOU with the City of Nampa. Present were: Commissioner Pam White, Commissioner Tom Dale via tele-conference, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Commissioner White read into the record that City of Nampa will pay \$26,167 of JAG funds to the county and will retain \$40,626. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Byrne Justice Assistance Grant with the City of Nampa (see agreement no. 19-114). The meeting concluded at 1:21 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM

CALDWELL, IDAHO AUGUST 26, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Idaho Tower Construction Co. in the amount of \$2141.76 for the Information Technology (16-4138)
- Idaho Tower Construction Co. in the amount of \$2141.76 for the Information Technology department (16-4139)

APPROVED CLAIMS ORDER NO. 8/26/19

The Board of Commissioners approved payment of County claims in the amount of \$75,140.73, \$66,228.55, \$72,385.09 and \$50,818.76 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross and Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing FY2020 Indigent Defense Financial Assistance agreement form: The Public Defenders' office is receiving additional funds this year to help offset the new caseload requirements. A discussion ensued about how the monies will be applied. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the FY2020 Indigent Defense Financial Assistance agreement form (see agreement no. 19-167).

A letter was presented to the Board to terminate the contract with Enviro-Progress, Inc. for wood waste disposal at the landfill. A signed copy of the letter is on file with this day's minute entry.

The meeting concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING

The Board met today at 9:30 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Prosecutor Bryan Taylor, Deputy P.A. Dan Blocksom, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, Chief Deputy Assessor Joe Cox, IT Director Greg Rast, PIO Joe Decker, and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto at 10:20 a.m. The following topics were discussed:

Joe Cox reported the Assessor's Office has been working on the discovery process for BOE appeals that have been filed. He also reported there are 11 pending applications for projects that are seeking the property tax exemption.

Commissioner White reported the employee appreciation luncheon will be held on Friday, October 4. To-go orders will not be prepared this year; however, supervisors will be able to prep box lunches for their staff that are unable to attend the event.

Director Rast reported on IT security issues that have arisen due to employees clicking on suspicious links. He wants to do a quarterly phishing campaign to bring awareness to the issue. Elected officials will be given reports listing the names of their respective employees (if any) who are clicking on the suspicious links. Other updates referenced remote access, the VPN policy and the mobile device policy. IT's focus is on security.

Commissioner Van Beek said the FY2020 budget hearing will be held on August 28, 2019 at 5 p.m. and she would like to have a conversation about designating a funding source for public safety as a fund or a line item for capital improvements. The Board has authorized HR to implement harassment training starting with the Board's employees. The security director interviews will be held on September 3.

Commissioner Dale spoke about how we need everyone's involvement on the jail project. It's a group effort and we all need to be on the same page if we're going to find a solution. He's excited for Pod 6 to be set up.

Coroner Crawford reminded the group that the IAC conference will be held the week of Sept. 23rd. It was agreed that the next elected officials' meeting will be rescheduled to September 30, 2019.

Dan Blocksom reported on a resolution the PA's Office drafted regarding personal identifying information in public records. Public records contain a great deal of personal and confidential information, such as dates of birth, birthplaces, account and routing numbers, account passwords, credit card numbers, insurance policy numbers, and the like. Current statutes allow for redactions of this kind of sensitive information if contained within law enforcement investigatory records, but not as clearly if contained in non-investigatory records. Releasing such information could violate personal privacy interests as well as facilitate identity theft. The draft resolution includes some options for IAC to consider. The PA's Office proposes enacting legislation that allows for redacting sensitive information in contexts currently not expressly enumerated in statute and they suggest three options for legislative language, along with pros and cons of each option, which could protect this sensitive information. Option 1: Create a new section in Idaho Code 74-106(35); Option 2: Amend current language in Idaho Code 74-106(8); and Option 3: Add a new section in Idaho Code 74-106(35) that creates a balancing test similar to that contained in Idaho Code 74-124 for investigatory records. (A copy of the draft resolution is on file with this day's minute entry.) Prosecutor Taylor said if the elected officials are supportive of the resolution, which needs to be brought to the legislature, he will send it to Seth Grigg, the executive director of IAC. The elected officials present today agreed that it should be sent on so that it can get on the agenda for the upcoming IAC conference. (Mr. Blocksom left at 10:08 a.m.)

Sheriff Donahue reported on the August 23 discussion regarding the special use permit (SUP) for Pod 6 (the temporary holding units that are being manufactured by ADS.) Progress

has been delayed due to a paint issue. The County has to paint the exterior of the temporary units. When the county signed the contract with ADS to supply the units the SUP had not been issued by the city so the County agreed to have them built and then the city said we have to paint the exterior. The issue at hand is who has to pay for that and according to legal counsel, the county will have to do a change order with ADS to paint the trailers either in Missouri where they're being built or when they get on site. There was discussion about whether facilities staff could paint the units, but the Sheriff and Clerk believe ADS should paint them so it's covered under the warranty. There is a 12-inch metal band that connects the two trailers and there's a question about whether it can or should be painted. ADS is waiting on a couple of things: pricing, the quality of material, availability of the material, and whether it's possible to apply the paint on site during cold temperatures and inclement weather conditions, or, should it be done before they get here. ADS is waiting for their contractor's license in the state of Idaho which has not yet been issued. According Sheriff Donahue ADS had to go through a different agency in Idaho by the name of Norwood Manufacturing so they are piggy-backing on that established company who has a contractor's license. They thought they would have the paperwork for the state early this week. Legal advice is that the simplest, most expedient solution is for the Board to execute a change order and move forward. Pricing information is necessary before a change order can be done. In Friday's discussion Director Navarro was asked to create a timeline and a checklist of all the things that have been done, that are currently being done, and that need to be done on Pod 6 because the group is tired of being surprised by all the issues that have arisen. It's really important we get that.

Treasurer Lloyd reported that she attended a Treasurers' conference a couple of weeks ago and they had a great discussion regarding public administrator cases and it was decided to form an interim committee to look at legislative changes in how the cases are handled. In some counties Treasurers are retrieving prescribed medications rather than calling the proper authorities. Training and changes are in order. Discussion ensued regarding the overlap with the Treasurers, Coroners and Sheriffs respective offices. The issue will be discussed at the upcoming IAC legislative conference. (Commissioner Dale left at 10:30 a.m.)

Clerk Chris Yamamoto arrived at 10:20 a.m. and reported on the upcoming elections to be held tomorrow, and the FY2020 budget hearing which will be held on August 28. He attended a recent court case where a Mandarin Chinese interpreter was needed and although she wasn't a certified interpreter she did a great job. If the case goes to trial a certified interpreter will be used.

The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 27, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for El Gallo Giro to be used 8/31/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$12,375.00 for the Information Technology department

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 9:22 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 9:19 a.m., Director of Indigent Services Yvonne Baker left at 9:22 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing agreement to provide school resource officer services to Notus School District No. 135: Chief Dashiell said this is a renewal for a School Resource Officer. The agreement hasn't changed in several years and provides a resource officer for 6-8 hours a week at minimal cost. Chief Dashiell spoke about the role of a resource officer and addressed several questions about training posed by Commissioner Van Beek. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the agreement to provide school resource officer services to Notus School District No. 135 (see agreement no. 19-126).

Consider signing psychiatric services agreements: Director Baker explained the contracts are renewals and no changes were made. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign psychiatric services agreements with the following: John Bates, M.D. (agreement no. 19-125); Jacob Christopher White, D.O. (agreement no. 19-118); Coire Wethers, M.D. (agreement no. 19-115); Hamilton Warren Sutton, M.D. (agreement no. 19-124); James Piktel, M.D. (agreement no. 19-123); Charles Novak, M.D. (agreement no. 19-116); Roberto Negron, M.D. (agreement no. 19-117);

Eric Gilbreath, M.D. (agreement no. 19-122); Tamara Helfer, M.D. (agreement no. 19-119); Michelle Cullinan, N.P. (agreement no. 19-121); Marc Bostick, M.D. (agreement no. 19-120).

Consider signing legal notice of entering into personal services contract for psychiatric services and designated examiner evaluations with John Bates, MD; Jacob Christopher White, D.O.; Coire Wethers, M.D.; Hamilton Warren Sutton, M.D.; James Pikel, M.D.; Charles Novak, M.D.; Roberto Negron, M.D.; Eric Gilbreath, M.D.; Tamara Helfer, M.D.; Michelle Cullinan, N.P.; Marc Bostick, M.D.; Brad Leavitt, Psy.D.; Ryan Hulbert, Ph.D.; Phares Book, Psy.D.; Richard Sonnenberg, Ph.D.; Jacob Atkinson, Psy.D. Mr. Blocksom said this is done as a precaution in case the county spends over \$10K with any one of the providers. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice of entering into personal services contract for psychiatric services and designated examiner evaluations.

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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:23 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records that are exempt from public disclosure and attorney-client communication and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, 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.

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

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

The Board met today at 10:05 a.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following:

- A review of the budget was given. Mr. Bazzoli addressed a question posed by Commissioner Van Beek regarding a more financially beneficial way to provide psycho/sexual evaluations. He will work with the PA's Office on some other options.
- Review of monthly case type count for FY2019, monthly case type count for August 2019, cases opened by date and case type, attorney active cases and clearance rates.
- They have adjusted how their office is working with recent personnel changes with some people leaving and new people starting. His intention is to now have two people covering the front desk/phones.
- Commissioner Van Beek asked if there was any interest from the Sheriff, PD or PA to put on a community forum for parents to get information regarding sex-trafficking and ways to protect their children. Mr. Bazzoli addressed what his department's potential role would be.

The meeting concluded at 10:35 a.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 10:35 a.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following:

- Waste amounts were up 6.05% for July, FY19 is up approximately 4.6%.
- Director Loper spoke about the gas collection/piping project and the preliminary work that has been done.
- CUP/Site Certifications are on hold right now; he is waiting to see where we're at with possible purchase.
- Wood waste contract is moving forward; they are trying to gather insurance information from the vendor and working with them on the transition. A new sign may need to be purchased to indicate the location for 'green waste'. Due to the amount of wood waste currently on site the current vendor will probably not be able to get it all addressed before the contract ends. Director Loper will work with the new vendor to remove the left over wood waste.
- The Household Hazardous Waste Collection event will take place on September 11, 2019 at the O'Connor Fieldhouse. The community seems to like the quarterly event vs. the yearly but some feedback has been received about it taking place on a weekday vs. weekend. They are continuing to work on ways to combine both weekends and weekdays for next fiscal year.
- Haul roads were constantly changing and putting water on them was the best solution for dust control but they are now to a point where they will be using one specific haul road and he would like to explore using some kind of dust control compound instead of just water.

- A Tetra Tech work authorization was discussed. The authorization is for the development and design of PB-16 which is the replacement well for PB-4. This has been budgeted for in FY20 but before it can be replaced it needs to be designed and DEQ and IDWR approve of the design. Director Loper will work with Brad Goodsell in order to go out bid.
- Dirt from Anderson Corner will probably start coming in this week so they are working with DEQ on the best process for accepting it.

The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REZONE REQUEST BY ROBERT AND SYBIL ARNETT, CASE NO. RZ2019-0018

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Robert and Sybil Arnett for a rezone, Case No. RZ2019-0018. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Robert Arnett, Sybil Arnett, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a rezone from an Agricultural zone to an R-1 (one-acre minimum average lot size) zone. The applicants are requesting this to allow the one-acre pasture to be sold off; that parcel has already been split through a land division and they are just asking for one more. The parcel is near other rural residential and R-1 zones and it's within an old subdivision that was created prior to 1979. Other cases have been approved allowing for R-1 and R-R and even R-2 zoning within the area. The future land use map shows this as a rural residential area, it is an area designated for some residential growth where eventually the City of Middleton will add it into its impact area. Soils are considered moderate to not good. This parcel is only three acres. It is in a TAZ area where it's not a huge amount of residential growth, it's more of a low density rural residential area for growth until the city can grow into that area. It is near where residential growth is anticipated. Canyon Highway District said they will have to use that existing access, to share the access, and they will have to dedicate a 10-foot right-of-way to the district as part of this. The request is unopposed. Staff is recommending approval. Robert Arnett and Sybil Arnett testified in support of their request. They have three acres and they have one acre they don't need. They have water rights but they don't have access to do anything with the land so they want to sell it and hopefully find someone to build a nice house on the property. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the hearing. Commissioner Van Beek made a motion to approve the request by Robert and Sybil Arnett for a rezone and to approve the Findings of Fact, Conclusions of Law and Order as well as the ordinance for Case No. RZ2019-0018. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 19-037.) The hearing concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 28, 2019

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

APPROVED CLAIMS ORDER NO. 8/30/19

The Board of Commissioners approved payment of County claims in the amount of \$868.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/26/19

The Board of Commissioners approved payment of County claims in the amount of \$137,041.26 for accounts payable.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Fair Director Diana Sinner left at 9:10 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing contract with Cole Architects for the Canyon County Fair Expo building project: The County went thru the RFQ process to select architect for the Fair Expo building design project; a number of proposals were received and the committee recommended Cole Architects. Mr. Wesley along with Directors Sinner and Navarro have been negotiating with Cole Architects on the scope of work which they have reached an agreement on and now have a final contract for the Board to consider. The contract includes the supplemental services such as the expert in fair design that they will use. The contract will come at a flat rate of \$149,500 for construction ready design documents. Director Navarro was very involved in the negotiation and made suggestions of items that could be broken out, such as landscaping and the concrete floor. If the county does chose to have some of the excluded items included at a later date there may be change orders to add those items. Mr. Wesley reviewed the items the contract includes at this time. Payment is phased so if it were to end the county would only be responsible for the work that had been done to that point. Cole Architects is aware the county would like the building to be operational for the 2020 fair. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the contract with Cole Architects for the Canyon County Fair Expo building project (see agreement no. 19-127).

Open proposals for FY2020 Southwest Idaho Juvenile Detention Center food and commissary services: One proposal was received from Summit on August 26, 2019 at 9:43a.m. The proposal will be sent to Director Jett for review and then will come back to the Board with a recommendation. A copy of the proposal is on file with this day's minutes.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:15 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 - REQUEST BY LONESTAR LAND, LLC FOR A PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR LS RANCH SUBDIVISION, CASE NO. SD2019-0016

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Lonestar Land, LLC, for a preliminary plat, and irrigation and drainage plan for LS Ranch Subdivision, Case No. SD2019-0016. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Lance Warnick, Thayne Warnick, John Cotner, Sam Huff, Tracy Kasper, Casey Collier, other interested citizens, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property was zoned R-1 single family residential on December 14, 2018, it is designated as residential on the future land use map and is also located within Caldwell's area of city impact. LS Ranch subdivision contains 91 residential lots and 11 common lots and is anticipated to be developed into four phases. It will utilize domestic water provided by the City of Caldwell, individual septic systems and pressurized irrigation. It will have internal public roads with stub roads to adjacent properties for future connectivity. Keller and Associates has reviewed the preliminary plat, and the City of Caldwell did not provide any objection to the plat. An email was received in which they indicated since no comments have been submitted there are no significant revisions needed. The Caldwell Engineer is a signatory on the final plat for projects within Caldwell impact area. Canyon Highway District has approved the plat as submitted, subject to the conditions outlined in Exhibit 7. Staff has recommended Condition of Approval No. 3 requiring the applicant to adhere to the requirements of the highway district. No written objections to the plat from the public were received. The P&Z Commission recommended approval on July 18, 2019. Staff is

recommending approval of the plat with the proposed conditions of approval as out lined in Exhibit 1 of the staff report. Lance Warnick testified on behalf of the applicant and said they have had numerous meetings with the City of Caldwell and the highway district. The configuration of the roads were primarily controlled by the highway district. Florida Avenue bisects the property from north to south along the quarter section line, it was intended to act as that main corridor. They are stubbing a road to the west and on the east side of the property. In terms of bringing water, there is a city well so they anticipate bringing a water main down Indiana Avenue and the farm access road coming through. They have an agreement with the adjacent property owner to create an easement through that property. A suggested condition is that the easement would have to be recorded prior to the Board signing the final plat. In regards to sewer, they would have to construct some type of regional sewer lift station but that's just not practical. At the time they rezoned the property the City of Caldwell outlined a detailed letter with their expectations and support of septic in this location. They have met with the health department and the fact that they do have access to city water does alleviate a lot of the concerns the health department had. With each phase of the project they will be excavating test holes and submitting a subdivision engineering report. They far exceed the minimum separation distance between septic systems and live water supplies so they don't have any concern about the proximity to the lake in terms of impact. Irrigation will be provided via two different sources. There is an existing well located in the southwest portion of the property, and there is also the Deer Flat Canal that goes through the easterly third of the property. Each will be used to create two systems that will each irrigate about half of the project; they will not be interconnected so generally the westerly portion will be irrigated with the existing irrigation well and the easterly portion will be irrigated with the surface water rights. With the development of the property they will be creating a pressure irrigation pump station at the northeast corner of the Deer Flat Canal at Lone Star Road. Following his testimony, Mr. Warnick responded to questions of the Board. John Cotner testified that his vision for developing high-end subdivisions and this location suits itself because of the topography with large acreages and view lots that will accommodate larger upscale homes. There will be four phases. They are working with a farmer to continue the farming of the upper phases while they are developing the lower phase. Phase one is believed to be go fast because there is pent up demand, but subsequent phases will be market driven. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said it's a good plan and it will be a beautiful amenity. Commissioner Van Beek said she appreciates the commitment to quality and then she made a motion to approve the request by Lone Star Land for preliminary plat approval of LS Ranch Subdivision, Case No. 2019-0016, and to approve the findings of fact, conclusions of law and order for LS Ranch Subdivision, The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 1:59 p.m. An audio recording is on file in the Commissioners' Office.

FISCAL YEAR 2020 BUDGET HEARING

The Board met today at 5:19 p.m. to conduct the Fiscal Year 2020 Budget Hearing. The hearing was held in the public meeting room of the Administration Building located at 111 11th Avenue North in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner Kathy Alder, Paul Alldredge, Thomas Tippets, various elected officials, department administrators and employee as well as other interested citizens, and Deputy Clerk Monica Reeves. Commissioner White said there is no careless spending or greedy grabs for unnecessary requests. She thanked the elected officials and department administrators for their participation during the budget process and for their thoughtful discretion in preparing their budgets. She also thanked the Clerk and Controller for their preparation of the budget book which has been a valuable tool for the budget preparation. Clerk Yamamoto said property taxes are too high. There are over 60 taxing entities in Canyon County and the tax bill contains more than just county taxes. If a person lives in a city one-third of their bill is for city taxes, one-third is for schools, one-quarter to one-third is for the County, in addition to the other taxing entities in an area. The county is required to provide certain services and the cost of those services has been rising partly from inflation but more significantly from growth and we are experiencing explosive growth. He spoke about how the state has a habit of passing costs down to the county levels, for example, Medicaid expansion. He also noted that the federal government has raised its fees for passports while lowering the county's fees for the same service. Those are examples of things that are passed on to us and consequently passed onto the taxpayers. He said we must take some burden off property tax whether it be local option tax, impact fees, or other options. Canyon County has implemented a compensation plan borne out of necessity and increased wages to attract and retain personnel. Past Boards of Commissioners did not seem to see the benefits to paychecks in parity with the community and consequently we had the Sheriff's Office with 25-30 vacancies at any given time because we were losing too many good people to better paying jobs. Additionally, our self-insurance plan that was on the verge of bankruptcy, but thanks to the efforts of this Board our retention of employees is beginning to work. He spoke of how this Board was forced to make up for all of the deferred expenditures of past Boards in terms of salaries, insurance, patrol cars, etc. The 2019 budget was a huge step toward catching that up so much so that we were able to leave the 3% on the table. He credits Commissioners White and Dale for the courage to get us back on solid ground and provide services at an appropriate level. Zach Wagoner reviewed the Fiscal Year 2020 Budget and a copy of the PowerPoint is on file with this day's minute entry. Revenues in the county are up in multiple areas; expenditures are in control and where they should be and because of those factors we are going to leave the 3% property tax increase of \$1.5M in the pockets of taxpayers. With a property tax request of just over \$54M, it's estimated that our 2020 levy rate will be .00357, which represents a decrease of 11% for FY2019. In his review of levy rates he went back to 1993 and did not find a levy rate that was lower than what is projected for 2020. He reviewed how the property tax levy is distributed and how property tax monies are being used. He reviewed expenditure budgets by type.

Some of the major initiatives Canyon County is investing in include:

Fair expo building - \$1,600,000

Elections equipment - \$3,500,000

Jail Pod 6 lease payment - \$2,250,000
Detention medical services contract - \$1,643,000
Compensation plan - \$2,560,000
23 New and Re-funded positions - \$1,396,422

It's wonderful news that we are not taking our 3% allowable increase and yet we are continuing to provide a high level of quality services.

Public testimony was offered as follows:

Kathy Alder thanked the Board for not taking the 3% increase. The last budget she worked on was 2015 and during that time property taxes were \$34M and now we're up to \$54M, and that's a lot of money in a short period of time. During that same time our other revenues were \$26M and now it's \$40M. The money has been brought into the coffers and we have put nothing aside for a jail and to be fiscally responsible we need a fund where the money goes into the jail. She hopes by not taking the 3% increase in property tax it's something that will continue on and she hopes that with the additional \$30M the County doesn't have to keep asking for more money. She said it would be valuable to the citizens if the County puts the salaries for positions, and the compensation plan itself, on the website. She said the \$4M capital investment fund includes election equipment at a cost of \$3.5M. She is concerned with the amount of money that's been taken in but we're still not putting funds aside to let the citizens know that the jail matters.

Paul Alldredge asked why the fund balance at \$40M is so large. Controller Wagoner said the largest portion of that is dedicated for the landfill enterprise fund of \$18M and those monies are restricted for landfill purposes including close and post-closure care. The \$40M is the total including all the County's government funds and the landfill fund. Fund balance is financial freedom, by having an appropriate amount of fund balance it allows the County to respond to any type of changes or emergencies. We strive for a level of fund balance in our current expense fund of 33%. Mr. Alldredge said the Board needs to consider impact fees with the rate of growth we are experiencing and the tax burden it puts on people who live here. We have been talking about the jail since 2006 and if we'd had a capital fund since that time the County would be well on its way to paying for a jail without a bond. He asked if there is an explanation for why we don't have a capital fund.

Thomas Tippetts works as a supervisor in the Sheriff's Office and he appreciates the work of County officials regarding retention and trying to hire qualified personnel. The raises for the department have been much appreciated and they are starting to see people wanting to stick around. Recently he heard there was discussion to forego raises and use that money to help fund a jail, but he thinks that would be an unwise choice because all the hard work would be for naught and we'd start losing people again. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted unanimously to close the public hearing. In response to the questions from the audience, Clerk Yamamoto asked how much they would like to see put into the capital fund, and where should the money come from? Kathy Alder said the Board should re-examine the county health care and perhaps it's time to have the employees help pay for the individual premium. She said the Board put \$10M

into the health fund, which is self-funded so we need to figure out how to make it self-funded. Controller Wagoner said we call it self-funded because we pay ourselves and then we pay the claims; the idea is we have good experience we keep that money to use in future years. Contributions were not increased by \$10M, the fund was nearly bankrupt a few years ago and we increased contributions by roughly \$4M. The total contribution from the county was around \$10M. Commissioner White wants to budget \$500,000 for that fund every year. Commissioner Van Beek said we have expiring tax incentives and we could look at taking a portion of new construction. She thanked the elected officials, department administrators, and employees and said she is committed to working together with mutual trust, respect, and transparency that includes the taxpayer. The County is in sound financial position and that happens with good leadership. She spoke about having the opportunity for elected officials and department administrators to meet with a facilitator to help coordinate and look at the needs for personnel and capital improvements. She recognizes there is a push to look at impact fees, but it's a complicated process that needs to be reviewed. Regarding Mr. Tippet's concern, Commissioner Van Beek said she spent a lot of time with the compensation committee and that plan is impressive. The average salary in Canyon County is \$45,000 and we have a range that's lower than that and a range that's higher than that and we looked at a lot of different ways to make that feel more equitable to the taxpayer at a higher pay scale and that's where her comment was borne out of. She appreciates law enforcement and the work they do. Commissioner Dale thanked the Clerk and Controller who do an incredible job keeping the County going in the right direction. The building of the budget is a team effort and we have incredible public servants who work to provide services the citizens deserve and need and they try to do that in the most efficient and effective manner possible and they do it in a dedicated way. He then gave an example of how the facilities director recently saved the County \$50,000 by getting a bid on planters associated with the Pod 6 project, and he referred to other departments who work hard to save the County money. He said the budget is responsible and conservative and acknowledges the need to keep up with annual inflationary costs. It holds the line on spending while acknowledging there is a cost of doing business and that cost of providing services continues to increase on an annual basis. It maintains margins with which our financial experts are comfortable. Commissioner Dale is an advocate for impact fees and we need to explore impact fees for public safety. He is in favor of putting money aside for a jail, but we'll still need a bond at some point although he understands that if we had more of a savings account we could use that to pay down what we need to ask for in a bond. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Board to sign the resolution adopting the budget for FY2020. (See Resolution No. 19-134.) The Board also signed the 2019 Dollar Certification of Budget Requests (also known as L-2 worksheets) for Canyon County, Pest Control and Melba Gopher. The hearing concluded at approximately 6:20 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 29, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Jim's Metal Works in the amount of \$24,003.00 for the Facilities department

APPROVED MAY 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of May 2019 were read and approved and found to be a proper record of the proceedings of the Board of 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 MEDICAL INDIGENCY DECISIONS

The Board met today at 8:48 a.m. to consider medical indigency decisions. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1150, 2019-1258, 2019-1236, 2019-1279, 2019-1182, 2019-1208, 2019-1114, 2019-1222, 2019-1047, 2019-1163 and 2019-1297. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days.

Commissioner Dale made a motion to place case nos. 2019-1216 and 2019-1263 into suspension pending a resource. 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.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-839

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for case no. 2019-839. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Ashley Hesteness with St. Lukes, Representative of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale 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 9:12 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-769

The Board met today at 9:18 a.m. to conduct a medical indigency hearing for case no. 2019-769. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Becky Herrera with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-787

The Board met today at 9:44 a.m. to conduct a medical indigency hearing for case no. 2019-787. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Jim Rice for the applicant, Becky Herrera for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the case to September 26, 2019. The hearing concluded at 10:00 a.m. There are two audio recordings (one starting at 9:44 a.m. and the second at 9:47 a.m.) on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-741

The Board met today at 10:06 a.m. to conduct a medical indigency hearing for case no. 2019-741. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Timothy Ryan for St. Alphonsus, Dahlia Torres for St. Lukes, Applicant and acquaintance and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the case to September 26, 2019. The hearing concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-628

The Board met today at 10:21 a.m. to conduct a medical indigency hearing for case no. 2019-628. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Bryan

Nickels, Donna Sharp with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the case to October 24, 2019. The hearing concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-879

The Board met today at 10:06 a.m. to conduct a medical indigency hearing for case no. 2019-879. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Donna Sharp with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 10:45 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-728

The Board met today at 10:49 a.m. to conduct a medical indigency hearing for case no. 2019-728. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Timothy Ryan with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to continue the case to October 24, 2019 but at the request of the hospital made an amended motion to continue the case to December 19, 2019. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-770

The Board met today at 11:04 a.m. to conduct a medical indigency hearing for case no. 2019-770. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Becky Herrera with St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve 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. 2019-582

The Board met today at 11:11 a.m. to conduct a medical indigency hearing for case no. 2019-582. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Donna Sharp with

St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale 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 11:13 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-727

The Board met today at 11:16 a.m. to conduct a medical indigency hearing for case no. 2019-727. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Bryan Nickels for St. Alphonsus, Steve DeVille with St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the case to October 24, 2019. The hearing concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 11:21 a.m. to consider indigent matters. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for case nos. 2019-831 and 2019-752. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record.

Commissioner White made a motion to continue case no. 2019-817 to October 24, 2019. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue final approvals with written decisions on cases 2019-708, 2019-768 and 2019-790.

Commissioner Dale made a motion to issue a final denial with written decision within 30 days on case no. 2018-1452. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue final approvals with written decisions within 30 days on case nos. 2017-557, 2018-617, 2017-988 and 2017-1657.

The meeting concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER

Note for the record: As properly noticed the Board met today at 11:31 a.m. for a legal staff update and a request was made to go into Executive Session.

Commissioner Dale made a motion to go into Executive Session at 11:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) to discuss a personnel matter. 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 Pam White and Tom Dale, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:45 a.m. with no decision being called for in open session.

PUBLIC HEARING – APPEAL BY DORIS FUENTES FOR A VARIANCE, CASE NO. ZV2019-0002-APL

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Doris Fuentes for a variance, Case No. ZV2019-0002-APL. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Randall Falkner, DSD Director Tricia Nilsson, Todd Lakey, Doris Fuentes, Tim Tyree, other interested citizens, and Deputy Clerk Monica Reeves. Randall Falkner gave the oral staff report. The P&Z Commission denied the variance request of 17 feet, 6 inches to the rear setback requirement of 20 feet in the agricultural zone to allow an existing structure to remain 2 feet 6 inches from the rear property line. The actual measurement from the eave to the property line is 12 inches so it is a request of 19 feet, not 17 ½ feet. The property is zoned agriculture and is designated as agriculture on the future land use map. No comments or concerns were expressed by agencies. The P&Z commission denied the application based on variance criteria, consistency with comprehensive plan property rights policy no. 11, which states property owners shall not use their property in a manner that negatively impacts surrounding neighbors or neighborhoods and based on variance criteria conflicts with the public interest. They found that based upon testimony from the property owner to the north the request for the variance will have a negative impact as a result of incompatible uses, create material injury, unsafe conditions, and deprive the property owner from the use of their property. The adjacent property owner, V&L Ranches, is opposed to the request. Staff believes their request is consistent with property rights policy no. 1 and no. 11. The parcel is limited in where they can place the home because of well and septic and absorption fields and other structures currently on the property. Staff does not find evidence that the variance would deprive property owners of property rights; the variance does not appear to create material injury or unsafe conditions to adjacent property owners or deprive them from the

use of their property. It is a limited site; irrigation pipe runs along the back and staff believes that would provide sufficient space for farming activities. Staff is recommending approval of the appeal and recommends the Board grant the application for a variance of 19 feet to the rear setback requirement of 20 feet to allow an existing structure to remain one foot from the rear property line. Staff recommends the condition that the applicant must apply for a building permit prior to occupancy within 30 days of approval of the variance. The Board had follow-up questions for staff. Todd Lakey testified on behalf of the applicant who he said received bad advice that they did not need a building permit. Their action was not intentional and as soon as they learned about it they stopped and submitted the appropriate applications. He said the Board should approve the request because the variance is needed and appropriate. This is for a secondary residence, it's an allowed use in this zone and is something they are entitled to get. They don't have to get a rezone or apply for a conditional use permit as long as they meet those secondary residence criteria. The zoning in this case is the stronger policy question, setbacks are a subset of that and a variance provides for allowed uses that may not fit under the existing state of a current site. You cannot say that because somebody is violating a setback that they are violating public policy, because they are an allowed use and if they meet the criteria they can have a variance. That setback can be modified under the appropriate circumstances. In this case we meet those criteria for a secondary residence. The owner lives on the property and there will be a secondary address. It's a small modest home and fits well within the site. There was an allegation that the eaves extended over the property line but that's not the case. It abuts an 8-acre parcel and in the past it's been an alfalfa field. It presents minimal risk to the agricultural operation from a fire standpoint; the greater risk is to the owner's fence. It is an allowed use in this zone. With a variance you look at the characteristics of the site and whether that creates an undue hardship. His clients are of modest means and not granting a variance would be devastating to them financially but that's not the primary focus. The primary focus is on the characteristics of the site. You look at what exists as far as allowed uses, existing features and structures, in other words you don't have to knock things down that are on the site currently to grant a variance. You look at those things in determining the characteristics of the site and whether a variance is appropriate and each site is unique. Complying with the setback would create a hardship; it presents significant safety risks. It is not in conflict with the public interest. The purpose is to allow deviation from a setback standard for an allowed use. From a safety, regulatory, and access standpoint this is the proper location for that home. The location of the house in this spot is safer than compliance with the setback. It minimizes the proximity to the adjacent homes and shop. If you move it forward to comply with the setback you are almost touching the shop and that's an 8-10-foot strip of grass. Putting habituated structures in extreme proximity to each other creates a risk of fire spreading between the structures and creating a more dangerous situation than currently exists with the house in this location. The human safety aspect of this far outweighs that small risk. If moved past those homes you will have a similar situation only caddy corner then you're blocking primary access to the site and you would have to locate the drain field to behind the property and it simply doesn't fit. It's an allowed use that meets the criteria for a variance and it's the proper location on this site based on the human safety factor and the regulatory compliance with existing facilities that are part of the site characteristics. Southwest District Health has approved the septic system in its current location.

Attorney Tim Tyree, who represents V & L Ranches, the neighboring property owner, testified in opposition to the request. This person built a home without a permit and now they are seeking a variance to allow them to break the county rule and in essence you will incentivize others to seek forgiveness rather than permission. Had they sought a building permit he doubts it would have been approved. Not once has his client heard from the applicant or her representatives. What the Board is being asked to do is take his clients' land without any input, or a please or a thank you. Nor has legal counsel reached out to work something out. The characteristics of the site do not create an undue hardship. There's been a lot of discussion about the financial burden this will impose upon the applicant but the financial hardship is not the component, it's the characteristics of the site that is the determining factor. The variance does not meet the standards of the comprehensive plan which promotes buffering and talks about certain types of land uses that are inherently incompatible and must be shielded or separated from each other. Some of the methods to achieve that shielding are land use and distance separation setbacks. A goal is to protect agricultural lands and land uses from incompatible development, and to protect agriculture operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development. If you were to grant this variance it will harm the land. The property is within the area of impact for the city so it's not always going to be agricultural land, someday it will be a future development and we will now have a house forcing further setback requirements on to it. To put that home in its location and to allow it to remain in that location impacts the danger to everybody else and it's incompatible with the existing land uses. It was built without a building permit, we don't know the safety of that house. We have an unknown element literally one foot off the property with hundreds of acres and if there's a fire in that home all of that property is at risk. The characteristics of the site create an undue hardship. To blatantly say there is no other area to put the house does not ring true. Moving a water line is not an undue hardship. The component is the site must create the undue hardships, not the financial component and that's just not the case here. There is more than enough room to build a secondary residence on that property. The characteristics of this site do not merit the variance being sought. The testimony at the previous hearing was that the contractor had built multiple homes in Canyon County and now to say they got bad advice that they didn't know a building permit was required just didn't ring true to the P&Z Commissioners and now the excuse is they didn't think they needed a building permit. This home was built and it was only when they got caught are they here today. If you allow this you are allowing someone to seek forgiveness rather than permission, permission that never would have been granted. Mr. Tyree said this is in conflict with the public interest. He referred to an Idaho Supreme Court case *Wurrell vs. Kootenai County* where a platform was built within the setback of Lake Coeur d'Alene and the platform was built without a building permit and had been done multiple times and the county said we are not going to grant a variance because you built these platforms without a building permit and to do so would be against the public policy. In the future his client is going to develop that property and now they are being forced to push everything back in order to create that safety. The impact to his clients' property is against the public interest, and he will be forced to lose a portion of his land. During rebuttal Mr. Lakey said Mr. Tyree stated that the Fuentes' have not communicated with the neighbor to the north, but that is incorrect. When the father was working on the home he had an "over the fence conversation" of is this okay, are there any concerns, and none were expressed at

that time. Ignorance of the requirement is not the issue. Does it meet the criteria, is this the appropriate place for the house based on the site characteristics that you have. It's also incorrect that a variance is incentive; it is unique, it's required by code to be unique. You look at the existing site and the characteristics of that site, what is lawfully on that site currently – the sheds, the homes, the accesses – and you take all those things as characteristics of the site, you don't have to move those things. It's indicative that staff is supportive, they feel like it meets the criteria to have a variance granted so it's more likely that it would have been granted based on staff's analysis. This is not a taking of the neighbors' property, it is on their property. It does not extend over to the other side. It's an allowed use in the zone. The question is, is it the appropriate location on this site for that home. The risk to an individual outweighs the risk to the fence and the minimal risk to potential irrigated agricultural operation to the north. If you put those structures that close to one another you are creating a significant risk to individuals. A fire starting in one can move to the next to the next and that should be the main criteria. You're going to put more of the structures in immediate close proximity to each other unless you move it all the way past those front lines and then again you can't do it because of the existing approved facilities that are on there, nor could you put a drain field and a replacement area in back because of the well location. This is a use on his client's property and it's the most appropriate location based on the site as you find it now.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek said she appreciates what the applicant has brought forward and disclaimed the financial hardship, the emotional hardship, and the safety concerns, but she doesn't have any findings of fact or conclusions of law that would support those kinds of emotionally-based decisions. She appreciates Mr. Tyree's letter and comprehensive testimony and the clear nexus to the use of Idaho Code in citing precedent in a land use taking. Because this home was placed in proximity to the line should the owner of the farm ground choose to develop in the future it will cause that amount of ground for that buffer to be pushed into the neighboring farm ground. They have been farming for a number of years and they have been there prior to the building of the house. She said there is a code enforcement issue on the property. She also pointed out that this year alfalfa is in the adjacent field and if it becomes a grain field that presents a danger for the farmer. Equipment could hit the shop creating liability. If we cannot legally put a home and drain field on a site that is oddly shaped then maybe that home doesn't belong there. She will not approve the variance simply because it's not laid out or platted. The P&Z Commission denied this for a reason and she's going to uphold their reasons for denial and applaud Mr. Tyree's outline of the use of the code. The safest thing would be to have been in compliance on the front end. The contractor had to know he needed a building permit and any number of different home configurations could have been used. If we make a decision based on compassion it gives us no clear foundation on which to evaluate and weigh the merits of the case if we step outside of the findings of fact and conclusions of law. Commissioner White said there is a hardship and unfortunately the hardship is having to move the house that's already been built and it's unfortunate because she doesn't think there are other places on the property that it could be moved to and it is much easier to move a water line than a house. In looking at the overall site there is more than just a human safety factor in the buildings being too close. That site needs to be cleaned up. There was no taking of the land, there were no inspections, no building permit and so that assumption just

becomes so big. There's a huge liability and she will not support the request. It is her hope that both parties can get together and figure out how this can be solved. Commissioner Dale said he is on the other side of the issue. The findings of fact and conclusions of law support a variance. This is not strictly a decision that's made based on the emotional or financial hardship. Each case is unique and it's clear in the code that each variance is unique and it does not set a precedent for future cases because each case has to be evaluated on its own merit. There is no taking of the neighbor's land. You are not allowed to let farm equipment extend into your neighbor's property, likewise, if you're spraying herbicides or pesticides you have to make sure there is no wind drift onto your neighbor's property. He agrees with staff, this does not negatively impact the neighbor. When you look at the lack of a building permit that is a huge problem, and he accepts the testimony that there was no criminal intent to violate the code. This would have not required a plat in any case, it is allowable to put a secondary home on this property. This parcel is unique and presents its own hardships and how do you locate the allowable second house on this parcel. It allows an opportunity for some protected common area in front of the new house to the side of the old house and in front of the shop. We are allowed to grant mercy and that's what he leans towards in this case and he believes there are findings of fact and conclusions of law that establish the uniqueness of the characteristics of this lot that make him lean toward granting the variance. Commissioner Van Beek said the findings of fact and conclusions of law to deny this request far outweigh those in support, and then she made a motion to deny Doris Fuentes' appeal for a variance, Case No. ZV2019-0002-APL. The motion was seconded by Commissioner White. A roll call vote was taken on the motion which carried by a two-to-one split vote with Commissioner Dale voting in opposition to the motion. The written findings will be brought back on September 12, 2019. The hearing concluded at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2019 TERM
CALDWELL, IDAHO AUGUST 30, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- SHI in the amount of \$2321.60 for the Information Technology department
- Pacific Steel & Recycling in the amount of \$9258.70 for the Parks department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Cowgirls to be used 9/21/19 for a wedding.

APPROVED CLAIMS ORDER NO. 1924

The Board of Commissioners approved payment of County claims in the amount of \$1,651,884.88 for accounts payable.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of Development Services Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Amendment to Chapter 7, Article 2, 9,10,14,17, and 19, Zoning Regulations of Canyon County Code Ordinances and Consider signing Summary of Amendment to Chapter 7, Article 2, 9,10,14,17, and 19, Zoning Regulations of Canyon County Code Ordinances: Zach Wesley said this relates to two recent ordinance amendments. Comments were received back from Sterling Codifiers regarding the flood overlay ordinance. They have worked with the DSD staff to evaluate the comments and make changes as necessary. Additionally, the mixed use ordinance amendment was never published so they combined these two actions to address the “housekeeping” items on the flood overlay and then the formal adoption and publication of the mixed use zone. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign Amendment to Chapter 7, Article 2, 9,10,14,17, and 19, Zoning Regulations of Canyon County Code Ordinances and the Summary of Amendment to Chapter 7, Article 2, 9,10,14,17, and 19, Zoning Regulations of Canyon County Code Ordinances (see ordinance no. 19-038).

Commissioner Dale asked about creating an ordinance regarding exploding targets in the county. Zach Wesley said this could be possible although a little more research may be needed to make sure there aren’t any federal or state exemptions. Mr. Wesley said he would take it back to his office for further direction as to if he will be working on this or if it could be assigned to another attorney. The meeting concluded at 9:13 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 LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 9:15 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:15 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 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 White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Commissioner Leslie Van Beek arrived at 9:28 a.m. The Executive Session concluded at 9:47 a.m. with no decision being called for in open session.

PUBLIC HEARING – CONDITIONAL REZONE REQUEST FOR MAMLS, LLC, CASE NO. CR2019-0001

The Board met today at 10:06 a.m. to conduct a public hearing in the matter of a request by MAMLS, LLC, for a conditional rezone of approximately 54.92 acres from an “A” (Agricultural) zone to a “CR-R1” (Conditional Rezone/Single Family Residential) zone. The subject property is located at 24085 Blessinger Road in Star, Idaho. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Todd Lakey, Derritt Kerner, Heath Van Patten, Kim Schmidt, Greg Timinsky, Shaun DeYager, Karl Pedersen, Paul McNamara, Mark Butler, Jennifer Babas, Angie Rieger, Ashely Allen, Jenah Hanson, Trevor Knesal, Stan Delap, Kimberly O'Donnell, Katheryn Whitney, Mike Walters, Devin Shively, George Estes, Rosalyn Studarus, Ryan Warden, Gary Eldridge, Tracy Rauch, Johnathan Kelly, Ursula Warden, Daniel Ludwig, and Deputy Clerk Monica Reeves.

Jennifer Almeida gave the oral staff report, addressing new exhibits there submitted and were subsequently included in the hearing file. The future land use map shows this property as residential and it is located within Middleton's impact area and is designated on the city's map as low-density residential. The surrounding area is agriculture and residential in nature. There are platted subdivisions adjacent to the property. The average lot size of platted lots in subdivisions within one mile is 1.98 acres. The property is shown as agriculture on the zoning map. There are residential zoning districts located northwest and south of the subject property. The property does not have frontage on a public road. Blessinger Road terminates north of the property and terminates at the intersection of Lonesome Wolf Way which is located south the property. Canyon Highway District noted that the threshold for a traffic impact study is 52 lots; however, the district may waive the TIS requirement if no outstanding or special circumstances are identified or the proposed improvements are sufficient to mitigate any traffic impacts from the subdivision. If a TIS is required it will be submitted with the preliminary plat. ITD indicated this property has the potential to connect Blessinger Road, north and south. If the connection is part of the development ITD will require a TIS to analyze the impacts to the intersection of State Highway 44 and Blessinger Road. Middleton Fire will require access roads be provided and maintained; district stated the extension of Blessinger Road will give a secondary egress for

the developments that are accessed from the north end of Blessinger Road. Minimum fire flow and duration requirements must be met; however, they did note that as an alternative fire sprinklers could be used. On June 6, 2019 the P&Z Commission recommended denial of the conditional rezone finding that it was not compatible with surrounding land uses and that an RR rural residential designation would be more appropriate. They found a conditional rezone would negatively change the character of the area by introducing smaller lot sizes. Staff has prepared findings of fact and conclusions of law and order as well as proposed conditions of approval for the Board's consideration. There are no surface irrigation water rights available to the property.

Testimony in favor of the request was as follows:

Todd Lakey, the applicants' representative, testified this is an area that's both zoned and planned for residential growth by the County, the City of Middleton, and the City of Star. This isn't just about the lot sizes and the existing subdivision, it's about the entitlements that are out there. The nearby Willowbrook Development is conditionally rezoned to rural residential but that's an old designation with one dwelling unit per acre, but it also has a development agreement that requires community water and sewer which allows for half-acre lots, or two dwelling units per acre density so that's 463 acres of two dwelling units per acre immediately caddy corner to the subject property, and it requires 10% open space so that will be significantly smaller lots. Mr. Lakey said the request fits with the existing zoning and density, in fact, their project is less dense than the existing zoning that's out there. They are within the City of Middleton's low-density planning area within their comprehensive plan. The Willowbrook Development applied to Star for annexation and they were looking at a two-dwelling unit per acre, but they withdrew their application to do some redesign and since the City of Star has updated their comprehensive plan they are strongly considering applying for three dwelling units per acre. Mr. Lakey said they do not want to be a city project, they want to be a quality rural estate project that fits with the current development in the area. It will maintain lower density. He said the land is not farm ground, it's never been farm ground, perhaps there has been historical grazing, but it's sagebrush and there are no irrigation water rights and that's another good reason to have something closer to one-acre lots in size for maintenance and fire suppression. If the goal is preservation of prime agricultural ground and to locate things primarily in the impact area then this is exactly where it should be. There are some old low infrastructure, low cost, lower density subdivisions out there but they have gravel roads that are lower standard than what the applicants are proposing. There are 28 subdivisions within one mile; 88 lots within one mile that are under one acre in size, 155 lots within one mile that are one to two acres in size and those are the most comparable to the proposal. Mr. Lakey spoke about the project design. They were going to go to the north with Blessinger Road; they had 7.42 acres of open space but the neighbor to the north was not inclined to sell, at a reasonable price, a small piece of land needed to connect so now they have half right-of-way that allows for emergency access but it's not a full extension of Blessinger Road. They spoke with the fire district and walked the site with the highway district their preference was to connect Blessinger Road to the south so they redesigned and agreed to connect Blessinger to the south. It's a major collector road and the applicants are willing to bear that expense but in order to do those extra improvements they need the requested density of this project. After the P&Z Commission hearing it was clear those in opposition didn't give a lot of weight to the 7.4-acre common area to the south, they simply preferred larger lot sizes. The applicants re-drew the design

in response to that and we are happy to do the initial design with the 7.4 acres of common area. It extends the lot lines and removes the common area and increases the lot size on the project, reducing liability. They will do similar homes to those in Sage Canyon Subdivision and they will be higher quality residential estates. They are upgrading the infrastructure and providing a significant increase in public safety with what is proposed. They are not proposing a minimum lot size. The development agreement limits the project to 37 lots on 55 acres; the largest lot will be 3.44 acres and some will be right at one acre, but nothing will be less than one acre. Mr. Lakey responded to questions from the Commissioners following his presentation.

Derritt Kerner is the design engineer for the project. They worked with agencies to conclude the property is suitable for residential development. There are no water rights. They dug 38 test pits on site and brought on a geotechnical engineer and worked with Southwest District Health. Even with the one-acre lot size there is a suitable septic drain field that can be designed for each lot. They concluded the property is suitable for individual wells. The water situation is good and it's anticipated to be around 100 feet deep, depending on where you're at in the rolling terrain. They worked with the highway district on the Blessinger Road alignment and a lot of preliminary design went into that, more than what you normally see with a rezone application because they wanted to make sure that arterial roadway was feasible, and it is. They are going to bring Blessinger Road in from the south. The situation on the north property is only a half right-of-way because the other neighbor is not willing to participate so they are bringing it in as close as they can on the subject property and then it will be up to the highway district to make that connection. Regarding the concern about preservation wetland area, Mr. Kerner said they will not do any construction activities except for the crossing of Blessinger Road itself. They will not disturb the foliage.

Heath Van Patten is a real estate agent and he's been collaborating with the developers and builder and they have expressed extreme quality and he believes it will be an impressive subdivision. They are community focused and want to do the right thing and take care of the subdivision. Mr. Van Patten spoke about the real estate market noting there are a lot of buyers coming to the area and there is a demand for one-acre lots and larger.

Kim Schmidt is the marketing coordinator for this project and she supports the request.

Greg Timinsky said the area is growing rapidly and more connections from State Street to Purple Sage Road is very important to the fire district. Their response times from either the Ada County side or the Canyon County side to some of those places in the area is over 15 minutes and with the increased traffic on Highway 44, Lansing Lane, and Can-Ada Road the connections on Blessinger Road is huge in terms of response time. There is very little water supply up there and so developers have agreed to do the residential fire sprinklers which definitely helps the district. Mr. Timinsky said Ada County has a wildland and urban interface that would start at Foothill Road and it changes to Beacon Light further to the east and above. You have to build to that interface code, but we don't have that code on the Canyon County side although they are starting to work on it. The Commissioners asked questions about fire suppression. Mr. Timinsky said we have the potential for a perfect storm - we have the microbursts that cause 50-100 mph winds and we have dry lightning and if that hits anywhere in the area with windy conditions it would be catastrophic. He said the development would remove a lot of that fuel, but it also puts people where there currently aren't any.

Karl Pedersen testified he is one of the developers and is also a builder who's built homes in the neighboring subdivisions. They submitted some numbers on the analysis of lot sizes in the area because they wanted to look at the different types of lots compared to the subdivision they are providing. Their analysis included: the comparison of lots that were actually in subdivisions, not just lots in the area from old plats; the subdivisions also had to have paved roads; they didn't require every subdivision to have a paved driveway, but the majority of lots had paved driveways and so with that criteria they also eliminated common lots so if a subdivision had a non-buildable lot they removed it from their analysis. What they came down to was 138 lots within a one-mile circumference of the area and of those 138 lots, the average lot size on the basic average was 1.306 in size. When they used the geometric mean they we came down with an average lot size in the area (excluding their subdivision) of 1.238 acre in a size of lot. The most common lot out of the 138 was .92 and the median was 1.145 acres. The majority of the lots out there are under 1.2 even in geometric means, which means there are a few outliers that are little larger. The size we are looking at 1.00 to 1.5-acre lot is within the actual size of the comparable subdivisions in the area. The lot closest to the west is over two acres in size and they go down from there. The lots are around 1.5 to 2.5 acres along the south ridge. The smallest lot is one acre and it's closer to Sage Canyon which ends at the corner of the subject property. He built a lot of homes in Sage Canyon Estates which piqued his interest in this property because of the demand from buyers in this size range. Mr. Pederson testified he has had the property under contract for over a year and they closed on it approximately one month ago. He is not the previous owner.

Paul McNamara testified that he is one of the owner/developers of this project and he spoke of the development process they followed to get here, their conversations with agencies, and the high quality product they want to turn out. Mr. McNamara responded to questions from Commissioner Van Beek regarding septic, slopes, and placement of homes.

Mark Butler is a land planner who spoke about the Northstar Roadway Construction Analysis with regard to the roadways they are building compared to the roadways that are typical for some of the larger lots in the surrounding area. The grading of Blessinger Road will cost \$375,000, the collector is \$364,000, and the internal roads are \$308,000. Having to build Blessinger Road is not proportionate to their development. It is a public interest, and of course they need it for their connection but they are building something that the public has needed for many years and it's very expensive. They will comply with Ada County's Wildlife Interface Ordinance and he's hoping with all of that in mind the Board won't take any if their lots. Commissioner Dale asked what the ultimate goal is of the urban interface proposal. Director Nilsson said it's to try to prevent the transmission of fire both from a source in a hazard area to other areas and also defensive of keeping fire away from an occupied structure. In response to questions from Commissioner Van Beek, Mr. Butler said they initially thought it would be a great idea to have a community water system and fire hydrants, but the cost in that location was so extreme it killed the project. They are not planning on a community water system. He said there may be some things they need to iron out with staff. Commissioner Van Beek said she wants to review that document. Ms. Almeida said the only recommended condition made by staff was in the development agreement, Condition No. 11: that the applicant adhere to the letter from the Middleton Fire District which would allow them to install fire sprinklers since they were not able to supply the adequate fire flow. Mr. Butler said the document is very complex and detail oriented and is

not the typically what is see during the rezone phase. He suggested the Board add language to the development agreement that says upon submittal of the preliminary plat staff shall work with the developers to incorporate sections of the Ada County code on the wildlife interface for view and approval by the Board when the plat is considered.

Jennifer Babas and **Angie Rieger** are realtors with Next Home Realty and they voiced their support for the project.

Testimony in opposition was as follows:

Rosalyn Studarus is opposed to the project. She lives in the neighborhood and she walks Blessinger Road every other day. She loves the agricultural view and the wetlands. Ms. Studarus said there is an airport nearby and it needs to be addressed so that people know airplanes will be using it. She appreciates the owners and their right to have their property and use it the way they want to, however, she asked that they consider making the lots a minimum of five acres to preserve the rural character area.

Ryan Warden represents the Blessinger West neighborhood and the collective neighbors around the subject property. He is a landowner in Blessinger West and a spatial data expert, a technical expert in hydrology, and a professional licensed geologist. Most of the neighbors have two or more acres and they moved to the area to have the privacy, agriculture, night gazing, safety and to enjoy the nature that comes with dirt roads and the rural atmosphere. He spoke about the wildlife in the area. Many neighbors farm and ranch on their property. He has horses and he commercially raises chickens on his pasture land. Other neighbors raise cows, sheep, goats, and bees. It's a small agricultural community and there are certain types of buyers that value this; in fact, when he purchased his house in 2014 the road was jammed with buyers to compete for the house with the small acreage. There is value in having bigger property and being in an agricultural community. Attesting to the spatial data, he used the same statistics from Exhibits 6 and 8, as far as statistics go a simple average is an inappropriate way of understanding how to figure out an average, and the geometric mean doesn't necessarily get it. It does weigh it, but it doesn't weigh it correctly to understand what is in a spatial area. They took a spatial radius and said within a spatial area how many subdivisions there are and that automatically gives you a certain area that each lot is affiliated with and when you do a statistic with spatial data you to actually weigh it to the space that it contributed to otherwise you're biasing it to the higher frequency. Even in a geometric mean it still has a bias towards the higher frequency even though it's starting to offset it. Going through the spatial average he finds it's more appropriate to have 3.34 acres for a spatial average, it weights it to the lot size, so if the lot size is bigger it gets a heavier weight because it fills in that area more and a small lot size would have a less weight because it has less of that overall average. We think the area is more represented and that does not include the other acreage out there that's not a subdivision. There are 13 properties that touch the boundary of this area; 12 are above two acres, only one property is less than 2 acres. The developers are proposing much smaller lots than what they are putting on the boundary. Mr. Warden said they are not against the development they just want to make sure they are in the same characteristic of what's around. He would like it to be rural residential because it fits with what's already there. They are against any access or walkways that come off this property into their neighborhood, and they would like to have any lots touching the boundary be designated as transitional lots and be of equal or greater acreage than what they are being bounded to so they do not lose that characteristic, and they want any ridge homes to be limited to one-story so that existing homes aren't going to lose any

viewpoints. They want the new homes to incorporate dark sky lighting so they can continue to have night gazing. In order to maintain privacy they want to have a setback of 100 feet so that we don't have a house right next to the boundary line. He agreed with Todd Lakey's letter which stated the character of the area consists of larger residential estates, it's just the residential characteristic is greater than two acres. The fact they are proposing a smaller lot size and now their new option is brand new, but the usable lot size is very small because most of that is unbuildable due to the slope. The area is open agricultural land and rural residential country living. The traffic is bad on Blessinger Road and it is dangerous in some areas due to the slope and reduced visibility. Trying to connect Blessinger Road to the other side is a hazard as the road cannot sustain much more traffic. There are ground water rights available if the developers choose to apply for them. There are examples of productive pasture and that can be grown on this land. High Desert Station asked him to mention that they are required to have a 15,000 gallon fire suppression tank on the property as part of their permit and they wonder why that is not required of this development given the fire hazard. Septic and water will impact the neighbors because they are down gradient of that area. They want to see a quality and quantity aquifer test to make sure there will be no impact to the subdivisions and people who are currently irrigating.

Gary Eldridge lives on six acres approximately 150 yards to the west of the proposed project and he is opposed to the request. He said the information regarding the average lot size in the area may be skewed and he suggested that for Lanktree Estates over 20 properties range in size from 2.5 acres to 15 acres or more. He sought this property for the luxury of country living and for the peace and quiet and during his search he was assured this type of development could not happen in this vicinity. Mr. Eldridge said there is no more risk of fire on this parcel than there is from an adjoining wheat field. He believes the terrain of the property with its slopes will require extensive grading and excavation to make it inhabitable or buildable. The neighbors are opposed to the years of dust and noise that will occur during the building process, and they are not in favor of this density of population encroaching into their neighborhood. He is an astronomer and he seeks out dark skies and he is concerned about the light pollution the project will generate. Additional concerns include traffic congestion, the potential impact of individual wells will have on the water table, and the potential hazard hilltop homes could create for aircraft approaching or departing the nearby airport. He would like the developer to reduce the project to four or five houses on the entire parcel.

Tracy Rauch lives on Willis Road and owns the High Desert Station (an event center). She is not totally against the project but she does have concerns which include: the potential impact individual wells and septic systems could have on adjacent properties, risk of fire hazards, traffic congestion, and the need for the wildlife corridor along the canal to be maintained

Jonathan Kelly testified that he works at DZONE Sky Diving and operates out of the nearby airport. He spoke of his experiences with flying over the property and the potential for a dangerous situation if houses are placed on the ridge, which is in the flight path.

Ursula Warden lives in the Blessinger West Subdivision and she testified how airplanes fly directly over her house dropping multiple skydivers, sometimes all day long. She moved to the area for the rural lifestyle and she is concerned about encroachment on her property by people who don't understand the rural lifestyle or safety issues associated with living in the country. They own a chicken business and have neighbors that have commercial rights to

agriculture and raise sheep and dairy goats, and another who is trying to start a floral shop on her property. She spoke about the demand for large acreages and her desire for the developers to consider five-acre lots instead of their current proposal.

During the rebuttal phase Mr. Lakey offered additional exhibits. The Willowbrook project is allowed to have two dwelling units per acre but that fact has been largely ignored by those who testified in opposition regarding character of the area. There are 28 subdivisions within one mile, 88 lots under one acre, and 155 lots in the one-two acre range. Sage Canyon, which is located adjacent to the subject project, is mostly one-acre lots. He said Mr. Warden is comparing apples and oranges, but Mr. Pedersen's information compares apples to apples. There are 138 lots in subdivisions that are similar to this one and the more recent ones out there such as Sage Canyon and Ridgeview Estates and they are in line with these numbers for comparable subdivisions in this vicinity. The project is larger than the median, the mode, and even the geometric mean. Regarding Option A (Exhibit No. 33), it shows the 40-foot separation on the boundary to the west and you will note those parcels are designed so there are fewer parcels adjacent to the west. That's intentional, it's more like having a 2, 3, or 4-acre lots adjacent to that subdivision; there are fewer homes located there. The one-acre lots are more internal to the project. The developers will include dark sky lighting as a condition in the development agreement and it will be included in the CC&R's. They removed the common areas. The parcel to the southwest is 3.44 acres and the others are in the 1.44 range, and the internal ones are closer to one acre. The emergency access they are constructing is critical and it has the support of the fire district. They will include the defensible space as a condition. The developer has gone beyond the normal requirements for the health department by doing a test pit on every lot and designed every lot for where that house will go and where that septic system will go. They will include bike lanes on Blessinger Road, that's part of the new standard they are required to meet compared to the older subdivisions out there. If they do gravel roads like Blessinger West then two-acre lots might be appropriate but you cannot do two-acre lots and extend Blessinger Road, that's not consistent with what's happening in the area now. Regarding the airport, we can include it in our CC&R's to advise homeowners that it's out there and those that are out there have been able to live with it. Mr. Lakey answered follow-up questions from Commissioners Van Beek and Dale.

Commissioner Dale made a motion to close the public testimony portion of the hearing. Commissioner Van Beek seconded the motion but then withdrew her motion after hearing an objection from Mr. Eldridge in the audience. He objects to the two dwellings per acre being lumped into the average because it doesn't exist. It is 460 acres of crops; it's not two dwellings per acre currently. Mr. Lakey said existing subdivisions, to be compared to this project, need to be comparable and current and developed to current standards. The character of the area is more than just the approved lots that are out there. That is part of the analysis we did to show we have 138 lots within a mile that are consistent with the character and type we have but existing zoning is absolutely part of the character of the area and the existing zoning for Willowbrook is two dwelling units per acre and it's part of what the Board has to consider. Commissioner Dale asked if Exhibit No. 35, which is the comparative lot size information, includes the Willowbrook project. Mr. Lakey said it does not. That document is the comparison of existing lots out there that are comparable to this project that have paved public roads and similar amenities to this project. He said we need

to add Willowbrook and the existing R-R zoning that's out there on top of that. This is where growth has occurred, it's where growth is planned by the County and the cities. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board took a break at 12:19 p.m. and went back on the record at 12:25 p.m. Commissioner Van Beek said there's been good testimony on both sides and she appreciates the integrity of the developer bringing this project forward. She appreciates Mark Butler's comments on the good faith effort on the road improvements and the urban interface as well as his support of her position to evaluate that. The P&Z Commission recommended denial and they found the conditional rezone request did not meet the standards of review in the zoning ordinance because it was not compatible with the surrounding land uses. The Commission did say they would have supported an RR (rural residential) designation. The larger lots are allowing for owners to use agriculture differently, and in some of those instances that is going to require that we maintain the integrity and characteristics of the area simply because of the agriculture component that's happening. She appreciates the inclusion of the fire system and the extension of the road but if the lots were larger like in an RR zone there would be a greater defensible space in the event of a fire. She referenced the safety and nature resources components in the comprehensive plan. Commissioner Van Beek spoke of how there is an equal weight on the property rights for both the developers and those who live out there. Perhaps she could be swayed on this project if the lots were commensurate with that same size of the current RR designation. Commissioner Dale said it's important to recognize that of the three entities that have potential land use jurisdiction in this area (Canyon County, City of Middleton, and City of Star) all three have identified the area as residential. There is zoning caddy corner from the subject property that allows for two dwelling units per acre. This project is not high density. There is demand for this size and quality and it is important to supply this kind of housing stock. He is very impressed with the lengths engineering has gone to do test pits on every lot. He appreciates the desire to have small acreages and the entrepreneurship in the neighborhood, but he doesn't think the project will negatively detract from what the neighbors are doing out there. Rural residential means larger lots with the potential for more weeds and fuel for potential fire risk. The highway district is in control of the traffic impact study and the developers have to adhere to any of their requirements. He appreciates the concern for light pollution and he hopes the dark sky lighting will help solve a lot of the concerns. He said Mrs. Rauch talked about a reservoir she has for fire suppression, but that is for a commercial enterprise on her property and they have different standards for fire suppression than residential properties do. According to national fire standards, it is a viable and acceptable alternative to a reservoir to have fire sprinklers in the house. Commissioner White said due diligence has been shown by both sides. There are many things the developers understand; they understand the neighbors' concerns and passion about their own property. The developers are spending a lot of money to do this the right way and to be good neighbors. Zero growth is not an option. Commissioner White is in favor of the project. Commissioner Van Beek said she is not going to vote in favor of the project. She will uphold the P&Z Commission decision, noting that she could support an R-2 rezone as recommended. Zero growth is not an option but controlled growth at the county level is an option. She has questions about the soil types and the use of individual wells and septic systems. She believes the two-acre requirement would attract a different caliber of buyer than someone who's looking for a one-acre lot. Commissioner Dale

agrees with staff's recommended findings of fact and conclusions of law that support this development. It's a good development and it will be developed as has been presented. He asked staff about the portion that was mentioned regarding the urban wildlife interface. Ms. Almeida recommended that if the Board does vote to approve the conditional rezone we need to add a couple of conditions to the development agreement that were suggested through testimony today regarding dark skies at night, and that an approved wildlife interface plan including defensible space be prepared and approved by the Middleton Fire Department and submitted with the application for the preliminary plat. The conditions will also need to be in the findings of fact, conclusions of law, and order. The written decision cannot be signed until those documents are prepared. Commissioner Dale made a motion to approve the requested conditional rezone with the stipulations that were expressed by Ms. Almeida and added into the documents for Case No. CR2019-0001. The motion was seconded by Commissioner White who encouraged the developers to protect the view. The motion carried by a two-to-one split vote with Commissioner Van Beek voting against the motion to approve. Ms. Almeida said there was an original site plan that was part of the conditions of approval and there was also an alternate site plan submitted that removed the common lot and extended the lot lines for those lots. She needs clarification as to whether the Board is okay with the first plan or if it wants to go with the alternative plan removing that common lot and extending those residential lots. Both Commissioners Dale and White indicated they want to go with the alternate plan (Exhibit No. 33). Ms. Almeida said it will be added to the development agreement that the project be developed in substantial compliance with Exhibit No. 33. Commissioners Dale and White both agreed. Commissioner Van Beek asked if there needs to be some consideration on the septic systems that they are not shallow. Because gravel sources are limited, they may defer to shallow systems and the pretreatment costs would drive things up so that's a concern. Commissioner Dale said they will have to conform to health department requirements. Commissioner White said the engineer and developer will keep that in mind and that will be a point observed. The written decision and the development agreement will be considered on September 18, 2019 at 9:30 a.m. The hearing concluded at 1:04 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF AUGUST 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 3RD DAY OF DECEMBER, 2019.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale
Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk
By: M. Reeves, Deputy

SEPTEMBER 2019 TERM

CALDWELL, IDAHO

SEPTEMBER 3, 2019

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

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

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

FILE IN MINUTES

The Board filed a duplicate alcohol license for Lake Lowell Market in today's minutes.

APPROVED CLAIMS ORDER NO. 8/30/19

The Board of Commissioners approved payment of County claims in the amount of \$565.78 for accounts payable.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(A) AND (D) – INTERVIEWS AND CANDIDATE EVALUATIONS FOR DIRECTOR OF SECURITY

The Board met today at 8:37 a.m. for an Executive Session to consider a personnel matter pursuant to Idaho Code Section 74-206(1)(a) and (d) – interviews and candidate evaluations for the Director of Security position. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to go into Executive Session pursuant to Idaho Code Section 74-206(1)(a) and (d). Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Tim Christine arrived at 8:38 a.m. and left at 9:32 a.m. Craig Vargo arrived at 9:43 a.m. and left at 10:38 a.m. The Executive Session concluded at 10:39 a.m. with no decision being called for in open session.

PUBLIC HEARING - REQUEST BY WILLIAM JENKINS FOR A REZONE, CASE NO. RZ2019-0012

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by William Jenkins for a rezone from an “A” (Agricultural) zone to an R-1 (Single Family Residential) zone, Case NO. RZ2019-0012. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Alan Mills, Jessica Skinner, Bill Trask, Darin Mooso, Roxanne Lancaster, Leslie Beauchamp, Arlene Evans, interested citizens, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The property is a 40-acre parcel that is currently used for cattle. It’s an agricultural lot and is surrounded by subdivisions and other residential zones. The future land use map shows it is a residential area, the City of Caldwell shows it as a residential estates area with two units per acre. It is well within the TAZ forecast. It is shown as moderately suited soil for agricultural ground and prime farmland if irrigated. The request came before the P&Z Commission on June 20, 2019 and there was a tie vote; during the review there were concerns from neighbors that there is no development proposed so it’s hard to see what is going to occur on site. The neighbors noted concerns about traffic on Orchard Avenue and 10th Avenue, as well as traffic access points. The highway district recommended access from Widgeon Avenue and Aurora and it did not encourage access off Drury because it would extend that 60-foot wide easement along those properties which would severely reduce the setbacks between the road and the house. If approved, we will need to review this at the time of development and see how they would utilize those access points. The highway district didn’t see any impacts to the improvements to those access points. At the P&Z Commission hearing one of the requests was that it have a development agreement reducing it to the 40 one-acre lots with septic and wells, but the applicant was reluctant to enter into an agreement. There was also a tie vote on the rezone request and denial with a recommendation for rural residential off the board at that point. Staff believes this is an adequate area for a residential zone. It is surrounded by residential areas and is forecasted to be a residential area, but the big question is without a site development plan we don’t know what the impacts would be. Staff is recommending approval, however, it also gives alternative decision options. Following his report, the Board had follow-up questions for Mr. Lister.

Testimony in favor was as follows:

Jessica Skinner, who is a real estate broker, testified on behalf of the applicant. In Canyon County there are 24 active listings for building lots. Last year 49 building lots were sold, and in the past 3 months 11 lots have sold and at this rate all the lots in Canyon County will be sold out in under 6 months. Nationwide we are creating 500,000 more households than we are building homes in the U.S. and right now we have a 5 million-unit deficit. She noted that traffic is a concern due to the huge influx we’ve experienced. She said Mr. Jenkins has been farming the property for many years and he currently runs cattle on it, but it has become very burdensome to farm the acreage because of the surrounding residences. The highest and best use of this property is the R-1 designation. Ms. Skinner said Alan Mills filed a deed restriction so that the parcels, after development, won’t be smaller than one acre which was a concern noted by the neighbors. She said there were will be fewer than 40 lots. The property is not located in a high nitrate area so groundwater is not a concern. There are 24 subdivisions within one mile of this

property. The access points have already been set up, they were stubbed when they were put into the other subdivisions to get into this parcel and there have been no other objections from other agencies. In 2006 this parcel was rezoned for a higher density with a conditional use permit but when the market crashed they let the permit expire.

Alan Mills said it seemed that the P&Z Commission was concerned about higher density and so the applicant has done a recorded deed restriction to make sure it won't exceed that. Density will be at the R-1 levels of one-acre average. Most of the subdivisions around this area were done by conditional use permits which is why you don't see R-1 showing up on the maps. Mr. Jenkins is retiring and the option of selling the acreage as agricultural land is nil. Commissioner Dale said he would feel more comfortable with a development agreement restricting the number lots to 40. Mr. Mills said the maximum number of lots is 35. Commissioner Van Beek had questions regarding the additional wells and septic systems. Mr. Mills said this is a very fast recharge area; it's not in a nitrate priority area. It has both quality and quantity. He said Mr. Jenkins will be amenable to a development agreement with the lot restriction if it's a better comfort level for the Board. He also said the homes that will be on the property will be higher end homes.

Testimony in opposition was as follows:

Bill Trask testified that he moved into Dublin Estates in 1999, and he reported on the property values in the area which range from \$70,000 to \$110,000 in land value. The value of the subject property is \$35,670. The average price of homes in the area exceeds \$400,000. Mr. Trask testified about the concern with the proposed access points and traffic which he believes will negatively impact the existing residences in the area. He said the neighbors are not opposed to the development of the property, they are opposed to the lack of conceptual plan which would allow them to visualize how their properties would be impacted. He asked the Board to suspend the approval of an R-1 designation until some type of conceptual plan is brought forward.

Darin Mooso, who represents several homeowners who live adjacent to the proposed development, testified they understand growth is coming and they appreciate the idea of large lots. With nicer, larger homes there will be large garages, trailers, etc., so the neighbors want to make sure there are sufficient easements in place to allow for larger entrances. They support larger lot sizes. Dr. Mooso spoke about the concerns with increasing traffic on Orchard Avenue, and the decrease in the grade at Widgeon.

Roxanne Lancaster testified about traffic concerns and the lack of sidewalks and the "hilly" portions of Orchard Avenue.

Leslie "Buzz" Beauchamp testified about traffic concerns and speeding motorists who do not obey the speed limit on Orchard Avenue. He is concerned about an additional 35 homes will have on the roadways. He believes Kimball Avenue should be extended to allow for access to Highway 55. He feels 20 homes on 40 acres would be a better fit for the area.

Arlene Evans offered neutral testimony. She represents the residents who live on Widgeon Avenue. They do not want one-acre lots until they see a conceptual plan because they want to make sure it will not be four houses per acre. The neighbors are concerned about traffic. There are no sidewalks, or edges of the road on Widgeon Avenue or Orchard Avenue but there are a lot of runners, mothers with strollers, joggers, and bicyclists on those roadways. She spoke about the times she has been run off the road by someone passing her on the hill. Neighbors have had

vehicles end up in their backyard due to hilly conditions and speeding motorists. It is a dangerous situation.

During rebuttal, Jessica Skinner said the majority of the testimony has been on traffic and the impact to neighbors, but this request is simply for a rezone. Mr. Jenkins wants to rezone it in order to make his property more marketable. He cannot sell it as agricultural land, it's not farmable, and it's not conducive to farming anymore. She said the traffic in the Treasure Valley has been impacted by the growth, and it's going to continue and so the neighbors need to go to the highway district and address traffic concerns and then lack of sidewalks. When this proposal is platted all of these concerns will be addressed by the highway district and the Idaho Transportation Department.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek said this case has a lot of good merit and she appreciates the good faith effort extended on the part of the applicant to ensure that a deed restriction is in place. She agrees that a development agreement would be appropriate. Mr. Mills has provided information to help mitigate the concern about wells and septic systems by providing a copy of the studies that have been done in the area. She noted that the impact to schools has not been addressed. It is a misstatement to say the land is not farmable. The infrastructure on Orchard Avenue and Karcher Road is problematic. The City of Caldwell has designated this as estate-type lots and that meets the R-1 development. She appreciates the comments that it should develop in a way that will have high-end homes that don't represent high-end density. There was testimony about motorists not respecting the boundaries on Orchard Avenue which presents a danger for the people in that area. Commissioner Dale said the Board manages growth, it does not direct it or control it. This is an area that is landlocked. Mr. Jenkins wants to stop running cattle and stop farming the property. He believes a development agreement should be in place to restrict development to a minimum of one-acre lots. The proposed zone is more appropriate than the current zoning designation. It is compatible with the surrounding land uses and is virtually the same structures with one-acre estate lots. These are high-dollar homes in the area and the future homes will be commensurate with what's in the area. Adequate sewer, drainage and storm water will be provided to accommodate the residential uses and they will be reviewed by Southwest District Health. The improved septic systems are much more effective than those in the older subdivisions. He feels strongly that Widgeon Road needs to be developed as a public road and widened to whatever extent is allowed, and there could be language tied to the plat stating the road will be improved to public road standards before building permits are issued. He supports the request as long as there is a development agreement to tie it to the restriction of the lots. Commissioner Van Beek asked about increasing the minimum lot size to 1.25 acres. Commissioner Dale is not in favor of that. The developer will have to have rights-of-ways, build the roads, have drainage and collection areas and that will reduce it down to a maximum of 35 lots. Commissioner Van Beek asked if there a way to design the plat to minimize the headlights from traffic impacting the existing homes. Mr. Lister said that's not something that is addressed at a rezone, but staff can look at the impacts of the design during the platting stage. It's likely the developer will have to implement city requirements which include streetlights, gutters, sidewalks, fencing, and landscaping. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to

continue the hearing to September 16, 2019 at 9:30 a.m. for a status update in order to allow time for staff to speak with the applicant and draft a development agreement. The hearing concluded at 3:32 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(A) AND (D) – INTERVIEWS AND CANDIDATE EVALUATIONS FOR DIRECTOR OF SECURITY

The Board met today at 3:42 p.m. for an Executive Session to consider a personnel matter pursuant to Idaho Code Section 74-206(1)(a) and (d) – interview and candidate evaluation for the Director of Security position. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to go into Executive Session pursuant to Idaho Code Section 74-206(1)(a) and (d). Present were: Commissioners Tom Dale and Leslie Van Beek, Joe Mueller, and Deputy Clerk Monica Reeves. Mr. Mueller left at 4:25 p.m. The Executive Session concluded at 4:30 p.m. with no decision being called for in open session.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO

SEPTEMBER 4, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Thuesson Construction in the amount of \$8700.00 for the Solid Waste department

FILE IN MINUTES

The Board filed the Treasurer's monthly report for July 2019 in today's minutes.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1160, 2019-1171, 2019-1267, 2019-1185, 2019-1183, 2019-1280, 2019-1289, 2019-1188,

2019-1268, 2019-1154 and 2019-1170. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decision in 30 days on the cases as read into the record. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER 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 Leslie Van Beek, Facilities Director Paul Navarro, Deputy Judicial Marshal Wes Musser, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, IT Director Greg Rast, HR Director Sue Baumgart arrived at 9:04 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution for a new alcohol license for Belle Event Center: Mr. Wesley said this was brought to his attention by the Recorder's Office. The applicant indicated in their application that they'd had a previous revocation of an alcohol license, however, after further research it was discovered that the license was not formally revoked and there is no violation of the county ordinance. Commissioner Van Beek believes there were potentially two violations and is choosing not to vote on this resolution. This action item will need to be rescheduled to another time when Commissioner White is available.

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

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

Commissioner Van Beek made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 74-206(1) (a) (b), (c) and (d) regarding personnel matters, acquisition of an interest in real property, 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 Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek and Tom Dale, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, IT Director Greg Rast, HR Director Sue Baumgart, Deputy Judicial Marshal Wes Musser and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:15 a.m. with no decision being called for in open session. The agenda action items will be continued to a later time.

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

PUBLIC HEARING – REQUEST BY REFUGIO VIDALES FOR A CONDITIONAL REZONE

The Board met today at 10:20 a.m. to conduct a public hearing in the matter of a request by Refugio Vidales for a conditional rezone of approximately 20.30 acres from an “A” (Agricultural) zone to a “CR-RR” (Conditional Rezone/Rural Residential) zone, Case No. CR2019-0003. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Gerardo Vidales, Refugio Vidales, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is approximately 20.30 acres and is currently zoned agriculture. It is within Greenleaf’s impact area and is not within a flood zone. As restricted by the development agreement, the applicant will cluster the new residential parcels as well as retaining 14 acres of the parcel for agriculture. The site plan shows the retention of agricultural land with the new lots and new homes clustered near the proposed driveway. The updated site design retains the majority of the land for agricultural uses and no residential building permit will be allowed on the 14 acres. The applicant is requesting a conditional rezone from agriculture to rural residential; the property is adjacent to conditionally rezoned property. It is located within a nitrate priority area and any subsequent development will be required to adhere to the requirements of Southwest District Health for septic systems as well as meeting their requirements through the platting process. The applicant has proposed access for the two lots on the easterly boundary of the property, and this is the only option for access due to the site and easements that exist on the western boundary for Boise Project Board of Control. The applicant will need to obtain approval of an easement reduction from 60 feet to 20 feet to serve the two residential parcels as part of the subdivision platting process. The applicant has met with the Golden Gate Highway District on site and the district has submitted updated comments indicating the applicant will not be required to obtain a variance for the new driveway location and the existing residential access can remain as-is. The P&Z Commission recommended approval and staff is also recommending approval of the conditional rezone and development agreement with the conditions. Gerardo Vidales testified that Ms. Almeida covered everything they’re trying to propose. It’s a 20-acre parcel and they’re trying to obtain two additional residences for the back portion of the property. His parents have lived on the property for 25 years. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale the Board voted unanimously to close public testimony. Commissioner Van Beek said the Board has granted these kinds of requests in the past, and she referenced comprehensive plan policies noting they did a good job of creating a parcel that cannot have a building permit and could be used by somebody if they wanted a small acreage for hay. She supports the request. Commissioner Dale said this is a great opportunity for families to stick together and it’s a great plan and he appreciates the restriction of preserving that 14 acres. Upon the motion of Commissioner Van Beek 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 accompanying development agreement with the seven conditions enumerated in the provision by staff for a conditional rezone, and to approve the ordinance directing the official change to zoning map. (See Agreement No. 19-128 and Ordinance No. 19-039.) The motion was seconded by

Commissioner Dale. The hearing concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 5, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- West Jordan Police Department in the amount of \$1500.00 for the Sheriff's Office
- BODE Technology in the amount of \$7443.00 for the Sheriff's Office
- Caxton Printers in the amount of \$2304.37 for the Trial Court Administrator

CANVASS ELECTION

The Board canvassed the August 27, 2019 Election results today which are on file with this day's minute entry.

PUBLIC HEARING - REQUEST BY LEIGH SALISBURY FOR A PRELIMINARY PLAT AND FINAL PLAT FOR STITES FARM SUBDIVISION, CASE NO. SD2019-0003

The Board met today at 1:31 p.m. to consider a request by Leigh Salisbury for preliminary plat and final plat approval for Stites Farm Subdivision, Case No. SD2019-0003. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Richard Husflown, T.L. Salisbury, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is zoned rural residential ("RR") and the average minimum lot size in the "RR" zone is two acres. The proposed lots meet the minimum lot size. The subdivision contains four residential lots, one of which contains the existing residence; it will utilize individual domestic wells and septic systems, gravity irrigation and will be served by an internal private road. The engineer, Keller and Associates, has reviewed the plats and found they meet their approval, they did recommend conditions of approval that were part of the P&Z Commission's recommendation to the Board and those conditions have been met. Canyon Highway District has reviewed the plat and found

it acceptable to the district as presented and they have signed the final plat mylar. No written objections to the plat were received. The P&Z Commission recommended approval on June 20, 2019. Staff is recommending approval of both plats. The applicant's engineer has submitted a certificate of substantial compliance certifying the construction of the private roadway, drainage and a portion of the irrigation system. The remainder of the irrigation work has been postponed until the water is out, or lower, in the Phyllis Canal. There is a bond in place for approximately \$2,400 to allow the completion of that remaining work in the fall. Richard Husflown voiced his support for the request. Leigh Salisbury said two days ago he learned of the struggle they are having with the water table. Pioneer Irrigation said it appears the drain ditch is clogged and they think it's been raising the water table. The ditch boxes they put in are five feet tall and they cannot go more than 30 inches and you can't float them down in the water. They are working on the canal and it should help the water table problem. All the materials are purchased and will be put in once the water isn't a problem. According to Mr. Salisbury there will be only one lot for sale. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the request by Leigh Salisbury for preliminary plat and final plat for Stites Subdivision, and to sign the findings of fact, conclusions of law and order. The hearing concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER GRANTING A SEVEN-DAY EXTENSION REQUEST FOR LEVY CERTIFICATION

The Board met today at 2:31 p.m. with the Controller to consider granting a seven-day extension request for levy certification. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei, Prosecutor Bryan Taylor, Deputy PA Mike Porter, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Controller Wagoner said the school districts are entitled to an extension to submit their L-2 property tax form which has to do with enrollment numbers. Several school districts have requested an extension to turn in their L-2 property tax request to the County. It's typical and happens on a consistent basis; it gives the County an extra week to calculate levy rates so it is helpful to the Clerk's staff as well. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale the Board voted unanimously to grant a seven working day extension in the filing of the levy certification for the Nampa School District, the West Ada School District, the Melba School District, Caldwell School District, Kuna School District, Middleton School District and the Vallivue School District pursuant to Idaho Code Section 63-803(3). (See Resolution No. 19-135.) While still on the record Deputy PA Mike Porter asked the Board to consider going into Executive Session pursuant to Idaho Code Section, 74-206(1) (a), (b) and (d). The Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 2:34 p.m. pursuant to Idaho Code, Section 74-206(1) (a), (b) and (d) to discuss a personnel matter and 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 Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Deputy PA Mike Porter, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 4:14 p.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.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 6, 2019

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell in the amount of \$2040.14 for the Information Technology department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mariscos El Viejon LLC dba Mariscos El Viejon. See resolution no. 19-137.

APPROVED CLAIMS ORDER NO. 9/10/19

The Board of Commissioners approved payment of County claims in the amount of \$7006.00, \$26,505.21, \$ 114,636.29, \$164,698.13 and \$194,664.26 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 Pam White and Tom Dale, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley left at 10:18 a.m., Facilities Director Paul Navarro, IT Director Greg Rast, Jail Captain Daren Ward left at 10:18 a.m., Planner Jennifer Almeida left at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a refund to Joe Pierson for residential and floodplain development permits; Case No. BP2019-0416: Mr. Pierson applied for a building permit but due to health reasons he is withdrawing. See resolution no. 19-141.

Consider signing a resolution granting a refund to Nicholas Babak for short plat fees; Case No. SD2018-0012: This was for a six lot subdivision but after some initial review it was determined that the applicant would annex into the City of Nampa, recommended refund amount is \$1550.59. See resolution no. 19-138.

Consider signing a resolution granting a refund to Scott & Sandra Kraemer for a conditional use permit; Case No. CU2019-0017: Due to access issues and not being able to secure a legal access the applicants are withdrawing their application. Recommended refund amount is \$647.19 which deducts for noticing fees. See resolution no. 19-139.

Consider signing a resolution granting a refund to Dallas Roberts for a fee reduction for a right of way permit: Address change was initiated by EMS to match the access point, however, the applicant is contesting. DSD is requesting a 50% refund amount of \$275.00. See resolution no. 19-140.

Commissioner Dale made a motion to grant all four (4) refund requests. The motion was seconded by Commissioner White and carried unanimously.

Consider signing a resolution for a new alcohol license for Belle Event Center: There was a misunderstanding about revocation of an earlier license which would be a disqualifier under the county ordinance but upon further research it was determined that the license was not revoked but just turned in for non-use. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution granting a new alcohol license for Belle Event Center. See resolution no. 19-136.

Consider signing contract with Houston-Bugatsch Architects for Canyon County Animal Shelter roof architectural and engineering services: This is to start the architectural and engineering process to replace the three canvas domes with hard roofs. Funds have been allocated for this project. Mr. Blocksom noted for the record that Chief Deputy P.A. Sam Laugheed has reviewed the contract and has no issues. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the contract with Houston-Bugatsch Architects. See agreement no. 19-129.

Meeting to take public comment regarding sole source procurement for fiber optic installation and construction, as well as network and internet services with CenturyLink: A notice was put in newspaper in case there were any objections but no one has appeared today to offer comment. Director Rast spoke about the urgency of the timeline for this project as it was allocated for in FY2019. The master-service agreement has been received from CenturyLink which appears to be a new contract between CenturyLink and Canyon County. Director Rast's recommendation is to work on the MSA but would like that to happen after this order is executed. This particular order works under the umbrella of an existing account, it's just changing service at the existing location. At this time there is no master services agreement in place.

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

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

Commissioner Dale made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) regarding personnel matters, records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner 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 Pam White and Tom Dale, Deputy P.A Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Facilities Director Paul Navarro, IT Director Greg Rast, Captain Daren Ward and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:18 a.m.

At the conclusion at of the executive session the following action item was considered:

Consider signing service order form for fiber optic installation and construction, as well as network and internet services with CenturyLink: Commissioner Dale made a motion to sign the service order form for fiber optic installation and construction, as well as network and internet services with CenturyLink. The motion was seconded by Commissioner White and carried unanimously. See agreement no. 19-130.

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

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 9, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – White House meeting, Washington DC
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 9/9/19

The Board of Commissioners approved payment of County claims in the amount of \$2000.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/10/19

The Board of Commissioners approved payment of County claims in the amount of \$55,858.34, \$125,729.13, \$68,527.42, \$166,594.00 for accounts payable.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Sol Invictus Vineyard dba Sol Invictus Vineyard. See resolution no. 19-141A.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Pam White and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller and Monica Reeves. Deputy P.A. Zach Wesley arrived at 8:35 a.m. Commissioner Van Beek was out of the office last Friday so Commissioner White reviewed that day's agenda with her and reported on the action items that were considered. The Board reviewed this week's schedule with staff. There was discussion regarding Commissioner Van Beek's request for a meeting with ElJay Waite regarding the Caldwell Urban Renewal District. Follow up is needed as Commissioner Dale suggested, via email, that the meeting occur with Mayor Nancolas and the city's attorney, Mark Hilty. Zach Wesley answered questions from the Board regarding recent communication about the Caldwell Urban Renewal District. There was discussion regarding the upcoming KBOI radio interview

that Commissioner White is scheduled to attend. It was decided that Commissioner Van Beek will do the radio interview this Wednesday, in place of Commissioner White so that we can resume the rotation schedule that's already been set. Next month Commissioner Dale will attend, followed by Commissioner White in November and Commissioner Van Beek in December. There was discussion regarding Friday's meeting with Anne Wescott regarding follow-up questions to the impact fees proposal, specifically Commissioner Van Beek's questions regarding the additional burden on property tax. Zach Wesley said the majority of the Board authorized the initiation of a work group and so we could send the information to that group consisting of representatives from the following offices: Assessor, Treasurer, Controller and DSD and see how they want to break it down with their various expertise. It would be helpful to give that work to them and have them come back to the Board and see what kind of view they have on everything which we can then incorporate into our joint powers agreements with the fire and recreation districts. Mr. Wesley said perhaps Director Nilsson could be the person to organize it as she's setting some meetings and has some documentation and is aware she'll have a role to play at some point.

The meeting concluded at 9:04 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 9:04 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Sheriff Kieran Donahue, Lt. Dave Schorzman and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing FY2020 Canyon County/Norman Family Trust Lease agreement: Sheriff Donahue said this is for the building used for some of their other operations and is just a renewal of that agreement. There are no changes to the lease agreement. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the FY2020 Canyon County/Norman Family Trust Lease agreement (See agreement no. 19-131).

Consider signing Idaho Office of Emergency Management 2017 final grant adjustment notice for Canyon County: Lt. Schorzman said there is only \$27.00 left in the account so the grant was adjusted to return the money in order to close out the grant. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Idaho Office of Emergency Management 2017 final grant adjustment notice for Canyon County (See agreement no. 19-132).

Consider signing Idaho Office of Emergency Management 2019 subrecipient agreement for Canyon County: Lt. Schorzman said this is fully funded grant and meant for equipment and/or

training exercises. He has about seven projects planned for these funds. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Idaho Office of Emergency Management 2019 subrecipient agreement for Canyon County (See agreement no. 19-133).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Sheriff Kieran Donahue, Lt. Dave Schorzman and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:47 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 DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:47 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross.

The following topics were discussed:

- Personnel update
- Growing Together update
- Rural Community Planning Program update
- CIP update
- Ada County regional growth meetings
- ITD development reviews and an issue that may need to be escalated to the Board or PA's Office regarding the painting/stripping of a roadway
- Impact fee discussion: The Board would like to create a workgroup with Director Nilsson as the lead, Mr. Wesley, Joe Cox from the Assessor's office and a representative from the Treasurer's office. The objective for the workgroup would be to determine the fees, the process for collection and distribution and then the growth projections that need to go thru both DSD and the Assessor's Office to make sure they are in-line. Director Nilsson

asked if administration of the fees is something we'd want to contract out for. At the request of Commissioner Van Beek, Ms. Nilsson provided additional details as to how that would work.

The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

QUARTERLY MEETING WITH THE WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:11 a.m. with the Weed and Gopher Superintendent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Weed and Pest Superintendent AJ Mondor and Deputy Clerk Jenen Ross.

The following topics were discussed:

- There is an ag tour that will take place tomorrow and the 'Treasure Our Valley' event will take place on the 5th of October
- Met with Corporal Combs regarding the use of SILD crews to pull puncture vine after it's gone to seed. Conversations will continue to see if there is a way to make it work.
- Director Mondor would like to discontinue spraying non-noxious weeds. He doesn't think his department should be competing with private industry. Additionally, they are not able to get to other weeds that need spraying due to the time spent spraying the non-noxious ones. He would like to continue spraying the sterilant as it does help with puncture vine control.
- There has been some confusion about oversight of weed height enforcement. Often time's calls are directed to code enforcement. Director Mondor would like to have his department take over all of the weed enforcement calls although he is not sure how that would work as he is under a different state code than the code enforcement officer. Commissioner Van Beek suggested some additional research may be needed along with a discussion on the liability.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:27 a.m. to consider action items. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of the Treasurer's tax charge adjustments by PIN for July and August 2019: Commissioner Van Beek made a motion to approve the Treasurer's tax charge adjustments for July 2019. The motion was seconded by Commissioner White. After further review and discussion Commissioner Van Beek rescinded her motion due to questions about the dates. Commissioner Van Beek made a subsequent motion to continue the consideration of the tax charge adjustments to September 11, 2019 at 11:00 a.m. The motion was seconded by Commissioner White and carried unanimously.

Consider signing a resolution granting a new alcohol license to Sol Invictus Vineyard: Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution granting a new alcohol license to Sol Invictus Vineyard (see resolution no. 19-141A).

The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 10, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – White House meeting, Washington DC
 Commissioner Leslie Van Beek – Treasure Valley Agricultural Tour
 Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 11, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale - White House meeting, Washington DC
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 1925

The Board of Commissioners approved payment of County claims in the amount of \$1,597,955.56 for a County payroll.

APPROVED CLAIMS ORDER NO. 9/10/19

The Board of Commissioners approved payment of County claims in the amount of \$86.38 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/13/19

The Board of Commissioners approved payment of County claims in the amount of \$535.00 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 9/14/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Blue Eye to be used 9/14/19 for a FFA Alumni Fundraiser.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Indian Creek Steakhouse to be used 9/14/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 9/27/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pantera Market 3 to be used 9/21/19 for a wedding.

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Meridian Fence in the amount of \$42,407.28 for the Facilities department
- The Blind Gallery in the amount of \$2626.00 for the Facilities department
- Northwest Elevator in the amount of \$2600.00 for the Facilities department
- BOE in the amount of \$7693.00 for the Information Technology department
- Priority Dispatch Corp. in the amount of \$1095.00 for the Sheriff's Office

PUBLIC HEARING – FAISAN POINTE ESTATES SUBDIVISION, CASE NO. SD2018-0011

The Board met today at 10:07 a.m. to conduct a public hearing in the matter of a request by All-Terra Consulting on behalf of Pheasant Point Middleton, LLC, for a preliminary plat, irrigation plan, drainage plan and final plat for Faison Pointe Estates Subdivision, Case No. SD2018-0011. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Jay Walker, Alan Mills, Sherie Crossley, Dan Crossley, James Graham, Gary Howard, Monica Lambert, Laura Long, Tanner Miller, Francis Long, Nick Hylton, Leah Walker, Gina Nightingale, Jared Fuhriman, Adam Fuhriman, Tiffany Neely, Lisa Ridener, Lane Ridener, Michelle Apple, Cheyenne Mortensen, Ken Mortensen, Brad Green, Jeanne Heck, Lynda Reed, Terry McCoy, Middleton Mayor Darin Taylor, Bruce Bayne, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The reason the request is coming before the Board is because staff is recommending denial. The property consists of 13.82 acres with a 1.02-acre average lot size; it was zoned R-1 (single family residential) in 2007 when city services were not available. They are proposing 11 residential lots and two commons lots. There would be the continuation of 9th Street going through the subdivision with a private road going to the north. They are proposing individual septic systems. The preliminary plat is demonstrating that it could provide pressurized irrigation, however, at the P&Z Commission hearing the applicants stated they are considering using wells instead of pressurized irrigation. There are late exhibits showing construction drawings that were approved by the County engineer showing the drainage system calculations are fine. Staff is recommending denial for the following reasons: 1) traffic, when the plat was sent to the agencies the Idaho Transportation Department (ITD) provided a comment requesting more information due to trips and potential movements that would need to

be improved due to the trips generated by the subdivision. Staff has not received any information on how that would be mitigated and therefore ITD recommends denial until they get the information. 2) The Black Canyon Irrigation District does not recommend approval until the applicants agree to their improvements, which include the piping of the lateral on the north side. Even if a well is used to irrigate they still want the improvement to be completed and therefore do not agree with this plat until that agreement is completed. The applicants have said the subdivision has the potential to use wells instead of connecting to the irrigation district's lateral for irrigation use; however, the plat does not show that, it shows a connection to pressurized irrigation throughout the subdivision therefore if they do change that they will have to provide more information and an updated the irrigation plan showing how it's going to be properly irrigated and provide information from the Idaho Department of Water Resources (IDWR) on whether they have the quality and quantity of water to have domestic wells on top of fire suppression on top of irrigation use. 3) Staff received letters from the City of Middleton opposing this application because it is adjacent to city limits and they currently have city water services adjacent to the property. The city requests they connect to city services, and connection would require annexation into the city. Without connection the City of Middleton feels this would impact their ability to expand within their impact area. 4) The Middleton Fire District recommended water services be provided to the site due to fire flow requirements. The minimum fire flow gallons per minute is 1,000 and fire duration is one hour. The alternative to providing that is either connect to city services or require fire sprinklers in every home. The fire district is recommending the project connect to city services. A visual was provided by the City of Middleton showing a 12-inch domestic water service that could be easily connected to. They will also recommend extension of the sewer line as part of connection and annexation to the city. Following his report, Mr. Lister responded to questions from the Board.

Jay Walker testified on behalf of Greencastle Homes, LLC and he said there is no city development west of Emmett Road; what is there is low-density, estate lot developments. West of the acreage the topography cascades to about a 60-foot difference in grade down so utilities would require an extensive amount of work including costly lift stations. To the south, north, and west are estate lots and the interest generated is a result of the neighbors' concerns for consistency with their homes and preservation of their lifestyle. They want to retain what was zoned and many of them have purchased property and developed their estates based on the zoning the Board approved in 2007 so they invested their time and livelihood because they knew the property would be consistent with their properties. At the time of rezoning it was apparent that the Middleton High School was going in and that initiated the process of annexation and city density to the east and the city at that point recommended denial of the rezone and yet Canyon County approved the R-1 rezone. The application for preliminary plat, final plat and design drawings is in compliance with County ordinances and standards. The highway district has fully approved and have stamped the plans and the only way the applicants move forward with construction is with permission from the highway district and the Mayor of Middleton. According to Mr. Walker this project brings a product and a differential from high density. They performed a comprehensive review of the property and the application was started in 2018 and it was then that a former planner said it looks good and he recommended doing a short plat with the application of a private road reduction. It was approved by the County engineer and the

highway district. There is no need for a nutrient pathogen study as the property is outside the Purple Sage high nitrate priority area. Approvals have been obtained through Southwest District Health (SWDH) and the Department of Environmental Quality (DEQ) for individual wells and septic systems. Site visits done in 2018 differ from the most recent letter in June of 2019. Meetings with the irrigation district were of the same nature. They reviewed the plan with Roy Orr with the irrigation district in 2018 and a letter was received in December of 2018 but several months later they received a conflicting letter from another irrigation district representative which contained differing information. They met with the irrigation district and resolved the concern that was presented by staff today. They have obtained full approval of the plans as it relates to streets and storm drainage which is the only work that's been completed to date. Mayor Taylor indicated to the owner that he would not withhold signature on the final plat but come to find out they don't need the city's signature on the final plat, but the Mayor has indicated he will provide it. The negotiation points for the approval of the streets and storm drain are with the highway district. They made improvements on the Emmett Road and building the subgrade for the 9th Street extension. They have full compliance from DEQ and SWDH on septic and well, and they had a full joint trench approval on the dry utilities which are available to the property. Irrigation, water, and ITD were the remaining issues and reasons for denial. The water is not available and to put in an extensive pressurized irrigation system only to learn that the water is not there would upset the homeowners and they wouldn't be able to rely on it. They have cleared the necessary permissions with IDWR to irrigate the one-acre lots. Commissioners Van Beek and White both commented on the amount information that has been presented at the 11th hour.

Adam Fuhrman spoke of the product and price of Greencastle Homes. They expect the homes in this project to be in the low \$500,000 to mid \$600,000 price range. Based on the letter they received from Black Canyon Irrigation district they had a verbal agreement with them, they met with them and said they will pay for their half with the district. But they were later told that was a misunderstanding so they met with the district yesterday and agreed to tile the ditch, and asked if they will give a latecomers agreement where they could recoup some of their costs because to take on the cost to improve a facility that they're not even planning to take advantage of, primarily because by the time 13 inches of water gets to the property they would only get about 4 inches, and that's one of the main reasons they're not planning to use the irrigation. They designed it as a precaution so they wouldn't have to redesign it if they did need to use it. The irrigation district said they would consider the latecomers agreement but they haven't given a decision yet but regardless the applicants have agreed to tile the ditch. With regard to fire sprinklers, he builds almost exclusively on large lots and he's never installed fire sprinklers in a home. He has built where sprinklers were required as part of the plat but the fire district, because of the law change last year, has not been enforcing that so they don't feel it's being evenly administered. They are trying to be as flexible as possible and they have agreed if that's a condition of approval it needs to be on the plat that they would accept fire sprinklers going in the homes. Director Nilsson said regardless of state law, the fundamental issue is whether there is adequate fire protection for the proposed subdivision and what are ways to achieve that. Jay Walker said the builder is going to meet the Idaho and the international fire code and they will make sure the future homeowners and development are safe. They met with the city on August

20th and it was an all or nothing policy where they required annexation in order to tie into the city water system and at the same time the city required them to connect to sewer, which is over one-quarter of a mile away. If the project connects to water they have to annex into the city and they would also have to connect to sewer services that are well over the County's required connection stipulation and state statute. It is very cost prohibitive and it would price everything out of feasibility to mandate the project be annexed and connected to city services. Commissioner White said the City of Middleton will not force annex. Adam Fuhrman said the rezone was the main point of discussion at the P&Z Commission hearing where it was said they would not have voted for the rezone and so they don't want to approve this application. Dan Lister said the P&Z Commission tried to address the reason why the irrigation had to go through wells and what it came down to was money, how much it would cost versus the development being proposed. When it came to the city it became about money, how much it would cost. If it's adjacent to a city limit and they have city services if they are proposing development they are going to request that they annex into the city. That is the normal procedure. He said they were asked if they were willing to do dry lines for later extension of the city and they said no. Mr. Fuhrman said they haven't designed it with that as an option. They've been told it's all or nothing – pull sewer one-quarter mile and tie into water or nothing. They cannot tie into water without pulling sewer. If that has changed they have to redesign the plat. Mr. Lister said that was brought up as an option, they'd have to go back to the city and talk about it but the developers said no. At the end they said it is adjacent to city limits, there is city water it should be connected and that was the denial. Mr. Walker said they retained some optional irrigation facilities in hopes that they would be able to connect to water. It's much different than the requirement to extend \$250,000 worth of a sewer main for 11 lots. From the very beginning they were trying to connect to the water and they understand how close it is and they think it is good growth, however, it was never allowed that they just connect to water without annexation. Adam Fuhrman said that's why they designed it this way because those were the parameters they were given otherwise they'd have gone with ½ acre or .6 acre lots. Mr. Walker said if they have to pull the sewer and do improvements and annex into the city they will look at a much higher density. He said it's not true that this project will block public services to the area to the west; there is a main line on Highway 44 and it makes sense to extend it to the west. There are ample options to convey sewer around this little project. They met with ITD and they acknowledge their overreach that this small project generating 110 vehicle trips per day was not a significant factor in comparison to the school, and other businesses and projects in the area. He said they were misinformed and misunderstood the situation.

Gary Howard testified that he leased the property for two years but he couldn't get enough water to farm it so he let the lease go. He purchased 110 acres because it was zoned R-R and they made a choice to sell some of it. When they sold to the Apples they limited them to 3 lots on 25 acres, and they also a 6.7-acre piece and limited it so they could not go down to R-2 zoning. He currently owns 57 acres and has no plans to develop it. At some point he may do five-acre lots because estate-type lots are located to the west of his property. He put sewer in the ground but his land is so low that the lift station will cost \$1.5 million to get it up the hill and nobody's going to do that for 57 acres.

Alan Mills referenced article 9 of the zoning ordinance, the joint powers agreement, which he said is clear and does not leave any room for interpretation. The County's comp plan shall apply in the impact area, the zoning ordinance and the subdivision ordinance shall apply in the city's impact area. During the negotiation phase many years ago he heard it said repeatedly that people who are opposed to coming into the impact area don't need to worry, they won't even know they're in the impact area, it's just a planning tool. And then immediately joint powers agreements were proposed that gave all the authority to the cities and he fought that in Middleton and won but this is the "animal" that came out of it. One proposal would have had dry lines installed at the Purple Sage Golf Course where there's no chance they'd get the elevations correct which means if they had put them in the public would have to pay to re-dig and re-lay them at the same elevation because there were no plans of how the sewer was ever going to get there. There was another provision which required the city engineer to be paid \$500 to review a septic system before you could go to SWDH in the impact area. Those are some of the things that triggered why they came up with this document. He said the Board needs to be careful; their constituents are out here and they cannot vote for the mayor or city council and a denial on this project would be a de-facto forced annexation. Director Nilsson said it's not a joint powers agreement, it's an area of city impact agreement adopted by ordinance. This is a codified ordinance and in state law an area of city impact is based on geographic factors, trade area, and that there is a reasonable expectation of annexation in that area. Mr. Mills is concerned because state code has for annexation provisions an implied consent and if you hook up to city services, it could put you at risk of implying that you consent to annexation. They were told they were safe from being annexed. If you put three lots per acre it's no longer compatible with the surrounding properties. Mr. Mills did a calculation of land that's already annexed into the City of Middleton and he found 28 years' worth of inventory if you average the building permits issued in the last 20 years. There isn't any inventory for one-acre tracts and wells so in looking at the comprehensive plan it says create a diversity of housing styles and types, and so if we force everything to go into the city we have denied those who want to have a one-acre tract. He said this is a County decision and he doesn't know anyone in favor of going into the city on any of these properties. Mr. Mills responded to questions from Commissioners White and Van Beek. Dan Lister said the city impact agreement puts the focus on our ordinance and comprehensive plan, but it does give the right to the city to provide recommendation or opinion on subdivisions to be considered by the hearing body. That's why in the letter provided by Jay Walker from Mayor Taylor, it may have been miscommunicated by the applicant but it says yes, we will sign the plat because basically if they don't take a recommendation we won't have a say-so. They give you an opinion and it's up to the County to take that into consideration. Secondly, Alan Mills is representing the applicant who owns property to the north who will be requesting a rezone so he has a vested interest in this item. Commissioner White referred to the letter from the law firm of White Peterson says Idaho law on annexation is clear that annexation into a city typically may not be done without consent of the property owner. In this case, the City of Middleton is attempting to use the County's platting process to circumvent what the city cannot do by Idaho law. Director Nilsson said to differentiate why we are struggling with this case, in the Nampa and Caldwell agreements the County has adopted some of those standards for subdivisions and we have included in those agreements a provision to waive those city

requirements, but we don't have that with Middleton. We haven't adopted any city standards and so the focus when we look at a Middleton subdivision is are those essential public services being provided. We are not bringing the city into it because that agreement with Middleton is fundamentally different from those other cities, but our focus as staff is to see if there is fire flow and are they meeting the irrigation requirements because we don't have any city standards we've adopted to fall back on so we have to push the applicant to provide how those fundamental services are going to be provided, or, is there a suitable alternative. With the other cities if there was a suitable alternative we would have the ability to waive those but we don't have that in this case. Dan Lister said staff is not saying this is a bad subdivision, we looked at the preliminary plat and it got to the point where we thought the plat was complete, however, these issues came up and this is where we came to the potential denial. Some of the information discussed today was not provided until now. He still feels the request should be denied for the following reasons: we still have a letter from Black Canyon Irrigation District saying improvements need to be done. They said piping, not tiling, but based on the information given today there may have been another decision but staff doesn't know that until we get the information from the irrigation district. Staff has not heard from ITD. With regard to water, it is the City of Middleton and they have their opinion and it's up to the Board to observe that or not. The city has demonstrated why this could be impactful to them. If the Board does not accept staff's or the P&Z Commission's recommendations for denial, a lot more conditions will need to be added to the plat before bringing it back for approval.

Terry McCoy gave testimony regarding fire protection and a conversation he had with the Middleton Fire Department regarding a mutual aid agreement they have with another agency to respond to fires. He said there is fire protection that's been accepted without having sprinklers or pressurized water system from the city, but this is in conflict with their recommendation on this proposal. He also spoke about how residential sprinklers are found to be more of a hazard than a benefit because water leakage does a great deal of damage to homes. He believes the City of Middleton is being aggressive in its plans for forced annexation.

Nick Hylton lives on Willis Road and he represents the homeowners along that line. He spoke about fire protection and said there is a reciprocal agreement with Sand Hollow to provide tanker trucks for additional water supply. He spoke about implied consent and the issues with water and drainage and how pumping sewage back up over the hill would not be feasible. It appears the city would benefit from all those houses having the sewer put in at somebody else's expense.

Jared Fuhrman testified that he is one of the owners of the property. In a previous meeting they understood there were a couple of items that needed to be addressed. They have agreed to tile the ditch and they would like an opportunity to recoup some of those expenses. If the district doesn't allow them to have a latecomers' agreement it's not going to change their desire to pipe the ditch. They have addressed the ITD and water issues and he believes they have met all those requirements. They sought counsel from White Peterson because one of the main focuses on this is the City of Middleton and subsequent conversations and actions that have been taken by the city to try to delay this project, or to force annexation. If there is a denial of their request they would get an administrative taking analysis which is basically when an government entity deprives you of your property rights, in this case their ability to develop the property administratively by attempting to force annexation, force connection to water, and force

connection to sewer services and so they feel strongly and their attorney has given an opinion that there may be an administrative taking occurring with this project. They have the correct zoning and they have addressed all of the different items required to make sure they have sewer facilities for the people in the development, that they have water and safety. They have also been good neighbors in the community and making sure the roundabout was done prior to school starting. There was a question as to why they commenced construction in this location and it was at the approval of the highway district. They have ceased all construction activities at this point. Dan Lister said the highway district was under the impression that the preliminary plat was already approved and that's why they provided a letter allowing the construction to go forth, but in talking with them they were not aware the preliminary plat had not been approved.

Michelle Apple testified that she bought her property a couple years ago and was told it would stay in the county and therefore they are not able to divide their property any further than what they've already done. She moved from Meridian with the dream of raising her kids in the country and living the American dream. She said moving water and sewer is a dead end when you get to her property. She said Middleton does things backwards compared to other places and people have felt pushed and forced to do things that normally don't happen. She asked the Board to listen to what the community wants and they want to be in the country.

Jeanne Heck lives south of the proposed property and she supports the request, however is not in favor of annexation. The City of Middleton is trying to force the issue and make this high density and she does not want that. She has concerns about the dangerous traffic conditions on Highway 44 and Emmett Road.

Dan Crossley said the neighbors are concerned about the threat of annexation and he wants assurances from the Mayor that the city will not force annexation. He is not against development but he is opposed to the threat of being annexed.

Middleton Mayor Darin Taylor gave testimony on the following points:

#1 - The County and the City of Middleton, prior to 2002, established the existing area of city impact by agreement. Subsequently in 2002 the terms and conditions of those agreements were codified and included in County code. It is among other things an area where it is expected to be annexed in the future.

#2 – In 2002, in developing the terms of this joint exercise of powers agreement, governing plans and ordinances, the residents outside the then Middleton city limits did not want to be annexed, similarly the city did not want anything to do with anyone outside city limits. The administration at that time had an attitude and approach of not wanting to grow. The consistency between the non-city residents and the city residents led to the provisions that were referred to that the County's, not the city's, comprehensive plan and subdivision and zoning ordinances would apply in Middleton's area of city impact. That's different than Nampa and Caldwell where some of their ordinances do apply. The reason Middleton's don't is because the then-administration and the then-residents and the then-Board of Commissioners were okay with not having have the County's apply. In 2012 the city modified its code annually so that the only things in city code are the provisions that the city is willing to enforce if we're not going to enforce it it's out of city code. In Middleton, comprehensive plan text, maps, code and standards are all geared towards orderly growth in the area of city impact.

#3 – Provision of municipal water or sewer or transportation improvements, road, sidewalk and pathway, separately is not orderly or economical. The city does require annexation if you're going to have water and sewer. Annexation – extension of water or sewer lines, extension of public roads, transportation pathways, sidewalks in as economical way as possible, is a fundamental policy of orderly growth in Middleton.

#4 –Existing sewer mainline system for Middleton exists at the SE corner of the school site. It's approx. 1,320 feet east of the subject property east boundary line. Sewer costs the city approx. \$70 dollars per foot – the cost to extend the sewer line from its current location to the subject property will cost \$92,400.

#5 – The Mayor referred to map which was identified as Exhibit #19 showing the area of city impact as the red line at the top. The west boundary of the impact area is another 1.25 mile west of what's shown on the map. It is approximately 2 miles from Emmett Road. The subject property is in baby blue at the SE corner of the high school site. The previous comments about it being unlikely to have suburban or urban densities west of Emmett Road does not contemplate the land north of Willis Road. Middleton's impact area north boundary is Purple Sage Road, one mile north of Willis Road. The west boundary is I-84. The comments said it's unlikely that properties to the west of the subject property will develop because some are under contractual obligations to not have more density and all he's doing is adding information that the area of impact includes some land north, not just west, owned by the people that have been here that only own up to Canyon Lane, there's still a lot of ground between the interstate and Canyon Lane and lot of ground north that have not been restricted by contract or ownership and may be able to develop. The city is obligated by state law to plan for economic extension of its utilities, water sewer and transportation for its area of city impact. The city in the last 18 months has spent approx. \$300,000 planning sewer for the area outside city limits to the west and north of the subject property, including acquisition of land west and south of Gary Howard's property, south of Highway 44 for a regional lift station because the city recognizes we have an estimated population in city limits of 9,100 people today and are forecasted to have over 80,000 in the city sometime in the future. The question is how to provide sewer services to those properties and for the land area west and north in Middleton's existing impact area and the answer is the sewer flows by gravity, north/south it will follow naturally to the south and west so the city has acquired land so that in 15-20 years if that land is developed there is an opportunity to provide economic services for waste water to those properties.

#6 – State law governs annexations by cities of land contiguous to or adjacent to city limits. Consistent with Middleton's policy to plan for and extend services the city last year filed an application to annex properties surrounded by city limits. He filed that application in June, the city did not give notice regarding the potential zoning component of the property, but it did give notice regarding annexations of properties. These are in-fill properties. The city withdrew that application in July. They corrected the notice deficiency, re-noticed the public hearings, and filed another application in July to annex the in-fill properties (or enclave or properties surrounded by city limits) and approximately 30 properties contiguous or adjacent to city limits. Five acres or smaller and independently owned according to state law. The city council denied. The P&Z Commission recommended approval of that action; the city council denied it in August of 2018. He immediately filed another application and the city council denied it in late

September. Twice last year, consistent with orderly growth and providing services to people who live in the impact area, he filed those applications but the city council denied them. Can the city force annex property? Yes. Under state law the city can annex properties, contiguous or adjacent to city limits, if it's less than five acres in size and, effective this year, is not a dedicated farming piece, otherwise you must have landowner consent. Also, last year when he filed the applications you could annex up to 100 of those parcels at a time, but the law was changed earlier this year and effective July 1, 2019 the maximum number of contiguous or adjacent properties that can be annexed without owner consent is 25. He told city council last year he was disappointed in it not following the comprehensive plan for the city and the concepts of orderly growth and that he would not entertain or make any applications for annexation the rest of his term, which ends December 31, 2019. The city has not threatened anybody, however, the city has taken steps to provide awareness to the people in the impact area that they are in an area that is likely going to be annexed sometime in the future. The city council specifically requested in its denials of annexation last year that he do that and he did.

#7 – It is in city code that lot sizes in the city of Middleton over ½ acre must be connected to water and sewer and have all the transportation improvements, except is not required to put in curb, gutter, or sidewalks or streetlights.

#8 – Mr. Mills said that if this application is denied then that can be understood to be a de-facto taking. Some say the city is trying to go around the annexation rules and force annexation. The city believes in economical extension of municipal services and if a property is in the path of growth. If it is in the path of orderly growth, it's not Mayor Taylor or the City of Middleton trying to get around state law or force annexation, the subject property is clearly in the path of growth. Approving this application will be a de-facto re-locating the west boundary of the area of city impact. Mr. Mills said denying the application is a de-facto taking, Mayor Taylor says approving the application is not giving effect to the west area of city impact boundary and it's by de-facto establishing a new one.

#9 – Those who use municipal water must pay all expenses associated with providing that water service. It's a user fee. The same thing is true for sewer, those using the city's sewer service must pay for the service. No real property tax dollars collected by the city go to pay any expenses for the extension of water or sewer or for maintenance or to increase capacity of a well or a waste water treatment plant; however, one of the reasons real property taxes increase when a property is annexed into the city is because state law has determined that transportation expenses for public streets in cities are under the jurisdiction of the city which means you have the accompanying accountability and responsibility to pay for that. Those improvements are funded using property tax dollars. Last year when he filed the annexation application there were 935 of those contiguous or adjacent to city limits not contributing a penny for transportation improvements under the city's jurisdiction. Middleton residents – about 2,700 homes, pay 100% of the bill for curb, gutter, sidewalks, streetlights, roads, bridges, culverts, maintenance, expansion and operation of the transportation system inside city limits. 2700 + 935 is about 3600 properties, about 2/3 live in city limits, 1/3 are outside city limits, but 2/3 pay the transportation improvements and 1/3 doesn't pay a penny so of course folks don't want to be annexed but they don't mind using those improvements.

Bruce Bayne, Middleton's P&Z official, said the city strongly objects to development contiguous to city limits without annexation and extension of municipal water, sewer, vehicular and pedestrian systems in an orderly manner. Allowing individual wells and septic systems contiguous to city limits, or in the path of orderly growth, is irresponsible to the taxpayers of this publicly funded facilities that are already in the ground. This is a developer cost-shifting strategy that transfers the infrastructure development costs from the developer to the builder down to the homeowner. When the applicant bought this property in 2018 it was contiguous with city limits. The nitrate area is immediately north and is partially on the Mortensen property, a case which will be coming before the Board in a couple of days. When the sanitary sewer goes in it will also service the Mortensen land to the north so they cannot say this is the end of the land of where that sewer or water is going to go. On a daily basis he gets people who want to annex property into the city and they want to find out because of course the city can give them additional zoning, but if you block this off we will not be able to say that. The domestic water is immediately available and it's on their side of Emmett Road. He's not sure about the irrigation, there's been so many conflicting things he's heard between the P&Z hearing and the Board of Commissioners hearing that he doesn't know what the irrigation is. The cost for the sewer is a little over \$90,000. The cost to do that and put individual wells and septic systems on 11 lots, each lot is \$15,000 so that cost alone is more than extending the sewer over to that property. The city would not object to extending the sewer on its own as long as the applicant pays their prorated share of that cost. With regard to zoning, they are currently asking for one-acre lots, and the city has R-1 zoning which is exactly the same as County zoning, and they put in the road infrastructure but there is no curb, gutter, sidewalk or streetlights required in that zoning so the applicant does not have a leg to stand on as far as saying this land should not be annexed into the city. The utilities are there, it's contiguous to the city. Star Fire Department requires sprinklers in homes that do not have sprinklers in front of those homes and so Middleton Fire is not asking anything that Star Fire isn't asking. They have a well, Well No. 9, and it cannot be any closer to the property. The city has spent a considerable amount to put in that well to keep feeding areas to the west as well as areas where there are homes. Regarding sewer, it is stubbed and it's over 20 feet deep and to extend it to the other side it will still be 10 feet in the ground so it will feed this subdivision and the Mortensen Subdivision.

Adam Fuhrman offered rebuttal comments. The concerns about forced annexation are justified, the Mayor himself said last year he was trying to annex everything he possibly could and fortunately for their sake the city council was voting against it. He said this hearing has been more about annexation than the actual application and whether or not it fits the zoning. There are concerns, but they have verbal resolutions to those but unfortunately the irrigation district's meeting was yesterday, they cannot get us a letter that quickly and so those items are forthcoming and he is happy to have those as a stipulation of recording the final plat before they pull building permits that all those things are answered. They have 9th Street cutting through the middle of the property so that's also important. It's not one property where they could annex to pull higher density; they have two parcels because there is a public road cutting through the parcel. As mentioned by Jay Walker, they were initially interested in connecting to water and doing something similar to .6 acre lots with high filtration septic systems, but they were told they couldn't tie into water without connecting to sewer and doing the whole annexation game which

is why they've designed the one-acre lots which is also in accordance with what the neighbors want. Their concerns are valid in that if the city surrounds them they could get a mayor and council that wants to annex everything. With the stage they're at even if the city said they could tie into water they would need to change everything and go to a different density to pay for the cost of pulling in the water. The \$70 a foot for sewer is hard to believe especially when it's 20-feet down. They've had rough estimates closer to \$500,000, their joint trench alone is more than \$70 a foot. The co-trench, the gas portion, is subsidized and paid for by the gas company and it's also subsidized by the power company because they get additional owners. It's a much simpler process, it's not 20-feet deep under a brand new 9th Street that is running next to the high school and it's more than \$70 a foot so he has a hard time understanding that a more complicated system that is going through pavement, and would have to be re-compacted, re built, repaved, 20 feet deep would be \$70 a foot. They are trying to be flexible in accepting things they may not prefer like piping the ditch and installing fire sprinklers if that's a determination, but they do feel if it's a denial where they've designed this to take advantage of the parameters that they felt they had to work in, they wouldn't be able to tie into water without sewer. Nobody is going to sign up to lose hundreds of thousands of dollars which is what the case will be if they have to pull in sewer and annex. Mayor Taylor said in his comments that they have a lot of expansions to the south and north and but Mr. Fuhrman doesn't think it's the hindrance they're making it out to be.

Upon the motion of Commissioner Van Beek and the second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Van Beek said it's her understanding that realistically a city would provide an area of impact map that may potentially be able to be developed within a five-year radius so she takes issue with that super annexation similar to what happened in Greenleaf. It really slows things down negatively on both sides. There has been enough information provided that she would like the opportunity to talk with DSD staff and legal counsel. In looking at what's happened with this parcel, in 2006 this property was zoned to be R-1 and she finds that to be a good fit. The Board needs to carefully weigh the information and she needs time to process what's been presented. Zach Wesley said there was some supplemental information the applicant said they could provide particularly pending changes of opinion from the irrigation district, fire district, and ITD, so it would be important for the Board to give some direction to the applicant and to staff to get that supplemental information in by the next time the Board meets on this matter. Commissioner White agreed and informed Mr. Fuhrman to speak with staff after the hearing to in order to know what information the Board needs in its packets. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board unanimously to continue the hearing to October 10, 2019 at 2:00 p.m. to allow time to evaluate the information and receive new information relevant to this hearing. The hearing concluded at 12:58 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO

SEPTEMBER 12, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale - White House meeting, Washington DC
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

The following cases meet the eligibility criteria for county assistance: 2019-1279 and 2019-1297. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the cases as read into the record.

Commissioner Van Beek made a motion to approve case no. 2019-1175 with a written decision to be issued within 30 days. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to place case no. 2019-1317 into suspension pending other resources.

The following cases do not meet the eligibility criteria for county assistance: 2019-1210, 2019-1192, 2019-1213, 2019-1305, 2019-1194, 2019-1313, 2019-1169, 2019-1219 and 2019-1184. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue denials with written decisions on the cases as read into the record.

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

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:57 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final approvals with written decisions within 30 days on the following cases: 2019-788, 2019-771, 2019-770, 2018-901 and 2019-960.

Commissioner Van Beek made a motion to issue final denials with written decisions within 30 days on case nos. 2019-881, 2019-826 and 2019-894. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue case nos. 2019-953 and 2019-955 to October 10, 2019.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-820

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2019-820. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's, Grandmother of the applicant, Grandmother's friend and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to deny the case but the motion failed for lack of a second. After further discussion Commissioner Van Beek made a subsequent motion to approve the case. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-836

The Board met today at 10:00 a.m. to conduct a medical indigency hearing for case no. 2019-836. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Becky Herrera for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to approve the case. The hearing concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1021

The Board met today at 10:15 a.m. to conduct a medical indigency hearing for case no. 2019-1021. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Becky Herrera for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to approve the case. The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-905

The Board met today at 10:31 a.m. to conduct a medical indigency hearing for case no. 2019-905. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's, Applicant and mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to approve the case. The hearing concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-927

The Board met today at 10:39 a.m. to conduct a medical indigency hearing for case no. 2019-927. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for West Valley Medical Center, Andrew Lacayo for West Valley Medical Center, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Van Beek, the Board voted unanimously to continue the case to November 7, 2019. The hearing concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

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 11:03 a.m. pursuant to Idaho Code, Section 74-206(1) (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Deputy P.A. Zach Wesley arrived at 11:11 a.m. and Deputy P.A. Brad Goodsell arrived at 11:20 a.m. The Executive Session concluded at 11:22 a.m. with no decision being called for in open session.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-77 AND 2019-607

The Board met today at 11:24 a.m. to conduct a medical indigency hearing for case nos. 2019-77 and 2019-607. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen for St. Alphonsus, Timothy Ryan for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to continue the cases to January 30, 2020. The hearing concluded at 11:32 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-726

The Board met today at 11:33 a.m. to conduct a medical indigency hearing for case no. 2019-726. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Attorney Bryan Nickels for St. Alphonsus, Attorney Elizabeth Sonnichsen for St. Alphonsus, Timothy Ryan for St. Alphonsus and Deputy Clerk Jenen Ross. Mr. Nickels noted for the record that the hospital has chosen to withdraw this application. No motions were made on the case at this time, it will be addressed later with indigent matters. The hearing concluded at 11:35 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-710

The Board met today at 11:39 a.m. to conduct a medical indigency hearing for case no. 2019-710. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Dahlia Torres for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White, the Board voted unanimously to approve the case. The hearing concluded at 11:57 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER MEDICAL INDIGENCY MATTERS

The Board met today at 11:58 a.m. to consider medical indigency matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The matters were considered as follows:

Commissioner Van Beek made a motion to issue a final denial with written decision in 30 days on case no. 2019-726. The motion was seconded by Commissioner White and carried unanimously.

Neither the hospital nor the applicant appeared for case no. 2019-902 or case no. 2019-875. Commissioner Van Beek made a motion to issue final denials with written decisions in 30 days. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 11:59 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 12:00 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing the written decision in the matter of Doris Fuentes' appeal for a variance, Case No. ZV2019-0002-APL: Zach Wesley explained this denial of the variance is a reflection of the decision made by the Board at the August 29th public hearing. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the written decision in the matter of Doris Fuentes' appeal for a variance.

Consider final approval of purchase and sale agreement for property located at 16241 Deer Flat Road: There is nothing to sign in regards to this matter but a public record of the approval is necessary. Commissioner Van Beek made a motion to approve the purchase and sale agreement for property located at 16241 Deer Flat Road. The motion was seconded by Commissioner White and carried unanimously. Mr. Wesley indicated that his office would provide copies of the paperwork to Board staff at a later time.

Consider signing ATM placement agreement: Commissioner Van Beek stated for the record that an email was received from legal regarding this agreement stating they have reviewed the agreement, it is compliant and saw no reasons not to move forward. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the ATM placement agreement with Advanced ATM (see agreement no. 19-134).

The meeting concluded at 12:05 p.m. An audio recording is on file in the Commissioners' Office.

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

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

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

APPROVED CLAIMS ORDER NO. 9/16/19

The Board of Commissioners approved payment of County claims in the amount of \$3454.72 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/25/19

The Board of Commissioners approved payment of County claims in the amount of \$68,941.10 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Agave Cantina to be used 9/14/19 for a wedding.

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

The Board met today at 8:34 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, Planner Dan Lister, Treasurer Tracie Lloyd left at 8:39 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom left at 8:44 a.m., Director of Indigent Services Yvonne Baker left at 8:44 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of the Treasurer's tax charge adjustments by PIN for July and August 2019: Treasurer Lloyd clarified that the dates show the tax year that the adjustment was made and explained the reason for lapse in years between tax year and the write off. Upon the

motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for July and August 2019.

Consider termination of services agreement no. 19-022 with Cottonwood Creek Behavioral Hospital: Director Baker explained that they have taken the last several months to evaluate Cottonwood vs. Medicaid rate and have determined that the county is paying much more under the contracted rate. In cancelling the contract we will no longer be paying at the contracted rate but at the Medicaid rate. Commissioner Van Beek made a motion to approve the termination of agreement no. 19-022 with Cottonwood Creek Behavioral Hospital and authorize Director Baker to sign the termination letter. The motion was seconded by Commissioner White and carried unanimously.

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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 8:45 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records that are exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Dan Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:08 a.m. with no decision being called for in open session.

After the executive session Commissioner Van Beek asked Mr. Porter about the Hart sole source scheduled for Monday. She understood that the Board would be receiving additional information regarding the RFQ because not all the information had come in yet and Commissioner Dale raised the question about the maintenance agreement for subsequent years. She would also like to know how the contract is structured because she still has questions. She feels there are enough un-vetted questions which she always understood would come back before the Board before there was a request. At this time she said she is not going to be able to vote for this. Mr. Porter suggested she set aside some time on Monday to get an update from the Clerk before she makes a decision. Additionally, Mr. Porter noted that the contract was just received yesterday so he doesn't anticipate anything being done with it on Monday. The contract signing is scheduled for the 3rd of October. Mr. Porter said he would ask the Clerk and his employees to come prepared to discuss the details of how the system will work.

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

MEETING WITH ANNE WESCOTT TO DISCUSS IMPACT FEES

The Board met today at 9:12 a.m. with Anne Wescott to discuss impact fees. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Anne Wescott with Galena Consulting, CCAD Director Michael Stowell, Ron Harriman, Larry Olmstead, Victor Rodriguez, Rachel Spacek from the Idaho Press, Other interested citizens and Deputy Clerk Jenen Ross.

Discussion points include the following:

- Clarification on administrative fees as to how they are broken apart and how the impact fee is assessed
- How the assessment of impact fees on commercial buildings was calculated and the economic development impact
- Explanation of calculation to determine when a new fire station is necessary
- Cooperative effort with the elected officials of each city to make sure staffing needs are met for potential new stations
- Reason rural and city residents not paying equal amounts for the Middleton Parks and Rec district
- A working group for the county includes representatives from Assessor's and Controller's offices who will help determine how much to charge the districts for collection of the impact fees

Commissioner White said that eventually there is interest in Canyon County talking about the possibility of using impact fees for public safety. At some point we will need to open the conversation to get the information and start looking in that direction. In response to a question from Commissioner Van Beek, Ms. Wescott said that generally a study takes about 3 months once all the parts are in place. She thought it would be a good to convene a group of counties interested in using impact fees for growth and public safety. The meeting concluded at 9:50 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – CONSIDER REQUEST BY TREASURE VALLEY RENEWABLES, LLC, FOR A DEVELOPMENT AGREEMENT MODIFICATION

The Board met today at 1:01 p.m. to conduct a public hearing in the matter of a request by Treasure Valley Renewables, LLC, for a development agreement modification. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Tricia Nilsson, Ali Nelson, Dave Jones, Neill Goodfellow, Tina Wilson, Jon Watson, Margie Watson, Jim McCune, Bonnie Spore, Maria Weber, Diana Sitts, Jan Phillips, Nathan Leigh, Brandon Keller, Wade Johnson, and Deputy Clerk Monica Reeves. Director Tricia Nilsson gave the oral staff report. The property is just shy of 50 acres at the NE intersection of US 20-26 and US 95 in the Shelton Road area. It was conditionally rezoned to light industrial, M-1, with a development agreement. The applicant is requesting to modify eight (8) conditions of the approval that are included in the development agreement. The conditions contained within

the agreement pertain to the rezone and planned unit development (PUD) that was approved by the Board on October 2, 2017. The conditions as currently worded would require agency review for the applicant to construct a fence around the property. The height of the fence necessitates a building permit. The modifications would shift by having all those studies done from when the building permit for a fence is required to when an enclosed structure is permitted. The modifications deal with things like fire safety, transportation, and other studies that will be required but the applicant is requesting they not be required before the fence is constructed, but instead when the project and buildings are designed. They won't change the requirements, but it's focused around the timing and type of building permits that are required so the commencement can start with the building permit for a fence and then the other conditions and permits would still follow. The code requires conditional rezones shall commence within two years of the approval of the Board. If the conditional rezone has not commenced within the time period the application shall lapse and become void and the subsequent development shall reapply for land use approval. The P&Z Commission recommended denial of the request. Staff is recommending approval of the modifications.

The following people testified in support of the request:

Ali Nelson, the attorney representing Treasure Valley Renewables, stated that in October 2017 the Board approved the application for a conditional rezone and established a number of conditions for approval and they were incorporated into a development agreement which lays out what the applicant needs to do to develop the property. Development has to commence within two years of approval by the Board and one the requirements is to build an 8-foot perimeter fence around the property that shows gate locations. The conditions also specify that approval for the fencing plan has to be submitted prior to the issuance of building permits and they require completion of a traffic study and construction of certain road improvements prior to building permits being issued. The issue is that approval to construct the fence is technically a building permit so they are looking to amend the development agreement to clarify the conditions to specify that references to building permits throughout the agreement only apply to construction of the building, the enclosed structure itself. It will allow the applicant to satisfy one of the conditions for development within this two-year period and that's to submit the fencing plan for the property. The P&Z Commission did not recommended approval on the grounds that the change is not necessary. Treasure Valley Renewables is working to develop the property; they tried to submit a fencing plan last week but it was not accepted in large part because these proceedings are ongoing and there is a question about what needs to be done prior to that fencing plan being submitted and approved. The Board already approved the application and in doing that already had to review the proposed use in this location and confirm that all of the requirements for approval were satisfied subject to completion of these additional conditions in the agreement. Ms. Nelson addressed the neighbors' concerns, in particular the potential impacts to neighboring property owners from odor to contamination. This will take materials that are being generated already and use them as feedstock to generate a valuable product, renewable natural gas. It will take these materials that are already being generated by farmers in the area and provide another location for them subject to agency approval and oversight. It's in the applicant's best interest to make sure all materials and odors are contained and managed

responsibly. They understand the need to have deadlines for work to get started and they are not looking to do away with the deadlines, but to clarify what the deadlines are and what needs to be completed and by when. Although it may appear to some that nothing is happening, there is lot going on in the background. Commissioner White asked why it has taken two years to realize the need to change the agreement, which was signed with the understanding they were agreeing to the conditions. Ms. Nelson said the submission of the fencing plan last week helps highlight why it's important; they tried to submit a fencing plan but because some of these other things that have to be done prior to building permits being issued, like a traffic study or construction of certain road improvements have not been completed yet. They don't read the agreement to require that everything has to be done within two years, just that some of things have to start within the two-year period. They are now realizing they cannot submit the fencing plan either so they need to satisfy one of the conditions in the plan but without the change and with our understanding that you need to have an actual building permit for the enclosed structure which means you have to do all the road construction. They just need to make this change in order to satisfy one of the conditions otherwise they have to satisfy virtually all of the conditions within the two-year plan and that's not what they understood *commence* to mean.

Dave Jones, the Vice President of Boise Bio-Gas, said they applied in May of 2019 knowing they would need changes to move forward. A project of this scope and magnitude takes a great effort and much time to properly and safely be developed. Over the past two years much as been accomplished behind the scenes and they look forward to a busy and successful transition in bringing this green energy project to fruition. They have interviewing and selecting various strategic partners, not the least of which was finding a suitable investment partner with an appetite for green energy products, an offtake partner experienced in renewable natural gas marketing, engineering, scientific, and technology firms and personnel. They needed to find suitable feedstock sources which included laboratory testing for bio-methane potential. The feedstocks are all local sources, they are dairies, farmers and food processors in the immediate area which will benefit from participation in this project. They have done preliminary design criteria and site layout and they have been subcontracting with companies to perform work on the site such as clearing and cleanup of the property, the geotechnical study, the environmental studies including wetlands and cultural, and threatened species. They have done a land infiltration study, the topographic and utility surveying and process flow and schematics for the entire design. They have had meetings and data gathering with local utility companies, and have met with Intermountain Gas, Williams Pipeline, and Idaho Power. They have reached out to and had meetings with all the various permitting requirements of the different agencies: Parma Fire District, state fire marshal, Farmers' Cooperative Ditch Company, the Notus Parma Highway District, ITD, DEQ, Idaho State Department of Agriculture, Southwest District Health, and the Idaho Department of Water Resources. They are having ongoing discussions with each of these agencies which in conjunction with their engineering design will ensure safe and legal operation of the facility. Working with this many counterparties and government and regulatory agencies takes a certain amount of time and this clarification of the development agreement is necessary to ensure that commitments can be and will be timely carried out. The sorghum portion of the project is not what is being developed, they are developing a renewable natural gas project at this point in time and all the sources that will be providing feedstock to the renewable natural gas

manufacturer, 95% are in Idaho. There may be some potato or onion crops coming from the Nyssa or Ontario area, but all the other dairies are local, within six miles of the site. The cheese factory in Nampa and the applesauce factory are involved as well as other types of organics that are coming locally.

Neill Goodfellow, the President of Boise Bio-Gas, said there are a lot of moving parts to this project with a lot of agencies involved and everybody has their own time schedules which can be a challenge. The studies have taken time, as well as surveying and soils testing, and there is more to be done. Their schedule takes them out to 2022 and they still have lab tests to do, they still have feedstock and digest optimization studies to do as well as more site studies that need to be done. They have work to do with the Notus-Parma Highway District and a traffic impact study has to be done. All these things have to be done prior to getting building permits. They have talked with Idaho Power and they have a study they need to do and it's relatively expensive and they need an assurance that they have a project and a place to have that study done. They expect to commence phase 3 construction sometime within the next year and a half. It will take that much time to do the land prep and all these additional studies.

Tina Wilson, the Executive Director of the Western Alliance for Economic Development, disclosed that WAED is a non-profit organization that is a collaborative effort between Idaho Department of Commerce, Canyon and Gem Counties and the cities of Notus, Parma, Wilder and Greenleaf. The original project was three companies co-locating on the same parcel of land: a bioenergy, anaerobic digesters, and the sorghum facility and a compressed natural gas scrub cleaner. Those other projects are not dead, they're just doing them one at a time. There is a growers' co-op for the sorghum facility and they are still active and moving forward with it; they're just trying to determine how large of project the Boise Bio-Gas leg of it will be. There are 25 growers of sorghum and they promoted the paper plate project and the energy component; they run more efficiently if they're together in the same place. She has been involved in the conversations with the utility companies and has interacted with the investor and conducted site visits. The feedstock information is a little different than the letter she submitted. The project is now going to be in the range of \$125M to \$150M, the jobs to be created are expected to be between 25 and 40. The median income is around \$56,000, the annual payroll will be \$1.7M. They are basing those numbers on 31 jobs; there is an indirect job of 2.97 anticipated from the Department of Labor so if you take roughly three times the 31 you're looking at an additional 93 jobs related to this project.

Neutral testimony was offered as follows:

Jon Watson thinks this project has some benefits and some possible challenges and it appears that the applicants have solutions to manage those challenges and the Board needs to make sure the conditions that have been placed upon the project are met. He spoke of his frustration with the road situation between Caldwell and Parma and the ongoing traffic concerns. He said ITD made a presentation about how they are going to fix that road in 2040 if the state has the money; he hopes their promises for road improvements will be done before Treasure Valley Renewables starts doing business, he also said the Board needs to fight for funding for Hwy 20-26. He said there is a lot of room for failure with this project and the Board needs to manage those challenges.

Margie Watson said the meetings she went to were about noise, odor, water, and traffic, all of which are paramount. At a meeting last week in Parma, officials from ITD said they were not going to allow anything to be done on that property until the road improvements were done. She heard the applicants are going to bypass the road study because they're going to do everything ITD want. ITD says it has to happen prior to anything being done, but the applicant is saying something else. She said traffic is unbearable, management has failed and some of the gravel trucks have acceleration lanes, some don't. She was told they are going to put in an acceleration lane and that is absolutely paramount. There are a lot of conditions and she questions who is going to manage the list of 40 conditions, and who will make sure it's done.

Testimony in opposition was as follows:

Maria Weber is a landowner and business owner in Parma and her farm is next to the subject property. Approving these modifications will essentially change the requirements for the overall condition of approval even though the applicant is saying it doesn't. Doing so changes the entire agreement by granting an unlimited amount of time to complete due diligence thus nulling the stipulations that approvals, plans, and permits need to be in place before the two-year commencement of use. It was stated that development shall commence within two years of the approval, a Planned Unit Development was approved in June. By approving changes to specify that the stipulations need to be met before the buildings are enclosed for enclosed structures will give the applicant the greenlight to commence development of all non-enclosed buildings and site improvements prior to the deadline and this effectively changes the agreement. In the past the applicant has been unable to successfully put this project in other locations; they have unsuccessfully managed to finance the project; they had to declare bankruptcy in 2013 and the fact they have been unable to do this is concerning and they need to be held accountable for what they agreed to do.

Diana Sitts said she spoke with fire commissioner Gary Rowher and she asked what steps have been made as far as safety and the Parma Fire Department and he said they had not heard from the applicant. They have had two years to develop and they have not done it; they didn't follow through on their original PUD and promises made to the community. They're not just changing the timeframe on the PUD, they are changing what is involved because now the sorghum is on the back burner which is what they were using to begin with as the main component, and the bio-gas was secondary because of the opposition, but now it's reversed. She urged the Board to deny the request and support the recommendation made by the P&Z Commission.

Jan Phillips said she has 68 signatures on a letter of opposition. Changes in the PUD are not needed to put up a fence, it requires a building permit not a change in the PUD. On August 9, 2019 she was told by Curt Christensen that the business representatives had been meeting with the Commissioners regarding this project and they were requesting PUD amendments as they could not get permits until road work was started. She said it appears some Commissioners and staff members are listening to project representatives but not the concerned neighbors. Ms. Phillips believes the construction of the fence will circumvent all the conditions of the original PUD. The traffic count they cite is from 2006 and is not reflective the traffic today. She also has concerns of the water supply not being addressed in the PUD. Commissioner Dale said he has not met with the project representatives outside of these proceedings regarding this request. Director Nilsson said if the modification is approved it does not circumvent the other

development agreement requirements. The studies, storm drainage, fencing plan, fire authority will be required prior to a permit for an enclosed structure, not for a fence. It's trying to differentiate between a non-enclosed accessory structure and the structures for the use that was approved. Ms. Phillips asked if the fence goes up will it affect the two-year start date? Director Nilsson said it would change the commencement from any building permit to a building permit for a fence; we would say the fence satisfied the commencement requirement.

Parma Mayor Nathan Leigh stated that he takes exception to Mrs. Winkle's letter. He has not fled the County, he is still mayor and he is not taking any kickbacks and he welcomes the chance to speak to Mrs. Winkle about those statements.

Ali Nelson offered rebuttal testimony stating this comes down to the two years of timing. They have requirements in these plans that need to be met within two years and the agreement says to commence development in two years and they read that to say do one of the things in this list to get started within two years. They need to construct a fence, they need to submit a fencing plan in order to satisfy one of these requirements within a two-year period of time. They cannot submit a fencing plan without this change; they tried that last week and it was not accepted because of the existing language so they've requested the change so they can complete one of the things in the list of 40 conditions. All remaining conditions will be satisfied. Commissioner White asked about the ITD meeting referenced by the Watsons where it was said there would be no development until a traffic study or improvements are done. Ms. Nelson did not attend that meeting, but some project representatives were there. The enclosed structures will not be started until the 40 conditions have been satisfied. With this change they are trying to clarify that they don't have to do all of them now and start construction on the enclosed structures now within the two-year period because that would be the same as saying don't just commence development, but complete all of the conditions within a two-year period. Commissioner White asked if the financing has been firmed up. Dave Jones said financing is not the issue with this and he cannot speak under confidentiality agreements. Margie Watson said she called the permitting people at ITD and as of the meeting in Parma, ITD did not have an application from the applicant for the road access.

Brandon Keller said regarding permitting and plans, they have been working with the group for nearly 4 years. Permitting takes time and to say they haven't commenced anything in two years would not be true. They have done geo-technical reports, completed 30 borings on site, they are doing infiltration, environmental, cultural, wetland, and endangered species studies. To commence and build a project of this size you need to do those studies. He said the Board has a letter from ITD that states what they are requiring and it's in the agreement; nothing has changed in the last two years as far as what they want to see. They are not doing a traffic impact study with them because they already presented to them a deceleration lane and an acceleration lane and a turn lane. It's in the development agreement. They've reached out to ITD again and they sent another letter for this hearing with the same stipulations so as far as submitting plans for that permit, they are not trying to submit right now because they are still doing some studies. We have talked with the highway district and a traffic impact study will be done. They have not reached out to the fire chief recently because they know from 2-3 years ago that they have to provide a safe structure, nothing has changed from that. They will meet with the fire district because that is part to the building permit application.

Commissioner Dale asked if we have a development definition. Director Nilsson said the ordinance defines the term *commence* relative to a use that requires the facility structure, it's defined as the date when the first placement or permanent construction of structure on a site begins such as the pouring of slab or footings, installation of piles. It does not include land preparation, direction of signs. Ms. Nelson said they did not read that definition to apply to commence development for purposes of these conditions of approval. That definition is not stated in the development agreement and the agreement does not reference that definition as it does specifically reference a number of other provisions from the ordinances when they are intended to apply. Either they need the change to be made because it's necessary or it isn't. They submitted a fencing plan because they heard from the P&Z Commission that this change is not necessary. If it's not necessary they can submit a fencing plan and satisfy the terms as it's written without a modification. They need the modification to be made and they would like it approved with the understanding that development has been proceeding and is outlined to continue to proceed. Commissioner Van Beek said due diligence for the property has been done, but development has not commenced. Ms. Nelson said development under the conditions of approval is outlined to include submission of a fencing plan and that also has not commenced because the application was not accepted so they are looking to make this change so the additional step can be commenced in this two-year timeline. She said they will satisfy all conditions outlined and no enclosed structure for the property will be constructed until all requirements have been satisfied because all of them have to be satisfied before a building permit for that enclosed structure could be issued. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. (The Board took a brief recess from 2:23 p.m. to 2:26 p.m.) Commissioner Van Beek said she's read the minutes and reviewed the material for this case. It's an ambitious project that at some level would inject a lot of capital into community and it's a significant investment but it is a venture capital and the location of where that venture capital is located appears to be the biggest factor so a careful analysis of that to weigh out property rights of both sides has been done by the previous Board. There were 203 signatures from the Parma and Caldwell area and that is significant on this kind of project. In spite of the positive factors that are on the side of this development her position is there was not enough vetting of what needed to take place on a venture capital project to ensure the things that kind of perpetuity (the year 2040) requires. There are certain things that should be in place for life, health, and safety on a project of this magnitude and she is not willing to stand down on this. Commissioner Dale said two years ago he studied this project intently. There are implications in Karen Winkle's letter that are fallacious and erroneous and are impugning the integrity of people. He spent a lot of time understanding the issues associated with this case two years ago and he understands them today. There was a meeting three years ago where there was privileged information about industrial development and we had a meeting about that prior to this submission to the Board, but that's it. He has not met with the applicants outside of these public hearings. Furthermore, it is insulting to imply that he has personally benefitted from this case. He bases all decisions on what he thinks is best for the County and the public good. We are talking about modification for clarification to a development agreement, this is not a forum to re-hash whether this is the right place for this business. Every one of the requested changes is about adding the words for enclosed structures, it's not about changing any

other conditions. They've stated every one of those will be met. All of the safeguards will be adhered to before the first building permit is issued for an enclosed structure. He thinks it's very reasonable to ask for a modification. Commissioner White said her original vote stated where she stood and she has not changed her mind about a lot of things particularly about some of the problems, the compatibility, the roads, traffic, most of all the generational farms and farm life. The request is for a modification to the development agreement of an approved project and with development it takes longer to get things done, such as finding investors. If she had to vote again on this project she would vote no again because of the reasons she gave before, but, she's not going to fight it all the way through. She wants them to succeed, it's a great thing for Canyon County and the state. The proposed modification will not change the requirements contained within each condition but will clarify the timing of each. They're not going to make up things or add things or ruin or destroy the neighbors' lives. It's not going to change the way of life but it is going to add betterment to the ecology. They will solve a major problem for dairies and other farm processing. We have to take care of business and stay on top of this and the applicants have to do what they said they will do and they must be good neighbors. In response to the question of does this modification start another one-year or two-year clock, the answer was no. Director Nilsson said this is not an extension, it's defining the term *commencement*. Defining it as the building permit for a fence is commencement. She believes the Board has the prerogative to put additional conditions if they feel it necessary. Commissioner Van Beek said she cannot overcome the number of obstacles this presents but she can help condition and modify the agreement as it exists to include that the applicant maintain that property in a way that's reflective of their desire to have this be a state of the art facility. There should be some time limitation (2 years) to complete the due diligence and at such time there has to be some boundaries imposed so that in the event the investment falls through or the economy doesn't hold, or there are issues with ITD, etc., that there is still a back out plan. Commissioner Dale said before any building permit for an enclosed structure can be applied for the roadway improvements have to be completed, the life safety issues, all those things in the development agreement have to be done, so perhaps a two-year window to allow that to be substantially complied with. Director Nilsson said they can require an annual status report to be submitted. Commissioner Dale made a motion to approve the request by Treasure Valley Renewables for a development agreement modification and to sign the findings of fact, conclusions of law and order, and the development agreement and include a stipulation that there will be a two-year window to demonstrate substantial compliance with the conditions of the development agreement with an annual report required. Zach Wesley said the development agreement contains some conditions that are perpetual, hours of operation, access, storage of materials, etc., and so if we could narrow that two-year limitation, that within two years have all of the conditions that have been modified today completed and a building permit submitted for an enclosure. Director Nilsson said the things being discussed are required prior to building permits for an enclosed structure so if you just had a time limit on that it would take care of all those other required studies and improvements and things that had to be done. Mr. Wesley said the additional modification could be to have the permit applied for. Commissioner Dale said the motion will include the approval as mentioned with the addition that within two years' time the first building permit for an enclosed structure shall be applied for which would then require that

all these things are done. The report will be due on October 2, 2020. Commissioner Dale restated the motion: to approve the request by Treasure Valley Renewables for a development agreement modification and signature, Case No. DA2019-0006. and to sign the findings of fact, conclusions of law and order, and the development agreement inclusive of condition no. 41 stating that the building permit application for an enclosed structure shall be submitted within two years, and an annual report shall be submitted beginning October 2, 2020. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote with Commissioner Van Beek casting the dissenting vote. Staff will bring the revised development agreement to the Board in two weeks. The hearing concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 16, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$1628.00 for the Information Technology department
- BOE in the amount of \$8173.00 for the Information Technology department
- TYCO Structural Enterprises, Inc. in the amount of \$4500.00 for the Parks department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/20/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/12/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/11/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 10/6/19 for a wedding.

APPROVED CATERING PERMIT

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

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approving re-application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation: Several years ago funds were requested for litigation with CTI-SSI Food Services LLC, however, it has been much more expensive than originally thought. The original request was for \$25K but Assessor Stender would like to make re-application for an additional \$40K to cover the entire \$65K cost. Discussion ensued regarding the court cases and the outcome of those and how they affect future assessment numbers. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the re-application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation. A copy of the application is on file with this day's minutes.

Consider signing Lake Lowell Park office expansion architectural and engineering services agreement with Houston-Bugatsch Architects: The anticipated cost for these services is \$12,500 which is below the requirements to go out for RFP/RFQ. Director Navarro said Rick Bugatsch believes he can have it done by October 15th which works well since this work was budgeted for in FY19. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the agreement with Houston-Bugatsch Architects (see agreement no. 19-135).

The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING - REQUEST BY WILLIAM JENKINS FOR A REZONE, CASE NO. RZ2019-0012

The Board met today at 9:30 a.m. for a status update regarding the request by William Jenkins for a rezone, Case No. RZ2019-0012. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Jessica Skinner and Deputy Clerk Monica Reeves. The initial hearing was held on September 3 where the Board considered the rezone request and at the conclusion of that hearing there was discussion about whether the applicant would be willing to sign a development agreement and a status update meeting was scheduled for today where staff would report to the Board. Jennifer Almeida reported that the applicant filed an application for a development agreement on September 12, 2019. Staff is requesting the case be postponed by at least 30 days to allow for enough time to provide notice of the development agreement which will contain conditions of approval. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to reschedule the hearing to October 17, 2019 at 10:00 a.m. The hearing concluded at 9:34 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 10:31 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross.

Director Tolman discussed the following topics:

- Currently in the middle of the bid / build process; discussion ensued about the rank selection priority list for bids of new/used units and asked for the Board to review and give input
- Early replacement units have been acquired to get new employees set-up

EXECUTIVE SESSION – PERSONNEL MATTER

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

Commissioner Van Beek made a motion to go into Executive Session at 10:46 a.m. pursuant to Idaho Code, Section 74-206(1) (a) regarding personnel matters. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:58 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 CONSIDER ACTION ITEMS

The Board met today at 11:01 a.m. to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White via teleconference, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell, Jail Captain Daren Ward, Controller Zach Wagoner, Elections Supervisor Hailey Hicks left at 11:08 a.m. and Deputy Clerk Jenen Ross.

Consider signing Notice of Sole Source Procurement with Hart, LLC for election equipment:

Mike Porter is requesting that this be vacated today so that further review can be done. The next election is on November 5th and there is a great amount of work that needs to be done in preparation of that election. Given the scope and importance of this project there may not be enough time to make sure all the Hart equipment will be in place for a successful election. The hope would be to have the equipment in place before the March primary election. Discussion ensued about what the Hart equipment provides and how it is anticipated to improve elections. In response to questions posed by Commissioner Van Beek, Mr. Wagoner addressed the question of sole source and the use of Hart equipment in Idaho along with other states.

Consider signing Change Order No. 5 - All Detainment Solutions: This change order is for exterior painting as required by the SUP from the City of Caldwell. The total amount of the change order is \$52,455.00. The trailers will be painted to match the current Dale Haile facility, skirting at the bottom will be painted orange/red color and the screening material at the top will be the same orange/red color. Change orders to this point total approximately \$160K. Anticipated arrival is between October 28th and November 4th. Captain Ward said the only other change order that may come thru is for towel hooks. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign change order no. 5 for All Detainment Solutions (see agreement no. 19-136).

The meeting concluded at 11:16 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 1:45 p.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

A discussion was had on employment disqualification. Director Breach said they use the POST standards and apply the IDAPA rules.

Director Breach's discussion topics included the following:

- Open position has been posted
- Breakroom has been remodeled into an office and they have made a small storage room into a small breakroom
- Review of numbers in each program – 292 offenders in community service with 10 problem solving court participants; 1316 offenders on supervised probation; 481 offenders on bench warrant status
- 4 Probation Officers were sent to the IJJA conference on scholarship
- Effectiveness of the community service program and the specialty courts

Ms. Catalano's discussion topics included the following:

- About 400 kids being supervised by her department which is holding steady
- Currently the Idaho Department of Juvenile Corrections has the lowest number of juveniles in custody they've ever had. They credit much of that to the counties for keeping kids in the community. As a result they are looking at passing more money onto the counties to do more of whatever program is working
- 6 Probation Officers attended the Juvenile Justice Association conference, all of the POs were able to attend on scholarship
- About 800 people showed for the Truancy Kickball event and raised almost \$8000. Ms. Catalano would like to send some kind of thank you to the community supporters
- Ross Garvin recently received national recognition for starting the bike project

The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS CANYON COUNTY JAIL FINANCING ALTERNATIVES WITH ERIC HERINGER/PIPER JAFFRAY & CO.

The Board met today at 2:32 p.m. to discuss Canyon County jail financing alternatives with Eric Heringer from Piper Jaffray & Co. Present were: Commissioners Tom Dale and Leslie Van Beek, Christian Anderson from Zions Bank, Attorney Nick Miller from Hawley Troxel, Eric Heringer from Piper Jaffray, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Treasurer Tracie Lloyd, PIO Joe Decker, Rachel Spacek from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Eric Heringer said he is talking to the Board

today as a potential underwriter, a broker/dealer. He then explained the relationship between Hawley Troxel, Zions Bank and Piper Jaffray. They are not making a proposal; all three firms do different things. Christian Anderson from Zions Bank has been the County's financial advisor and in that role they cannot provide the financing for the County, but they can facilitate. Piper Jaffray can "show up with a bag of money" and find the investors while Mr. Anderson advises in that process. Mr. Heringer gave a PowerPoint presentation, a copy of which is included with this day's minute entry. They will look at the annual appropriate lease structure and walk through what that means and how it works, and they will also give some specific analysis on the jail financing and what that might look like. The most efficient way to finance a new jail without a vote is through a traditional annual appropriation lease financing which involves securitizing the payment through the sale of Certificates of Participation to investors. The COPs are secured by the County's annual appropriate lease payments. The presentation included an overview of a lease structure. Christian Anderson said they are not here as a combined package deal, they want to be back in the process and not just if Mr. Heringer is engaged, to evaluate and compare the proposals. Nick Miller said a year ago they proposed an engagement letter to evaluate different options and then there was a decision to put that engagement aside and send a message that the County is totally focused on the voted option, so they revised their engagement to be just related to the bond. Mr. Miller and Mr. Anderson want to have permission to send the Board a new proposal to say they are on board to help with the structure, whatever it might be. They work together but they are not linked. Commissioner Van Beek said since the bond failed it has generated another round of interest and we have other lenders scheduled to come in to provide presentations that would look differently. If we go with a non-voter, non-judicial confirmation it's going to be heavily criticized and she is interested in hearing how we overcome that from a marketing perspective. There will have to be a high level of transparency and confidence in how we put this package together and how we drill down more effectively. It will have to be a coordinated effort with a lot of interface with the public. Chief Dashiell asked a question pertaining to economic compulsion and owing the land, and how in an auditorium district they didn't own the land. Mr. Heringer said he thinks it's okay if they do, so long as they don't stand to lose it. Mr. Miller said they had a case where the City of Boise deeded the land to the trustee and the court said if you non-renew you forfeit your land so now they structure the land transfer as a ground lease and the lease terminates at the same time the financing is paid off. If for some reason the County doesn't renew and the trustee had to hold it until the bonds are paid off, such as leasing the jail, once financing is paid off the land reverts again because it's a ground lease. There is no forfeiture and the market has accepted that. Discussion ensued regarding finance options. Controller Zach Wagoner said the growth in this state is tremendous and with that growth comes the need for buildings, but it seems like we're seeing more difficulty in getting bond measures approved but at some point something has to give. He asked what they see on the horizon for this industry, and, do they see annual appropriation becoming more prevalent? Mr. Miller said the heat is going to be on the elected officials to say we have this tool, it's legal and it delivers the project we need, and we have the money and we're going to spend it. Short term, without any legislative fix or the state taking over, he's worried the states will have to build the schools because nobody can pass a school bond. Absent some legal change the fact that this tool does work and is available puts the focus on the elected officials to say they're going to do this.

Mr. Heringer said this mechanism doesn't create a new tax liability where a voted bond does. It works with the existing authority we already have. You have to make budget decisions and therefore you may not be able to spend as much because you're using that to make lease payments. Controller Wagoner said we have that authority, but we are not currently taxing to that level. Commissioner Van Beek said it would mean a good working relationship with the Board, the Clerk and the Controller for continued transparency in identifying those ways with urban renewal and new construction and if we can make those decisions in unity that would enable us to have a structure in place to pay for it. It uses what the taxpayer is already used to instead of creating something else. She would be interested in a 20-year amortization schedule sized to the \$7M annual payment. Controller Wagoner said the \$7M is still a good number at the moment, but that would be maximizing our property tax authority and it's important to remember if we have an approved bond and we levy \$7M that's all that gets paid because urban renewal doesn't participate in a voter-approved measure. If we levy \$7M under an annual appropriation, taxpayers would actually pay roughly \$7.4 million – with \$400,000 going to the urban renewal agencies and \$7M staying with the County for the annual payment. Voter approved initiatives are exempt from participation in urban renewal. Urban renewals receive money based off the County's levy and if the County were to increase its levy by \$7M specifically for this payment urban renewals would receive additional revenues based on conditions right now. Commissioner Van Beek is not interested in increasing our levy authority, but where revenues are up and we have the potential to reallocate that portion for the retiring allocation area, that's not new money its property tax, it's new to the County. She wants to see what that looks like from a variety of sources. The Controller said he does too, he just wants to make sure we have full disclosure. Mr. Miller said before those urban renewals sunset perhaps the County could request the city to help with projects. Commissioner Van Beek said it would be fair to say the City of Caldwell would look at that. No Board action was required or taken; the Board will continue financing discussions. The meeting concluded at 3:38 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 17, 2019

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

APPROVED CLAIMS ORDER NO. 9/17/19

The Board of Commissioners approved payment of County claims in the amount of \$17,401.17 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/25/19

The Board of Commissioners approved payment of County claims in the amount of \$72,585.25 for accounts payable.

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

The Board met today at 1:37 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Brad Goodsell, Chief P.D. Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Goodsell presented to the Board a letter to several taxing districts and the Idaho Department of Commerce giving notice that a public hearing to consider a tax exemption for Syngenta Seeds, LLC will take place on September 30th. A copy of the letter is on file with this day's minutes. He also gave the Board an update on the Stuart property located by the landfill; the sellers are scheduled to sign closing documents on September 25th and the Board is scheduled to sign on the 27th.

The action items were considered as follows:

Consider signing independent contractor agreement for public defender conflict counsel with Thomas Monaghan: This document did not come back in time so it will be agendaized to a later time.

Consider signing independent contractor agreement for public defender conflict counsel with Matthew Thompson, Krista Howard and Alan Coffel: Some of the agreements are renewals and some are new contracts but they are all the same agreement. The contract provides an hourly rate but there is not an hourly limit on the work to be done. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreements for public defender conflict counsel with Matthew Thompson (see agreement no. 19-137), Krista Howard (see agreement no. 19-138) and Alan Coffel (see agreement no. 19-139).

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

PUBLIC HEARING - REQUEST BY JOHN IHLI FOR A CONDITIONAL REZONE, CASE NO. CR2019-0005

The Board met today at 2:02 p.m. to consider a request by John Ihli for a conditional rezone, Case No. CR2019-0005. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD

Planner Dan Lister, DSD Planner Jennifer Almeida, Gina Ihli, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a conditional rezone for a 21.65 acre parcel from Agricultural to Rural Residential. In 1995 the parcel was divided into its current configuration and at that time our previous ordinances allowed for different types of land divisions and this was divided to eventually allow for another lot, however, our land division requirements have changed. There are two smaller parcels and those are the dwellings that have been allowed, the rest has been allowed for agriculture/farm land uses only. Unfortunately the applicant didn't come in during the timeframe of the previous ordinance to allow for that extra division so today they are requesting a conditional rezone to get one more home site. The property is zoned agricultural, our future land use plan is to keep it agricultural. The nearest rural residential zone is about 7100 feet away from this parcel and the nearest subdivision is 4600 feet away from this parcel. It is not in an area for residential growth. The soils are moderately suited; there is an acre that's not suitable soil for agricultural uses. The applicant has agreed to a development agreement to only develop two acres of the parcel within an area that is considered nonviable. The owners don't currently live on site so they have to drive a distance to farm their own land so if they were able to live on site they could easily maintain it. The development agreement will keep 19.65 acres in farmland which would stay that way in perpetuity or until the development agreement is modified. The request does not change the overall character of the area which is surrounded by agricultural land and little pockets of housing. In previous decisions the County has allowed similar housing density in that area and it connects to different farmlands that will be very similar. The Canyon Highway District suggests the access be changed due to the location and some site issues. The P&Z Commission and staff have recommended approval of the application. Gina Ihli testified that the parcel was originally owned by her husband's father and in the 1980's the kids bought it in a limited partnership. A brother owns the northern portion and the portion that runs along the east side, and a sister owns the southern part. Originally there were three building sites but with code changes one went away so that's why they are requesting this. They have a right of way easement and they have to plat it because the house parcels are separated from the land. Mr. Lister said after four parcels are created off an original the next one has to be platted so they were given the option of having the owner merge these and if they do not agree with that this would have to be platted. The development agreement was set up so that if they choose to merge their lots they can do it through a land division, if they can't get the family to do that they will have to go through platting. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the request by John and Gina Ihli for a conditional rezone with a development agreement in Case No. CR2019-0005 and to sign the findings of fact, conclusions of law and order, and the ordinance. (See Ordinance No. 19-040.) The development agreement will be considered on September 19, 2019 at 9:00 a.m. The hearing concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO

SEPTEMBER 18, 2019

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

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

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida left at 9:09 a.m., Director of Juvenile Detention Steve Jett left at 9:07 a.m., HR Director Sue Baumgart left at 9:31 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing notice of intent to award contract for FY2020 Southwest Idaho Juvenile Detention Center food and commissary services: There was only one proposal received, from Summit, which is the current vendor. The proposal met all the requirements and Director Jett recommends moving forward with contract negotiations. The RFP was done as a requirement from the School Lunch Program. Commissioner Van Beek made a motion to sign the contract for FY2020 Southwest Idaho Juvenile Detention Center food and commissary services. The motion was seconded by Commissioner Dale and carried unanimously. Zach Wesley noted for the record that no notice letter was prepared since the only submission received was from the current vendor.

Consider signing a resolution granting a refund to Deneige Haar for a temporary use permit; Case No. TP2019-0007: Jennifer Almeida explained that the applicant has found a different place of residence and the temporary use permit is no longer needed. No staff work was done so a full refund is recommended. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a full refund of \$300 (see resolution no. 19-142).

Mike Porter explained that Director Baumgart had a few items to discuss with the Board and since she was not able to make her regularly scheduled meeting she asked to join the legal staff update today in order to get feedback from the Board to set priorities. The following topics were discussed:

CPR training: This is a training done by the Ambulance District. Discussion ensued regarding who would participate in the training. Commissioner White suggested the training for departments under the Board and then leave it to each Director to reach out to their employees to volunteer for the training. Mr. Porter summarized the conversation stating that his understanding from the Board is that they feel the training is a good idea, it may be good to include the Security Director once one is selected and possibly the Emergency Manager so they can all work together to find those best suited to taking the training. Mr. Porter explained we may need to work with the Ambulance District for some kind of agreement. Commissioner Dale said he believes the Ambulance District puts on these kinds of trainings for free throughout the community. Direction from the Board is that there is a consensus to move forward with the training. Ms. Baumgart said she would reach out to the Ambulance District and Directors.

Safety training: Director Baumgart said she had spoken with Commissioner Van Beek previously about this but wanted a little more clarification as what she's looking for. Commissioner Van Beek said she's really thinking mostly of the Facilities department where they're using equipment and they're on and off of ladders – what to do if there is slip, trip or fall. Commissioner Dale spoke about the online training offered by ICRMP. Mr. Porter spoke about the different components of safety: physical vs. workplace safety. Mr. Porter suggested that the Directors may need to be involved in what trainings would be best suited for their department. Director Baumgart said she could reach out to the Directors that have labor employees and ask them to evaluate the ICRMP training. Board direction is to see what ICRMP programs are available and then speak with Director Loper and Director Navarro about their safety programs and let them know the Board would like information at their next meetings.

Credit card policy: Currently there is no policy in place. Since most employees don't have credit cards it hasn't really been necessary to be included in the employee handbook. Commissioner Dale would like to have the Clerk speak to the Board about the guidelines and sideboards when someone is issued a credit card. He thinks there should be something in writing so it's clearly defined and there is no question about abusing a credit card. Commissioner White also believes there needs to be a policy. Commissioner Van Beek thinks a policy is appropriate – something to list the do's and don'ts of using a county credit card. Mr. Porter said in his conversations with Chief Deputy P.A. Sam Laugheed it seems the statutes are pretty clear about what not to do. He said as far as a policy goes he thinks it's a good idea to have a meeting with the Clerk to see what he has. Commissioner Van Beek would also like to see a revaluation of the credit card limits. Board consensus it to get the Clerk involved in the conversation.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

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

Commissioner Dale made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:48 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.

CONTINUED PUBLIC HEARING TO CONSIDER WRITTEN DECISION FOR MAMLS, LLC, CONDITIONAL REZONE REQUEST

The Board met today at 9:50 a.m. to consider the findings of fact, conclusions of law and order, as well as an ordinance in the matter of the request by MAMLS, LLC, for a conditional rezone, Case No., CR2019-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Todd Lakey, other interested citizens, and Deputy Clerk Monica Reeves. Ms. Almeida reported that on August 30, 2019 the Board made a decision to approve the conditional rezone and directed staff to add three conditions to the development agreement and bring back the written decision today. The following three conditions have been added: dark skies at night, a wildfire interface plan, and that the project must be developed in conformance with the updated site plan. She noted there were letters received after the hearing was closed and so they were not marked as exhibits. Commissioner Van Beek is in favor of reopening public testimony to allow the letters to be put on the record. Zach Wesley said the testimony was closed and the late exhibits were not before the Board in making its determination at the last hearing and if the Board wants to open testimony to receive those letters his recommendation would be to make a motion to reopen public testimony and enter those items as exhibits and then provide them to the applicants so they can provide a response, but it's at the discretion of the Board whether to take that additional information or proceed with the information from the hearing. Todd Lakey objects to the Board reopening the record. Commissioner Dale is not in favor of reopening public testimony as it sets a bad precedent. A decision has been made and we need to stick to the agenda item which is to review the written documents. Commissioner Van Beek said she did not vote in favor of the application due in part because of soil conditions and topography which would need to have enough room for configuration in order to prevent septic leakage. She said if the merits of this case stand then they will stand whether we reopen the record or not but we are here to represent citizens and provide an opportunity to clarify issues relating to the health department and the existing subdivisions on how they provided that information on public record. Mr. Wesley said as an alternative to reopening public testimony we could ask the letter writers to submit requests for reconsideration and then they would have 14 days from the written findings to do that and

then the Board could decide if it wants to have an additional public hearing. Commissioner White likes that option. Commissioner Van Beek proposes the Board take counsel's recommendation for reconsideration, or, allow the letters to be entered into the record. Commissioner White likes the option for reconsideration. Mr. Lakey said he's okay with that and if they do request reconsideration he will address it at that time. Mr. Wesley will work with staff to send communication to the parties and advise that their letters were not put into the record because the record was closed and advise them of their right to request reconsideration. Commissioner Dale made a motion to authorize the Board to sign the findings of fact, conclusions of law and order as well as the ordinance in the matter of the request MAMLS, LLC, Case No. CR2019-0001 and to include those amendments for the development agreement as approved. Commissioner White seconded the motion. Commissioner Van Beek voted in favor of the motion in order to allow the process of reconsideration to go forward. The motion carried unanimously. The applicant signed the development agreement. (See Agreement No. 19-140 and Ordinance No. 19-041). The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(A) AND (D)

At 10:10 a.m. Commissioner Tom Dale made a motion to go into Executive Session pursuant to Idaho Code Section 74-206(1)(a) and (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale, and Van Beek voting in favor of the motion to enter into Executive Session. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Craig Vargo, and Deputy Clerk Monica Reeves. Mr. Vargo left at 10:49 a.m. Joe Mueller arrived at 11:00 a.m. and left at 11:36 a.m. The Executive Session concluded at 11:52 a.m. with no decision being called for in open session.

MEETING AND PRESENTATION WITH DR. DOUG DAMMROSE REGARDING INDIGENT MEDICAL REVIEWS

The Board met today at 2:02 p.m. with Dr. Doug Dammrose regarding indigent medical reviews. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek (left at 2:53 p.m.), Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Dr. Doug Dammrose, Case Manager Kelsee Hale, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. Dr. Dammrose gave a background of himself, his medical experiences and how he became interested in the finances of healthcare. A discussion was had regarding how he applies the statute to indigent medical reviews and his opinion of how physician and hospital involvement and knowledge could affect change to the cost of medical indigency. A handout was provided for the meeting and is on file with this day's minute entry. The meeting was for informational purposes only and no Board action was needed.

or taken. The meeting concluded at 2:59 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 19, 2019

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$2655.00 for the Information Technology department
- Apple in the amount of \$2394.00 for the Information Technology department

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1251, 2019-1252, 2019-1253, 2019-1223, 2019-1225, 2019-1220, 2019-1380, 2019-1211, 2019-1233, 2019-1248, 2019-1232, 2019-1249, 2019-1234 and 2019-1247. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decision within 30 days on the cases as read into the record. The meeting concluded at 8:47 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 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Director of Juvenile Detention Steve Jett left at 9:07 a.m. and Deputy Clerk Jenen Ross.

Consider signing Juvenile Detention housing agreement with Owyhee County: This agreement is to house juveniles from Owyhee County at the Juvenile Detention Center. The only change from last year is to the price per day from \$170 to \$191 due to increased costs and lower populations. Director Jett anticipates there will be another increase next year. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Juvenile Detention housing agreement with Owyhee County (see agreement no. 19-141).

Consider signing development agreement for the John Ihli conditional rezone request; Case No. CR2019-0005: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the development agreement for case no. CR2019-0005 (see agreement no. 19-142). Commissioner White was not present for the hearing and recused herself from voting on the development agreement.

The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES AND LOCAL HIGHWAY DISTRICT REPRESENTATIVES

The Board met today at 9:30 a.m. with Development Services and local highway district representatives to discuss transportation impact fees. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Tim Richard, Chris Hopper, Jay Gibbons, Rick Youngblood with Canyon Highway District No. 4, Michael Keys with Star City Council, Amy Woodruff with the City of Middleton, Middleton Mayor Darin Taylor and Deputy Clerk Jenen Ross.

An overview presentation was given addressing the following topics:

- New Growth and Development concentrated in Star/Middleton area
- Graph showing Canyon County building permits between 2000 to 2017
- Long Range financial forecast
- Impact fees appear to be first best available solution
- Current transportation impact fees in the Treasure Valley per residence
- Impact fees overview
- Impact fee implementation process
- CHD4 conducting impact fee study for sub-district no. 1
- Moving forward
- Why sub-district no. 1 vs. all of Canyon County

- Details of transportation impact fees
- Level of service
- Opportunity for partnership with the cities of Middleton and Star
- Framework for Partnership
- Potential impact fee revenue

Further discussion ensued regarding having a resolution in place and the committee and committee members. A copy of the Power Point presentation is on file with this day's minute entry. The meeting concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JEFFERY AND SHELLEY HENDERSON FOR A CONDITIONAL REZONE, CASE NO. CR2019-0006

The Board met today at 2:02 p.m. to consider a request by Jeffery and Shelly Henderson for a conditional rezone of a five-acre portion of Parcel R35966 from "A" (Agricultural) to "CR-R-R" (Conditional Rezone – Rural Residential, two acre average minimum lot size.) The vacant parcel is located south of 23983 Centerpoint Road in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Jeff Henderson, Bill Boosenbart, Bonnie Spore, Scott Laurey, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report noting that staff is recommending approval. Jeff Henderson testified in support of his request noting that he wants to retire in the country. He has leased the property for the next five years for cattle grazing until he can get out there on a permanent basis. He also spoke of plans to address potential access issues. Bill Boosenbart testified that he lives adjacent to the subject property and when he purchased his property a number of years ago he was told it agricultural land and he couldn't rezone it so he doesn't understand why the applicant is trying to rezone it to rural residential. He is concerned that potential buyers will complain about his cattle and use of fertilizers. He does not object to the applicant building a home for his family, but he is not in favor of rezoning the land to allow for a subdivision with more homes. Dan Lister said this is a conditional rezone and it allows only one house, and the development agreement says after this division he is not allowed to have any more. If they want to divide the property they will have to come back through the hearing process. Scott Laurey lives on Centerpoint Road in Caldwell and he moved to this area because of the agricultural character. He doesn't have a problem with one house, but he is very concerned subdividing allowing for multiple homes. Mr. Lister said the agreement runs with the land so if it sold the new owners would have to follow the agreement, and if they want to divide the land they would have to go through a hearing process. He said if the applicant had requested a full rezone staff would not be supporting it. The development agreement allows for this division and one house on the five acres. During rebuttal Jeff Henderson spoke about the easement near the horse barns which has been used for many years. He also spoke about how the land has never been fully used; the Kings have run cattle on it, and there are areas with very little topsoil where weeds and thistle grow. Mr. Henderson said he has family that would like to buy the five-acre piece and he wants the agricultural land and he wants to run cattle on it. Upon

the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale said this is a conditional rezone with a restrictive development agreement and it will help preserve the rest of that ground. Commissioner Van Beek said it's been filtered through the P&Z Commission, and she supports the request because the applicant said family will live on the land. Commissioner White said in listening to the testimony, the Hendersons want what those in the area already have: farm life, wide open spaces, and quiet residential and that's why they agreed to these strict conditions. She supports the request. Commissioner Van Beek said they cannot put a secondary structure on the property without a rezone because the person down below kept the building permit. Mr. Lister said this differs from what Mr. Boosenbart did in that he has a primary house and a secondary house which is an accessory dwelling, it cannot be split off. The subject property does not have that, it will only have one dwelling. They will not have an accessory dwelling; they may have a barn or a garage, but they will never have another dwelling as long as the development agreement is in place. They do have a building permit and an option for a secondary dwelling. The rezone will allow one division to create a buildable lot on the five acres so it will allow one more dwelling and it could be sold off, but right now they cannot do that. The rezone gives them one more once the land division application goes through. The secondary dwelling runs with the owner of property so banks will not typically lend on a secondary to another family, it would have to be done by that owner. It's essentially a guest house and it cannot be sold separately. Commissioner Dale made a motion to authorize the Board to approve the request by Jeffrey and Shelly Henderson for a conditional rezone, Case No. CR2019-0006 and to sign the findings of fact, conclusions of law, and order as well as the ordinance and development agreement. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-042, and Agreement No. 19-143.) The hearing concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CLERK AND CONTROLLER TO CONSIDER APPROVING TAX YEAR 2019 LEVY RATES; FY2020 COMPENSATION PLAN AND SALARIES; ADDITIONAL POSITIONS FOR FY2020; AND TO CONSIDER SIGNING THE NOTICE OF UNSCHEDULED REVENUE HEARING FOR FY2019

The Board met today at 3:01 p.m. with the Clerk and Controller to consider approving tax year 2019 levy rates and the FY2020 compensation plan and salaries as well as additional positions for FY2020, and to consider signing a notice of unscheduled revenue hearing for FY2019. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Senior System Analyst Steve Onofrei, Juvenile Detention Director Steve Jett, PIO Joe Decker, Michael Stowell from the Canyon County Ambulance District, Rachel Spacek from the Idaho Press-Tribune, Deputy Clerk Monica Reeves. The items were considered as follows:

Tax year 2019 levy rates – Zach Wagoner said there are roughly 60 taxing districts in Canyon County and it's a tremendous undertaking to calculate levy rates for all those taxing districts. Each one submits an L-2 form (a property tax request) and the Clerk's Office reviews it for accuracy and they review their published budget and make sure what they're requesting is permissible, and then they calculate a levy rate based on the request and the taxable value. Commissioner Van Beek asked if there were any significant changes to any of the districts. Steve Onofrei said there weren't any significant changes, but there was a reduction to levy rates, which was a reflection of the high assessed values. When levy rate drops it doesn't mean it will reduce their taxes, it means the rate will apply to their higher assessed value. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to sign and approve the resolution for the tax year 2019 levy rates. (Resolution No. 19-143.)

Notice of unscheduled revenue hearing - The County budget is very specific to offices and departments and we are not allowed to just transfer from one department to another. We have a few instances where an office or department needs an increase in their 2019 budget:

Current expense fund:

\$100,000 in the Prosecutor's Office related to costs associated with out of county conflict expenditures

\$200,000 in the Facilities Department for a real estate acquisition, construction projects and Pod 6 preparation expenditures

\$30,000 in the Emergency Management budget for development of the emergency operations plan

Indigent fund:

\$100,000 in the public defender budget for conflict counsel

Consolidated election fund:

\$30,000 for ballots, poll workers and other election operating activities

Problem solving courts fund:

\$40,000 for testing services

District Court fund:

\$175,000 in juvenile probation for the community incentive re-entry and mental health

Landfill fund:

\$300,000 for property acquisition

All amounts are covered by revenues other than property taxes. It's an accounting exercise to make sure there is sufficient budget to cover all expenditures. Commissioner Van Beek had questions about the funds as explained by Controller Wagoner. The hearing will be held on September 30, 2019 at 8:30 a.m. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to approve the notice of hearing.

Approve additional positions provided for in the FY2020 budget – Funding was included in the budget for additional positions where a job description already exists. This action will give them a position control number and approve the 2020 salary range. Commissioner Dale said the County has been conservative in the approach to add positions, and we have experienced phenomenal growth that has made the reinstatement of these positions necessary. Commissioner

Van Beek said there's a big range from the minimum to the maximum so how do you budget for that? Controller Wagoner said they are hired at the entry level, the starting salary. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the additional positions provided for in the FY2020 budget. (See Resolution No. 19-144.)

FY2020 compensation plan and salaries – Controller Wagoner said the compensation committee puts in effort to make sure compensation is equitable in the community and to ensure that salaries are consistent and equitable from office to office and department to department. The information presented today are the results of the FY2020 compensation plan and they reflect what was included in the approved 2020 budget. Clerk Yamamoto spoke of the pay inequity that occurred in the past and how we lost staff and were constantly hiring and training people. Retention is beginning to work and attrition will kick in to where this balances out. Commissioner Van Beek said the Board is charged with setting salaries and today marks the first time she's seen the resolution where it delineates the delegation of that job to a compensation committee. She has questions and noted the difference in salary increases per employee: Of 794 employees the pool contained 26 employees got a zero percent raise; 148 employees got a 5%-10% raise; 42 employees got a 10%-15% raise; 2 employees got a 15%-20% raise and one employee is receiving a 32% raise. She has concerns that the rubric for the equity/merit/bonus pay has not yet been established for criteria on awarding. She wants to see a rubric established and the recognition of employees who do an outstanding job, and she would like the committee to develop some criteria to feature those employees to identify what they have done that's outstanding. She has questions about how the equity/merit/bonus pay was established and how it was distributed. The wide range from 0%-32% took her by surprise and she does not have satisfactory answers nor the opportunity to talk with the elected officials or department administrators about their reasoning in that process. Commissioner White said before the compensation plan was approved pay raises were given "willy nilly". This plan is a transparent way of giving raises, it's not about the person in the position, it's about the position itself and how many years the employee has been in that position. Regarding the 32% pay increase that Commissioner Van Beek mentioned, that was for a person in the parks department who took a different position. Commissioner Dale said the vast majority of the positions received increases between 1% and 5% with most in the 2% range. There are some outliers because of having to catch up or advancements in certifications or longevity, but those outliers for the large increases are because people were promoted, they moved from one position to another. Clerk Yamamoto said a lot of what you're seeing is when the five-year kicks in. There have been some promotions and changes and at some point attrition will start to work. He spoke of need of parity and equity which wasn't happening in the past. We had a 10-year period where there were no raises, we had no compensation committee and no policy. There was a need to have equity and parity amongst positions. Commissioner Van Beek hopes that going forward the Board will have ample opportunity to review the information. This is the fifth year the plan has been in place and approximately \$12M has been dedicated to getting the salaries equalized; County employees should be paid fairly but she takes some issue with increasing the equity pool because bonus pay is a function of private enterprise where a profit-generating entity awards bonuses to employees

for outstanding service. The County is not a for-profit entity nor has she had a satisfactory answer on why that pool grows and why it was doubled from last year when we didn't use it all. She is looking at what the sustainability is because they are long-term decisions and in the absence of a capital improvement fund which would safeguard the ability of the County to provide debt service for a public safety facility and it seems out of balance. Commissioner Dale said the Board is not abrogating its responsibility to the committee, it's an advisory committee that does the nuts and bolts of the work of digging into these things for which the Board does not have the expertise nor the time to do. Equity pool is not bonus pay, it's for employees who do the extra work for which their position does not compensate. It's not a bonus for extra work. Controller Wagoner said there are instances where it's saved us money where instead of promoting to a higher position we can allocate extra dollars to a person for a few weeks/months until we get things ironed out. It's equity money, not bonus money. The plan is position specific and position driven and it is consistent throughout the County. There was a total of roughly \$400,000 of equity and \$164,000 of it is being utilized. Following additional discussion, Commissioner Dale made a motion to approve the 2020 compensation plan and salaries as they have been presented. The motion was seconded by Commissioner White. Commissioner Van Beek appreciates those who have worked on the plan, she has questions about the sustainability and some of the rubric information that would be relevant and tying that back to the services, she hesitates to approve it in the absence of a consensus on how to move forward with public safety. Commissioners White and Dale voted in favor of the motion and Commissioner Van Beek voted against the motion. The motion carried by a two-to-one split vote. (See Resolution No. 19-145.) The meeting concluded at 4:02 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 20, 2019

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

APPROVED CLAIMS ORDER NO.9/25/19

The Board of Commissioners approved payment of County claims in the amount of \$6444.50, \$93,374.29, \$485,664.84, \$57,500.77, \$55,846.99, \$79,751.15, \$114,605.44, \$18,334.00, \$23,322.70, \$9714.86, \$714.00, \$88,577.28 and \$7266.43 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 10/18/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 10/12/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 9/27/19 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Tobin Apparatus in the amount of \$3080.02 for the Elections department

APPROVED JUNE 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of June 2019 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 – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 8:32 a.m. for a legal staff update. A request was made to go into Executive Session and held as follows:

Commissioner Dale made a motion to go into Executive Session at 8:34 a.m. pursuant to Idaho Code, Section 74-206(1) (a), (b) and (d) regarding personnel matters and records that are exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy

P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:04 a.m. with no decision being called for in open session.

MEETING TO DISCUSS CANYON COUNTY JAIL FINANCING ALTERNATIVES WITH BRIAN HATHHORN AND DARWIN PARKER OF BANNER BANK

The Board met today at 9:10 a.m. to discuss jail financing alternatives with Brian Hathhorn and Darwin Parker of Banner Bank. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Brian Hathhorn, Darwin Parker and Willis Robinette from Banner Bank, Controller Zach Wagoner, Chief Marv Dashiell, Lt. Dale Stafford, Assessor Brian Stender, Christian Anderson, a representative from Lobby Idaho, Rachel Spacek from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Willis Robinette, the division director for Banner Bank, gave an introduction on their team's professional background and experience. Today they will talk about seeking information from the Commissioners on the revenue sources because for them to effectively provide solutions they need to start with the cost. There was discussion about the proposed bond amount of \$187M that wasn't approved by the voters, as well as discussion about the lease purchase option. The voter-approved bond is the gold standard in terms of assurance that the funds will be there for the life of the bond, but the lease purchase option, which is unique to Idaho, is subject to annual appropriation. Mr. Robinette said with the annual appropriation requirement there is the ability for a Commissioner to appropriate for that and that's where the risk comes in, that's where any financial provider evaluates the risks in agreeing to purchase that investment. It's hard to propose a structure without the Board identifying a clear repayment source to work around that structure. Darwin Parker said the general terms are public offering and private placement. Banner Bank is focused only on the private placement and what that means is one or more banks would take a piece of the financing and put it in their own portfolio and it would remain there for the life of the lease option or the bond. There are huge upfront costs for the public offering and there will be an official statement of all the details and it costs a lot of money to put that together. A general obligation bond has the commitment for the payment for the life of the bond; private placement in the context of a lease option would be subject to annual appropriation. Commissioner Van Beek said there is no voter approval required on the lease option purchase, however, if we were to identify revenue sources such as the return of the urban renewal dollars from the retiring allocation area that would require a two-thirds vote to appropriate that as part of the revenue source on the repayment stream. Mr. Parker said he doesn't know if voter approval is required for the reallocation. Zach Wagoner said there's no vote required, it would be considered technically new construction at that point and we'd need to include it in our budget. The revenue allocation area sunsets then the County would have ability to levy those taxes and that would be between \$2M and \$3M at FY2023. Mr. Robinette said if we assume a 20-year amortization and \$187M, our annual cost of repayment of the principal and interest is \$12,885,000, as opposed to 30 years at an interest rate 3.27% showing almost \$9.9 million. Because there is more risk for the investor in a lease purchase option there is a higher cost. Given the amortization and life of this investment that's something we should be able to recapture in those upfront costs if we were able to go that route. There is risk. You have to find

enough investors that are willing to make that with that annual appropriation condition. Banner Bank appreciates the opportunity to explore these options and have a roundtable discussion rather than providing specific solutions. If we were to identify specific repayment sources a financial institution could say that's the start level and then we would back into financing availability based on that number. There are all kinds of options but the longer the amortization the more risk. The cost of a lease purchase option as far as an interest rate is significantly higher over a long period of time. If the County dedicated \$7M in repayment annually and assumed a 3.27% fixed interest rate for the entire 30-year period the outlay is \$132.5M. With a general obligation bond you can line up specific to the amount because there is a reliability. Banks don't like to lend a maximum amount where you have no flexibility and they would want some margin of comfort that you're not borrowing the last dollar. Controller Wagoner asked about the likelihood of private placement of \$132M over 30 years given an annual appropriation year-to-year arrangement. Mr. Robinette said at 20 years it would be \$101.5M. Placing that amount of debt with an annual appropriation is going to take more than one institution, it will take a group of financial institutions to fund that purchase. A financial advisor leads the transaction and they assist in putting a package together and they solicit their contacts and sources to help fund that. Controller Wagoner is hoping to get a better feel for potential interest rate on private placement compared to what we heard earlier this week. Mr. Parker said they haven't done any work on that, the rates are going to be what they're going to be down the road. Commissioner Dale asked if there is more/less favorable interest rate when considering private placement versus public placement. Mr. Robinette said we're talking about an interest rate before we know what risks of repayment are and using assumptions would be something the Board should look at. There are so few actual placements and today's interest rate environment is so different it's hard to look back at the most recent one and say that'd be the cost – it's too difficult to say. Piper Jaffray is very knowledgeable and they came up with a rate of 3.27%, which is where he based number. Mr. Parker said it's not a matter of the difference of public vs. private, it's the difference between voter-approved vs. annual appropriation. Commissioner Van Beek asked what it would look like to the public if a general obligation bond were put out at \$132M vs \$187M and because we're talking about the difference between being able to afford one facility and not being able to afford the second one. That's the vehicle we're are looking at. Mr. Parker said perhaps they could look at whether it's legally acceptable to have a smaller lease purchase option and asked the public for a smaller bond amount. Mr. Robinette said we want it to be as simplified as possible because that's where we'll find the most attraction from investors. Banks have the ability to privately place that and deal with some of those irregular payment streams. Commissioner Van Beek appreciates Banner Bank's footprint in Canyon County, specifically the Caldwell Urban Renewal District partnership. Commissioner White thanked the group for the information presented today. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS ACTION ITEMS

The Board met today at 10:08 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Juvenile Detention Training Coordinator Shawn Anderson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Juvenile Detention Housing agreements with Elmore County, Boise County and Payette County: Mr. Wesley said the only change from last year is the increase in fee from \$170 to \$191. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Juvenile Housing agreements with Elmore County (see agreement no. 19-145, Boise County (see agreement no. 19-144) and Payette County (see agreement no. 19-146). The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR PURPLE SAGE ESTATES NO. 3

The Board met today at 10:32 a.m. to consider the final plat for Purple Sage Estates No. 3, Case No. SD2019-0023. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Jennifer Almeida reported the preliminary plat was approved on May 1, 2019, and the final plat is in conformance with that approved preliminary plat. All conditions of approval have been met and the applicant has obtained all necessary signatures on the plat mylar. Internal public roads have been constructed and accepted by Canyon Highway District. The applicant has submitted a letter of credit for the remainder of the improvements, specifically irrigation and piping that is anticipated to be completed in the spring. The final plat meets the zoning ordinance requirements and Idaho Code section 31-3085 regarding irrigation and is ready for the Board's signature. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Purple Sage Estates No. 3, Case No. SD2019-0023. The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 23, 2019

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

IAC Annual Conference

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 24, 2019

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

IAC Annual Conference

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 25, 2019

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

IAC Annual Conference

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 26, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Dell in the amount of \$2356.05 for the Sheriff's Office
- The Northwestern University Center in the amount of \$13,800.00 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michaels' Pub & Grill to be used 10/5/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/28/19 for a wedding.

NON-EMPLOYEE KEY REQUEST AND EXTERNAL/INTERNAL SECURITY ACCESS REQUEST

The Board approved a non-employee key request and external/internal security access request for Brush Carpenter and Rachel Tiegs as requested by the Canyon County Ambulance District.

APPROVED CLAIMS ORDER NO. 9/26/19

The Board of Commissioners approved payment of County claims in the amount of \$289,517.25 for accounts payable.

APPROVED CLAIMS ORDER NO. 9/30/19

The Board of Commissioners approved payment of County claims in the amount of \$84.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 1926

The Board of Commissioners approved payment of County claims in the amount of \$1,690,470.31 for a County payroll.

CONSIDER MEDICAL INDIGENCY DECISIONS

The Board met today at 8:52 a.m. to consider medical indigency decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Customer Service Manager Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1260, 2019-1275, 2019-1250, 2019-1259, 2019-1374, 2019-1256, 2019-1273, 2019-1411 and 2019-1276. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue an approval on case no. 2019-1317 with a written decision within 30 days.

The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-775

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2019-775. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Attorney Mark Peterson for St. Luke's, Ashley Hesteness for St. Luke's, Applicant and spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case. The hearing concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-942

The Board met today at 9:18 a.m. to conduct a medical indigency hearing for case no. 2019-942. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Donna Sharp for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to deny the case. The hearing concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-930

The Board met today at 9:35 a.m. to conduct a medical indigency hearing for case no. 2019-930. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's, Applicant and his father, Interpreter Laura Leavitt and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to November 21, 2019. The hearing concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-840

The Board met today at 10:11 a.m. to conduct a medical indigency hearing for case no. 2019-840. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Attorney Mark Peterson for St. Luke's, Dahlia Torres for St. Luke's, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-741

The Board met today at 10:17 a.m. to conduct a medical indigency hearing for case no. 2019-741. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Attorney Elizabeth Sonnichsen for St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Becky Herrera for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to October 24, 2019. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-856

The Board met today at 10:39 a.m. to conduct a medical indigency hearing for case no. 2019-856. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's, Applicant and his daughter, Interpreter Laura Leavitt and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to November 21, 2019. The hearing concluded at 11:04 a.m. Two audio recordings are on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-928

The Board met today at 11:07 a.m. to conduct a medical indigency hearing for case no. 2019-928. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas,

Attorney Mark Peterson for St. Luke's, Amber Jones for St. Luke's, Applicant and spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to November 21, 2019. The hearing concluded at 11:18 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 11:22 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for the following cases: 2019-1028, 2019-956, 2019-991, 2019-800, 2019-913, 2019-963, 2019-974 and 2019-949. Commissioner Dale made a motion to issue final denials with written decision in 30 days. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Van Beek made a motion to continue case nos. 2019-877 and 2019-906 to November 21, 2019 and case no. 2019-572 to October 24, 2019. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve case no. 2019-551 with a written decision to be issued within 30 days.

Commissioner Van Beek made a motion to issue final denials with written decision within 30 days on case nos. 2019-787 and 2019-860. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER, 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 11:33 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:33 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) regarding personnel matters, records that are exempt from public disclosure and to communicate with 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:20 p.m. with no decision being called for in open session.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 27, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- All Detainment Solutions, LLC in the amount of \$7432.48 for the Sheriff's Office

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

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

MEETING WITH AMBULANCE DISTRICT TO DISCUSS IT SERVICES TO CONSIDER GIVING DIRECTION REGARDING IT SERVICES FOR THE CANYON COUNTY AMBULANCE DISTRICT

The Board met today at 8:47 a.m. with the Ambulance District to discuss IT services and consider giving direction to the Information Technology department regarding services. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, IT Director Greg Rast, Michael Stowell, Cindy Fullerton, Leanne Axe, Dan Bates and Steve Blados with the Canyon County Ambulance District and Deputy Clerk Jenen Ross. Director Rast explained that some servers were brought into the Canyon County data center which interface directly with the Spillman and Pulse-Point systems. The yearly charge will be \$800 for approximately 10 hours of service. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the letter to Chief Michael Stowell and Director Greg Rast outlining IT services to the Ambulance District. A copy of the letter is on file with this day's minute entry. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Landfill Director David Loper, HR Director Sue Baumgart, Controller Zach Wagoner, Kim Doan with First American Title Company, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing closing documents related to property located at 16241 Deer Flat Rd.: This property is located adjacent to the landfill and the county has offered \$291K contingent upon the property being cleaned up. Director Loper spoke to the clean-up process and Mr. Goodsell said the waiver has been previously signed by the Board. The sellers have signed the paperwork, a check has been prepared to give to Ms. Doan and the documents will record today. Mr. Goodsell said no motion was necessary and stated he has reviewed the closing statement for accuracy. A copy of the closing paperwork is on file with this day's minutes.

The Board took a brief break at 9:15 a.m. and then went back on the record at 9:17 to conduct an executive session as follows:

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

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

Commissioner Dale made a motion to go into Executive Session at 9:18 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) to discuss personnel matters related to named personnel, records exempt from public disclosure and attorney-client communication, and to communicate with the risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Navarro arrived at 10:10 a.m. and left at 10:20 a.m. The Executive Session concluded at 10:22 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.

MEETING WITH PUBLIC INFORMATION OFFICER AND VICTIM WITNESS COORDINATOR TO CONSIDER SIGNING DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The Board met today at 10:28 a.m. with the Public Information Officer and Victim Witness Coordinator to consider signing the Domestic Violence Awareness Month proclamation. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, PIO Joe Decker, Victim Witness Coordinator Alesha Boals, Lt. Chuck Gentry and Deputy Clerk Jenen Ross. Mr. Decker said this event has happened for several years in order to raise awareness about domestic violence. Ms. Boals said this year they will have an 'In Her Shoes' event and spoke about the simulation that will take place. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the proclamation. A copy of the proclamation is on file with this day's minutes. The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – KACHUPA RIDGE SUBDIVISION

The Board met today at 10:34 a.m. to consider the preliminary plat, final plat, and irrigation and drainage plan for Kachupa Ridge Subdivision, Case No. SD-2018-0005. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Jay Walker, Nancy Weikel, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is located within a rural residential zone and the average minimum lot size is two acres. The project contains six residential lots and will utilize individual domestic wells and septic systems, the gravity irrigation will be owned and maintained by the homeowner's association, and there will be an internal public road, which is Kenrich Road. All signatures have been obtained on the final plat and all improvements have been completed and certified. The P&Z Commission recommended approval of the preliminary plat on April 18, 2019 and staff has found the plat meets the requirements of Idaho Code and the Canyon County Zoning Ordinance in regards to irrigation and is recommending approval of the request with conditions. Jay Walker testified in support of the request noting that the delay from April 18, 2019 was due to infrastructure improvements that were required to be completed in a short plat process. It's a beautiful project with great view lots and it has provided great infrastructure improvements including the extension of the half road of Kenrich Road. They received a letter and a plan review as well as a final walk through of the infrastructure by Black Canyon Irrigation District in December of 2018. The project meets the stipulations. An underground pipe has been installed conveying limited irrigation; they have water rights from the Black Canyon Irrigation District and they want to use them when available. They have installed a gravity irrigation pipe with risers and conveyed a 10-foot public utility drainage and irrigation easement on the frontage of the nine lots. The lots are two acres in size and will be marketed as Skyline Ridge Estates. Commissioner Van Beek asked technical questions of Mr. Walker. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale said the questions have been answered to his

satisfaction, and Commissioner Van Beek said it looks like a great project. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Board to sign the findings of fact, conclusions of law and order and to approve the preliminary plat, final plat, and irrigation and drainage plan for Kachupa Ridge Subdivision. The hearing concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:02 a.m. to consider certain action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 11:15 a.m., Deputy P.A. Zach Wesley, Recording Supervisor Emily Howell left at 11:15 a.m., Controller Zach Wagoner left at 11:28 a.m., Chief Deputy Sheriff Marv Dashiell arrived at 11:23 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approving revised alcoholic beverage license application form: At this time there is no process to update an alcohol license so this form will allow for that and brings codes up to date. Ms. Howell reviewed the changes that were made to the application. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve the revised alcoholic beverage license application form.

Consider signing FY19/20 real estate lease agreement with West Valley Humane Society: There are no changes to the lease from last year. Discussion ensued regarding budget allocation for the West Valley Humane Society. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the FY19/20 real estate lease agreement with West Valley Humane Society (see agreement no. 19-148).

Consider signing change order no. 6 with All Detainment Solutions: This is a simple change order to the underlying agreement in order to install clothing hooks as an identified need outside of the contract. The PO amount for this change order is \$7432.48. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign change order no. 6 (see agreement no. 19-147) and associated purchase order.

Consider signing a resolution granting a transfer of alcohol license to Gallegos Meat Market and Lake Lowell Market: Commissioner Dale said he has reviewed the applications and doesn't see any reason not to sign, he then made a motion to sign the resolutions granting the transfer of alcohol licenses to Gallegos Meat Market (see resolution no. 19-146) and Lake Lowell Market (see resolution no. 19-147). At the request of Commissioner Van Beek, Mr. Wesley addressed the question of residency on the Gallegos Meat Market application. The motion was then seconded by Commissioner White and carried unanimously.

The meeting concluded at 11:31 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS SECURITY DEPARTMENT ADMINISTRATOR CANDIDATES
(EXEC. SESSION PURSUANT TO I.C. 74-206(1) (A) AND (D) POSSIBLE) AND
CONSIDER ACTION ITEM OF AUTHORIZING EMPLOYMENT OFFER

The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 11:31 a.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, HR Director Sue Baumgart, IT Director Greg Rast, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:02 p.m. with no decision being called for in open session.

SEPTEMBER 2019 TERM

CALDWELL, IDAHO SEPTEMBER 30, 2019

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

APPROVED CLAIMS ORDER NO. 10/2/19

The Board of Commissioners approved payment of County claims in the amount of \$414.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/10/19

The Board of Commissioners approved payment of County claims in the amount of \$44,311.87 and \$111,486.53 for accounts payable.

MEETING WITH CANYON COUNTY CONTROLLER TO CONSIDER ACTION ITEMS

The Board met today at 8:33 a.m. with the County Controller to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action items were considered as follows:

Hearing to consider budgeting of unscheduled revenue for FY2019 and consider signing a resolution for the budgeting of unscheduled revenue for FY2019: Controller Wagoner said today is the last day of the fiscal year but the books will remain open until early November in order to pay for any expenses/bills that were incurred thru today. A budget adjustment is necessary as budgets are very office/department specific. Overall, we will be close to 10% under what the total budget was, however, there were a few entities that will be over and we need to adjust those specific budgets. A notice has been published in the paper regarding these adjustments and were reviewed as follows:

Prosecuting Attorney's Office: increase of \$100K for out of county prosecution

Facilities: \$200K increase for purchase of real estate, remodel at CCNU and unanticipated costs related to Pod 6

Emergency Management: increase of \$30K for the emergency operation plan

Indigent Fund: increase of \$100K for conflict attorneys for the Public Defender's department

Consolidated Elections: increase of \$30K for costs related to elections including a recall in the Middleton School District

Problem Solving Courts Fund: increase of \$40K for testing costs

Juvenile Probation: increase of \$175K for the Community Incentive Re-entry and Mental Health program

Landfill: increase of \$300K for the acquisition of property

The total adjustment amount is \$975,000

Commissioner Van Beek reiterated that most of these monies are reimbursed monies. Mr. Wagoner said there is no change in the property tax. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution for the budgeting of unscheduled revenue for FY2019. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 19-148). The meeting concluded at 8:42 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell, Chief Deputy Assessor Joe Cox left at 9:09 a.m., Administrative Analyst Jennifer Loutzenhiser left at 9:09 a.m., Director of Indigent Services Yvonne Baker, Representative from Syngenta left at 9:09 a.m., Assessor Bryan Stender arrived at 9:03 a.m. and Deputy Clerk Jenen Ross.

Consider signing resolution granting Syngenta Crop Production, LLC a property tax exemption pursuant to Idaho Code § 63-602NN: Mr. Goodsell said this resolution would grant Syngenta an exemption under Idaho Code § 63-602NN for an expansion. The representative from Syngenta spoke about the proposed expansion. The \$14M investment is mostly in equipment which will be a 20% exemption for 3 years. It was noted for the record that no one appeared to offer comment. Syngenta provided a letter stating that they agree with the terms and conditions. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting Syngenta Crop Production, LLC a property tax exemption (see resolution no. 19-149).

Consider signing master agreement, software & support license with Computer Arts, Inc.: This is the annual contract renewal which provides the software to process all indigent services cases. Director Baker spoke about some of the struggles her department has had with CAI but at this time there is no alternate program. Commissioner Dale made a motion to sign the master agreement, software and support license with Computer Arts, Inc. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-149).

Consider signing resolution establishing income and expenses to be considered in determining medical indigency: Director Baker reviewed the changes between 2018 and 2019 which are mostly focused on expenses. She also addressed what they base the allowable expenses and income table on. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution establishing income and expense to be considered in determining medical indigency (see resolution no. 19-150).

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

ELECTED OFFICIALS' MEETING

The Board met today at 9:40 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Assessor Brian Stender, Prosecutor Bryan Taylor, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, PIO Joe Decker, and Deputy Clerk Monica Reeves. The following topics were discussed:

Commissioner Van Beek requested information on the upcoming urban renewal meeting that's happening with the City of Caldwell on October 15, 2019. Clerk Yamamoto said they're waiting on the architects that come back with an elevation drawing and a ballpark number of the costs for the 45,000 square foot Fair expo building to be located at the east end of the events center, behind Taco Time in Caldwell. If the cost is \$100 per square foot it would be \$4.5M so we're to see what makes sense. We have \$2M in the kitty now and there may be a donor who will help with that but we'd still fall short. Commissioner Van Beek said the facilities director was going to assess the site and figure out how much concrete would be needed because we can use that

money (\$2M this year and \$2M next year), a potential of \$6M total until urban renewal sunsets. She said the director believes the general structure could be built for \$2.1M, which we already have in the current expense fund, and he felt like donations would take care of the rest of it; however, the law says if one million dollars is going to be used for a building then it has to go to vote. Clerk Yamamoto said the verbiage is being looked at by the Prosecutor's Office to see what the legislative intent was. Commissioner Van Beek said there's a meeting scheduled with Mayor Nancolas and Mark Hilty regarding the city's new revenue allocation area and their desire to have that area, which includes the Pond Lane site, build out in the potential half billion dollar range. She said the city has a site closer to the courthouse campus that they would support the County's use of urban renewal money to improve that site and infrastructure. When asked where the site is located, Commissioner Van Beek said that's information she cannot share at this time.

Commissioner White believes it's the 24 acres located on 21st Avenue in Caldwell, which was considered several years ago.

Commissioner Dale reported on the recent IAC conference which he found to be very informative. Two main topics were discussed: 1) the formation of an interim committee on Medicaid expansion, and 2) the legislative committee that will study property tax in general. There is no definitive answer on Medicaid expansion, but it is problematic because they're looking at property tax as a resource to help pay for it. He said Governor Little has made it clear that county property tax dollars should not go to the state. With regard to the property tax committee, Commissioner Dale said we need to stay engaged on the topic because one of the co-chairs has publicly stated his desire that state government must control local officials.

Commissioner White said a justice committee speaker talked about the medical marijuana initiative and it was shocking to hear that if it gets to Idaho we will have no control on where the businesses are located or what they will sell. She said there needs to be an uprising on the part of those of us who don't want it and this group would be a great place for the dialogue to start. There was discussion about the impacts of recreational marijuana on society and the resulting legal, medical, and mental health issues associated with marijuana use. Coroner Crawford said one of the speakers at the conference said he would be willing to talk to any agency about the issue and perhaps he could be invited to an elected officials' meeting to make a presentation. The group agreed and thought it would be a good idea to invite the juvenile probation and misdemeanor probation departments to that meeting in order to help disseminate the information on a broader scale.

Chief Dashiell reported the Pod 6 temporary jail trailers will be delivered in three weeks. Captain Ward is scheduled to travel to ADS's site this week to make sure we don't have any last-minute issues. An agency has asked for a 1200 bed modular facility but ADS declined to build it because they don't have the space to manufacture something of that size.

Coroner Crawford acknowledged that during the IAC Conference Sheriff Donahue was presented with the Mills-Adler Outstanding Elected Official award.

Treasurer Lloyd reported that levies were certified to go to the state a couple of weeks ago, but she was informed by the state that there will be a delay in getting the levies back from the state. The property tax reduction certifications are expected to be late as well.

Prosecutor Taylor said his office is really busy; they just completed a first-degree murder case, it's the third one this year.

Assessor Stender said the Assessor's Office has been working with the City of Caldwell and ElJay Waite on identifying the properties they are looking at creating in the new urban renewal area. They are going to do it retroactive to 1-1-2019 and so 2019 would be when the base year would be created, so next year if values go up they would have increment at that point. They are at the end of the formation process and there are a couple of people who don't want to be included. Clerk Yamamoto questioned if they can go back to 2019. Treasurer Lloyd said they made some changes to the map because the original had some of the current urban renewal in it so they did the map to remove that portion, but as far as moving forward on the new map she believes it's been determined how the County would track the base and the increment. Clerk Yamamoto said he thought the timeline was going to make it difficult to make it work. Assessor Stender said it's not massive, it only consists of 135 parcels. He reported that property values continue to increase. He is aware of the committee that's being formed to look at property taxes at the local level and he hopes to participate in that so he can make sure they're receiving good data.

Clerk Yamamoto said Canyon County is becoming the go-to county for a lot of things and it shows we're doing things very well.

Coroner Crawford inquired about the October 3rd meeting to discuss local option sales tax. The meeting has been scheduled and staff was asked to invite all local legislators to the meeting.

The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY BAAS GROUP, LLC FOR A REZONE FROM “A”
AGRICULTURAL TO “C-1” NEIGHBORHOOD COMMERCIAL

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Nate Mitchell representing BAAS Group, LLC, for a rezone of Parcels R34542 and R34535 from “A” (Agricultural) to “C-1” (Neighborhood Commercial) zone, Case No. RZ2018-0040. Present

were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Nate Mitchell, Nick Kalafatic, Bonnie Cooper, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request came before the Board on August 15, 2019 where the request was for a C-2 service commercial zone and staff recommended denial. The applicant agreed to bring it back as a C-1 neighborhood commercial zone. The applicant brought up the following potential uses: mini-storage, RV storage, RV park, theater, vehicle repair, gas station with convenience store, and a contractor shop. With this zoning those uses would require a conditional use permit. The future land use map is showing a lot more commercial in the area, and Middleton's plan is showing a mix of commercial and residential uses. The Idaho Transportation Department and Canyon Highway District have said a traffic impact study will be required. The C-1 zone appears to be the more appropriate zone for that area. Nate Mitchell said staff has done a great job in analyzing the C-1 zone vs C-2 zone and looks forward to the Board approving the C-1 zone as modified from the original request. The applicants do not have any specific uses identified; the uses they offered to agree to under a C-2 zone are very well protected for the neighbors and the County with a C-1 because they have to come back with a request for a conditional use permit. He said it's a good compromise from what we originally asked for. Commissioner Van Beek asked what's holding up the decision to come with a definitive use for this ground. Mr. Mitchell said the owners are looking to upgrade the zoning and sell the property; it creates some predictability for the potential buyer, the current owner, and the neighbors. Nick Kalafatic offered neutral testimony. He owns the property to the north and is concerned that with the C-1 zoning the neighbors will have no idea what type of business will go in. He has no problem with a storage unit, but he would be opposed to a truck stop or something with long hours and a lot of traffic that would disrupt the residential area. Bonnie Cooper said she is not opposed to the C-1 zone, but she doesn't want to hear the noise and traffic associated with a fast food business, for example; she would be happy with 9-to-5-type business. During rebuttal Mr. Mitchell said both residents brought up valid concerns and Mr. Lister's points about the land use matrix is a very good compromise between the property owners' desires and keeping protections in place for the neighbors. There could be multiple uses that end up subdivided throughout that piece of property, it's not necessarily going to be one single use. The C-1 zone leaves a lot of protections in place for the neighbors that allow the applicants to mitigate the impacts the different uses will have on them. Regarding traffic on highway 30, the neighborhood commercial uses that are allowed and conditionally allowed in the matrix are intended to mitigate the traffic and by putting a dental office, bank, a doc-in-the-box, etc., it will reduce the overall traffic in the intersection and valley-wide. The C-1 zone is a good compromise and provides predictability. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek said it's pretty clear the end goal is to meet the comp plan, allow property rights for the current owner, protect property rights of those who are already there and the C-1 zoning is the correct vehicle to do that. She supports the request. Commissioner Dale said the process represents all sides and he understands the need to have a zone in place that's conducive to the potential uses that could be marketed for this property before it's sold and it's impossible to know exactly what's going to be used until somebody comes along with a business plan. He

supports the zoning request. Commissioner Van Beek made a motion to approve Case No. RZ2018-0040 to rezone parcels R34542 and R34535 from “A” (Agricultural) to “C-1” (Neighborhood Commercial). The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the ordinance reflecting the decision. (See Ordinance No. 19-043.) The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners’ Office.

CONSIDER SIGNING DEVELOPMENT AGREEMENT AND FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR TREASURE VALLEY RENEWABLES, CASE NO. DA2019-0006

The Board met today at 2:31 p.m. to consider signing the development agreement and the findings of fact, conclusions of law and order for Treasure Valley Renewables, Case No. DA 2019-0006. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, Neill Goodfellow, and Deputy Clerk Monica Reeves. The Board approved the development agreement amendment on September 13, 2019. The requested amendments were approved as proposed and two additional conditions were added to the written decision and the development agreement as Conditions No. 41 and No. 42:

41. The applicant shall submit a building permit application for an enclosed structure within two years from the date of the signature on the amended DA,
42. The applicant shall submit annual progress reports beginning October 2, 2020.

Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to sign the development agreement and the findings of fact, conclusions of law and order for Treasure Valley Renewables, Case No. DA2019-0006 and that includes the two new conditions in the development agreement. (See Agreement No. 19-150.) The meeting concluded at 2:36 p.m. An audio recording is on file in the Commissioners’ Office.

THE MINUTES OF THE FISCAL TERM OF SEPTEMBER 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 16th day of March, 2020

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Pam White

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: Jenen Ross, Deputy Clerk

OCTOBER 2019 TERM
CALDWELL, IDAHO

OCTOBER 1, 2019

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

APPROVED CLAIMS ORDER NO. 10/3/19

The Board of Commissioners approved payment of County claims in the amount of \$4625.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/10/19

The Board of Commissioners approved payment of County claims in the amount of \$140,646.71 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- AA Tronics in the amount of \$4182.42 for the Information Technology department
- BOE in the amount of \$3526.00 for the Information Technology department
- Mountain Home Auto Ranch in the amount of \$365,946.00 for the Fleet department/ Sheriff's Office
- ESRI, Inc. in the amount of \$46,021.77 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 10/12/19 for a wedding.

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 meeting with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioner Pam White, Tom Dale,

and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. Facilities Director Paul Navarro is on vacation and did not attend the meeting.

Director Rast updated the Board on the following:

- Balancing of public volume in the meeting rooms has been addressed and seems to be working better. A PO was presented for ADA compliant hearing devices. 4 devices will be provided in each meeting room (Commissioners meeting room and Admin building public meeting room).
- A PO was presented for a copier for the Security Department office. Another will be coming down for 3 computer systems for that department. The cell phone will be discussed at a later time.
- Invoice was received from CenturyLink for the Weed and Pest project and will be paid from the FY2019 budget. The project should be complete by the end of the year.
- Reclassification of a job position will be coming before the Board at a future date. Existing people will be moved around to accommodate the changes.
- Discussion regarding the new printer in the print shop including the difference in printing quality and cost savings.

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

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley left at 9:03 a.m., Coroner Jennifer Crawford left at 9:03 a.m., Sheriff Kieran Donahue arrived at 9:04 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing agreement for pathology services between Owyhee County and Canyon County: Mr. Wesley said this is an ongoing agreement and Ms. Crawford spoke briefly about the services that will be provided to Owyhee County as they don't have their own pathologist. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement for pathology services between Owyhee County and Canyon County (see agreement no. 19-151).

EXECUTIVE SESSION – PERSONNEL MATTERS, 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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:23 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.

FILE IN MINUTES

The Board filed the monthly report of the Canyon County Treasurer for August 2019 in today's minutes.

OCTOBER 2019 TERM

CALDWELL, IDAHO OCTOBER 2, 2019

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

APPROVED CLAIMS ORDER NO. 10/10/19

The Board of Commissioners approved payment of County claims in the amount of \$47,233.25 and \$47,417.04 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Integra in the amount of \$12,510.00 for the Records department
- JB's Roofing in the amount of \$12,806.00 for the Facilities department
- CED in the amount of \$1932.00 for the Facilities department
- Prime Construction & Asphalt in the amount of \$6419.68 for the Facilities department

- Prime Construction & Asphalt in the amount of \$21,995.00 for the Facilities department
- Wall 2 Wall Flooring in the amount of \$3717.86 for the Facilities department

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Dan Blocksom left at 9:19 a.m., Deputy P.A. Zach Wesley, Director of Court Operations Denise Kennel left at 9:19 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing psychiatric services agreement with Ninon Germain, M.D.: Terms of this agreement are the same as all others that have been signed recently. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the agreement with Ninon Germain, M.D. (see agreement no. 19-152).

Consider signing FY2019-2020 memorandum of agreement with Advocates Against Family Violence for indigent care: This is a renewal of an agreement that has been in place for several years. Mr. Wesley reviewed items covered by the agreement. There is a \$30K cap for services and payments will be coming out of the general fund vs. indigent fund. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the MOA with Advocates Against Family Violence (see agreement no. 19-153).

Consider signing independent contract agreement for interpreter services for Maria G. Escobedo-Gonzalez, Karla Young, Maria Gonzalez Mabbutt, Ann E. Chamberlain, Heather Hagen, Delia Gonzalez-Munson, Val Kvitko-Simon and Laura Leavitt: These are contracts that are signed every year. Mr. Blocksom spoke about a ministerial error in section 14 which he noted for the record and initialed in the contract. He also reviewed changes made to the contracts. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreements with Maria G. Escobedo-Gonzalez (agreement no. 19-157), Karla Young (agreement no. 19-159), Maria Gonzalez Mabbutt (agreement no. 19-160), Ann E. Chamberlain (agreement no. 19-158), Heather Hagen (agreement no. 19-154), Delia Gonzalez-Munson (agreement no. 19-161), Val Kvitko-Simon (agreement no. 19-156) and Laura Leavitt (agreement no. 19-155)

Consider signing legal notice of entering into personal services contracts for designated examiner evaluations, conflict public defender, provision of individual and family counseling, provision of mentoring for juvenile offenders, provision of individual and family counseling and provision of mentoring for juvenile offenders: Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the legal notice of entering into personal services contracts.

The Board took a brief break at 9:19 a.m. and went back on the record at 9:20 a.m. to continue a discussion in legal staff. Zach Wesley spoke about the request for reconsideration regarding the land use case for MAMLS, LLC. During the hearing process several letters were received after the public testimony was closed in which those people were told that if they wanted to have this case reconsidered they needed to submit the letters after the written decision was filed. Some of those people have hired an attorney who has filed the request for reconsideration. Counsel for the applicant is aware of the reconsideration being filed and intends to submit a written response as well. Once the request is made the county has 60 days to take action. Mr. Wesley would like to wait until the response from Mr. Lakey is received to then further discuss any legal issues, set a meeting to address any issues and let the Board vote. The Board is in agreement with Mr. Wesley's advice to wait.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND
COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY
LIKELY CLAIMS

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

Commissioner Dale made a motion to go into Executive Session at 9:26 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) records exempt from public disclosure and communicate with 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 Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:53 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.

OCTOBER 2019 TERM

CALDWELL, IDAHO OCTOBER 3, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Case Management Systems in the amount of \$16,000.00 for the Information Technology department
- Right! Systems, Inc. in the amount of \$1994.95 for the Information Technology department
- Carousel Industries in the amount of \$10,351.06 for the Information Technology department

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

The Board approved a salary rate request and/or key & security access request form for Candace Reed, Abigail Thiry and Robert Curl.

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Marc Bybee, James Kouril, Don Dutton, Alan Oates, Craig Olsen, Dawn Pence, Mark Tolman, Michael Thompson, Laura Barbour, Jeff Breach, Jessica Ishida, Monica Reeves and Diana Sinner.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1318, 2019-1358, 2019-1282, 2019-1310, 2019-1302, 2019-1407, 2019-1416, 2019-1315, 2019-1319, 2019-1303 and 2019-1408. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 9:49 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter left at 9:49 a.m., Executive Assistant Taryn Peterson left at 9:49 a.m., Elections Supervisor Haley Hicks left at 9:49 a.m., Elections Technician Kylie Marks left at 9:49 a.m., IT Business Manager Caitlin

Pendell left at 9:51 a.m., IT Admin. Support Specialist Becky Brady left at 9:51 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing notice of sole source procurement with Hart, LLC: Clerk Yamamoto and Ms. Hicks spoke about how this equipment will be beneficial to both the elections department and poll workers and how it will greatly diminish the margin of human error and provide faster election results. Mr. Porter clarified that the reason for the sole source is that this particular Hart equipment eliminates the element of human error where competitor equipment doesn't offer this feature. A discussion ensued regarding 'exhibit A' that was previously provided to the Board comparing the competitor to Hart. At the request of Commissioner Van Beek, Ms. Hicks, Ms. Marks and Clerk Yamamoto addressed several points in the exhibit. Commissioner Dale made a motion to sign the notice of sole source procurement with Hart, LLC. The motion was seconded by Commissioner White. The motion carried in a 2-to-1 split vote with Commissioner Van Beek voting in opposition.

Consider signing a resolution designating polling locations for the November 5, 2019 election: Ms. Hicks reviewed the list of voting locations and noted any changes. Mr. Porter updated the Board on where we're at with the DOJ regarding ADA compliance; he believes the latest version of the MOU with the DOJ is being reviewed and anticipates it being in front of the Board soon. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating polling locations for the November 5, 2019 election (see resolution no. 19-151).

Consider signing resolution authorizing destruction of Information Technology Department records: Ms. Pendell said the documents to be destroyed are claim forms from 2014 that are no longer necessary. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing destruction of Information Technology department records (see resolution no. 19-152).

The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH LEGISLATIVE REPRESENTATIVES TO DISCUSS LOCAL OPTION SALES TAX AND IMPACT FEES REGARDING THE CANYON COUNTY JAIL

The Board met today at 11:04 a.m. with legislative representatives to discuss local option sales tax and impact fees regarding the Canyon County Jail. Present were: Commissioners Pam White and Tom Dale, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Assessor Brian Stender, Sheriff Donahue arrived at 11:15 a.m., Chief Deputy Marv Dashiell, Lt. Harold Patchett, PIO Joe Decker, Representative Rick Youngblood, Representative Gary Collins, Senator Jim Rice, Senator Jeff Agenbroad, Representative Tammy Nickels, Representative Scott Syme, IAC Executive Director Seth Grigg, Chief Civil Deputy P.A. Sam Laugheed arrived at

11:35 a.m., Kathy Alder, Ron Harriman, Hubert Osborne, Larry Olmstead, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Dale said for the last couple of years through the Idaho Association of Counties there has been a resolution adopted by the body encouraging and advocating for a local option sales tax authority to be given to the counties to ask voters if they will approve funding a jail. It is jail specific, requires a 66 2/3 super majority, and it is time and project specific so it is directly related only to building a jail. Having this authority only gives us the right to ask voters if they would pay for a jail through this option rather than property tax. That's all it does, it does not give us the authority to institute that, it still requires a super majority vote. At some point some board of commissioners, either through a court order or through some other mechanism, will have to authorize using property tax dollars to build a jail because the present state of this jail cannot exist in its form. It is a huge liability. He spoke about impact fees and said the County is authorized to charge impact fees for public safety and it's a vehicle that could be utilized, but based on projections of what could be collected we would probably have enough money to start construction of a jail in 50 years, but that won't work. Commissioner White said if impact fees can help lighten the property tax load she supports it. Representative Gary Collins said there hasn't been the support come forward from legislators to really get down in the trenches to try to move it forward. He's heard from numerous retail consumer groups saying they do not want a 1% tax in Canyon County. He appreciates the problem with the jail but he does not feel local option tax is the answer to the problem because it will make the retailers not competitive. With his existing revenue and taxation committee and his own feelings he doesn't see anything moving forward especially on a broad-base local option tax. He said there is an interim study group that will meet this month where the senate and house will kick around some ideas to lessen the burden of personal property tax and still fund some of these other things. They won't come up with legislation but we might have ideas we put forth to the committees and go from there. Senator Jim Rice said the economic skewing is the biggest problem with this proposal. In a perfect world you do everything with a sales tax or consumption tax because the economy doesn't redistribute that kind of a tax and so you would fund all government operations with that kind of tax. We cannot do that because we don't live in a perfect world and we have multiple states surrounding us that do different kinds of tax methodologies that cause different skewing of behavior along the boundaries with other states. When you have lower taxes, close proximity on the same exact behavior human nature is to avoid the tax. You have to address the economic skewing that would occur and that's where you run into the barriers with legislators around the state, they are not willing to set up with the system of economic skewing that that tax would do. Representative Rick Youngblood said he cannot add or take away from what Rep. Collins said because he's the gatekeeper of that kind of legislation. He has been approached by many to consider a local option tax primarily for roads and his personal feeling is if that were an opportunity it should be up to the locals to decide whether they are going to tax themselves. Representative Jeff Agenbroad said we've just heard from the two chairmen of the tax committees in both bodies and there's not much he can add to what they said. He would like to put it in the locals' hands and he would assume the local option tax would take a vote of the people and in that case it would garner more of his support. He is not convinced local option is the right way, but he is open to the discussions. Ultimately the local option has to come before the people and they have

to vote on it. The next question is why do we think people would vote for local option when they turned down a property tax increase? We have to understand if people want to fund the project and how they want to fund the project before we put the mechanism in place. Commissioner White said with local option, everybody pays not just the property owners. Representative Agenbroad said that's a good platform, but the opposing platform would be the businesses that say they're losing business because customers are paying more tax in Canyon County than in other counties. There is a balance there and we have to look at the entire picture. Commissioner Dale said the big deal here is local control and it's saying we trust the voters to decide for themselves if they'd like to fund this project through this mechanism. Counties need other options because the people have spoken on numerous occasions that they don't want to pay for a jail through property tax so tell us how to do it. Clerk Yamamoto said most of us didn't think a local option tax would be a reality, but we had to start the conversation somewhere because we are in desperate need of a jail, and he doesn't see that the taxpayers are going to help with that and so the next question should be would this body consider a statewide raise in the sales tax for property relief with carve outs for county jails. Senator Rice said there are a lot of things that should be part of the discussion and we're all interested in having those discussions on an ongoing basis but he needs to leave this meeting for another appointment. (Senator Rice and Rep. Youngblood left at 11:30 a.m.) Representative Tammy Nickels said property tax is a huge concern and people cannot afford their homes and in conjunction with that if they own a business they have a double tax that's being implemented upon them. It has to come down to the needs vs. wants and what's going to work the best for the situation we have at hand. It might not just be one thing that would take care of paying for it; we have heard from the voters they do not want their property taxes increased for a jail. People are asking why aren't we charging more in impact fees? It might not just be impact fees or local option, there might be a conjunction of things that we can utilize to be able to afford it but it does have to come back to local control and our needs vs. wants. Representative Scott Syme said his concern with local option sales tax is the impact on the business community in Canyon County. Property taxes will continue to increase, but at this point he's not in favor of a local option tax for the impact it would have on business. There was lease option that was discussed and there are companies that will build a facility and lease it back to the County based on the occupancy of the facility and so that seems like an option where you don't have to go out for a big chunk of money. Commissioner White said we've heard from those groups and it would have to be in a mix because it's very expensive. She would like the ability to ask the citizens what their opinion would be. Representative Collins doesn't think there's anything that would keep the County from having an advisory vote but as far as statutorily in order to have a local option tax it will have to go through the legislature. If we look at increasing the sales tax across the state it would have to be designated for specific things and property tax reduction would have to be one of them. Picking out an individual county and passing a half percent or one percent local option tax is going to affect the business climate in the community. He appreciates the problem the County has with coming up with this facility and he agrees that wants versus needs is a good argument. Another question is do we need a \$200M jail? He has a committee of 18 people, at this point in time with the elected body we are dealing with, especially in the house, there is no appetite for local option tax statewide and that has something to do with what he does as the chairman, he is not going to

force legislation down the throats of the committee members. He is a big believer in impact fees; we want new people to come to the area, but they need to be sharing in the costs they are creating. Commissioner Dale said we've had presentations on lease purchase, but the biggest obstacle to that is the existing taxing capacity in property tax to be able to pay that lease payment and the bigger issue is it is still property tax. We wouldn't have to front the construction cost and we wouldn't start paying on most of these models until we occupy, but you have to have that taxing capacity to pay that off and it is property tax only. In response to a question from Representative Scott Syme regarding the cost of the lease, Clerk Yamamoto said you pay a premium for a lease because of we have a non-appropriation clause, the Board can only commit to one year at a time so whoever does this is risking that amount of money. The numbers he's heard on a lease payment will put us \$7M shy of being able to make that payment so a lease will cost more than actually building and owning a jail and in his opinion going the lease route is a back door to what the voters said. The voters said no, we're not going to vote for this bond. Representative Nickels asked we can't look at several different avenues and bring them together as resources rather than one route. The best thing is to start an advisory board and see what other avenues we can bring in, it might not be just one way of doing it, we might have to look at different sources. Commissioner Dale said that's what we're asking for; we are asking for sources other than property tax and to get another "bucket" it has to come from the legislature because we don't have the authority to authorize gathering funds from any other source unless you give us the authority. Representative Collins said the legislature is not tone deaf to what is going on with cities and counties, they realize something needs to change. A study group will meet later this month for an open discussion of various issues as far as sales tax, property tax, etc., and see if they can come up with ideas to give some tax relief without shifting it to someone else. Sheriff Donahue said what's not lost on any of us is the fact that criminality is going to continue. We are not the only county in this situation. There are 700 people who should be in jail but they're on pre-trial release and they are victimizing your families, our society, and businesses. We can worry about what it will cost to buy a car in another county, but at the same time we are holding people accountable for the crimes they are committing. It's expensive to protect public safety; it should be the foundation of everything we talk about. We have to have some relief and some assistance by the state. Let's ask your committee publicly what they would think about it. If a proper legislation is brought before you let's let the committee decide in an open hearing. The people should be allowed to make the decision of what they want to impose on themselves, it should not be just the legislature saying we're never going to look at it. We have been looking at options for 15 years and we are down to this path and it's the best path forward we can find. He will be happy to participate in an advisory group if the legislators allow him to. Representative Collins said they are not tone deaf, they know there is problem. He has plenty of calls from people who don't want to pay any more taxes and are going to lose their home, but he cannot recall anyone saying they wanted a tax increase to fund a new jail. He said the legislators do listen and they will try to accept the responsibility they've been given. Seth Grigg said there is some historical context that's important to recognize. In early 2000 the legislature authorized a limited local option tax for jails but when it was authorized it was authorized with a sunset and the law sunsetted in 2009. There were two counties in Idaho that built jails using local option tax and it was at a high threshold a 2/3 vote and the key component

for getting that bill passed was it included language that a portion of the local option tax was to be dedicated for property tax relief. The only way this is feasible is if you got a 2/3 voter threshold as well as some element of property tax relief. Commissioner White said we have addressed that to where we won't allow the "creep" of the tax. Representative Nickels said that's an important point, taxes go up and they never go back down, and if this had a sunset built into it that might be another option that people might be appreciative of to know it's only for a set amount of time and it will go away. No Board action was required to taken. The meeting concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 4, 2019

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

APPROVED CLAIMS ORDER NO. 10/9/19

The Board of Commissioners approved payment of County claims in the amount of \$5324.55 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/10/19

The Board of Commissioners approved payment of County claims in the amount of \$4248.47, \$14,931.76, \$44,301.81 and \$70,301.42 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hess Construction in the amount of \$15,375.00 for the Facilities department
- Information Technology in the amount of \$2400.00 for the Trial Court Administrator (Family Court Services website)

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

The Board approved the transfer of sick leave time to vacation time for Victor Holliday and Karen Serratos.

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 Pam White, Tom Dale and Leslie Van Beek, Fair Director Diana Sinner left at 9:04 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, HR Generalist Jennifer Allen, IT Director Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing FY2020 Fair building facility rental fee increase resolution: Minimal increase of about 5% to the building rental fee so no legal notice is required. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the FY2020 Fair building facility rental fee resolution (see resolution no. 19-154).

Consider signing a resolution adopting the change to the title, job description, FLSA status and salary of one (1) position in the Information Technology Department: This is to repurpose one position that was approved in FY20 from Telecom Analyst to Network Administrator. Director Rast provided a background of the position and the necessity of it. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution adopting the change to the title, job description, FLSA status and salary of one (1) position in the Information Technology Department (see resolution no. 19-153).

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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell 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 THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS
GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER ACTION
ITEM

The Board met today at 9:30 a.m. with the Director of Development Services to discuss general issues, set policy and give direction and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Development Services Tricia Nilsson, DSD Planner Debbie Root left at 9:35 a.m., Representatives from Munn Ranch Subdivision left at 9:35 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing final plat for Munn Ranch Subdivision, LLC; Case No. SD2019-0022: Deb Root said the plat is in substantial conformance with Idaho code and Canyon County zoning ordinances. They have worked with the City of Greenleaf to provide municipal services to this location. Staff recommends signing of the final plat. Commissioner Dale made a motion to authorize the chairman to sign the final plat. The motion was seconded by Commissioner Van Beek and carried unanimously.

Director Nilsson updated the Board on the following:

- P&Z Commissioner terms: several terms are set to expire; Director Nilsson will check in with each of them to see if they are still interested in continuing.
- Impact fee update: She is putting together the framework for the committee and hopes to have something to the Board next week. She would like to schedule a meeting with the Board and ITD to discuss fees they are starting to require.
- CIP facilitator status: She has draft scope of work and plans to present it to the Board once she has a more complete scope of work.
- Fiscal impact analysis update: She is on the COMPASS committee to select a consultant. Three proposals were received to develop a fiscal impact analysis and tool for use by local government.
- Ordinance update: Gave review of revisions/updates to the following ordinances:
 - One-time division
 - Mineral extraction
 - Tower ordinance
 - Wineries
- Update on comprehensive plan update: Kate Dahl has prepared a plan report summary that was provided to the Board.
- Rural Community Planning Assistance program update: A draft has been received from the City Wilder's attorney so they will be the first contract.

The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 7, 2019

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

APPROVED CLAIMS ORDER NO. 10/10/19

The Board of Commissioners approved payment of County claims in the amount of \$156,215.24, \$70,622.75, \$112,274.86, \$17,837.94, \$736,883.30 and \$21,339.20 for accounts payable.

MEETING WITH COMMISSIONERS' OFFICE STAFF TO REVIEW UPCOMING CALENDAR EVENTS

The Board met today at 8:32 a.m. with office staff to review upcoming calendar events. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerk Jamie Miller and Deputy Clerk Jenen Ross. A discussion was had about upcoming meetings and expectations for certain meetings. No decisions were made or action taken. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Dan Lister, Juvenile Detention Deputy Director Sean Brown left at 9:04 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Southwest Idaho Juvenile Detention food services agreement with Summit Food Services: The State Department of Education required we go to RFP as our previous contract was in its 6th year and they require no more than 4 renewals. Summit Food Services is the current contractor for the detention center and was the only vendor to submit a proposal. The price point didn't change much and the contract is limited to a 3% increase unless there is a significant change. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the SWIJDC food services agreement with Summit Food Services (see agreement no. 19-162).

Consider approving revised alcoholic beverage license application form: This form was previously approved by the Board, however, after further review Mr. Blocksom discovered the language in section 13a needed to be revised to match the county ordinance which was not done in the previous version. Commissioner Dale made a motion to approve the revised alcoholic beverage license application form. The motion was seconded by Commissioner Van Beek and carried unanimously. There was no document for the Board to sign but a copy of the application form is on file with this day's minute entry.

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 Van Beek made a motion to go into Executive Session at 9:14 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:33 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 A REQUEST BY JOE RODRIGUEZ FOR A REZONE; CASE NO. RZ2019-0022

The Board met today at 10:01 a.m. to consider a request by Joe Rodriguez for a rezone; case no. RZ2019-0022. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, Joe Rodriguez, Cheryl Jones, Linda and Dale Buzzell, Charles Paltsios and Deputy Clerk Jenen Ross. Dan Lister gave the oral staff report stating that the request is for a rezone from A (Agricultural) to RR (Rural Residential) which requires a two acre minimum lot size. This is a property that is currently vacant listed as 0 Farmway Rd and adjacent to both Maverick and Yoder subdivisions. This lot has already been divided and was created by a division of the northern property so a building permit is available but no other splits are available without this rezone. Currently, the property is zoned agricultural but is designated as residential on the future land use map. The City of Caldwell designates this area as low-density residential which is 3 units per acre lot size. Right now the nearest city services are about 5500' away so it is still pretty far from annexation. It is surrounded by 22 subdivisions within a one-mile radius with an average lot size of 0.94. The property is located in a nitrate priority area. Since they are

proposing lots sizes that are over 2 acres, typically this is something SWDH will look at when they do the nitrate priority study. If they choose to move forward with the 4 lots it would only be 4 houses with potential of 4 secondary dwellings. In 2018 the applicant submitted this same application but the City of Caldwell opposed it at that point stating that they saw this as a low-density residential site not a rural residential. What is being proposed really meets their estate residential designation which is 2 units per acre and they feel this is not as dense they wanted it to be and they would rather them wait until city services are available. When it was sent to the city in 2019 they did not express the same concerns. Some letters have been received stating the main concerns as it's a rural farmland area and they want to keep it that way, the traffic that would be generated by a new subdivision and Buckaroo Circle, which is in the Maverick Subdivision, is concerned that since their utilities go underneath that road it would damage the road when infrastructure starts going in. Canyon Highway District and ITD have both looked at this and determined it's not a huge traffic generator. It could only be 8 houses at the most. Improvement requirements would come at the platting stage where the construction of the road and any possible issues with Buckaroo Ct. vs. another access point would be reviewed. Another access point could possibly come from the south thru Yoder Subdivision. The City of Caldwell subdivision requirement would also come into play so there could be frontage, sidewalks and curbing that could change this. Mr. Lister has stated to the applicant that this has the potential once rezoned to just do a land division. If they keep it three lots or less they wouldn't have to do a subdivision, they would just do a land division and meet the minimum access requirements and not go thru the subdivision process. If they choose to move forward with the full four parcels they would have to plat and meet all the requirements and at this time the City of Caldwell has indicated they will require them to meet the frontage requirements unless something is shown that it can be waived. In regards to the concerns by the neighbors about keeping this rural, this does keep it rural as four lots close to 2 acres in size really does keep it rural like the neighbors would prefer. The city would prefer a higher density in that area. Staff is recommending approval of this rezone. Discussion was had about possible access thru Yoder Subdivision, on Alpha St. Mr. Lister believes Canyon Highway District focused on Buckaroo Circle because it is the most improved and goes all the way to the property. It is a circle at the end but it does provide improvements all the way thru where if they go thru Yoder there would be some necessary road improvements. For rezoning, there is adequate access to make the finding and very little traffic impact. The improvement requirements and how the circulation would be for that subdivision would come at the platting stage where it could be more closely looked at to evaluate the impacts.

The applicant is proposing a total of 4 lots and it would still meet the 2 acre average minimum lot size but would have to go thru platting and at that point would probably need all the improvements required by the City of Caldwell.

At the request of Commissioner Van Beek, Mr. Lister spoke about the ditch. He stated that it's an open ditch and when it comes to platting it would more than likely have to be improved. When speaking with the irrigation district they want it protected and then during the platting stage they would get a review of it and the applicant would have to do any required improvements as part of the preliminary plat. Irrigation district requirements would have to be met which could mean

putting an easement, culvert or piping in to protect that, it would be up to the applicant to agree to do that. Any water delivery, as far as canals and ditches, is protected by state code. They can't block the use of that from other users or decrease the amount of water being used. They have to improve it in a way that doesn't impact the adjacent neighbors.

Joe Rodriguez offered testimony in favor of his application. He would like to do the 4 lot split because he thinks the design is better than the 3 lot split but if Caldwell gives him a lot of headache he'll probably do the 3 lot split.

Mr. Lister explained that the City of Caldwell can make the requirements due to the impact agreement stating that the county follow their subdivision requirements but it's up to the city if they want to waive it or do an agreement to defer it until the property is annexed.

In response to a question by Commissioner Van Beek, Mr. Lister explained that the road is a public road and maintained by the highway district and when this comes to the platting stage they will do a review of the infrastructure of the subdivision and if there are any improvements at that time it may fall under the applicants requirement to improve that.

This property could have a couple splits thru a land division or the 4 lots which would need to be a plat because it's over the amount required for platting. They want to rezone it to match what the future land use plan is showing and right now it's being shown as appropriate for this area. If they wanted to divide again they would have to come back and ask for an R1 or R2 depending on what is happening in the city at that time.

Mr. Lister reiterated that this is a full rezone and not a conditional rezone so the most they can get is the 4 lots.

Mr. Rodriguez stated that he is not a developer and does not have the financials to be able to install all the infrastructure that would be required by the City of Caldwell.

Cheryl Jones offered testimony in opposition explaining that there is an irrigation pipe at the end of Buckaroo Circle that was installed in 1973 but has not been maintained. Behind the irrigation pipe is the overflow ditch so that is a concern about irrigation water flow being taken away. Her subdivision has a community well and is concerned about what will happen with their well water if several more wells are drilled in a new subdivision and what recourse they would have. There is a main line goes down the west side within Buckaroo Circle, then 8 lines that go under the road that were put in in 1973 for homes to the east side. They are having problems with those breaking and it seems as though every time they dig up one line to fix, it breaks something else. They don't have the money in their subdivision's water association account to fix more than a couple of lines before they'll be broke. They are concerned that heavy equipment running on the road or additional traffic to a new subdivision have the potential of damaging those lines further. She doesn't understand when there is access from Yoder why they couldn't go thru there instead of her subdivision.

Commissioner Van Beek asked about the placement of stub streets. Mr. Lister said that part of the requirements from the City of Caldwell would be stub roads for future development to the north and to the east. The Boise Project Board of Control provided a letter stating they have valid water rights and requires them to be unobstructed and protected by an appropriate easement. There is a letter stating that the applicant would have to maintain that somehow thru an easement and during the platting stage they would have to show how they are going to utilize those water rights. There are mechanisms in place to ensure that irrigation is protected as well as improved to the requirements of the irrigation district.

Ms. Jones said the neighbors clean out the irrigation ditch but she is concerned that the 8" pipe will not withstand trucks driving over it.

Dale Buzzell offered testimony in opposition answering a question posed by Commissioner Dale about the type of piping that was used when installed, indicating it's all either ¾" or 1" black plastic pipe that has been in there since the neighborhood was developed. It is brittle and he is concerned if there is heavy traffic they will have more problems. The irrigation line that is buried on the east side is a plastic 6" pipe that runs from a culvert and each property has access to that pipe and the concern is that large equipment running over that pipe will cause it to need to be replaced.

Linda Buzzell offered testimony in opposition speaking about the nitrates and that the EPA required that their subdivision install RO (reverse osmosis) systems and additional filters that would take the arsenic out of the water. She expressed concerns about road conditions noting that they already have several fissures in the road surface. They are very concerned about what will happen with the well and would like to ask that in the development agreement that Mr. Rodriguez and/or any future property owners share the cost of repair for any of those broken lines that may incur due to the burden of extra traffic on their system.

Charles Paltsios offered testimony in opposition stating that his main concerns are the road and fragile water system. He feels that if Alpha Rd. could be used that would take all the grief and wear and tear off their neighborhood and the concerns about increased traffic.

Mr. Rodriguez said he does not have the finances to consider using Alpha Rd. as an access as it's a steep road and in bad winters it would be hard to navigate and he doesn't have the finances to develop it.

At the conclusion of testimony Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Dale said he hears the concerns of the neighbors but a lot of this goes back to the responsibility of private property rights. He spoke about some of the advantages and disadvantages of living in the county without city services. He feels that the piping that was used is inferior which is why it's deteriorating and that falls to the homeowners to maintain; the whole water system is theirs. There appear to be some real issues with the water system that are still

going to exist no matter what happens with this property. If this property were to get annexed by the city there will be a lot more than 4 houses out there because low-density is 3-4 houses per acre. In a lot of ways changing the zoning this way protects from a lot more traffic. He doesn't feel he can reasonably require someone else to pay for a system that is already having problems regardless of what happens. He noted that the road doesn't look to have been maintained very well over the years. He stated that as far as water systems go SWDH really evaluates that, this would be 4 wells for 4 lots, they won't put in 8 wells. There is a good water table out there and he doesn't think there should be any effect on the current wells. He can't find any reason to deny this application and is in favor of it.

In response to Commissioner Van Beek's question about nitrate systems, Mr. Lister said that if the property is split into 4 parcels it would possibly have to go thru the nitrate management plan study to determine if treatment or a special septic or well system would be necessary but that would be looked at in the platting stage. It could reduce the size of the lots or the subdivision may only be allowed to have 3 lots.

Commissioner Van Beek said she recognizes that property rights belong to everyone. She agrees with Commissioner Dale's comments about this subdivision limiting the amount of traffic vs. going to development in higher density. There are assurances in place that the irrigation will be taken care of properly and that this will be very low density, lower than what Caldwell is looking at for this area. Given all those factors she can only base her decision on the information provided in the findings of fact and conclusions of law and order. She doesn't have more evidence that would weigh against this in support of the opposition than she does in favor of Mr. Rodriguez's presentation. She doesn't have any objection to this and believes in the long run it will be in the best interest for the surrounding community.

Commissioner Van Beek made a motion to approve the rezone and for the Board to sign the findings of fact, conclusions of law and order and the ordinance (see ordinance no. 19-044). The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 11:02 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH MAYOR NANCOLAS AND MARK HILTY TO DISCUSS CALDWELL'S URBAN RENEWAL DISTRICT

The Board met today at 11:04 a.m. with Mayor Nancolas and Mark Hilty to discuss Caldwell's Urban Renewal District. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Mayor Garrett Nancolas, Attorney Mark Hilty, Ambulance District Director Michael Stowell, PIO Joe Decker, Reporter from the IPT and Deputy Clerk Jenen Ross.

Mayor Nancolas explained they are here today to discuss the dissolution of the existing revenue allocation area as well as the proposed new revenue allocation area to the north of Caldwell. They are projecting to sunset the existing revenue allocation area in 2022, it was formed in

December 1998 and has been a success. He clarified that there is an Urban Renewal Agency and revenue allocation areas within that agency to which you could have an unlimited number. Currently there is only one and it is proposed to be sunset along with the plan but the agency stays intact indefinitely. In sun-setting, they are trying to determine how to close the revenue allocation areas out appropriately by law but also include the affected taxing entities in the discussion. Since 2014 they have siloed the money, keeping track of it separately for each taxing entity. The projection includes the consideration to pay off the bond for the admin building in which urban renewal monies were used to build. Things that could affect the projected numbers are the economy, assessed values of properties or the levy rate the county sets within their budgeting authority. As of right now the closest estimate is that there is approximately \$2.4M available in the revenue allocation area for Canyon County's increment. That money can be used for infrastructure, parking lots or water/sewer. It could be used for public buildings but under the new laws that took place July 1st, if it's used for a public building and there is any combination of urban renewal money and public money that exceeds a million dollars then it has to go out for a vote. Commissioner Van Beek asked about the fair building falling under this law. Mr. Hilty said as he recalls in the new ordinance the issue is that the definition of municipal building may encompass the fair building, however, there are some distinctions where some specific buildings are called out. The operating assumption is that it would require a vote but they are certainly open to other interpretations. Mr. Wesley thinks there is a conversation to be had in looking at the definition of municipal building but ultimately it will be a call for the agency and their counsel to discuss with them because the county wouldn't be the one driving that decision. Mayor Nancolas said there are things that don't require a vote such as water, sewer and roads that are public infrastructure that these monies could be used for and based upon city code for construction the ancillary things would be required and would come into play for any building.

In response to Commissioner Van Beek's question, Mr. Hilty said there is no statute of limitations but when the reallocation area sunsets they will need to wind up all those funds. He said the way they're tracking it is that if the project has been identified and the funds segregated for the project then you can complete a project even if it extends beyond the end of the revenue allocation area. But if you have funds that haven't been identified for specific projects at the end then those are dispersed and they wouldn't be available at that point. Mayor Nancolas said there is a formula in place to determine what would go back to all the districts. Commissioner Van Beek clarified that as long as a project is identified before 2022 the county would still have access to the increment value of \$2.4M. Mr. Hilty agreed stating that an estimated revenue can be anticipated in future years so the project can be scaled around that. Mayor Nancolas said the funds could be used now or years into the future; they continue to accumulate until there is a project assigned to with a specific dollar amount and approved by the Urban Renewal Commission. Commissioner Dale noted that if projects are run thru the urban renewal agency they have to be spent within the district of the revenue allocation area, however, at the end of the revenue allocation area if those funds are turned back to the county, to the general fund, they can be spent anywhere. Mr. Hilty said as far as he knows, that is true. However, he said there has been discussion amongst the Urban Renewal Board of Commissioners about how they don't want to see that. He explained there are some very small taxing districts that have relatively little

money when you're looking at the capital infrastructure. We may not be able to come up with a project that makes sense so that leads to a broader discussion that although there is no statute of limitations now is the time for the county to come forward with some ideas that can be vetted for use of that money. They want to get on a glide path where they're spending that money down and if the taxing districts don't come forward, the agency is going to be looking around for other projects. Now is when you'd want to be approaching the commission with proposals because they want to have a plan moving forward. Mayor Nancolas said the intent of the urban renewal project area and revenue allocation area was to construct these projects and to use that money to the benefit of all parties involved. The commission is anxious to build projects and to have projects lined up to expend those funds prior to the retirement so that the intent is fulfilled of the original creation of the renewal area. The intent was never to turn back money, it was to build and construct projects that would last for decades and benefit all parties involved.

Commissioner Van Beek noted for the record that Caldwell has been a great partner, it's been very progressive and wondered if the county had ideas would Caldwell be willing to take a look at some of those ideas.

Mayor Nancolas said money can't be mixed between the two revenue allocation areas but certainly they want to be a partner with all the taxing entities. Under the new area they've taken into consideration lots of projects but certainly if the county requested partnership from the renewal agency it would absolutely be considered.

Mr. Hilty explained that the law has changed a couple of times since 1998 and one of the ways in which it has changed is that it requires much more detail concerning anticipated projects. In 1998 you could describe in general terms what you'd like to achieve thru an urban renewal agency and then as the life of the urban renewal agency went along you folded those into projects that met those objectives. There is still that language in the urban renewal law, however, it's been supplemented with changes that require much more detail as far as identifying projects. The agency won't have the flexibility to match up a creative project with a concept. It's heavily infrastructure related and speaks to road networks and off-site improvements to try attracting that economic redevelopment.

Mayor Nancolas encouraged the Board to review what has been presented to them for the proposed plan and if there is anything the Board feels has been missed there is still time to make minor amendments prior to the public hearing. Mayor Nancolas believes they have looked at everything they can think of for the new project area including every parcel, who owns it, what are the potential developments that could be there, what are the requirements for water, sewer, power, broadband and gas. Under the new law you have to be very specific so they've tried to do that. Additionally, they've looked at road networks, rights of way acquisitions, future land uses, etc. and then designed the infrastructure to meet those needs. The number to be aware of is the \$7.1M that could be available over the next few budget years. It is their understanding that when they do sunset their goal as an agency is to have all the assets transferred appropriately. If there is cash, there is a formula prescribed in code that tell how the monies are to be allocated back which would include any monies that weren't expended. When this revenue allocation area

sunsets the assessed value, less the 2006 changes, would come back to the county as new construction. That is certainly a benefit to the county. That is something to take a look at now with your financial people to see what that means to you as well because if you partner that with a project now and then the anticipated revenues it could provide a funding mechanism for whatever you may desire. Mayor Nancolas said a lot of the new revenue allocation area is based on the Sky Ranch Business Park due to the success of having water, sewer, power, irrigation, roads, curbs, gutters and sidewalks already in place and being as shovel ready as possible to encourage businesses to settle here. This is taking advantage of the existing infrastructure already in place out there and just adding to it; that's why this specific area has been identified.

Mr. Hilty spoke about the maps and the ag land that did not want to be included. This was in large part a product of the new requirements of the law that speaks to having very specific projects and cost estimates for those projects. There needs to be a plan for utilities and in order to do that you need a plan for density and types of land uses. It has been designed to be consistent with the city's comprehensive plan as this is all within the impact area.

Commissioner Van Beek wondered if with the bond failing, the economic climate changing and this revenue allocation area if a jail located in this area would be less than ideal. She asked if there were area within Caldwell city limits that could support this and could take place in some kind of orchestrated fashion. Mayor Nancolas said they're not here to promote one thing or another. They want to be good partners and knowing that this piece of property on the corner of Highway 20/26 has been intended for the jail they considered it with water, sewer and anything else that would be needed for that type of property use. He said to specifically answer the question, there certainly could be a higher yield use on that property. It's right in the middle of an industrial area and could potentially attract another type user but that would be a decision of the Commissioners to make about what to do with that property. The property right below that is a gun range and they've had conversations with the owners because the highest and best use is not a gun range. In referencing the 'road functional classification' map there is a legend at the bottom that talks about the different types of road systems that they're anticipating as projects to be constructed during the life of this agency. Mayor Nancolas explained this map tells a lot about the anticipated uses in that area. They've designed roads, water/sewer capacity, and electrical capacity, spoken with Idaho Power and Intermountain Gas about the needs to serve this area under both the existing proposed uses as well as what could be uses if that changed so that they are prepared under either aspect.

In response to a question by Commissioner Van Beek, Mayor Nancolas said the classification for a public safety facility is a special use permit under any zone. He further noted that the way the property is zoned is appropriate for either a jail or a manufacturing facility. He indicated that while there had been discussion about other uses of the 20/26 property the city is not actively pursuing anything. The city respects this is a county decision and that if the county comes to the city with a proposal they'll be a partner.

Mayor Nancolas said the goal within the plan is not only to bring business here but also to provide a place for county citizens to have a nice place to recreate

Mr. Hilty said there are four things the city needs from the county – 1) a resolution that recognizes the area currently and historically has some of these impediments and the incentives that can be offered thru urban renew would help the area develop in a way that’s beneficial, logical, and tends towards its highest and best use. 2) An intergovernmental agreement for the governance of the area. The governance of the area from a land use standpoint remains with the county. To the extent these properties are not annexed into the city and there needed to be zone changes, whatever happens as this property develops would be under the jurisdiction of the county. The intergovernmental agreement is one that very clearly authorizes the agency to deal with that reallocation so they will receive those funds and make decisions about urban renewal projects. It’s the county saying this is property that is under our jurisdiction, we understand the plan, we understand what urban renewal activities may occur in the area and we authorize the urban renewal agency to engage in that conduct and receive the funds necessary to do it. 3) An ordinance that adopts the agreement and 4) a show of support from the affected taxing districts at the hearing in early November. Mr. Hilty’s hope would be to have the documents signed within the next week. Mr. Wesley indicated that he’s seen preliminary documents and believes getting them signed in that timeframe shouldn’t be an issue.

The meeting concluded at 12:00 p.m. An audio recording is on file in the Commissioners’ Office.

MEETING TO RESCHEDULE THE PUBLIC HEARING FOR CONSIDERATION OF REZONE REQUEST BY CLARK SHORT

The Board met today at 1:31 p.m. to reschedule the public hearing to consider a request by Clarke Short for a conditional rezone, case no. CR2019-0007. Present were: Commissioners Pam White and Leslie Van Beek, Planner Jennifer Almeida and Deputy Clerk Jenen Ross. Ms. Almeida explained that the applicant was not able to make today’s hearing and asked for it to be rescheduled. Commissioner Van Beek made a motion to reschedule the hearing to October 16, 2019 at 1:30 p.m. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 1:32 p.m. An audio recording is on file in the Commissioners’ Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 8, 2019

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pantera Market 3 to be used 10/18/19 and 10/19/19 for a concert.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Jim Cornwell, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner left at 9:12 a.m. and Deputy Clerk Jenen Ross.

Consider signing cooperative agreement between Valley Regional Transit and Canyon County Commissioners for annual assessment and service contribution: This assessment amount is exactly what was approved in the budget which represents an 8.14% increase from last year. Zach Wagoner said the VRT requested amount this year is \$39,299 and that the increase is related to an overall increase in service costs. The Board each spoke about the importance of public transportation and Commissioner Dale spoke specifically about the struggles VRT faces due to lack of funding. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with Valley Regional Transit (see agreement no. 19-164).

Consider signing ratification of CenturyLink interstate private line transport services pricing plan acknowledgment for the Canyon County Sheriff's Office: Chief Dashiell spoke about the history of this contract and said they have been working with CenturyLink to negotiate an updated contract. A credit has been requested for the months that were paid outside of the previous contract and Chief Dashiell's understanding is that a credit will be applied to the account. Mr. Blocksom said that due to the non-appropriation language this is phrased as a ratification so that the Board is not promising this amount will be budgeted every year, it's the Sheriff's Office signing the agreement and the Board is ratifying it. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the ratification of CenturyLink interstate private line transport services pricing plan acknowledgment for the Canyon County Sheriff's Office (see agreement no. 19-163).

The meeting concluded at 9:19 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 Pam White, Tom Dale and Leslie Van Beek, Human Resources Director Sue Baumgart and Deputy Clerk Jenen Ross.

Director Baumgart updated the Board on the following:

- 153 people attended the wellness fair last week; the next one is scheduled for October 17th from 11 to 3. They are considering adjusting the times to see if they can get better attendance.
- Great feedback was received about the harassment training. Four additional trainings are tentatively scheduled as there are some employees who were not able to attend. Another EO and other departments have asked about the training and she thinks it would be good to offer the training county-wide. Her budget will account for being able to conduct the additional trainings. The Board is good with Director Baumgart moving forward.
- Three 2 hour compression and bleeding trainings conducted by the Ambulance District have been scheduled. The announcement will be sent out next week to the DAs. The training is on a volunteer basis and free of charge. AED training could be done but those trainings do cost about \$40/person.
- Two quotes have been received for performance management training. She is waiting for one more to come in and then she will evaluate each submission.
- Discussion was had about refining job descriptions. Director Baumgart has been working to narrow down job titles so there are not so many out there and refine the job descriptions.
- Commissioner Van Beek asked if the credit card policy is included in the new hire packets – Director Baumgart said HR has never had anything to do with credit cards.

The meeting concluded at 9:58 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CANYON COUNTY CLERK AND CONTROLLER TO DISCUSS CREDIT CARD POLICY FOR CANYON COUNTY

The Board met today at 10:06 a.m. with the Clerk and Controller to discuss a County credit card policy. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Ambulance District Director Michael Stowell, and Deputy Clerk Monica Reeves. Today's meeting was scheduled in response to a question that was recently brought up with legal counsel and the HR Director and it was suggested that the Board meet with the Clerk regarding a credit card policy. Currently the County has outstanding credit of approximately \$195,000, and an aggregate amount of \$200,000. There was discussion about how individual credit card limits are evaluated and whether persons are given a copy of a credit card policy when they are issued a card. Controller Wagoner said the governing principle should be what is the most economical method. Many of the cards are used for travel-related purposes which is far better than sending cash in someone's pocket. Clerk Yamamoto said they have no issues with their credit card policy; the Auditor's Office uses federal guidelines for meals and per

diem rates and they watch credit card transactions very closely. Commissioner Van Beek would like to see a policy that lets people know what their card limits are and what the appropriate boundaries are for card use. Commissioner Dale said it would be good to have something in writing that states what the card can be used for and what it cannot, and to make people aware they have to retain receipts. Commissioner White said the written material should also include the appropriate state statutes which govern use. Controller Wagoner said the cards are to be used for legitimate business purposes and those who have County credit cards understand the responsibility. There is a tremendous amount of work to audit the use of the cards. Commissioner Van Beek said the action item would be to have a short statement when cards are issued that cite the applicable state statute, language from the Clerk's policy, and information on who to contact if there is an error. Also, it would be helpful to make people aware that if they get a per diem when travelling they cannot make charges for meals on the card since that is what the per diem covers. Clerk Yamamoto said his office maintains maximum control of credit cards. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 9, 2019

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

APPROVED CLAIMS ORDER NO. 2001

The Board of Commissioners approved payment of County claims in the amount of \$1,710,407.62 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Training Outdoors in the amount of \$32,540.00 for the Sheriff's Office
- The Paramount Hotel in the amount \$1320.00 for the Information Technology department

PUBLIC HEARING – REQUEST BY CORSBERG LAND, LLC FOR A REZONE, CASE NO. RZ2019-0014; AND APPROVAL OF THE PRELIMINARY PLAT AND IRRIGATION AND DRAINAGE PLAN FOR REDTAIL ESTATES NO. 3 SUBDIVISION CASE NO. SD2019-0010

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by Corsberg Land, LLC, for a rezone of two parcels that total 77.63 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone, Case No. RZ2019-0014. The applicant is also seeking approval of a preliminary plat and irrigation and drainage plan for Redtail Estates No. 3 Subdivision, Case No. SD2019-0010. The properties are located at 3901 & 4001 E. Lewis Lane in Nampa. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Lance Warnick, Ben Jepson, Thayne Warnick, Audrey Corsberg, Terry Corsberg, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report for the rezone and the report for the Redtail Estates No. 3 preliminary plat. The subject property is 77.63 acres and is zoned agriculture. Future land use designation is residential and it is within Nampa's impact area. The rezone request to rural residential is consistent with the future land use designation for the area, it is also consistent with Nampa Future Land Use Map which designates the property as low density residential. The applicant is proposing 13 lots with an average lot size of 5.7 acres. The property is located within a nitrate priority area, the applicant will be required to adhere to Southwest District Health Department requirements during the platting phase of this development. There has been no objection to the rezone request. The P&Z Commission recommended approval on August 15, 2019, and staff is also recommending approval. Next, Ms. Almeida gave the presentation for the associated subdivision plat for Redtail Estates No. 3. It contains 13 residential lots, will utilize individual domestic wells and septic systems, gravity irrigation and an internal public road. Keller and Associates has reviewed the preliminary plat and the irrigation and drainage plan. The City of Nampa has reviewed and approved the irrigation plan and has approved deferral of all required subdivision improvements until such time as the property is annexed into the city. Nampa Highway District has no objection as long as the project meets their standards. The new access point onto Lewis Lane required a variance which was approved on July 30, 2019. No written objections to the plat were received. The P&Z Commission also recommended approval of the plat on August 15, 2019, and staff is recommending approval with the proposed conditions of approval outlined in the staff report. Commissioner Van Beek asked questions of Ms. Almeida following her report. Lance Warnick testified on behalf of the applicant. We have worked with staff on this property, multiple subdivisions for 15 years as the first phases have gone through and now we're to Phase 3. Their request is to rezone the balance of the property to allow these five-acre residential subdivisions. It is in compliance with the County's vision for the area based upon the comp plan maps that show the area being residential. We are in the city impact area which also designates a residential use. We chose five acres because of septic limitations and with keeping lot sizes above five acres that alleviates a lot of concern on the impact to soil and ground water. The project will be developed in two phases; the north half will be developed with an intermediate turnaround and the second phase will be building to the south with another cul-de-sac at the end. Lewis Lane is an arterial roadway and the highway district doesn't want roads connecting to an arterial roadway so any new connection has to go through a variance process. Currently there are two driveways that access Lewis Lane, but the agreement with the district is that as the subdivision is developed the Corsbergs can continue to use existing driveway until the second phase comes in and then their access will shift to the cul-de-sac road to the south. We requested waivers of improvements; the city has deferred the improvements. As this moves forward with

final platting they will have test pits excavated and on every lot they will have a subdivision engineering report prepared. Mr. Warnick responded to questions from the Board. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek said it looks like a nice project, has good planning and it has the unanimous approval by the P&Z Commission. Commissioner Dale said this is a good plan and it's an area that will be part of the City of Nampa at some point. Commissioner Van Beek made a motion to approve the rezone from agricultural to rural residential in Case No. RZ2019-0014 and to sign the findings of fact, conclusions of law and order. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 19-045.) Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the request by Corsberg Land, LLC, for approval of the preliminary plat, and irrigation and drainage plan for Redtail Estates No. 3 Subdivision, and to sign the findings of fact, conclusions of law, and order for Case No. SD2019-0010. The hearing concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 11:02 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Planner Dan Lister and Deputy Clerk Jenen Ross. The Executive Session concluded 11:29 a.m. with no decision being called for in open session.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 10, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Diana Sinner, Katherine Kershner and Ellen Tingstrom.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, 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: 2019-1435, 2019-1337, 2019-1218, 2019-1437, 2019-1339, 2019-1326, 2019-1338, 2019-1336 and 2019-1329. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials on the cases as read into the record. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:56 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to continue case nos. 2019-969, 2019-970, 2019-971 and 2019-1062 to November 7, 2019. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place case no. 2019-577 into suspension pending a resource. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1099

The Board met today at 9:04 a.m. to conduct a medical indigency hearing for case no. 2019-1099. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's, Applicant and acquaintance and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place the case into suspension pending a resource. The hearing concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-995

The Board met today at 9:44 a.m. to conduct a medical indigency hearing for case no. 2019-995. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-686 AND 2019-713

The Board met today at 9:58 a.m. to conduct a medical indigency hearing for case nos. 2019-686 and 2019-713. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 10:52 a.m., Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Ashley Hesteness for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve case no. 2019-686. Commissioner Dale made a motion to uphold the denial on case no. 2019-713. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:53 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:53 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared on the following cases: 2019-1091, 2019-810, 2019-961, 2019-962, 2019-958, 2019-782, 2019-859 and 2019-1068. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to continue case no. 2019-1002 to December 5, 2019. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 10:55 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 1:45 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 1:49 p.m., Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, HR Director Sue Baumgart left at 1:49 p.m. and Deputy Clerk Jenen Ross.

Commissioner Dale made a motion to amend the agenda to include the action item of ‘consider signing the Security Director job offer letter’. The motion was seconded by Commissioner Van Beek and carried unanimously.

The action items were considered as follows:

Consider signing Security Director job offer letter: Mike Porter said his understanding is that a candidate has been identified based on recommendation from the committee and interviews with the finalists. The offer will be extended to Joe Mueller. Commissioner Dale made a motion to sign the Security Director job offer letter. The motion was seconded by Commissioner Van Beek and carried unanimously.

Notice of change in water right ownership related to 16241 Deer Flat Road: This property was recently purchased by the county and in order to transfer the ground water rights this application has to be submitted to Idaho Department of Water Resources. There are no surface water rights to this property. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the notice of change in water right ownership related to 16241 Deer Flat Road. A copy of the document is on file with this day’s minutes.

The meeting concluded at 1:52 p.m. An audio recording is on file in the Commissioners’ Office.

CONTINUATION OF PUBLIC HEARING – ALL-TERRA CONSULTING ON BEHALF OF PHEASANT POINT MIDDLETON, LLC FOR A PRELIMINARY PLAT, IRRIGATION PLAN, DRAINAGE PLAN AND FINAL PLAT FOR FAISAN POINTE ESTATES SUBDIVISION, CASE NO. SD2018-0011

The Board met today at 2:01 p.m. to conduct a public hearing in the matter of a request by All-Terra Consulting on behalf of Pheasant Point Middleton, LLC, for a preliminary plat, irrigation plan, drainage plan and final plat for Faison Pointe Estates Subdivision, Case No. SD2018-0011. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach

Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Jay Walker, other interested citizens, Mayor Darin Taylor, and Deputy Clerk Monica Reeves. Today's hearing was continued from September 11, 2019 where the public testimony portion was closed. Dan Lister said at that time staff was recommending denial due to a lack of information regarding traffic, irrigation, water, and water suppression for fire. During the hearing the Board continued to allow the applicant to provide evidence that they have proper irrigation, traffic, water and water suppression for the subdivision. On October 9, 2019 Jay Walker sent an email stating Black Canyon Irrigation District is in agreeance with the applicant and the improvements that will be required prior to consideration of the final plat. The Idaho Transportation Department (ITD) submitted a letter stating there would be some costs the applicant/developer would have to agree to for the left turn movement on Highway 44, and the applicant has agreed to that. Middleton Fire said they are fine with an alternative requiring fire sprinklers in each home and the applicant seems to be fine with that. The Idaho Department of Water Resources (IDWR) did not submit a letter, but Mr. Walker did provide information on his conversations with IDWR about the requirements for individual wells. Mr. Lister spoke to IDWR and confirmed that the agency has no opposition to individual wells. They did not see any issue with having individual well permits or water rights therefore staff believes the applicant has submitted sufficient evidence showing the subdivision would be adequately served by irrigation water, and, the traffic issues are gone. If the Board approves this application staff will bring back findings showing it's approved with conditions and one of those would be to not only tile the ditch and do the improvements but also to include pressurized irrigation versus wells. Commissioner Van Beek read a letter stating the developers agree to pipe tile the lateral on the northern property line of the subject property as required by Black Canyon Irrigation District. Mr. Lister said the irrigation district is not requiring them to provide pressurized irrigation for the plat. The applicant did show pressurized irrigation system for the plat and during the hearing they said there may be issues with water coming off that lateral, however, in talking with the irrigation district, the County engineer, and IDWR they didn't see any issues with the water coming out of Black Canyon and why they wouldn't be able to do pressurized irrigation except for possibly the cost. It will be something staff will address in the conditions for the Board's consideration. Commissioner White asked about the minimum fire flow. Mr. Lister said the alternative to connecting to city services was to provide fire sprinklers in each dwelling and the applicant has agreed to that. Commissioner Dale said he wasn't here for the September 11 hearing but he listened to the recording and he believes much of the testimony was off topic; the application is to consider approval of the preliminary plat, irrigation plan, drainage plan, and final plat for Faisan Pointe Estates Subdivision. Mr. Lister said staff will come back with findings of fact, conclusions of law and order changing the decision to an approval, however, we're just looking at the preliminary plat with conditions. The P&Z Commission recommended denial so the final plat will have to come back at a later date. Commissioner Van Beek said the four issues have been satisfied by the information the applicants brought forth today, the extraneous information whether it was the city annexation, the rezoning, or the size of the lots has nothing to do with this matter today. She believes the issues have been satisfied and she supports the approval. Commissioner White said in defense of the last hearing there was a lot of miscommunication and it was cleaned up and clarified and there was good discussion. The Board directed staff to come

back with FCOs with conditions of approval on October 16, 2019 at 9:00 a.m. The hearing concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO OCTOBER 11, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – participated via teleconference
 Commissioner Leslie Van Beek – 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 \$3415.00 for the Information Technology department

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioner Pam White, Commissioner Tom Dale by teleconference, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner, IT Business Manager Caitlin Pendell and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Canyon County 2019 engagement letter with Eide Bailly: This engagement letter is for the FY2019 year-end audit with Eide Bailly which has been used for several years. Controller Wagoner spoke about the job they do, the expertise they bring to the county and their background in governmental accounting. Mr. Laugheed said that while Eide Bailly doesn't assert responsibilities over internal controls they do speak with people and Mr. Wagoner confirmed that they conduct a fraud inquiry with himself, the Clerk and a member of the Board. The fee for FY2019 services is \$53,500 which is a \$2000 increase from last year. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the Canyon County 2019 engagement letter with Eide Bailly (see agreement no. 19-165).

Ms. Pendell spoke about a purchase order that was presented to the Board in order to purchase 3 desk top computers and 2 additional hard drives for the Security department. This is generally a

ministerial task but since Commissioner Dale is out of the office he has authorized staff to use his signature stamp on the PO.

The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 15, 2019

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

APPROVED CLAIMS ORDER NO. 10/16/19

The Board of Commissioners approved payment of County claims in the amount of \$394.50 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/25/19

The Board of Commissioners approved payment of County claims in the amount of \$46,010.84 and \$28,389.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Prime Construction & Asphalt in the amount of \$32,992.50 for the Facilities department
- Interstate Electric Supply in the amount of \$2939.46 for the Facilities department
- Nemo Q, Inc. in the amount of \$7899.00 for the Information Technology department
- BOE in the amount of \$11,581.00 for the Information Technology department
- SHI in the amount of \$7350.00 for the Information Technology department
- Neopost in the amount of \$24,930.00 for the Information Technology department
- Intermountain Wood in the amount of \$1479.80 for the Development Services department
- Data Works Plus in the amount of \$14,200.00 for the Sheriff's Office
- J&H Marine, LLC in the amount of \$14,043.15 for the Sheriff's Office
- CDW Government, LLC in the amount of \$52,669.53 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 Muntaga Bah and David Phelps

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

The Board met today at 8:35 a.m. with the Directors for Facilities, Information Technology and Security to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Commissioner Van Beek arrived at 8:55 a.m., IT Director Greg Rast, Assistant Director of IT Eric Jensen, Director of Security Joe Mueller and Deputy Clerk Jenen Ross.

The Board was updated on the following:

- The Security office is close to being complete; they have been waiting for Mr. Mueller to start to complete some items. Director Rast provided an estimated budget of what has been ordered for the office.
- Director Mueller spoke about how he plans to get started. He is working to get settled in and listening to the communication going on around him.
- Pod jail trailers are scheduled to start arriving at the end of this week and there are some last minute infrastructure items that need to be addressed such as the telecommunications room and camera system.
- Many new requests have been coming into IT. They are working to write a program to track use of force in the jail. The property tax reduction process in the Assessor's Office isn't working well and would like to see if IT can write a program that will integrate with OnBase and help organize and process better.
- Director Rast was approached last week about impact fees on building permits within DSD. He asked the Board for some direction as far as the timeline. Commissioner Dale said the timeline is dependent upon when the fire districts implement their impact fees. Commissioner White feels it's kind of an urgent matter. Director Rast explained part of the current program will need to be rewritten to accommodate collecting the impact fees. The Board directed him to work with Zach Wesley as he's been most involved and could give a more defined timeline; they also suggested he work with Bill Gigray regarding the Fire District impact fees.
- OnBase rollout: BOCC and the Treasurer's Office will be done by the end of October and they are continuing to roll it out to several other offices.

- VPN: dual factor roll out is starting to happen. They are starting with the Sheriff's Office, Prosecutor's Office and the Public Defender's department. Currently there are 500 people with access to VPN, but really it should only be about 100.
- Phishing module is finishing up and will start the county campaign soon.

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 9:03 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom left at 9:04 a.m., Deputy P.A. Mike Porter left at 9:13 a.m., Deputy P.A. Zach Wesley, Chief Probation Officer Elda Catalano left at 9:20 a.m., Communication Manager Roxanne Wade left at 9:05 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:13 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing FY2020 Idaho Public Safety Communications Commission grant fee award agreement: This application was previously approved for some upgrades and this is just the acceptance of those funds. Legal has reviewed and has no reason not to sign. Ms. Wade said there is no match amount for the grant and the monies come from the 911 fund that they contribute to. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the FY2020 Idaho Public Safety Communications Commission grant fee award agreement (see agreement no. 19-166).

Consider signing a resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds: This grant is provided by the Federal Government to offset money spent on housing undocumented immigrants who are kept in the jail post sentencing. Legal has reviewed the document and sees no reason not to sign. The amount of the grant is \$15,982 and Chief Dashiell noted that this money is for 2018. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds (see resolution no. 19-155).

Consider signing Idaho Juvenile Justice Commission Sub-Grant Project Award agreement: This is a Federal grant received through the Idaho Department of Juvenile Corrections. Ms. Catalano explained the funding is to serve status offenders in Canyon County and spoke about how she plans to apply the money in serving the juveniles. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Idaho Juvenile Justice Commission Sub-Grant Project Award agreement (agreement no. 19-167).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:21 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters involving named personnel, 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:03 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 PARKS DIRECTOR 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 Parks Director to discuss general issues, set policy and give direction and to consider action items. Present were: Commissioners Pam White and Tom Dale, Parks Director Nicki Schwend, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution to approve the addition of one (1) position in Parks, Cultural and Natural Resources: Director Schwend said this is the addition of one position and reallocation of two positions and Director Baumgart explained the changes to be made within the Parks department. There will be no increase to the budget and all changes are a wash within the department. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution to approve the addition of one (1) position in Parks, Cultural and Natural Resources (see resolution no. 19-157).

Consider appointing Justin Vance to the Historic Preservation Commission: Recently Reggie Jayne had to resign from the Historic Preservation Commission but recommended Dr. Justin Vance who has agreed to serve. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution appointing Justin Vance to the Historic Preservation Commission (see resolution no. 19-156)

Director Schwend updated the Board on the following:

- Review of the Science Canoe Camp: they may look at collecting a nominal fee next season
 - Overview of the “The Five Tribes of the Boise Valley: Original Inhabitants of Celebration Park” catalog
 - Lake Lowell docks have been removed
 - New kiosk for information is up with information posted
 - Having a rowdiness issue at Celebration Park; looking for advice from the Board. Nicki has thought about meeting with the Sheriff’s Office for suggestions, possibly private security and put up signs notifying of the noise ordinance and fine associated. Commissioner Dale suggested maybe ask the Sheriff’s to station a deputy down there Friday and Saturday for a month or so hoping to “nip it in the bud”. Director Schwend is working with Zach Wesley on some possible changes to ordinances pertaining to Celebration Park. Director Schwend doesn’t want to bombard the Sheriff’s Office with calls without speaking with them first. At Commissioner Dale’s encouragement Director Schwend will reach out to the Sheriff’s Office.
 - Recently received suggestions and feedback for the 4th grade field trips
 - Boy Scouts and Girl Scouts have been out to the park
 - Parking lot at Celebration Park was recently sealed
 - Greasewood removal took place at Celebration Park
 - BSU Anthropology department had a faculty retreat at Celebration Park
 - Pictures of the work the Facilities department has done at her buildings

The meeting concluded at 10:43 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 10:43 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Director Breach updated the Board on the following:

- Last week he presented at the magistrates meeting where they discussed a new transfer process. There was also discussion about the interstate compact criteria. Director Breach gave an overview of how the process works.
- They are in the process of hiring for their new position and will be conducting interviews on the 24th
- Stats for last month: 1306 offenders on active supervision, 489 offenders on bench warrant status, 293 in the community service program and 10 reoccurring problem solving court participants

- The Supreme Court invited him to go to the domestic violence conference in April; several people from Canyon County were invited to attend in the hopes of starting one here

Chief Probation Officer Catalano updated the Board on the following:

- She is working with a committee of people from around the state regarding the transferring of cases
- One staff member will be leaving at the end of the month so they will need to hire to fill that position
- A big event is planned to thank donors who participated in the truancy event; they are planning to have a reception on the 23rd
- The number of kids on probation has remained relatively the same – a little over 400
- Recently they've partnered with the local school districts to be more visible at the football games and other activities as it seems kids are getting in trouble there

The meeting concluded at 10:58 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 11:03 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Director of Juvenile Detention Steve Jett, Deputy Director of Juvenile Detention Sean Brown and Deputy Clerk Jenen Ross.

Director Jett updated the Board on the following:

- 1346 lbs. of produce were harvested from the garden
- The numbers at the detention center are low, last weekend was 23 and currently they are at 12; he has spoken with some people about ways to get the numbers back up
- He recently met with Ms. Catalano about having some space in the detention center; Facilities has been contacted about a small remodel to make it more workable for her needs
- His department still has 4 open positions which he does not intend to fill at this time
- Notice was received yesterday from the school lunch program that his facility is being suspended due to some clauses in the food provider contract and that the contract wasn't sent to the proper person within the program first. All the information regarding the issue has been provided to Zach Wesley
- There is a meeting next week with the school superintendent who will most likely pull another aide from the detention center; at this point they have a teacher and two aides
- Director Jett received a letter from the Governor reappointing him to the Board of Juvenile Corrections
- Recently he conducted a training for Juvenile Probation regarding use of force

- Four people recently attended the National Partnership for Juvenile Services (NPJS) leadership institute; Director Jett has been asked to stay on as a coordinator next year. The NPJS symposium is in Salt Lake City next week which several people will be attending.

The meeting concluded at 11:23 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO OCTOBER 16, 2019

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

APPROVED CLAIMS ORDER NO.10/17/19

The Board of Commissioners approved payment of County claims in the amount of \$25.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/18/19

The Board of Commissioners approved payment of County claims in the amount of \$32,463.23 and \$2274.54 for accounts payable.

APPROVED CLAIMS ORDER NO. 10/25/19

The Board of Commissioners approved payment of County claims in the amount of \$85,100.07 for accounts payable.

CONSIDER A REQUEST BY ALL-TERRA CONSULTING ON BEHALF OF PHEASANT POINT MIDDLETON, LLC FOR A PRELIMINARY PLAT, IRRIGATION PLAN, AND DRAINAGE PLAN FOR FAISAN POINTE ESTATES SUBDIVISION; CASE NO. SD2018-0011

The Board met today at 9:03 a.m. to consider a request by All-Terra Consulting on behalf of Pheasant Point Middleton, LLC, for a preliminary plat, and irrigation and drainage plan for Faisan Pointe Estates Subdivision, Case No. SD2018-0011. Present were: Commissioners Pam White and Tom Dale, Treasurer Tracie Lloyd, Deputy P.A. Zach Wesley, DSD Director Tricia

Nilsson, DSD Planner Dan Lister, Jay Walker, other interested persons, and Deputy Clerk Monica Reeves. At the October 10, 2019 hearing the Board voted to approve the request and directed staff to prepare written findings with the conditions that reflect what improvements need to occur before consideration of the final plat. Mr. Lister reviewed the conditions with the Board noting they are reflective of what the preliminary plat currently shows. He also reported that the applicant has issues with staff's proposed condition No. 4 regarding pressurized irrigation because it's their position that there is not enough water source coming out of the irrigation canal to appropriately supply the water. They are saying well water is the way to supply that, but their plans and the preliminary plat do not demonstrate that alternative. The construction plans still show pressurized irrigation and at the last hearing the applicant was directed to supply new information and revise their irrigation plan, but staff has not received a revised irrigation plan. Discussion ensued on the topic of irrigation. The conditions are as follows:

1. All subdivision improvements and amenities need to be either bonded or completed prior to the signing of the final plat.
2. The plat shall comply with the comment letter provided by Keller Associates
3. All improvements required by the Black Canyon Irrigation District must be completed prior to the Board's signature on the final plat.
4. Pressurized irrigation, as shown on the preliminary plat and the construction plans, shall be installed prior to the Board's signature on the final plat. A water user's maintenance agreement for all lots within the development shall be recorded with the Canyon County Recorder's Office prior to the Board signing the final plat. The water user's maintenance agreement with instrument number shall be included as a plat note on the final plat.
5. The development shall comply with all standards and improvements required by Canyon Highway District #4.
6. Prior to final plat approval, the applicant shall complete a Transportation Mitigation Agreement with ITD and pay their proportionate share into the construction of a westbound right turn lane on Highway 44 and Emmett Road.
7. The applicant shall submit a recorded road users maintenance agreement related to the private road (Faisan Court) consistent with CCZO Section 07-10-03(1)B3. The road user's maintenance agreement with instrument number shall be included as a plat note on the final plat prior to the Board's signature on the final plat.
8. The private road (Faisan Court, Road Lot 1) shall be constructed in accordance with CCZO 07-10-03(3) for private roads that serve over 100 average daily trips. The private road sign shall be installed in accordance with CCZO Section 07-10-03(3)A5. Road construction shall be inspected and certified by the applicant's engineer constructed or road construction warranty prior to the Board's signature on the final plat.

9. In accordance with Middleton Fire District, the following plat note shall be added:
“Residential fire sprinklers in compliance with Middleton Fire District standards shall be installed in all residences unless alternative fire suppression methods are approved by the Fire District.”
10. The applicant shall adhere to time limitation to submit a final plat pursuant to CCZO 07-17-13(7).

Following comments Zach Wesley said there is a requirement that they demonstrate their irrigation plan, we shouldn't be in a position to make a determination about how they're going to proceed. They have submitted a written plan and that's the only written plan we have, if that's the requirement then they haven't met their plat requirement and it's a denial. Or, the Board could give them more time to submit an additional written plan. Mr. Lister said at the end of the last hearing the applicants were questioning the irrigation plan and staff told them to update their irrigation plan because the plan shows pressurized irrigation. It has been reviewed by staff and the County engineer and it meets all standards so we can approve it today with pressurized irrigation, but they don't intend to use it so they would have to come back and modify that. Commissioner Dale said if they decide that's not the best way to go they can request a modification. We have seen the documents that comply with requirements at preliminary plat approval and the findings reflect that, and so he made a motion to approve the findings of fact, conclusions of law and order for Faisan Pointe Estates as presented. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR SEPTEMBER 2019

The Board met today at 9:18 a.m. to consider the Treasurer's tax charge adjustments by PIN for September 2019. Present were: Commissioners Pam White and Tom Dale, Treasurer Tracie Lloyd, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The report indicates a total adjustment of \$339.42. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the adjustments by PIN. The meeting concluded at 9:20 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

Note for the record: As properly noticed the Board met today at 9:20 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 and attorney-client communication. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 9:20 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 Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Commissioner Leslie Van Beek arrived at 9:21 a.m. The Executive Session concluded at 9:46 a.m. with no decision being called for in open session.

PUBLIC HEARING – REQUEST BY CLARKE SHORT FOR A CONDITIONAL REZONE,
CASE NO. CR2019-0007

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Clarke Short for a conditional rezone of approximately 12.11 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. Also requested is a development agreement that will restrict the development of the parcel to only two (2) residential lots. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, Jessica Short, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The applicant is proposing two residential parcels each being approximately 6 acres in size and will be served via a shared driveway with an approach location onto Middleton Road. The future land use designates this area as agriculture, the area east of Middleton Road is designated as residential. As restricted by the proposed development agreement the property will only be allowed to be divided into two parcels; this will still qualify them for the agricultural exemption through the Assessor’s Office. There is conditional rural residential zoning located ½ mile from the subject property, east of Cemetery Road and south of Bullock Road where each parcel was allowed one additional building permit. The subject property is in a nitrate priority area and any subsequent development will be required to adhere to health department requirements for the location of septic systems. The property does have frontage on Middleton Road and the shared driveway will need to meet the requirements of the Canyon Highway District, and approach permits will be required at the time of building permit. No opposition to the conditional rezone has been received. Staff finds the request complies with the comprehensive plan as well as the zoning ordinance. The P&Z Commission recommended approval on August 15, 2019 and staff is recommending approval of the conditional rezone and development agreement subject to conditions. Jessica Short testified that her in-laws currently own the 12 acres, and she and her husband and another family member are hoping to purchase the property if it can be split. They intend to build their family home on the property and prefer a larger lot to act as a buffer in case of future development. Commissioner Dale encouraged the applicants to make sure they meet the criteria in order to qualify for the agricultural exemption. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close public

comment. Commissioner Dale made a motion to authorize the Board to sign the necessary documents to approve the request for a conditional rezone and development agreement as well as the findings of fact, conclusions of law and order, and the ordinance for Case No. CR 2019-0007. The motion was seconded by Commissioner White and carried unanimously. (See Ordinance No. 19-046.) The development agreement was also signed by the Board, and will be signed by the property owners later today. (See Agreement No. 19-168.) The hearing concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 17, 2019

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

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

The Board approved a salary rate request and/or key & security access request form for Bert “Joe” Mueller.

APPROVED CLAIMS ORDER NO. 10/25/19

The Board of Commissioners approved payment of County claims in the amount of \$158,748.47 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ExecuTrain in the amount of \$1100.00 for the Information Technology department
- DataWorks Plus in the amount of \$12,900.00 for the Juvenile Detention department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-1465,

2019-1367, 2019-1341, 2019-1366, 2019-1344, 2019-1425, 2019-1340, 2019-1342 and 2019-1300. 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 on the cases as read into the record. Commissioner Dale made a motion to issue initial approvals with written decision within 30 days for case nos. 2020-0059 and 2019-1345. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 8:51 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, 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 as follows:

Commissioner Dale made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters concerning named personnel, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, HR Director Sue Baumgart (left at 9:33 a.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

MEETING TO RESCHEDULE THE PUBLIC HEARING TO CONSIDER THE APPROVAL/DENIAL OF A REQUEST BY WILLIAM JENKINS FOR A REZONE AND DEVELOPMENT AGREEMENT FOR CASE NO. RZ2019-0012

The Board met today at 10:00 a.m. to reschedule the public hearing to consider the approval/denial of a request by William Jenkins for a rezone and development agreement for case no. RZ2019-0012. Present were: Commissioners Pam White and Tom Dale, Planner Dan Lister, Other concerned citizens and Deputy Clerk Jenen Ross. Dan Lister explained that the applicant was informed that there would be a lack of quorum today so a new date was set for October 21st at 10:00 a.m. The meeting concluded at 10:02 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 1:30 p.m. with the County Agent to discuss general issues. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley left at 1:49 p.m., County Agent Jerry Neufeld, Debbie Lowber, Nick Usabel and Carrie Johnson with the County Agent's office and Deputy Clerk Jenen Ross.

A discussion was had about the cooperative agreement with the University of Idaho Extension office which outlines the responsibilities of each party. Zach Wesley would like to have the part about the shared employees revised to more closely match other similar agreements. Mr. Wesley said he will make contact with the university to discuss some draft changes.

Commissioner Van Beek had previously asked about the extension educators using county fleet vehicles when travelling, however, most of the employees travelling are University of Idaho employees, not county employees. Commissioner Dale said he has no problem with people submitting for mileage reimbursement and feels it's less problematic for liability issues for university employees to use their personal vehicle vs. fleet vehicles. Mr. Neufeld said they try to carpool and share to minimize costs as much as possible. Commissioners Dale and White agree University of Idaho Extension employees should continue to use personal vehicles and charge mileage.

Nick Usabel provided a background of himself, what he does at the extension office and an update on what he's been working on.

Carrie Johnson gave an update on what she's been working on including 4H enrollment, activities and programs, getting online record books, she recently attended the Idaho Out-of-School network program, and her and Tina Holmquist will be attending another professional training soon.

The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 18, 2019

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

APPROVED CLAIMS ORDER NO. 10/18/19

The Board of Commissioners approved payment of County claims in the amount of \$42,600.00 for accounts payable.

No meetings were held today.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 21, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$24,987.00 for the Fleet department
- Interstate Electric in the amount of \$4630.28 for the Facilities department
- Grizzly Industrial in the amount of \$4827.29 for the Facilities department
- Lauderdale-Hamilton in the amount of \$5080.00 for the Facilities department
- Wall 2 Wall Flooring in the amount of \$2593.78 for the Facilities department
- Plumb Master in the amount of \$2739.85 for the Facilities department
- HP, Inc. in the amount of \$2428.00 for the Information Technology department
- Motorola Solutions in the amount of \$3900.00 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 Aileen Hartley, Adrian Chavez, Michael Davidson, Ross Garven, Jose Orozco, Linda Hall, Elda Catalano, Jodi McAbee, Eric Eskew and Rick Britton.

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

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/22/19 and 11/23/19 for a Christmas Bazaar.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/17/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/9/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/8/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/2/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/1/19 for a hospital board dinner.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 11/16/19 for a wedding.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization forms for Dolan Adams, Geoffrey Williams and Craig Barnes.

MEETING WITH COMMISSIONERS' OFFICE STAFF TO REVIEW UPCOMING CALENDAR ITEMS

The Board met today at 8:34 a.m. with staff to review upcoming calendar items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerk Jamie Miller, Deputy Clerk Monica Reeves arrived at 8:37 a.m., Commissioner Dale left the meeting at 8:49 a.m. and Deputy Clerk Jenen Ross. A discussion was had about upcoming meetings and expectations for certain meetings. Commissioner Van Beek requested additional information regarding the financial portion of the purchase of the election equipment. Additionally, she said that she recently attended the Caldwell North Urban Renewal Area meeting and shared the information she learned with the Board. A discussion was had about a message that was received from the Office of Highway Safety regarding a grant for the Ambulance District. The Board asked staff to reach out to Michael Stowell and Ambulance District staff for more information. No decisions were made or action taken. The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker left at 9:10 a.m., Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing services agreement with Cottonwood Creek Behavioral Hospital: Recently the contract with Cottonwood Creek Behavioral Hospital was terminated as the rate was much higher than expected but after the contract was cancelled the hospital contacted the county to renegotiate. Director Baker gave a breakdown of the dollar amounts which averages about \$900/day and is happy with the compromises made on both parts. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Cottonwood Creek Behavioral Hospital (see agreement no. 19-170).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters, 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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Fair Director Diana Sinner. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY WILLIAM JENKINS FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. RZ2019-0012

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by William Jenkins for a conditional rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) one-acre average minimum lot size, zone. The request also includes a development agreement. The vacant 40-acre parcel is located 200 feet from the intersection of Orchard Avenue and Widgeon Avenue in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Alan Mills, Jessica Skinner, Dave Ballard, Jeremy Fife, Greg Evans, Michael Robinson, William Jensen, other interested citizens and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. On September 3, 2019 the Board requested the matter be brought back with a development agreement limiting the residential lots to 40. He noted it's likely that with roads and common areas the project will be limited to 35 lots. Staff received a letter of concern regarding whether the lot restriction transfers with the land, which it does, and the other concern was about traffic on Widgeon Avenue and what development may do to that access point. He said there are three potential access points and they can utilize all of them; there is a potential for a fourth stub to the north. They would have plenty of access points other than just Widgeon Avenue. There were concerns about using Kimball Avenue, however, it's not shown as a future extension so it's not on the table at this point. Staff is recommending approval of the development agreement. Following his report Mr. Lister responded to questions from the Board.

Alan Mills testified in support of the request. The only new development that's in the works is a transportation issue where the highway districts are starting the process to look at impact fees, and although he's not a proponent of impact fees in this case transportation is such an overwhelming issue we need to do something. The applicants are agreeable to the conditions in the development agreement. The project, which will be similar to Moonstruck Subdivision, will be significantly less dense than if services were available to the property.

OPPOSITION TESTIMONY:

Dave Ballard gave testimony regarding the properties that are owned by the Jenkins' and the areas where they graze their cattle, and he questions why, if they are worried about being landlocked, did they sell their property. He is concerned about traffic issues noting that Orchard Avenue is a two-lane road in a rural area and it cannot handle 150 trips per day. He thinks we

should wait until a road is put through to Karcher Road or until improvements are done to make it accessible so it won't affect all the surrounding areas. Mr. Lister said the rezone is not being discussed, we are here today for the development agreement. Traffic has been discussed and during the platting phase they will have to demonstrate adequate access.

Greg Evans lives on Widgeon Avenue and spoke about the danger of traffic on Orchard Avenue. He understands there will be housing and he's asking that all subdivisions share the load of being an access point because it seems unfair that one street bears the load for this project. There should be a sharing of the ingress/egress; it needs to be split up so there are three access points so it's not off just one.

Michael Robinson testified about his concern with the traffic flow. R-1 zoning has a caveat that they could have smaller lots if they had central sewer and water and the P&Z Commission wanted to restrict it to no smaller than one-acre lot and so he wants to make sure there are not more than 30 houses. HE also said all three points of egress be used so it doesn't impact us more disproportionately.

William Jensen wants to make sure the lots will be at least one acre in size and that they will have a shared access.

NEUTRAL TESTIMONY:

William Trask stated he is taking a neutral stance because the best use for this land would be R-1 residential zoning. They are talking about Drury Lane being an access point but the problem is it has six homes, and Kings Row Road which empties onto 10th Avenue, serves 42 homes and he opposes anything there. There is a lot of development occurring and he has a concern with additional traffic in the area. He will oppose any sort of easement access through Drury Lane.

Jeremy Fife is taking a neutral position and he favors R-1 zoning. He has concerns about the roads and access points and the impact additional traffic will have on the home values.

Alan Mills offered rebuttal testimony and said future development of the property shall not exceed 40 residential lots; however, there is no way they will get 40 lots on this site. The connection to the north will access Highway 55 when that connection is made, and during the platting phase the neighbors can lobby the highway district for where the emphasis should be for access.

Commissioner Van Beek said when asked about increasing traffic and lot size, staff said the developer will have to have rights-of-ways and build roads and have drainage and collection areas which will reduce it down to a maximum of 35 lots. Impacts of the design will be discussed during the platting stage. She appreciates Mr. Mills saying he's in favor of cost sharing on what needs to be done for traffic improvement but that's outside the jurisdiction of this Board. There is a consistent message that the concerns being voiced are going to be addressed. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek,

the Board voted unanimously to close public comment. Commissioner Dale said today's decision point is on the validity and appropriateness of the development agreement. The zoning is R-1 has an average minimum lot size of one acre and when all factors are taken into consideration the lots in the proposed development will be one-acre in size. He appreciates the comments regarding access points and he noted that the development agreement covers all the pertinent points that were raised during the rezone hearing last month. Commissioner Van Beek said there is quality development in the area and her hope is this project will follow suit with what's out there with one acre lots. Given all of the factors and that the property owner has agreed to a development agreement, she supports the application. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the development agreement for Case No. RZ2019-0012 and the findings of fact, conclusions of law and order and the ordinance. (See Agreement No. 19-171 and Ordinance No. 19-047.) The hearing concluded at 10:43 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 11:08 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman, Sr. Admin and Fuel Analyst Dawn Pence and Deputy Clerk Jenen Ross. The Board was updated on the following:

- The yearly fuel system inspection went well
- Several titles were presented to the Board to be signed off for vehicles in the auction
- Three commuter vehicle authorization forms were presented to the Board for signatures
- Discussion was had about a PO for a Jeep vehicle being purchased

Director Tolman asked about the title of his position in regards to Director vs. Manager. Commissioners Dale and White believe his title should be Director. At Commissioner Van Beek's request Ms. Pence gave a review of her position and background. Discussion ensued about the succession plan within the department and what title Ms. Pence should have to best fit her responsibilities.

A Letter from the PA's office regarding the use of fleet vehicles by the Extension office was discussed. The letter noted that the Extension office employees are University of Idaho employees, not county employees, so those driving fleet vehicles would be a liability issue.

Director Tolman said he feels the current policy regarding fleet vehicles is suitable but would like to see more training. At one point the training was put into place but it was shut down by the PA Office and HR as it could not be made mandatory. Commissioners Van Beek and Dale are both in favor of trainings. Director Tolman believes the vehicle use policy should be included as part of the on-boarding.

The meeting concluded at 11:46 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 22, 2019

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

APPROVED CLAIMS ORDER NO. 10/25/19

The Board of Commissioners approved payment of County claims in the amount of \$9611.51 for accounts payable.

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

The Board met today at 1:31 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following:

- Review of final FY2019 budget numbers
- Discussion about how conflict counsel is assigned
- Conversation about crime and appropriate/fitting punishments
- Review of caseload numbers comparing this year vs. last year, age of active pending caseloads, and clearance rates
- Personnel updates – They have made an offer for a new Legal Support Specialist (LSS) which will fill all those positions. An Investigator recently resigned so a new person has been hired to replace her. There are currently several open attorney positions he is looking to fill as three have resigned in the past 2 weeks.

The meeting concluded at 2:04 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 Director of Solid Waste to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Landfill Director David Loper, Deputy P.A. Brad Goodsell (left at 2:18 p.m.) and Deputy Clerk Jenen Ross.

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

Note for the record: As properly noticed the Board met today at 2:05 p.m. for a meeting with the Solid Waste Director. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 2:06 p.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:18 p.m. with no decision being called for in open session.

At the conclusion of the executive session Director Loper updated the Board on the following:

- Waste amounts were down 3.33% for September. FY19 is up approx. 3.5%. Revenue numbers are up.
- CUP/Site Certification is moving forward with DSD to expand the landfill and a work authorization is in place with Tetra Tech to complete the site certification process. Once the site certification and conditional use process are complete he will need to get design and operations plan approval before waste can be put in the expansion area. He does not anticipate the operations plan changing much but the design portion is important because it will determine if the exemption for the liner will be granted. Director Loper is hoping to have this all complete in the next 2-3 years.
- The wood waste contract started October 1st and so far they are very happy with the new vendor.
- Tetra Tech work authorization was reviewed with the Board regarding a fly-over and performance evaluation for mapping. The cost is about \$2000 and the Board is okay with Director Loper signing off on the work authorization.
- He has been looking on the used market for the dozer that was approved for purchase in FY20; they are looking at Caterpillar and John Deere. He spoke about the features they're looking for in a machine. A used one has been located that has all the necessary features and should come in under his budgeted amount.
- Director Loper is working with Brad Goodsell on a solicitation for the drilling of the PB-16 monitoring well. PB-4 will be abandoned.
- He is also working with Mr. Goodsell on obtaining more litter screens, a Bull Litter Fence and a cover tarp. The tarp will reduce the amount of cover dirt used each day along with increased efficiency.

- Safety training takes place every second Tuesday and Wednesday of the month and every two years they do first aid/CPR and AED training. He spoke about the safety topics they review and safety equipment. He may look into making everyone wear high visibility vests and the Board asked for a cost estimate for shirts, sweatshirts or possibly coats. He will bring something back to the Board once he has more information.
- The exterior stucco on the SWDH building needs to be replaced and they are looking for a possible discount for disposal of the waste which is at Board discretion. Director Loper said the landfill can handle the waste as it doesn't contain asbestos. Commissioner Van Beek would like more information and possibly a meeting to discuss acceptance of waste at a discounted rate.
- This year they are planning 4 dates for the Household Hazardous Waste events in December, March, May and June. Two will be held on Saturdays and two will be held on Wednesdays and they are going to try limiting the "per car" volume this year.

The meeting concluded at 2:59 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO OCTOBER 23, 2019

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hyland Training in the amount of \$3000.00 for the Information Technology department
- Carousel Industries in the amount of \$2600.00 for the Information Technology department

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Chief Deputy P.A. Sam Laugheed left at 10:09 a.m., Deputy P.A. Zach Wesley left at 9:15 a.m., Deputy P.A. Brad Goodsell left at 9:15 a.m., Controller Zach Wagoner, Deputy P.A. Dan Blocksom, Treasurer Tracie Lloyd left at 9:11 a.m., Elections Supervisor Haley Hicks, Elections Technician Kylie Marks, PIO Joe Decker left at 10:12 a.m., Hubert Osborn, Challen Watson, Reporter from the Idaho Press left at 10:12 a.m. and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing memorandum of agreement between Ada County and Southwest Idaho Juvenile Detention Center and Idaho State Department of Juvenile Corrections FY2020: This agreement has been in place for several years. It provides for an emergency situation if a detention center needs to be evacuated. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the MOA between Ada County and SWIDJDC and ID State Department of Juvenile Corrections (see agreement no. 19-172).

Consider signing resolution authorizing inclusion of certain charges, other than property taxes, on tax notices as authorized by Idaho Code §63-902: This is something that happens annually. Charges have to meet certain requirements and the Board is authorized to add them to the tax roll. Mr. Goodsell noted the entities wanting to include charges are the City of Caldwell, City of Nampa and the Canyon County Weed and Gopher Control; all charges are related to abatement actions. The charges have been vetted by Treasurer Lloyd and appear to meet the requirements to be added to the tax roll. There were some charges submitted by county weed and gopher that removed and at the request of Commissioner Van Beek, Treasurer Lloyd explained why they were removed. Mr. Wagoner said that after the taxes are collected they will then be dispersed to the appropriate taxing district. Upon the motion of Commissioner Dale and second by Commissioner Van Beek 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 §63-902 (see resolution no. 19-158)

Meeting to take public comment on sole source procurement with Hart, LLC: Dan Blocksom reviewed the statutes that allow the county to move forward with this sole source procurement as follows: 67-2808, the software offers something that other software can't offer, Title 34-2405 allows sole source specifically for election equipment and 34-209 references that authority in the context of elections equipment. The purpose of this hearing is to see if someone else can offer the same functionality, especially the special functionality that the Hart equipment offers. It's our understanding that no other competitor that is certified with the Secretary of State can offer the same. This is the opportunity to be heard, explain and notify us of anything we don't know. Clerk Yamamoto believes the reasoning for the statute specific to elections is that there are certain nuances within elections that make it much more complex and allow counties more latitude to get the equipment that best suits them.

Mr. Blocksom and Ms. Hicks provided a flow chart that shows how the Hart process works, how it eliminates the element of human error and reduces manpower. Hart allows for voters with disabilities to vote the same way as all other voters as the machine can accommodate wheelchair accessibility, hearing or vision issues. The reason this is being done sole source is that Hart is able to offer things that no other competitor can. A copy of the flow chart is on file with this day's minutes.

A discussion ensued regarding the security of the system. Ms. Hicks said that the actual voting touchscreens do not retain how a vote was cast. If a voter makes an error on their ballot they

would need to see a poll worker for a new ballot to start over as there is no way for the machine to pull up how they previously voted. The flash-drives that collect and tabulate the votes from the precinct counter are all encrypted and are locked into the machine with the keys being kept at the elections office; poll workers will not have access to remove the flash-drive. The only thing that is connected to the internet are the e-poll pads for voter look-up and check-in. Clerk Yamamoto said the new system really cannot be hacked as it's an encapsulated system, not internet based and votes are not transmitted online. It is still paper ballots.

Hubert Osborn offered comment stating he hopes that other systems have been evaluated. He feels the current system needs to be improved and this could be the answer to enhanced voting and lessens human error although is concerned with the cost. He would like a penalty for non-performance in the contract.

Challen Watson offered comment stating that he is a certified ethical hacker and a system security certified practitioner. He said that a group of hackers meet every year in Las Vegas for the 'Voting Village' where they bring in all kinds of voting equipment and they hack it. As a citizen he likes the current method of a paper ballot that's placed into a ballot box. He spoke about new technology and how newest isn't always best. He read the executive summary from the Voting Village conference into the record. He is concerned that it's the tablet that is making the decision and not the voter. Several tests have been done on the calibration of touch screen displays and they've been able to circumvent them. He likes that they are not connected to the internet but noted that although they may not be connecting to the outside internet they could still be connecting to an internal network and if a hacker wanted to all they'd have to do is get into that internal network. He encouraged everyone to look up the entire report at Defcon Voting Village 2019.

Commissioner White reiterated the process stating that the voter carries the paper ballot over to the secure counting machine and that the voter has the opportunity to review their ballot prior to it being put into the tabulation machine. All selections are printed on the ballot so the voter is able to read what they've voted for. If there is an error in the selection the voter will just need to notify a poll worker who can spoil the ballot and issue a new ballot for the voter to make the correct selections. Ms. Hicks confirmed that the precinct counter is not connected to any of the selection devices.

Mr. Watson spoke more about the 'what-if' of the equipment getting hacked or the encryption of the flash-drive broken. What is the cost to the county? He indicated that many companies now carry cyber security insurance in the event they get hacked.

Commissioner Van Beek asked what other systems were evaluated. Ms. Hicks said ES&S is the only other company certified in Idaho for election voting equipment. Currently they only have an "Express Vote" which would take the place of the AutoMARK machine. The same procedure would still be in place, this would just take the place of the one AutoMARK in the precinct. The only other thing they have is a DS200 which is similar to a precinct counter but without the rest

of the system so it would essentially just take the place of the ballot box. Commissioner Van Beek requested a side by side cost analysis of Hart vs. currently being used vs. ES&S. She asked when a cost analysis for the maintenance agreement would be available; she believes it should be provided before the date of the meeting. Ms. Hicks stated that in order to do a cost analysis they would have to provide something that is similar to Hart and she and Clerk Yamamoto reiterated that there is no competitor that provides what Hart does. Commissioner Van Beek said that 'N/A' could just be marked in the competitor column.

Commissioner Van Beek asked why an RFP was not issued and wondered what other methods of funding were looked at besides using fund balance. Mr. Wagoner said in a lease type situation there is going to risk and interest charged to compensate for that risk. In their opinion, paying cash up front, if it's available, is the most affordable way to make this type of purchase. Commissioner Van Beek asked how this purchase fits into the capital improvement plan for the county and the other EO's. Clerk Yamamoto stated that \$4M was put in that line item and the proposed amount for elections equipment is \$3.5M, however, it was not his desire to put that in the capital improvement plan. We're talking about equipment we're not talking about facilities.

Commissioner Van Beek asked what makes Canyon County the first of its kind in the nation. In response, Clerk Yamamoto spoke about being in the news for being late with the results of an election. At about 2 a.m. focus starts to fade a mistakes can happen. They are looking more at the quality and accuracy. They've had too many elections, due to human error at the polling places that have been close and created a problem. The goal is to take as much of the human element out of the voting experience as possible. With this system they will be able to monitor what is happening at each precinct from the elections office.

In response to a question from Commissioner Van Beek, Clerk Yamamoto said in the beginning they won't do much different as far as staffing for elections because it'll still be a new system and everyone is still learning but that down the road he sees them spending less time in the office and will need less people at the polling locations.

Commissioner White said she likes that handicapped people will have the same opportunity and ability to vote as everyone else. Clerk Yamamoto said this a DOJ/ADA requirement which is difficult to impossible to achieve currently. Commissioner White went on to ask why we would not want a current system and continue running with an antiquated system. She said the current way of doing things is okay but okay isn't good enough in voting. In response to Commissioner Van Beek's question about this fitting into the capital improvement plan she said it's the same constituents that will go to the polls and it affects their livelihood, their election and their campaigns. It provides a basic right and it provides a service to our citizens and the people that work over there. The inefficiencies are sometimes embarrassing and sometimes is a large mess. It's not good enough when we are the second largest county in the state and we're growing at a rate that is undeniable. She said this is a huge decision to make and nothing is going to be perfect but thinks if we have measures that protect then we can protect the imperfection and we can get in front of that. As the voter, she likes that she can verify her own ballot.

Commissioner Van Beek asked if there been any kind of control or evaluation of how the system will impact senior citizens as the make up a large portion of the voting population. Ms. Hicks explained that with the way they make their selections and the adjustments that can be made to the screen it is very similar to what the AutoMARK does now. She feels confident once they realize how easy and user friendly the machines are they'll understand why they county is going this route and probably like that they don't have to fill in a tiny oval.

Commissioner Van Beek asked about the opt-out options and if there is cybersecurity insurance in the maintenance agreement. Mr. Blocksom said he is not the attorney working on the contract but that opt-out option are something that his office typically includes in contracts. Ms. Hicks said she would look into the question regarding cybersecurity. In response to Commissioner Van Beek's question about absentee ballots, Ms. Hicks said they will be sent out the same way it's being done now and once they come back they will go thru a scanner at the elections office. If something is marked improperly that is the only time there would have to be duplication of ballots.

Commissioner White noted for the record that there was no one else present to offer comment.

Commissioner Dale spoke to the question regarding going out for RFP; he said when you go sole source there is no need for RFP because you've already gone thru the educational and searching process to discover if there are more providers for a specific type of equipment. He appreciates the work that's been done by the Clerk and elections staff; he feels they've selected a top-notch product. He addressed other concerns that had been raised stating that this system has been tested and opt-out clauses are standard inclusion in all county contracts. In regards to a comparison spreadsheet, he suggested maybe just compare Hart to what is used today. He really likes the flow chart created by Ms. Hicks and felt it was very helpful. He said there are no other competitors and no one has written in to object.

The Board took a brief recess from 10:40 a.m. to 10:56 a.m. Once back on the record the following action item was considered:

Consider signing a resolution granting a transfer of alcohol license to Jacksons Food Stores doing business as Extra Mile #177, #178, #179, #180, #181, #182, #183, and #184: Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a transfer of alcohol license to Jacksons Food Stores doing business as Extra Mile #177, #178, #179, #180, #181, #182, #183, and #184 (see resolution no. 19-159).

The meeting concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY – CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 2:31 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and named personnel, records that are exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, HR Director Sue Baumgart (left at 3:36 p.m.), Maintenance Supervisor Rick Britton (arrived at 3:50 p.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 4:11 p.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.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 24, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Boise Office Equipment in the amount of \$7693.00 for the Information Technology department
- Zotto Corp. in the amount of \$3527.50 for the Information Technology department
- Boise Office Equipment in the amount of \$7963.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 10/25/19

The Board of Commissioners approved payment of County claims in the amount of \$7669.23, \$150,217.30, \$11,793.52, \$162,376.06, \$168,161.02, \$143,544.40 and \$104,706.13 for accounts payable.

APPROVED CLAIMS ORDER NO. 2002

The Board of Commissioners approved payment of County claims in the amount of \$1,894,677.28 for a County payroll.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance:

2019-1281, 2020-0007, 2019-1409, 2019-1320, 2019-1406, 2019-1399, 2019-1405, 2019-1412, 2019-1352, 2020-0078, 2019-1413, 2019-1410, 2019-1263, 2019-1347, 2019-1402 and 2019-1404. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions in 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to issue initial approvals with written decisions within 30 days on case nos. 2019-1383 and 2020-0004. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place case no. 2019-1400 into suspension pending a resource.

Director Baker spoke about a request for a subordination agreement on case no. 2012-959 as they are wanting to purchase home. She noted that a county lien is always subordinate to a mortgage lien but this letter reiterates that. Commissioner Dale made a motion to sign the letter. The motion was seconded by Commissioner Van Beek 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 8:59 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross.

Commissioner Dale made a motion to continue case nos. 2019-1000, 2019-1026, 2019-1014, 2019-1067, 2019-1052, 2019-993 and 2019-1001 to November 7, 2019 and to continue case no.

2019-817 to November 21, 2019. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place case no. 2019-741 into suspension pending a resource.

Commissioner Van Beek made a motion to issue final approvals with written decision within 30 days on the following cases: 2019-727, 2019-587, 2019-1025, 2019-572, 2017-1564, 2019-628 and 2017-1595. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 9:16 a.m. An audio recording is on file in the Commissioners’

CONSIDER INDIGENT MATTERS

The Board met today at 9:19 a.m. to consider indigent matters. Present were: Commissioner Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously issue final denials with written decisions within 30 days on case nos. 2019-1078, 2019-999 and 2019-1163. The meeting concluded at 9:19 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 1:30 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, DSD Planner Jennifer Almeida, Treasurer Tracie Lloyd left at 1:38 p.m., Deputy Treasurer Tonya May left at 1:38 p.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a refund to Robert Lightfeldt for a rezone permit; Case No. RZ2019-0026: Director Nilsson explained that Mr. Lightfeldt applied for a rezone but he is very close to the city limits of Nampa and they discovered that the water and sewer were pretty close so he chose to withdraw his request in the hopes that in the near future sewer would be available and he would then pursue annexation. No real work was done on this request so DSD is requesting a full refund of \$850.00 be issued. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a refund to Mr. Lightfeldt (see resolution no. 19-160).

Consider approval/denial of an application for casualty loss application under Idaho Code §63-711(cancellation of taxes) for Jon & Tiffany Stosich: This application was submitted to the Treasurer from the Assessor's Office and it looks like there was a house fire in May of 2019. They are asking for cancellation of taxes for casualty loss. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the casualty loss application for Jon & Tiffany Stosich for 34.25% of casualty loss. A copy of the form noting the casualty loss amount of \$1724.48 is on file with this day's minutes.

EXECUTIVE SESSION – AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 1:40 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell (left at 1:59 p.m.), DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:24 p.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 DEVELOPMENT SERVICES STAFF TO CONSIDER ACTION ITEM

The Board met today at 2:31 p.m. with DSD staff to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Planner Debbie Root and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing final plat for Munn Ranch Subdivision; Case No. SD2019-0034: Deb Root explained that this is a replat of Lots 1 and 2, Block 2 of Munn Ranch Subdivision for the purpose of combining those two lots for expansion of the packaging facility on the grounds. The Caldwell Fire District required insulation of fire suppression pond and the fire suppression easement is on the plat. The lot line has been removed and is now considered as Block 2, Lot 1 of Munn Ranch Subdivision. The plat is in conformance with Canyon County and state codes

and staff is recommending approval. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the final plat for Munn Ranch Subdivision.

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Dale made a motion to go into Executive Session at 3:01 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Josh Sanders left at 3:10 p.m., HR Director Sue Baumgart and Facilities Director Paul Navarro arrived at 3:30 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:44 p.m. with no decision being called for in open session.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 25, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

Commissioners attended the District III Elected Officials meeting in Elmore County

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 28, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Bob Barker in the amount of \$3541.00 for the Sheriff's Office
- Johnson Controls in the amount of \$13,926.68 for the Facilities department
- Johnson Controls in the amount of \$21,970.09 for the Facilities department
- Caldwell Glass in the amount of \$13,060.11 for the Facilities department

CONSIDER OCTOBER 28, 2019 AGENDA ITEMS

The Board met today at 9:01 a.m. to consider the October 28, 2019 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, Deputy Administrator Sean Brown, and Deputy Clerk Monica Reeves. The items were considered as follows:

First Amendment to Food Services Partnership Agreement with Summit Food Services: Zach Wesley said this is an amendment to change the contract from an auto renewal to a contract that has to be renewed by mutual written agreement, at the request of the Department of Education so it relates to the federal funding for the school lunch program. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the amendment to the food services agreement Summit Food Services, Agreement No. 19-162. (See Agreement No. 19-174.)

Service Agreement with Motorola Solutions for Maintenance of Radio and Dispatch Equipment: Chief Dashiell said this is a renewal of the annual agreement that incorporates the towers and the two dispatch centers. The Sheriff's Office pays the frontend invoice and they bill Nampa Police Department for one-third of the share of the cost out of 911 funds. The total cost is \$171,272.28 of which the County pays two-thirds. Chief Dashiell responded to questions from the Board. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the annual service agreement with Motorola Solutions for maintenance of radio and dispatch equipment. (See Agreement No. 19-173.) The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 29, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Motorola Solutions in the amount of \$2591.98 for the Security department

MEETING WITH THE DIRECTOR OF SECURITY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:34 a.m. with the Director of Security to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Security Director Joe Mueller and Deputy Clerk Jenen Ross. Director Mueller spoke about the following: his responsibility of physical security; how he's spent his first two weeks in this position; the security report; creation of his mission statement; action plan to improve security and the way he ranks each security item; evacuation protocol and maps; utilization of the marshals; objective to protect both courthouse campus staff and the public. Due to time constraints this meeting will continue at 11:00 a.m. today. This portion of the meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:14 a.m. with county attorneys for legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Court Operations Denise Kennel and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing independent contractor agreement for interpreter services with Oksana Dobbins: This interpreter speaks Russian and is certified in multiple states. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement for interpreter services with Oksana Dobbins (see agreement no. 19-175). The meeting concluded at 9:17 a.m. There is no audio recording of this meeting.

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.

CONTINUED MEETING WITH DIRECTOR OF SECURITY

The Board met today at 11:00 a.m. for a continued meeting with the Director of Security. Present were: Commissioners Pam White and Leslie Van Beek, Security Director Joe Mueller and Deputy Clerk Jenen Ross. Director Mueller presented a PO for the purchase of a handset radio for himself and discussion ensued regarding the necessity of this item; a review of the cumulative finding by security; discussion regarding his budget; continued review of his presentation including cumulative finding by location and by security category, access control systems. A copy of the PowerPoint presentation is on file with this day's minutes.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 11:00 a.m. for a continued meeting with the Director of Security. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:14 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Director of Security Joe Mueller and Deputy Clerk Jenen Ross. The Executive Session concluded at 1:04 p.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.

OCTOBER 2019 TERM

CALDWELL, IDAHO

OCTOBER 30, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/8/19

The Board of Commissioners approved payment of County claims in the amount of \$78,480.30 and \$92,316.69 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$1040.00 for the Sheriff's Office
- JB's Roofing/Superior Gutter Co. in the amount of \$1250.00 for the Facilities department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender left at 9:09 a.m., Treasurer Tracie Lloyd, Deputy P.A. Zach Wesley left at 9:14 a.m., Deputy P.A. Brad Goodsell, HR Training Coordinator Nicole Ahlstrom left at 9:14 a.m., Controller Zach Wagoner left at 9:09 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution increasing the limit of Department of Motor Vehicles operating cash fund and authorizing future increases based on number of Motor Vehicle Specialists: With the addition of more specialists at the DMV it increases the need for additional cash funds. A formula has been created so that when specialists are hired the cash fund will increase to accommodate without having to come before the Board each time. Mr. Wagoner spoke about the audit done by Eide Bailly regarding cash handling procedures and how the DMV has done a great job. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution increasing the operating cash fund at DMV and authorizing future increases based on the number of Motor Vehicle Specialists (see resolution no. 19-162)

Consider signing agreement with Preventative Health: Preventative Health provides wellness screenings and flu shots to employees at no direct cost to employees as it is billed thru regular insurance. This will be the 3rd year using Preventative Health. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with Preventative Health (see agreement no. 19-176).

Brad Goodsell gave a review of the action items stating there are five (5) properties that have not been redeemed as of today. In preparation of auction or transfer, both the Nampa and Caldwell housing authorities were notified of the properties to see if they have any interest. A lot of the properties are not in good condition so if the housing authorities are able to obtain them they often tear them down and refurbish the property. Each housing authority has requested one property each so there will be 3 properties available for auction. Idaho code authorizes the

county to transfer these properties to the housing authorities and the MOU states we'll grant the property to them but they will pay us what would have been the minimum bid within 2 years.

Consider signing resolution declaring certain properties as not necessary for County use and authorizing the sale thereof: Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution declaring certain properties as not necessary for County use and authorizing the sale thereof (see resolution no. 19-161).

Consider signing notice of surplus property auction: Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the notice of surplus property auction.

Consider signing notice of grant of real property to other political subdivisions or taxing district: Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the notice of grant of real property to other political subdivisions or taxing district.

A discussion was had regarding the following Treasurer's reports which show revenues and expenditures for each timeframe.

- Annual report for October 2018 - September 2019
- Quarterly report for July 2019 - September 2019
- Monthly report for September 2019

At 9:27 a.m. the Board went off the record and then back on at 9:28 a.m. as Commissioner Van Beek had some questions about transferring the gun range property to the Parks department. Mr. Goodsell explained it's really an accounting issue as the landfill is an enterprise fund and you can't just move things in and out of an enterprise fund. The county auditors and the outside auditors need to be able to say that the books are correct – the books need to be able to balance if you move something out of the enterprise fund something needs to be moved into the enterprise fund to account for it. Mr. Goodsell suggested a follow up meeting should include the auditor's office.

The meeting concluded at 9:37 a.m. Two audio recordings are on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's annual, quarterly and monthly reports for October 2018 – September 2019, July 2019 – September 2019 and September 2019 in today's minutes.

OCTOBER 2019 TERM
CALDWELL, IDAHO

OCTOBER 31, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/8/19

The Board of Commissioners approved payment of County claims in the amount of \$2296.72 and \$33,665.72 and \$60,797.67 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Neopost USA, Inc. in the amount of \$11,719.00 for the Information Technology department

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2019-1414, 2019-1418, 2019-1415, 2019-1283, 2019-1417, 2019-1419, 2019-1324, 2020-0065, 2020-0098 and 2020-0084. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record.

Commissioner Dale made a motion to issue an initial approval with written decision within 30 days for case no. 2020-0049. The motion was seconded by Commissioner Van Beek and carried unanimously.

Director Baker spoke about case no. 2019-768 which was approved on August 29, 2019. There was one bill that was originally rejected as not being received but once the case was processed the bill was found and paid. CAT is requiring Board signature on this bill. Commissioner Dale made a motion to authorize the chairman to sign the bill for \$9.98. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Assessor Brian Stender, Treasurer Tracie Lloyd, Fair Director Diana Sinner left at 9:06 a.m., Deputy P.A Zach Wesley, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing 2020 Canyon County Fair agreement with Romeo Entertainment Group:

This is the renewal of an agreement with Romeo Entertainment Group who works as the agent to solicit acts for the fair. There is no set fee but paid as a percentage of the cost of the mainstage artist fee. At the request of Commissioner Van Beek, Zach Wesley reviewed the strike thru items. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2020 Canyon County Fair agreement with Romeo Entertainment Group (see agreement no. 19-177).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) records exempt from public disclosure and attorney-client communication, communicate with legal counsel regarding pending/imminently likely litigation, communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracy Lloyd and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:53 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 WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:55 a.m. with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Weed and Pest Superintendent AJ Mondor and Deputy Clerk Jenen Ross. Mr. Mondor asked the Board about attending the Innovation and Invasive Species conference that will be taking place December 10 thru 13 in Coeur d'Alene. He anticipates the trip to cost about \$1000. The Board supports him attending this conference.

He has been able to work out details with the Sheriff's Office to utilize the services of the SILD.

The meeting concluded at 9:58 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - CONSIDER REQUEST BY L. KURT SMITH REPRESENTING ED BOWMAN FOR A CONDITONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. CR2019-0008

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by L. Kurt Smith representing Ed Bowman for a conditional rezone and development agreement, Case No. CR2019-0008. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Corinne Graham, Kurt Smith, Chade Leavitt, Tracy Kasper, Desirae Brumley, Jeremy Brumley, Bonnie Sterling, Fred Heffner, Weed and Gopher Superintendent AJ Mondor, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a conditional rezone of two parcels from agricultural to R-1 single family dwelling, one-acre average minimum lot size. It comes with a development agreement, the applicant is willing to limit it to 27 residential lots with a density of 1.43 acres. Once developed with streets and infrastructure the lots would be more like 1.13 average lot size. The area has seen a lot of similar rezones, there are approximately 35 subdivisions in the vicinity with an average lot size of 1.5 acres. It is best to moderately suited soils, with a big chunk classified as least suited soil. It is in a nitrate priority area so they have to work on a nutrient pathogen study with Southwest District Health. A base flood elevation study will also have to be done. The P&Z Commission recommended denial based on some of the concerns by the neighbors regarding traffic and lot sizes. Staff found the development agreement will limit the 38-acre parcel to 27 lots. The highway district believes the impacts that would be generated by the subdivision would be taken care of during the platting stage. The P&Z Commission recommended denial of the R-1 single family zoning and instead recommended an R-R zone which is a two-acre average minimum lot size. Staff is recommending approval of the applicant's request. Following the report, staff responded to questions from Commissioner Van Beek. Corinne Graham testified that the development agreement caps the lot count at 27. The site area is 38.14 acres, and the conceptual site plan for the proposed rezone consists of 27 single-family lots, the minimum lot is 1.01 acres and the average lot size is 1.13 acres. Access

will come from Freezeout Road which is a rural collector, no access is proposed onto Purple Sage Road. 50 feet of right-of-way will be dedicated along both Freezeout and Purple Sage Roads in order to preserve right-of-way along the frontage which will allow for future improvements. The Hartley Gulch runs parallel to the east side of Freezeout Road and if the road is ever widened the gulch will need to be relocated and so a 50-foot strip of land has been preserved along Freezeout Road if it's ever necessary. The gulch has an unmapped FEMA floodplain associated with it so a flood study has been conducted to verify areas of potential flooding. There is a slight risk of flooding at the NW and SW corners; fill can be placed to elevate these areas above the flood plain in a manner that will not affect upstream or downstream users. It is located in a nitrate priority area, the nutrient pathogen study has been done and all requirements within the report can be met. Southwest District Health requires 300 feet of separation from any septic drain field to the Hartley Gulch. Ms. Graham made points as to why an R-1 zone is more appropriate and she said a change in use from agricultural to residential will change the feel of this area regardless of whether the zoning is R-1 or R-R. A rezone to R-1 would absorb more demand in the market, preserve more land for agricultural use in the long-term, is a more effective use of the land, is more marketable, creates more tax revenue for the County and is better able to support public services. Kurt Smith, who is the project engineer, testified the developer has been proactive in dealing with the agencies and trying to resolve issues prior to this point. They performed a nutrient pathogen study, and have dug test holes with SWDH on site. They've had preliminary studies done and turned it into FEMA and they looked at the flow coming/going on the land above the subject property. The floodway is going to be greatly reduced from what the current mapping has and it's set up so they can calculate a flood elevation. The County's ordinances protect the public and put the onus on the developer to figure out these things. The Hartley Drain is a drainage area and they have been asked by the highway district to give extra drainage so that when they widen Freezeout Road there is an area to place the drain, although that will not be the applicant's responsibility. Mr. Smith said they initially wanted access onto Purple Sage Road but the highway district plans on widening it eventually so they required the applicant to cross the drain and access Freezeout Road. They could have an access to the south if the Board requires it. They could widen the one access and put a landscape island in the middle with curbing to keep it separate. Chade Leavitt, a realtor with Silverhawk Realty, gave testimony regarding the desirability and marketability of one-acre lots versus two acre lots. He searched the MLS and found the average list price for a one-acre lot is \$95,000, and \$139,000 for two-acre lots. As of today there are 14 one-acre lots for sale in the Middleton/Caldwell area, and 30 two-acre lots for sale. There is a higher demand for one-acre lots as they are more affordable, more desirable, and much easier to maintain than larger lots.

Desirae Brumley testified that she owns the two-acre property directly adjacent to the subject property. Her home and property were originally part of the subject property and her lot was split at the time of the sale but she was not aware of the plans to develop the 38 acres. They share 637 linear feet with the subject property and will be the most impacted by development. She purchased in a rural area and would like the area to remain rural and therefore would rather see two-acre lots. Bonnie Sterling testified that she owns a 2.5 acre parcel south of the subject property and she bought out there because she wanted to live in a rural setting. The smallest

parcels in her subdivision range in size from 2 acres to 6.5 acres. She believes the proposed project will impact the feel of the adjacent subdivision and she wants to know if they will be able to meet the necessary setback requirements from the large ravine/gulch, and will it make the parcels smaller. Freezeout Road is not a heavy duty road and having one access onto it is a concern. In addition to traffic issues, Ms. Sterling is also concerned about the water table. AJ Mondor offered neutral testimony as a resident of Middleton and as the County superintendent for noxious weed and gopher control. He's done a lot of work in this area and noted that Albion Acres and Purple Sage Subdivision have fallen into a mess of weeds caused by the unsold two-acre lots in Albion Acres. He spoke of the several two-acre lot subdivisions he receives calls about because people let them go to weeds. He also spoke about concerns with road access. During rebuttal Corinne Graham testified she is happy to work with Desirae Brumley about potentially increasing setbacks and the lot sizes along her property. She is not sure that applies during the rezone stage or during the preliminary plat stage. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek wants a second ingress/egress to protect everyone in the area. This is a good presentation, the applicant has answered the calls on the questions and concerns and she does not see a reason not to approve the rezone request. Commissioner White asked if the offer to increase setbacks and lot sizes along the Brumley property can be a condition in the development agreement. Mr. Lister said if the Board prefers we could have it noted in the conditions that it's no more than 27 lots and that it's in substantial compliance with conceptual site plan with these added requirements which is an access point and possible setback restrictions. If this is approved today staff requested the matter be tabled to a later date in order to work on language for the agreement. Commissioner Dale spoke of how growth is determined by the market and he believes one-acre lots are appropriate for this area. He is in favor of putting a stub to the south but said even with that done it will still empty onto Freezeout Road because the highway district will not allow an exit/entrance onto Purple Sage Road. Commissioner Dale made a motion to approve the conditional rezone as requested with the modifications of the development agreement to include the stub road to the south and include language to work out the setbacks. The development agreement will be brought back on November 22, 2019 at 9:00 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:30 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF OCTOBER 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 16th day of March, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: Jenen Ross, Deputy Clerk

NOVEMBER 2019 TERM

CALDWELL, IDAHO

NOVEMBER 1, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Advanced Automation & Electrical in the amount of \$39,700.00 for the Facilities department
- HP, Inc. in the amount of \$1663.00 for the Information Technology department
- Henriksen Butler in the amount of \$5073.69 for the Information Technology department
- BOE in the amount of \$7963.00 for the Information Technology department
- BOE in the amount of \$7713.00 for the Information Technology department
- Dell, Inc. in the amount of \$1186.04 for the Information Technology department
- HP, Inc. in the amount of \$5546.00 for the Information Technology department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. for a meeting with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender left at 9:08 a.m., Chief Deputy Assessor Joe Cox left at 9:08 a.m., Deputy P.A. Dan Blocksom left at 9:08 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart left at 9:15 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing independent contractor agreement with appraiser Brent Eyre for income approach report for Admiral Beverage property: The Assessor's Office would like the assistance of Mr. Eyre in preparing an income approach assessment. Dan Blocksom said since this contract is under \$50,000 it doesn't require a procurement process, additionally, personal and professional contracts are exempt from the procurement process. Mr. Eyre is reviewing the contract and will provide a signed copy at a later time. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement with appraiser Brent Eyre for income approach report for Admiral Beverage property (see agreement no. 19-179).

Consider signing renewal confirmation with Delta Dental: There is a minor employee increase from \$4.54 to \$4.68 and will include the HOW program (Heath through Oral Wellness) which Director Baumgart explained. Upon the motion of Commissioner Dale and second by

Commissioner Van Beek the Board voted unanimously to sign the renewal confirmation with Delta Dental (see agreement no. 19-178).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:15 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley 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.

PUBLIC HEARING TO CONSIDER APPROVAL/DENIAL OF A REQUEST BY MIKE & SHERRY DUDLEY FOR A PRELIMINARY PLAT, IRRIGATION PLAN, AND FINAL PLAT FOR NOAH'S LANDING SUBDIVISION; CASE NO. SD2019-0002

The Board met today at 10:00 a.m. for a public hearing to consider approval/denial of a request by Mike & Sherry Dudley for a preliminary plat, irrigation plan, and final plat for Noah's Landing Subdivision; case no. SD2019-0002. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson, DSD Planner Debbie Root, Mike Dudley and Deputy Clerk Jenen Ross. Debbie Root gave the oral staff report stating that Noah's Landing Subdivision was a development that was originally platted and applied for in 2005/2006 and the preliminary plat was approved in 2007. Since the final plat was not submitted and approved the development expired but the irrigation system, electrical and roads were installed in the 2007/2008 timeframe. Mr. Dudley purchased the property with the intent to complete the development as proposed. At the time the property was zoned RR (rural residential) and one acre lots were allowed. Mr. Dudley was required to rezone the property to R-1 (single family residential) which would then allow the one acre lots that had been designed with services installed. The ordinance requirement for the checklist review for the preliminary and final plats was noted that the cul-de-sac for the road was not compliant with the current zoning ordinance requirement of a 70' bulbous radius. It was determined that the lot could go thru a variance process and reduce the radius from 70' to 60' for the five lot residential development that was applied for by Mr. Dudley under

administrative decision 2019-0089 and approved by Director Nilsson as a variance of less than 33%. Neither the fire district nor the highway district raised any concerns about the safety and the access use of that reduction in road lot width. At the request of Commissioner Van Beek, Director Nilsson spoke about the necessity of the variance stating that the roads were already installed and then the ordinance changed. It is a small subdivision so they felt the variance was not at odds with public safety. The county engineer and surveyor, Keller and Associates, along with staff have reviewed the preliminary plat, irrigation and drainage plan, final plat and found it to be in accordance with all of the checklist items that are required thru the ordinance. Staff is recommending approval of this development, it's completing a development that had been essentially abandoned but primarily completed. Mr. Dudley has done everything that's been asked of him to bring this development into compliance with the current code. Commissioner Van Beek made a motion to sign the findings of fact, conclusions of law & order, the final plat and irrigation and drainage plan for Noah's Landing Subdivision, case no. SD2019-0002. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 4, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- TPC Training in the amount of \$2200.00 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Ana Gallegos and Greg Ferney.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. In regards to tomorrow's

meeting with the Facilities Director and the Fair Director regarding the infrastructure associated with the fair building, Commissioner Van Beek said if we can get numbers for the project we can make a request to Caldwell Urban Renewal for some funding. She also requested that action items be added to the agenda in relation to the upcoming meeting regarding the Caldwell Urban Renewal Area, assuming that all questions have been answered satisfactorily. *(The items were initially scheduled for Friday, November 1st but were subsequently cancelled.)* Commissioner White is hesitant to put an action item on the agenda because she's not ready to take action, however, Commissioner Dale said it doesn't hurt to put the action items on the agenda, it doesn't mean the Board has to take action. 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 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 Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell left at 9:16 a.m., PIO Joe Decker left at 9:10 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter left at 9:16 a.m., Cpt. Mike Armstrong left at 9:16 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Canyon County Narcotics Unit and Canyon County Sheriff's Office equitable sharing agreements and annual certification reports for fiscal year end 2019: Chief Dashiell said monies have been taken into the Sheriff's Office thru Federal Asset Sharing due to the change in reporting requirements for task forces. Task forces are no longer eligible individually to be able to claim asset sharing so CCNU had to move their funds into the Sheriff's Office as a master/parent agency. These two documents show that CCNU is transferring their funds to the Sheriff's Office and the other shows the Sheriff's Office revenue and expenses. Chief Dashiell said all expenses were used for narcotic investigations. Commissioner Dale made a motion to authorize the chairman to sign both the Canyon County Narcotics Unit and Canyon County Sheriff's Office equitable sharing agreements and annual certification reports for fiscal year end 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. See agreement nos. 19-182 and 19-183.

Consider signing Traffic Enforcement Grant Project Agreement (TEGPA) with Idaho Transportation Department Office of Highway Safety: The state provides funds on a reimbursement bases to offset the cost of overtime for certain traffic enforcement mobilizations. Generally when an officer is on a mobilization they typically are only working on that mobilization unless there is a life or death type call. Cpt. Armstrong provided a review of overtime monies that were paid out last year. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Traffic Enforcement Grant Project Agreement (TEGPA) with Idaho Transportation Department Office of Highway Safety (see agreement no. 19-181).

The Board took a recess at 9:23 a.m. and noted the meeting will continue after 9:45 a.m. when Director Navarro will be available to answer questions regarding the foreclosure sale location agreement with Auction.com, LLC.

The Board went back on the record at 9:56 a.m. with Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. PIO Joe Decker arrived at 10:00 a.m. The action item was considered as follows:

Consider signing foreclosure sale location agreement with Auction.com, LLC: Commissioner White asked about being able to charge for the space, Mr. Blocksom said he will need to do some research on that. Director Navarro said there are three possibilities for areas to hold the auction – the foyer of courthouse, the public meeting room although it’s heavily used and the courthouse courtyard which is the most viable option. The space will only be used a few times a year and usually it’s the same group of 10-15 people who attend. At the request of Commissioner Van Beek, Mr. Navarro addressed security concerns. Commissioner Dale stated he would like to try it and see how it goes. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the foreclosure sale location agreement with Auction.com, LLC (see agreement no. 19-180). The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners’ office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO

NOVEMBER 5, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/8/20

The Board of Commissioners approved payment of County claims in the amount of \$20,693.45 for accounts payable.

MEETING WITH THE DIRECTOR OF FACILITIES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. with the Director of Facilities to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

The Board was updated on the following:

- Recently there was a meeting with the design team (Cole Architects) for the fair building and they have provided some options which Director Navarro reviewed with the Board. A consultant has been working with Director Sinner on ways to make the building useful throughout the year. There are no final numbers at this point and Director Sinner spoke about donations from R&M Steel but there will need a design first. There may also be opportunity for donation of the concrete floor. Final design drawings could still be 90-100 days out.
- Director Navarro, Director Sinner and Commissioner Dale attended a stakeholder meeting in the fall and were asked to look at some infrastructure possibilities that URA money could be used for. Some items they may ask for are curb and gutter, pedestrian bridges, street lighting, storm water retention and parking lot improvements among other things.
- Lake Lowell is being winterized – all the docks have been pulled out, sprinklers have been blown out and an Eagle Scout group will be working on the ADA dock; two other Eagle Scout groups will be working on the fence at the gun range; other clean-up is being done at Celebration Park.
- Demo to the vault in room 201 has been started. Director Navarro spoke about the process of removing the vault and what will have to be done by a contractor. They will try to do the work on a long weekend or an evening to have the least amount of impact on employees.
- There is some remodeling to be done in the jail in regards to painting and plumbing and they are in within their window of opportunity right now. Director Navarro spoke about some of the cost savings they've been able to obtain. They believe they can do all the paint, electrical and plumbing upgrades for about \$19,000. In his budget this year he had planned to buy two new trucks but in speaking with Director Tolman they believe the trucks can make it another year and they will use those monies for the remodel. Commissioner White asked about using the paint color that was used for the courthouse recently for Pod 6 but Director Navarro said the SUP was very strict stating that Pod 6 has to match the Dale Haile facility. He also addressed concerns about snow load stating the roof of Pod 6 is reinforced to account for snow. Rick Britton is now running point for the Pod 6 construction and attended a job meeting yesterday. They now have a Gantt chart to share although it's really hard to read. They are still shooting for a November 30th deadline although Director Navarro is not sure they'll make it. ADS has presented a couple of change orders – one is for the PLC (Programmable Logic Control) which gives the ability to turn the locks remotely and a second one for the connection of the generator to the building. In total, the cost of both change orders is about \$55,000 and Director Navarro asked the Board how they'd like to proceed. The Board thought it would be a good idea to meet with the ADS representatives.

The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

Note for the record: As properly noticed the Board met today at 9:05 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters involving named personnel, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

PUBLIC HEARING – REQUEST BY REIN DOORNENBAL FOR A MODIFICATION ON AN APPROVED DEVELOPMENT AGREEMENT, CASE NO. DA2019-0005-MOD

The Board met today at 10:06 a.m. to conduct a public hearing in the matter of a request by Rein Doornenbal for a modification to an approved development agreement, Case No. DA2019-0005-MOD. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, Dan Lister, Pete Doornenbal, Norm Brown, John Carpenter, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The development agreement was approved by the Board on June 6, 2019 as part of a rezone request from Agricultural to R-1 and the agreement restricted the potential of future development to 40 residential lots and during that decision it included an average lot size of 1.4 acres. The applicant submitted a subdivision called Green Hills Landing with lot sizes of 1.13 so it does not meet the requirement of the development agreement and therefore it's coming back to the Board because of some miscommunication on what the average lot size was supposed to be. Density-wise it met a 1.43 average acre lot size but when adding in the development and the common lots the average lot size turned to 1.13. Staff's recommendation was based off the density and the conceptual plan they provided and they are recommending the development agreement be modified to remove the average acre lot size and have it state 40 residential lots and hold it to the conceptual plan that's been submitted. John Carpenter testified they submitted an application in August of 2018 for a zoning and preliminary plat request and at that time their plat had 40 lots. He believes there was miscommunication as far as density vs. average lot size and they are asking that the Board strike the average lot size and just have the agreement refer to 40 lots and have it be similar to what the conceptual site plan is. All lot sizes are over one acre. Norm Brown, a realtor with

Mark Bottles Real Estate, said they were intending for a deed restriction of 40 lots so they could be set up in any configuration and because the builder may want to move a few things around. It's about the number of lots, not the size of the lots. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close public comment. Commissioner Dale said the intent was to restrict the development to 40 lots and the 1.4 acre average was just rough division. The average lot size will be above one acre. Commissioner Van Beek said having 40 lots makes sense and gives them latitude to develop the plan design with the common lots and the roadways. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to authorize the proposed modification to the development agreement and to sign the findings of fact, conclusions of law and order for Case No. DA2019-0005-MOD. (See Agreement No. 19-184.) The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY KYLE AND SHAUNI HOLCOMB FOR A COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AND A CONDITIONAL REZONE, CASE NO. OR2019-0007, RZ2019-0023 AND DA2019-0008

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Kyle and Shauni Holcomb for a comprehensive plan future land use map amendment from Agriculture to Residential, and a conditional rezone from “A” (Agricultural) to “CR-RR” (CR-Rural Residential) subject to a development agreement restricting the 10-acre development to two approximate five-acre rural residential parcels. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Debbie Root, Stephen McPherson, Kyle Holcomb, Shauni Holcomb, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The request is for the purpose of creating one additional building right on a five-acre parcel. The applicants have complied with the requirements of the zoning ordinance and they were requested to submit a development agreement to ensure the property was developed in accordance with their site plan so that only two parcels were created. This property is located adjacent to the Nampa Rod and Gun Club which has been in place since the 1930's, and we don't want a lot of conflicting development around it. The gun club is fine with Mr. Holcomb obtaining one additional building right and the development agreement will ensure it's only one additional parcel on the 10 acres. It will be consistent with low rural residential development which allows the property owner to utilize the property more appropriately for their uses. Staff is recommending approval of the comprehensive plan future land use map amendment and the conditional rezone as conditioned with the development agreement. At the P&Z Commission hearing a neighboring property owner asked that the type of housing be restricted and so the Commission placed a condition to require stick-built housing, no manufactured homes; however, Ms. Root advised that the condition is not legal. The applicants are not bound to that condition. The property is adjacent to the gun club on the east boundary. The Nampa Rod and Gun Club, Exhibit 17, indicates the ranges fire to the north, and this property is south of the firing ranges. It's an active range so there are periods of nighttime activities and development around it should be well thought out to put no undue burden on the

gun club to control an activity that's been there a very long time. Kyle Holcomb testified that he agrees with the staff report. He has lived on the property since 2012 when he rented it, and in 2015 he purchased it from his in-laws. Their plans include a site-built home.

Stephen McPherson said his only concern is comparable housing; he is not in opposition to their request to develop the property. He clarified that he did not request a restriction on manufactured homes. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted unanimously to close public testimony. Commissioner Van Beek has no objections to the request and it's restricted tightly by the conditions of approval. Commissioner Dale said this project makes perfect sense and he made a motion to approve the comprehensive plan map amendment from Agricultural to Residential. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the conditional rezone from Agricultural to CR- Rural Residential, and to approve the findings of fact, conclusions of law, conditions of approval and order, and to approve the ordinance and the agreement as well. (See Ordinance No. 19-048, Resolution No. 19-163, and Agreement No. 19-185.) The hearing concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

AMEND AGENDA TO ADD EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

The Board met today at 2:08 p.m. at the request of legal counsel. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Security Director Joe Mueller arrived at 2:38 p.m. Sam Laugheed said they recently received some information that has caused them to believe the Board needs to move to amend its agenda to have an emergency meeting pursuant to Idaho Code Section 74-204. The emergency can be described as notification of a matter that could expose the County to financial, political, and legal liability that they think they can act on quickly if they are able to have some candid conversation and direction with the Board. It involves potential financial loss and the likelihood of damage or loss and 24-hour notice isn't practical because it's understood that this action may have already happened, or is happening imminently, or will happen tomorrow and we don't have the ability to do 48-hour notice. No media have requested we give notice of agenda amendments like this. Commissioner Van Beek made a motion to amend the agenda pursuant to Idaho Code, Section 74-204, for financial loss and exposure to the County, and to conduct an Executive Session pursuant to Idaho Code, Section 74-206(d) and (f), regarding records that are exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, Dale, and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. The Executive Session concluded at 2:48 p.m. with no decision being called for in open session.

NOVEMBER 2019 TERM

CALDWELL, IDAHO

NOVEMBER 6, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Johnson Controls in the amount of \$1708.71 for the Facilities department

CALDWELL NORTH URBAN RENEWAL DISCUSSION

The Board met today at 8:02 a.m. for a discussion regarding the Caldwell North Urban Renewal Area (CNURA). Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Mayor Garret Nancolas, Attorney Mark Hilty, Attorney Doug Waterman, ElJay Waite, PIO Joe Decker, Steve Onofrei, Rachel Spacek from the Idaho Press-Tribune, Chuck Staddick, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek said she recently met with Mayor Nancolas, Assessor Stender and Joe Cox following a conversation she had with Representative Mike Moyle, who is not in favor of urban renewal (UR) and whose goal is to remove new construction from the tax rolls. At a previous meeting the Assessor and Treasurer raised concerns about the impact of urban renewal (UR) to taxing districts and we had the opportunity to meet with the Mayor three weeks ago where they presented information on the new CNURA, but noticeably missing was the author of that project, ElJay Waite, who is present today to answer questions and present additional information to explain their reason for creating this district and the positive economic impact in development that it would have for Canyon County and the state. Commissioner White asked if she approached Representative Moyle on new construction, and Commissioner Van Beek said yes, and he is willing to meet with the Mayor and the UR board and so that meeting is forthcoming. Mayor Nancolas said this is not the first time there's been an attempt to introduce legislation that would take away new construction, and they choose not to live in fear of that so they move forward knowing it's there. They believe they have managed their existing revenue allocation area (RAA) properly and the results of that have been phenomenal. He said Senator Rice has held up Caldwell's UR efforts as the way to do it and he's in favor of what the city has done, but he is not in favor of any kind of limitation on new construction to the cities. Mayor Nancolas said this is the appropriate time to do the area north of Caldwell. They have been pursuing it for a long time and they have spoken to the County, the highway district, and the school district about their plans for a new RAA. They want to replicate the success of the Sky

Ranch Business Park with the hundreds of thousands of square feet of new manufacturing and industry and the 1,000+ jobs that have been created in that area. The existing revenue allocation area sunsets in two years and so they are preparing for that. Several years ago the city ran water and sewer to Farmway Village who was notified they could no longer discharge water and so the city chose to run water and sewer to that entity so they could continue to survive and serve their patrons. It's a huge investment and they anticipated growth in that area and now they're trying to get a return on their investment. Commissioner Dale said there could be another alternative where we come in the middle with an idea where there could be a good plan for the whole County, not just the City of Caldwell. Commissioner White asked why the city needs another urban renewal when we have the I.C. 63-602NN property tax incentive. Mayor Nancolas said that exemption is not enough to bring businesses here because they are competing with states around us that have all kinds of incentives, but in Idaho all we have are the 602NN exemption and urban renewal. The economic director is constantly getting referrals and there are developers who are always looking but right now we don't have anything to show them, but he believes the new area can produce the same, if not more, than Sky Ranch. Most of the projects are water, sewer, roads, curb, gutter, storm water, etc., and if the infrastructure is there then it has a high chance of success. Assessor Stender said with the 63-602NN exemption the land is not eligible, once the infrastructure is in the improvements would be subject to an exemption. Various boards of commissioners have granted various forms of the exemption for five years anywhere from starting at 100% and ending up at 50% to averaging 75%. There also is an exemption, I.C. 63-602W and it exempts 75% of the improvements. Clerk Yamamoto asked how they arrived at the \$300M number for improvements. Mayor Nancolas said they looked at what developed per acre and based upon that they projected what could be developed out there again. The intent is not create residential, it's all based upon industry. Clerk Yamamoto said he has heard that some of Ted Caldwell's development is to have residences, hotels, and restaurants. Mark Hilty said Mr. Caldwell is the developer of the Canyon Springs RV Park and he owns an additional 40-50 acres near the interchange and he has a plan for 20 acres immediately adjacent to the highway, southwesterly of the interchange and it's essentially landlocked by the interstate and the canal. His plan is to do a multi-family portion and an interchange commercial on that 20 acres, 10 acres of multi-family and 10 acres to have a restaurant, gas station, hotel, commercial uses geared toward interstate travelers. He owns other property that is going to wind up being commercial and industrial so he'd be looking for those types of development. ElJay Waite said he was commissioned by the City to do a study to determine whether there would be enough revenue generated in the RAA to pay for the infrastructure costs that would be required to create the final product. They are looking at using reimbursement agreements to put in infrastructure that would normally be put in before the businesses come to the area. This area has no streets of any consequence except for Highway 20-26 and the freeway. He put together one scenario – and there are many and that's the value of this where the City and County as partners will continue to look at the future and re-evaluate this every year and know which direction they are going and what adjustments they recommend to urban renewal. The value of UR to the County and City is you are not liable for any of the debt they have put into place but you should make recommendations on what the future looks like. Regarding the 75% exemption of the land that Assessor Stender spoke of (63-602W), Mr. Waite said it's a great tool for all land in the County

but it's really a good tool for the lands that are not in UR that don't have any advantages so if that's granted it was because the Board felt the economic return to the County would be so great it'd be worth giving the exemption. He understood Assessor Stender to say the County was concerned that developers might go under water during the recession and they would have to give it up and we didn't want that to happen. He concurs with the Mayor that it's a good exemption that should be looked at, but this area that's been selected is going to be one of the most difficult UR areas to accomplish because of what's there now. It's bordered by a river, it contains a flood plain and it has gravel pits that are completely mined out and others that are going to be under construction soon and an opportunity for developers to buy that does not exist. He was encouraged to know there are huge businesses and industry looking at Canyon County. If we can land one of those in this area because it's ready and they can help put in the streets they will get reimbursed over a 10-yr period. This is a partnership between the City and the County to help direct what comes to this area that will most benefit the taxpayers and help with the economic base with the assessed value base. When the information comes together they will modify how things happen but they cannot modify the plan so they've tried to put everything in the plan that could possibly happen out there so our hands are not tied when it's time to make adjustments. If expectations are exceeded it will open up opportunities for the City and the County to recommend de-annexations or early termination, it just depends on how quickly we can get everything done. Commissioner Dale is a proponent of urban renewal and he spoke of the model used by the City of Nampa where the Vallivue School District opted out and had an agreement whereby they received their portion of that increment every year. Nampa had to revamp and recalculate things and it took a couple years longer but everything was still accomplished. Is that a possibility we can look at here? He proposes we look at an MOU that says 30% of the incremental growth would be guaranteed to come back to the County on an annual basis. Let's come up with a third alternative rather than just approve it whole cloth or deny it whole cloth. Mr. Waite said he looked at that. Canyon County's portion of the \$266,000 in total tax is \$88,597 and that will continue to come to the County. If all taxing districts wanted to be reimbursed a portion of the increment that comes in they would have to go back and review how much longer it's going to take and could they even get the infrastructure built with that. The question would be is there a need to do that with what we're doing. Are the numbers great enough in the taxes that would come in that they couldn't operate without them and this is less than one-tenth of 1% of the area of the values out there of the County so there's going to be considerable growth come in elsewhere in the County so by doing this the way it's presented you make sure it gets done. His question is this: is there a need to have the increment that comes from this that goes from \$88,000 to \$1.9M over 20 years – is there a need to do that if we give up some of the businesses that would come because we don't finish the plan. He looked at that and he chose not to suggest that unless there's a valid reason from the taxing districts as to why they would need it. Commissioner Dale said he is not proposing 100% of that area but just that portion and it would not prohibit the UR agency from completing the infrastructure projects that have been outlined. It might take a little longer for the reimbursement back to the developer but the money would still be there, it might just take an extra year. Mr. Waite said the estimated project costs are not completely paid off during the 20-year period so they have to show they are going to have \$20M of the project costs are not going to be funded during this period of time.

Because of inflation on those project costs as we do them later on in the year. If they were going to have them done beforehand that is the time to say how do we do this reimbursement from urban renewal – can it come through taxes or does it have to come through de-annexation of parcels that have been annexed into the city. That won't happen for 10 years unless they get a major player to come and that's why this is such a valuable partnership. They could de-annex properties once the projects are paid off, or terminate the agency earlier if everything is done. Commissioner Dale said he's looking for a way to make assurances to taxpayers that the County is going to win on this too. Commissioner Van Beek asked the Mayor to address the changes in the legislative structure for urban renewal. Mayor Nancolas said under the new UR laws once you've established and adopted a plan if you try to amend the plan or budget it resets the base so that is the incentive for UR to follow the plan specifically because if you reset the base most likely you destroy the ability of the plan to be completed. The difficulty that comes from some of that is the intent of UR has been that it's a reallocation of property taxes that go into that area so that at the end of the day the projects are accomplished and everybody wins. When they started the RAA Caldwell's assessed value was \$660M, the area within the RAA was approx. \$16M. Caldwell was not growing so they put together a 15-20 year plan to address that. No more than 10% of the assessed value of the municipality can be within the boundaries of the RAA which still applies. The existing area plus the new RAA cannot exceed more than 10% of Caldwell's assessed value which they have met. The existing RAA has grown from \$16M to over \$500M which is amazing and that all comes back as new construction. The rest of the city has grown from \$660M to \$2.5 billion during that same period of time so the taxing districts also received the same levy rate from that growth that the city did. If we do this the way it's prescribed it is win-win for all of us. If we take any piece of this out and we are not able to complete the list of projects then what are the consequences of that? The projects and revenue allocation are based upon this being completed in 2019 and in order to do that we have to have approval by city council before the end of the year and because of notification requirements that clock is ticking and we are nearing past the time. He hopes the County approves this in the next few days, but if that doesn't happen then all of these numbers are skewed and they will have to redo everything based on what 2020 would be. Clerk Yamamoto spoke about how he is not a fan of urban renewals – he looks at it strictly as what are we doing to taxpayers who are on the hook with no vote. He said the Commissioners are the final word for the taxpayers of Canyon County and if they approve this they are committing to 20 more years of projects being funded with no vote. There was discussion regarding tax shifts and in response Commissioner Van Beek said government exists to do for citizens what they cannot do for themselves. We have economic development coordinators who are skilled and garnered national recognition for bringing business to Caldwell so whether we provide economic development with jobs that pay so those people don't have to be subsidized that's the real question. The shift will come, we're not going to stop the people or build a wall, they are going to come to this area because it's desirable and when we provide the kind of economic development that Caldwell is willing to be a forerunner on then we can say the tax shift has gone to the developers. Mayor Nancolas said Caldwell's levy rate has gone from 130 mills to 78 mills and during the same period of time, according to Department of Commerce, Caldwell's average household income has gone from the low \$30,000's to the low \$40,000's and that's a big deal. We cannot control if a house goes for

\$225k to \$250k, that's the market, but what we can do is bring new business to an area that has the tax base that spreads it out. It's a return on investment and that's what urban renewal does, it works because it brings the kind of businesses that don't consume services to help build roads and water and sewer by new growth through those dollars. You have \$88,000 in revenue coming from the area now and if we do nothing that will be the same thing with inflation because those rock pits aren't going to turn into anything. The goal is to take an area like this and turn it into something that helps reduce the levy rate. Zach Wagoner said the properties within this proposed RAA will be entitled to County-provided services and those who live within that area will receive services but the tax they pay will be diverted to the urban renewal agency. There are professional firms that evaluate the cost of growth and we've had conversations with those firms – they analyze the true cost of growth and they move that into a cost of providing services. As the area grows the cost will grow and so what can the County do to recoup some of those increased costs – what examination and evaluation has been done to look at what are the increased service level needs and costs associated with this growth over the next 20 years? Mr. Waite said the County is currently servicing that area with \$88,597 so that may not be enough for what's out there because it is very high value. He said Mr. Wagoner has just highlighted that if you can show your costs have increased because of what's out there/what's coming than that's the perfect thing to take to UR and say what is the vehicle we can do to cover this and if it's de-annexation of a property than you could get that on your books. You have to be sure on your costs and he believes Mr. Wagoner could do that, and then go to the agency after the growth starts to come then address that issue. Commissioner Dale asked how we can guarantee we're going to have de-annexation. Mr. Hilty said you can modify your plan to retract the allocation area. Commissioner Dale would like to get that in writing before we approve this district. Assessor Stender said the plan includes a couple of building projects for \$12M and an above ground parking structure for \$7.4M. Mr. Waite said those are unfunded projects; there are \$24M of projects that won't get done and those are two that don't get done. They don't have any impact on the feasibility study of the plan because there's no funding the way it's put together. Mr. Hilty said the new legislation requires that you articulate your plan with some specificity including costs and it also resets your base assessment roll if you modify your plan so they are having to look at the 20-year horizon and think expansively and creatively about what uses might be needed. Priorities were given to infrastructure, but they cannot perfect forecast revenues or timing of development and so they wanted to make sure they weren't 10 years down the road needing something they didn't have in the plan. The current plan is grandfathered and was adopted prior to some of the change in the law. They have some projects in there that are probably unlikely and didn't factor into the feasibility study. Assessor Stender said we are designing this new RAA to be commercial/industrial in nature so if you were to come up with enough money to build it where would a parking structure go out there. Mr. Hilty said there are 850 acres, and they are trying to recreate a broad urban renewal area. There are lots of locations where it could go, it could be a revenue source for UR and economic development in the future, it could be near the interstate, help facilitate traffic in and out of the area, could be shared by businesses. They don't know the details but they know if it's not in their plan they won't have the option to consider it later. There are permitted amendments to the plan but you are not permitted to add projects, you are permitted to de-annex the area. Treasurer Lloyd said the levy

rates listed in the documents are not 2018 or 2019, but instead they are 2017 levy rates. Also, she's not sure where the .0125 number has come from. Mr. Waite said as he looked at the levy rates he compared what they could use and he came down to 125 mils as a levy rate he would use for consistency as the assumed levy rate in the feasibility plan. It's going to be different than that year by year, but we have to start somewhere. He wants to make sure the levy is what it needs to be so that the Treasurer's comments are helping make this right. It's assumed at 125 mils throughout the whole plan but it will change because of what happens. Commissioner Van Beek said we have impact committees that assess the need for additional services which should be paid for by the growth that's generated by economic development so that is a vehicle that's already in place to assess the need for additional services where growth is happening but that's not something this Board has jurisdiction over. The mentality today is that we are not going to supersede personal property rights when it comes to development of land. Mayor Nancolas addressed why park improvements are important for this UR. Part of what they tried to do is to include the taxing entities in discussion and in this area there are state properties – the Caldwell ponds – that are underutilized. There is aeration that needs to be done, docks to be redone, ADA accessibility and parking lot improvements that need to be done so they had conversations with Fish and Game and the State of Idaho on how to turn these state entities into an amenity that would attract businesses but also be a benefit to the County as a whole. They invest to encourage investment from other entities, the private sector. He spoke of the park amenity at the Sky Ranch Business Park which is an incentive for employers when choosing a location. Commissioner Van Beek said she has enough information to support the plan, the RAA. It's a well-developed plan and it takes long-term visionary thinking which Caldwell has done. (Assessor Stender left at 9:52 a.m.) Mr. Hilty would like the County to support the plan the way it is; there might be some level of trust in what Mr. Waite is saying about future consideration of looking at County costs and de-annexation and what that might do to your budget and so forth but UR is an investment and we don't make an investment and be kept whole. Page 14 of the feasibility study talks about the changes in potential revenue in the area, and we've looked very closely at this area for a long time – it is very near historic downtown Caldwell and it's never developed and the impediments to develop in that area are very real and it's why it hasn't changed. It will take UR to see this area develop. He hopes the Commissioners are not looking at the bottom box on page 14 of the plan and saying gosh there will be \$2M in annual tax revenue in 2040 and saying do we really have to reallocate all this money. He hopes they look at it from the perspective of what happens if we don't have an URA, and do you stay at the \$88,000, does what's happened out there continue to be the case and do we have residential pressure for low-density residential in an area where we have identified hope for commercial and industrial growth that doesn't require the same level of County services. The tax base will grow and it could become very valuable. With the URA you will see growth over time that will probably exceed the growth you'd see without the URA. Even if they don't carve out a portion to pay back to the County, you will see a benefit because that tax base will grow. Commissioner Dale said he's in favor of this urban renewal district, but the question he comes back to is we are still in this two-alternative world, and there's a third alternative where the urban renewal district can do all the projects they are proposing to do and win. Perhaps the de-annexation idea is a more feasible way than carving out a piece of the increment to return to the County, maybe that's not the best way

to go about it but perhaps the de-annexation of a portion of that district as it gets annexed into the city is the way to go and then we both win. He doesn't think we have to say we'll adopt it whole cloth; there is the middle ground where everybody wins and we need to explore that and determine what kind of language needs to be in the document as we approve it, if we approve it, that says "as properties are annexed within the city they will be de-annexed from the revenue allocation area." That does not change the plan dramatically, it would alter some of the financing timelines. He wants that guarantee within the document as we move forward with it. Mr. Waite thanked Treasurer Lloyd for bringing the levy amount earlier, and he noted that they started this in 2018 and he did the schedule back then and forgot to change it when we went into 2019 so there's a casualty for delaying. He understands Commissioner Dale's point but they don't know how to do that yet, it would take months to figure out because the suggestion of de-annexing once they are annexed the city takes on the costs for that area so the County doesn't have any more costs out there. If there's a way they need to figure out what the real costs are and then take that to urban renewal when it happens and let those reasonable people adjust it. Commissioner Dale doesn't think that will take months, it could be done in a short period of time. Commissioner Van Beek said the City has developed something that is going to work because they already have past success with the Smeed Parkway area, and tomorrow the Board will have the ability to vote on it and she plans to vote yes on the plan. Mayor Nancolas said the City has followed the law and put two years' worth of work into this and have based it on experience of a successful plan. They think it has value and they will do their best to make it succeed and work with the County. He spoke of the City's partnership with the County and said they have plans to hopefully do something with the jail at some point. A large part of Caldwell's revitalization and survival is due in large part because of urban renewal that was put together 20 years ago and he thinks they can do it again. Commissioner White thanked the group for the good discussion. No Board action was required or taken. The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 7, 2019

PRESENT: Commissioner Pam White, Chair - out of the office
 Commissioner Tom Dale
 Commissioner Leslie Van Beek
 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 \$95,529.00 for the Fleet department

APPROVED CLAIMS ORDER NO. 11/8/19

The Board of Commissioners approved payment of County claims in the amount of \$29,550.06 for accounts payable.

APPROVED CLAIMS ORDER NO. 2003

The Board of Commissioners approved payment of County claims in the amount of \$1,633,966.41 for a County payroll.

MEETING WITH FAMILY COURT SERVICES MANAGER TO CONSIDER SIGNING ADOPTION DAY PROCLAMATION

The Board met today at 8:32 a.m. with the Family Court Services Manager to consider signing the Adoption Day Proclamation. Present were: Commissioners Tom Dale and Leslie Van Beek, PIO Joe Decker, Family Court Services Manager Mary Hoffman, Other Family Court Services employees and Deputy Clerk Jenen Ross. Mr. Decker explained that the signing of this proclamation has been done for the last several years and coincides with adoption month. Adoption Day be celebrated on November 22nd. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Adoption Day proclamation. The meeting concluded at 8:35 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Indigent Services Director Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2019-1461, 2019-1462, 2019-1216, 2019-1454, 2019-1445, 2019-0128, 2019-1321, 2019-1463, 2019-1464, 2019-1444 and 2019-0071. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion issue an initial approval on case no. 2019-1453 with a written decision within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:51 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final approvals with written decisions within 30 days on case nos. 2019-1062, 2019-1066 and 2019-1047.

Commissioner Van Beek made a motion to continue case no. 2019-1052 to January 2, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place case no. 2019-1034 into suspension pending a resource.

Commissioner Van Beek made a motion to uphold the initial denials on case nos. 2019-969, 2019-970, 2019-971 and 2019-1200. 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. 2019-1067

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2019-1067. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to approve the case. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-993

The Board met today at 9:46 a.m. to conduct a medical indigency hearing for case no. 2019-993. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes,

Ashly Hesteness for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to approve the case. The hearing concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1221

The Board met today at 10:09 a.m. to conduct a medical indigency hearing for case no. 2019-1221. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, 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.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1097

The Board met today at 10:17 a.m. to conduct a medical indigency hearing for case no. 2019-1097. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Lukes, Dahlia Torres for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue the case to December 15, 2019. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-927

The Board met today at 10:27 a.m. to conduct a medical indigency hearing for case no. 2019-927. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for West Valley Medical Center, Andrew Lacayo for West Valley Medical Center and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to take the case under advisement with a decision to be rendered within 30 days. The hearing concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:56 a.m. to consider indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-1026, 2019-1114 and 2019-1014. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record. The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 11:06 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, ElJay Waite, Reporter from the Idaho Press, Chief Deputy Sheriff Marv Dashiell and Captain Daren Ward arrived at 11:30 a.m. and Deputy Clerk Jenen Ross.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 11:06 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:08 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 Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:27 a.m. with no decision being called for in open session.

After the executive session Zach Wesley said there are three documents on the agenda today for consideration which should be taken in the order as follows:

1. *Action Item: Consider signing resolution declaring that certain property within the county is deteriorated and deteriorating, declaring a need for the Urban Renewal Agency of the City of Caldwell, Idaho to extend its area of operation beyond the boundaries of the City of Caldwell, Idaho and into unincorporated Canyon County, Idaho: This would adopt the area as indicated on the map provided by the City of Caldwell and adopt the determination by the City of Caldwell that the area is deteriorating meaning that it falls within the urban renewal law to create that area.*

2. *Action Item: Consider signing an ordinance providing for the transfer of powers necessary for creation of an urban renewal plan and revenue allocation area located partially within and partially outside the City of Caldwell, Idaho and approving execution of the intergovernmental agreement for roles and responsibilities under Idaho Code §50-2906:* The county has, in the urban renewal act, its own independent authority to create an urban renewal area. The ordinance would formally transfer the county's authority to the City of Caldwell for this area for the purposes of both mapping and managing the area and then collecting the incremental tax.
3. *Action Item: Consider signing intergovernmental agreement for roles and responsibilities under Idaho Code §50-2906:* The intergovernmental agreement outlines the plan and how the relationship would operate. It also readopts the maps that indicate the areas in need of urban renewal and the City of Caldwell/Urban Renewal Agency's proposed plans for that area which includes the feasibility study and the projects that are planned out over the 20 year period in the study.

Mr. Wesley's advice would be to sign all three documents at the same time as they are all interrelated, overlap and rely on each other.

Chief Dashiell stated that the email sent by the Sheriff offers his position and did not speak on the Sheriff's behalf.

Treasurer Lloyd clarified from yesterday's meeting that the information within the proposed plan contains some inaccuracies. In one section it states the levy rates are from 2018, in another area it states they are 2019 but the levy rates listed within the documents are in fact 2017 levy rates which would affect much of the information and/or predictions that are outlined within the document. That is her biggest concern, that there are some issues within the document itself that are inaccurate and she feels it would be inappropriate to adopt something that is clearly incorrect. It is not transparent to the taxpayers. Ms. Lloyd noted that Mr. Waite acknowledged in yesterday's meeting that because this document has been worked on since 2017 that some information could be inaccurate. Nothing is saying it can't move forward at a later date but why not have an accurate document to review?

Mr. Waite stated that there will be a text revision because this is not the only inaccuracy that was found by the attorneys when they went thru everything. Nothing is material in nature that can't be fixed in the final document. There will be a text amendment that's sent to city council that approves and notes all of the changes. The document will reflect the proper levy rates when it is final with all the adjustments that come in.

Assessor Stender said his interest in this plan relates to local property taxes. His office receives a high volume of complaints that local property taxes are taxing owners out of their homes. Governor Little has put together a property tax working group to review potential changes to local property tax, the way they budget, whether they get new construction, or a standard 3%. He

is concerned that this plan might redistribute some of the taxable value for 20 years. He would hope to see some of it returned earlier to the base to help lessen the burden to our citizens for local property taxes. He's doesn't have a staunch position against urban renewal, it has its place and time, but with the uncertainty of what the legislature might do, no one really know for sure until it's done. He'd like to see all options that would help our local people keep their homes and not have to sell to move someplace with less expensive taxes. Many of his questions and concerns have been addressed.

Zach Wagoner said his thoughts are towards our current property taxpayers. We have an obligation and responsibility to help protect our current property taxpayers and keep property tax burden as light as possible. As this revenue allocation area begins to grow, there will come with that growth an increase to demand, need and cost for services. Adding half a billion dollars of value 20 years from now, commercial/industrial value, that's great for the community but what do we do in the meantime over the course of those 20 years to account for the increased cost of services. He thinks there needs to be some recognition, some thought given to, over the course of those 20 years how do we allocate revenue, how do we capture monies to offset those increased costs to providing services, to provide property tax relief to current residents and property taxpayers?

Clerk Yamamoto said he believes the taxes are high now, too high now, and this plan will raise taxes. He believes one of his jobs as the Chief Budget Officer is to try to protect the taxpayers of Canyon County. This Board is committing the taxpayers of Canyon County to a 20 year plan, he has an issue if that was to be done with two Board members, excluding one. He thinks this should be done with all three Board members and all three on record.

Commissioner Van Beek spoke about information that was received "late in the game", called 'Section 1000: Procedure for Amending and Updating the Plan', this document was created in response to a request for changes that would help mitigate some of the concerns that were raised by Commissioner Dale and others in the meeting yesterday. Commissioner Van Beek referenced the following portion of the document:

The Commissioners of the Urban Renewal Agency shall in good faith consider a request to de-annex a portion of the revenue allocation area under the following circumstances:

- a) The request is made by a taxing district affected by revenue allocations*
- b) The taxing district demonstrates an inability to adequately meet the needs of new development in the revenue allocation area due to the reallocation of tax dollars*
- c) Property for proposed de-annexation has been substantially re-developed*
- d) The terms of any tax reimbursement agreement have been performed; and*
- e) De-annexation of the property will not substantially hinder further implementation of the Plan and Projects*

The Plan may be further modified as allowed, either now or in the future, by the Law and the Act, as they may be amended.

Commissioner Van Beek continued on stating that some of the concerns that have been raised are the cost of increasing services to that area and she believes the statements by the Urban Renewal and the City of Caldwell to evaluate those costs when you bring in services but the commercial and industrial sector, historically, demand less than the residential portion.

She addressed the concern that always comes up regarding tax shift stating that 20 years ago the residents of the county were bearing most of the burden for taxes and when the Urban Renewal District was created, and the current RAA area to be more exact, that shifted the tax burden from residents carrying that greatest portion of that to the commercial and industrial section now carrying that tax burden. With that \$450M added to the tax base it helps take away some of the burden just to residents and she noted that with the creation of that revenue allocation area it has added 1000 jobs to the county, it has been a very good thing for the citizens of Canyon County thanks to their visionary leadership. The area in question has been identified as an area that has struggled to garner any attention and it is an area that we have people that are good at what they do that will bring potentially millions of dollars' worth of commercial and industrial investment to this. She is not an urban renewal expert but that this group is and historically they have demonstrated an ability to use this tool correctly in bringing economic development to Canyon County. It's been recognized by the State of Idaho and the Idaho legislature as the way to do it. There are other cities and leaderships that have abused it and it's her understanding as to why they've been reactionary. In asking for an amendment to the documents that were provided she believes that the document produced by Mark Hilty and the urban renewal group will satisfy, they have proven to be true to their word and full of integrity. They are partners of the county and she has a high level of confidence in their ability to carry thru. She also addressed that the area being talked about, the 947 acres, currently has an assessed value of \$21M and an annual revenue source to the county of \$88K. At build out in 20 years with that kind of vision, the tax assessed base would be at \$458M with a return to the county of just under \$2M and she believes, as District I Commissioner, that it would help lower the levy rate and provide some tax relief in addition to jobs for citizens that are coming. To be able to provide jobs that are higher than retail paying jobs is just a different way to look at not subsidizing the people that are coming to this area. She appreciates the information that Ms. Lloyd has put on the record and Mr. Waite's response that there would be some forthcoming changes to that. As far as controlling costs she believes that the county still has an obligation to evaluate the level of service and how that budget breaks out, 70% of our budget goes to salaries for county employees, and she is for paying employees well but cost containment on that is still a good thing to look at in providing services. This plan will provide jobs for more than just Caldwell and Nampa, it will be an addition of a lot of square feet of commercial and industrial space and the creation of parks where people can recreate and enjoy working and living. She is still in favor of this. She did receive a call from Chairman White who indicated that Commissioner Dale and she were competent to make a decision on this. She appreciates that and understood Commissioner White

to be available by phone should it come down to a split vote. She believes in this plan and will support this plan.

Commissioner Dale said he agrees with Clerk Yamamoto and is disappointed that Commissioner White it out ill today but that she really needs to be in on the discussion and vote. It sounds to him like there are still some issues that are outstanding and need to be settled before the final documents can be signed. He stated that his track record shows that he is a proponent of urban renewal districts. Nampa has used urban renewal districts and revenue allocation areas which have been great advantage for the City of Nampa and the residents of Nampa. You don't need to convince him of the value of urban renewal districts and he really likes the visionary plan that's been presented on this new revenue allocation area; that area clearly is going to need some kind of boost in order for it to develop and urban renewal is one of very few tools that cities and counties have available to them to really give an impetus for accelerating the positive change that can occur in these areas. There is no question on his record or in any of his statements that he's in favor of urban renewal districts when they are used properly and he thinks this one lays out a really good plan for property. That being said there are some issues that he does not believe have been adequately answered. He thinks the document from Mark Hilty is a good start on a discussion that needs to take place about how can we protect our taxpayers and make sure that down the road as these areas develop that the county will have a guarantee of being able to count on a portion of that incremental tax revenue for the purposes that the county has statutory obligation to perform. In regard to the cost of services in that revenue allocation area, it occurred to him that the cost of the growth that that will spur is not restricted to that area. We know that residential properties do not pay their own way as far as the services that they demand. The difference is made up by commercial, industrial and non-residential tax base which is why he is such a proponent of economic development and urban renewal districts spurring that economic development. He wants this urban renewal district to go, it is a good thing for County and the City of Caldwell.

Sheriff Donahue was not able to make this morning's meeting as he had to attend a meeting in Boise. Commissioner Dale read portions of the email sent by Sheriff Donahue into the record as follows:

"I cannot express to you strongly enough that I believe you are acting in far too much haste in considering signing an agreement with the City of Caldwell on new Urban Renewal District. This matter had NOT been vetted with ALL of the elected officials of this county and that is critical before any decisions be made on a matter such as this that affects far more stakeholders than the three of you. And I can assure you my position as Sheriff does play a role in this discussion. To the best of my knowledge the actual Urban Renewal Board has not reached out to the elected officials as a whole. Rather, you have had a meeting with three individuals from the City of Caldwell who have their own agenda. This matter on your agenda today should absolutely be tabled and held until we as primary stakeholders (elected officials) who are committed to protecting the interests of our county citizens have a chance to discuss it thoroughly."

Commissioner Dale went on to say that he really likes the plan, that it's a good plan, it's got some really good stuff in it but he wants to be as unified as possible as it moves forward. He appreciates the Clerk's comments about Commissioner White not being here. He really feels these things need to be vetted out and have a full discussion. He understands that there is a timeline because the urban renewal district wants to get this on the books before the end of the year so they can capture the base that was established in January of 2019. He has looked at the values in that area, they have not been growing as has been pointed out in the document. That's a stagnant area, values are not appreciating as rapidly as they are in other areas of the county. It would mean a readjustment of some of the figures but he doesn't think it would be that dramatic if we're not able to get this accomplished by the end of the year.

Commissioner Van Beek said it is the Board of County Commissioners that will be signing the documents, which clearly falls under their purview. While she appreciates the letter that was read into the record she takes issue that the Board is acting in far too much haste. In September of this year legal provided those documents for review, on October 15th she was the only county elected official that attended the open meeting before the planning and zoning board where Mr. Waite presented the feasibility study. There are some numbers that have been updated and that this process has been a continuation since 2017. This is a document that has been in the works, it was published in the Idaho Press Tribune, it was addressed at the State of the City by Mayor Nancolas, it's been brought before this board in open meetings many, many times with opportunities for any elected official, any member of the community, anybody who wanted to come evaluate this as the potential benefit to the community that it would be. This is under the purview of the Commissioners, they will be the ones to sign these documents. She also does not see that the oneness is on the Urban Renewal Board to reach out and contact each elected official because the Board continues to post their agenda in a lawful manner as prescribed and laid out and people are welcome to attend.

In response to a question from Commissioner Van Beek, Mr. Waite said the timelines can be obtained thru the city's attorney, Mark Hilty. He would be able to provide a 'drop-dead' date of when the documents would need to be signed so they have proper notification. Mr. Waite said they could have a meeting as late as December 31st to finish this up but that really pushes the issue.

Commissioner Van Beek proposed to set up another meeting, recognizing the timelines, to have Mr. Hilty provide his legal opinion on the new language on this procedure for amending and updating the plan and then have Mr. Waite provide information on the 6 or so items he noted need to be revised in the documents. The documents would then need to be reviewed by the Treasurer and Assessor to try to mitigate some of the concerns that are out there. She believes with good and accurate information, with a lot of transparency to the taxpayer – the benefits to the citizens of Canyon County will overcome the obstacles of the things being talked about and especially with it being driven by the Urban Renewal Board and the City of Caldwell. They have been good partners and have provided great benefit to this community because of their visionary leadership. She asked if Commissioner Dale would entertain approving this based on conditions

and having Mr. Hilty come back to talk about the amendments. This would also allow for other elected officials to attend the meeting and have any questions addressed.

Commissioner Dale said although he appreciates Commissioner Van Beek's comments he is not willing to approve anything where he hasn't seen the conditions outlined. He thinks the language from Mr. Hilty is a step in the right direction but that county attorneys need the opportunity to work thru that with them so that there is a true negotiation going on. There is no doubt in his mind about the good intentions and the integrity of the leadership in the City of Caldwell, he has long-standing respect for the Mayor and City Counsel - they've done miraculous things in the city with the Urban Renewal dollars that have accrued from the first district. They have been very generous with the county in apportioning those dollars to help with the Administration Building and their ongoing wishes to continue to use those dollars that would normally come to the county for county projects. That being said, 10-15 years from now that will most likely be a different group of people and getting things in writing is the only way to ensure, for the long-term, that those interests that are being met now are ensured. As we grow larger and things get more sophisticated in our community, things need to be in writing, which is what he's asking for. As far as financial approval, the budget and those sorts of things, he said the buck stops right here at these three chairs but the other six elected officials should be listened to and his desire would be to have everyone come together on all the issues that involve everyone and tax dollars is something that affects every elected official in the county. He think there needs to be a little closer agreement as to what the document looks like. He reiterated that it's a good plan, he like urban renewal district in this area, it really has addressed specifically what urban renewal is supposed to do which is address plight and encourage economic development. He is willing to sign off and get this going once those questions are answered.

Commissioner Van Beek spoke about the meeting that took place earlier in the week where Mr. Waite addressed the new structure of the urban renewal guidelines and how it makes them live within very tight constraints so that the program continues in perpetuity. There are boundaries put in there that allow that to go forward without the kind of turbulence that a change in a Board or a change in an Urban Renewal Board would generate. The guidelines that are in place for urban renewal mitigate and overcome the obstacles of what we're talking about, it sounds like saddling the county, and I think that is the wrong way to see it.

Commissioner Dale agrees, whatever is in that document will be what's followed which is why he wants the assurances to be in the document. Right now he doesn't feel there are any assurances in the document that the county would get the money that the City of Caldwell and the Urban Renewal Board has generously accorded to the county in the later days of this present urban renewal area. Commissioner Van Beek believes this is because it's dependent on the current economic climate and that's volatile. The request from the Mayor is that we submit a qualifying project while there is money in that area.

Commissioner Dale would like to see another meeting as soon as possible, one that all three Commissioners can be present for and in the meantime maybe more of the potential assurances can be worked thru.

Zach Wesley clarified that his understanding is that the Board is requesting their legal counsel reach out to legal counsel for the city to figure out what the confines or potential options would look like and then reduced to a point in writing where they would be sufficient for this Board to discuss them with the City of Caldwell or the URA counsel/consultants. He believes there needs to be a little bit of time to get some ideas laid out before this is put back on the agenda so that we don't continue to have the same conversation. Mr. Wesley said he would reach out today to initiate conversations.

Commissioner Dale made a motion to continue the meeting to a date to be determined based on information from legal counsel. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 12:07 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 8, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/8/19

The Board of Commissioners approved payment of County claims in the amount of \$116,872.58, \$57,704.72, \$12,807.00, \$39,113.12, \$20,547.92 and \$234,593.05 for accounts payable.

No meetings were held today.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 12, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/18/19

The Board of Commissioners approved payment of County claims in the amount of \$379.50 for accounts payable.

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Gino Furiani, Alex Brockman, Chelsea Baguley and Dave Duncan.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Amsterdam Lounge to be used 12/7/19 for a Christmas party.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1514.68 for the Information Technology department
- Able Zebra Communications in the amount of \$1923.75 for the Sheriff's Office
- Staats in the amount of \$3092.05 for the Fair
- Rodda Paint in the amount of \$10,850.00 for the Facilities department
- Plumb Master in the amount of \$4000.00 for the Facilities department
- 1000bulbs.com in the amount of \$1746.50 for the Facilities department

MEETING WITH THE DIRECTOR OF INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:34 a.m. with the Director of Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, IT Director Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross.

The Board was updated on the following:

- They are continuing to work with Parks Director on a remodel at the Lake Lowell office and some items at the museum. There have been some overflow issues at the museum so they are going to try to get TV displays in both areas when they have presentations.
- Three IT team building events took place in October at Lake Lowell
- Director Rast takes part in a meeting every Monday with Captain Ward and Rick Britton regarding Pod 6 until the project is complete.
- With their new person starting on Monday, November 18th all of their positions are now filled.

- Several projects are getting ready to be closed out. Commissioner Van Beek noted her appreciation of the close-out reports and hopes something similar can be implemented county-wide for the comprehensive plan.
- Director Rast is working closely with Director Mueller to find areas IT can assist.
- Mail and the phones will continue to be up and running for all the holiday appreciation days since the Clerk's Offices will be open. The business office team has coordinated their schedules in order to cover.
- The Public Defender would like to put a kiosk in the Sheriff's Office in order for people to fill out forms if they need Public Defender assistance. IT can do the work but will need approval from the Board, Sheriff and assistance from Facilities.
- A commitment date has been received from CenturyLink for Weed and Pest to start in February so by the spring it they should be up and running.
- Discussion ensued regarding a battery back-up system and the new dispatch system in the Sheriff's Office that was recently installed.

The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

AMEND AGENDA TO INCLUDE LEGAL STAFF UPDATE AND CONDUCT EXECUTIVE SESSION

The Board met today at 9:04 a.m. with legal counsel. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Mr. Wesley informed the Board that there are some matters this morning that he needs to discuss that are relevant to today's calendar, and he learned Commissioner Dale isn't going to be available for today's legal staff update at 1:30 p.m., so he asked the Board to amend the agenda to add a legal staffing for now, at 9:05 a.m., pursuant to Idaho Code, Section 74-204. He also asked the Board 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. Commissioner Dale made a motion to amend today's agenda to reflect legal staffing at 9:05 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:20 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.

PUBLIC HEARING – TRENT WHITE'S APPEAL FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 9:32 a.m. to conduct a public hearing in the matter of an appeal by Trent White for a variance of the 20 foot rear setback for a pool that has been constructed. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Todd Lakey, Trent White, Tonya White, Kristoffer Sperry, Gordon Hansen, Diane Hansen, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The applicant is requesting approval of a variance of the 20-foot rear setback to accommodate the pool that's been constructed on the property line and was constructed without any building permits. The applicant is requesting the variance to allow the pool to stay in its current location on the property. If approved the applicant will have to obtain a building permit and a mechanical permits, if required. The P&Z Commission recommended denial of the request. Todd Lakey testified on behalf of the applicants. The majority of the P&Z Commission wanted to approve this application; two hearings were conducted and after the first hearing they told the parties to work out the fence issue. They walked the property and determined the old fence and the new fence with the pool were within the string line on the property. The Hansens suggested the Whites cut 3 inches off their walkway around the pool and the Whites agreed to that as well as move a flush pipe from the back of the utility shed to the other side. That agreement was later rescinded. It was presented to the P&Z Commission and they started with a motion to approve and it resulted in a 3-to-3 vote. There was a subsequent motion to deny the application but it failed 4-to-2. His impression is a number of commissioners who voted against the approval felt like there were too many conditions, the fencing was too onerous. The property line is not the issue; the variance simply allows for the Whites to build within their own property within that setback and then they have to pursue a building permit application which provides a more detailed review and compliance with the code. The property line has been the main issue with the Hansens. They watched as the Whites and their children worked on the pool, no objection was raised until the walkway was done around the pool. There is no demonstrable harm to the neighbors' field or their home which is 225 yards to the north of the pool. They are simply seeking approval to pursue a building permit. According to Mr. Lakey they addressed the Hansens concerns but they changed their agreement so they are here today. The P&Z Commission's intent was to approve, 5 of the 6 commissioners wanted to approve the application but they could not reach a consensus on the conditions of approval. Trent White testified he was not aware a building permit was required, nor was he aware of the 20-foot setback requirement. We discussed this with Gordon on the fence line and they agreed to measure off the fence line. He stayed farther than the 5 foot distance. The pool wall is 6 feet from that property line, from the fence and everything was fine. More discussions followed and then Mr. Hansen got upset. The pool has been in the ground for 2 years. The distance from the field fence to the wrought iron is at the narrowest spot, 3 inches from the string line at the closest spot. Tonya White gave testimony regarding the structure of the pool. She said it didn't seem to be an issue with the location or the proximity to the property with the Hansens until the last foot was poured to anchor the fence. She said there is no way to alter the shape or size of the pool without demolishing the pool. Kristoffer Sperry represents the Hansens, and he believes the Whites are

trying to use the Hansens as an excuse as to why the variance should be permitted. There are only three considerations in this case: 1) will granting the variance be consistent with the comprehensive plan; 2) do characteristics of the site create an undue hardship; and 3) is the variance in conflict with the public interest. It's not whether they had tacit or explicit consent from the neighbors to build this pool within the setback. If we were here prior to the pool being built there would have been multiple options for the Whites to build this pool that would meet the setbacks. They have not shown the current location is a result of an undue hardship. The extraordinary difficulty or expense is not the removal of the pool - that is not an undue hardship. The correct analysis is whether the land itself creates this undue hardship which the Whites have failed to show. Deference should be given for the use of agriculture and this pool, there is some dispute as to where it lies and that it's on or across the boundary line of the Hansens. His clients have no objection to the Whites having a pool, they just want it within the appropriate setbacks and be in compliance with zoning and ordinance laws. The fence lines are several years old, there were some pins that had been removed from the ground and replaced but there has not been an official survey done within the context of this timeframe. The burden is on the Whites to show that, not the Hansens. The construction began in the summer of 2017 and was completed in August/September of 2018 when his clients filed their formal complaint. The Hansens watched this process go through and when it became an issue of encroachment on their land and the realization that every time they seemed to tacitly consent to this project it kept encroaching closer and closer and onto their property. The Hansens want to be good neighbors and when this happened it caught them off guard and they wanted to do what they could to acquiesce to this until it got to the point where they could no longer acquiesce and that point became where is the boundary line, how far away is it, and the 3 of 4 inches wasn't adequate at that point any longer because of the uncertainty of the boundary line. Mr. Sperry said a survey only needs to be done if you are going to deny the variance because then we need to establish where the 20-foot and 5-foot setback requirements are. If you were going to grant the variance then the dispute becomes civil and there is an issue of where the boundary is and whether that pool is on or across the boundary. Mr. Lakey offered rebuttal comments. There was a question about pool water itself; no negative impact from splash back. There needs to be a walkway around the pool the structure that contains the automatic pool cover. They are willing to take some off the end of that, at this point there were discussion and the Hansens proposed they take off 3 inches but the Whites will double that. It could go beyond the 6 inches without affecting the pool integrity but there needs to be some walkway behind that pool cover to do maintenance. The Whites recognize they did not get a building permit, there isn't any ill will or claim of evil conduct on either party but there was a lot of communication going in. They analyzed the requirements under the code and it does relate to the comprehensive plan. The existing structures and site characteristics do demonstrate an undue hardship, that's why it was put in this location. The public interest is not harmed. There's been no description of any harm to agricultural operations. There were no pins pulled in regards to the pool; the pin that was mentioned is on the other side of the road and was placed by Mr. Hansen who is a former surveyor. That fence post had to be in line with that pin when it was placed and Mr. Hansen constructed that fence so it's in the location that he felt like the property line was located so they have been operating under the assumption that that fence was the property line. The string shows they are within that property boundary. Pins were not pulled as

part of the pool placement. The Hansens concerns seemed to be raised when the Whites put the one foot addition for the fence, a foot of concrete was added to build the wrought iron fence. Gordon Hansen testified the Whites shed is against the original fence and the post that was there up until the last month or two. When he met with Mr. White to make an agreement on site it showed 10-12 inches of concrete hanging on his property, and there is a filter system for the pool on the back of the shed and Mr. Hansen is worried his cattle will rub up against it and if they bust it he'll be sued. There should be some kind of setback away from the property line. When he asked Mr. White where the pool was going to end up he said "over there" but didn't indicate a distance and now it's right up against the fence line and he doesn't like it. Mr. Lakey said that shed was against the property line for seven years. There is an opportunity to take off more than the 3 or 6 inches without impacting the structure and they are willing to talk further with the Hansens to see if they can reach a mutual solution. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White wants to make sure there is not encroachment and therefore she is not ready to make a decision today. Commissioner Van Beek referenced a variance that came before the Board in August that was denied and she said there are a lot of similarities between this case and that one. Ignorance of the law is not an excuse for breaking the law. There is a fair amount of emotion but that's outside of what we look at, and she doesn't find that the evidence brought by the applicant supersedes the definition of undue hardships cited by Mr. Sperry in Idaho Code. She referenced comprehensive plan policies regarding preservation and protection of agriculture. There is a 20-foot requirement between agricultural ground and a building structure and it hasn't been met. We don't know if there's been encroachment. There is a failure to demonstrate how the characteristics of the site create an undue hardship and had that been done on the front end we wouldn't be here today. She supports a formal mediation process and she said Mr. Sperry has provided more convincing evidence that would support and uphold the denial by the P&Z Commission to not allow the variance. Commissioner Dale said it might be good to have a survey of the lot line. There is no testimony indicating there is interference of the farming operations. He said previously cited cases are not relevant, every case is determined on its own merit. The variance will not deny property rights; perhaps a solution is the Hansens would sell a portion along the line to the applicants because that would be cheaper than tearing out the pool and starting over. He is not opposed to the variance, but he understands Commissioner White's desire to have an answer on the property line itself. Commissioner Van Beek said she's curious where the surveyor's marks are, and she said additional information is in the best interest of this Board. Commissioner White made a motion that the Hansens and Whites come together and have a discussion and mediate and find a workable solution for all parties with a survey being required so the property line is defined. The motion was seconded by Commissioner Dale and carried unanimously. The hearing was continued to December 12 at 9:00 a.m., although it's likely it will just be a status update meeting. Today's hearing concluded at 11:22 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING FY2019 BUDGET ADJUSTMENTS; THE FLEXIBLE SPENDING ACCOUNT ADMINISTRATIVE SERVICES AGREEMENT WITH FLORES; AND THE HEALTH REIMBURSEMENT ARRANGEMENT AGREEMENT WITH FLORES

The Board met today at 11:25 a.m. to consider approving the FY2019 budget adjustments, the Flexible Spending Account Administrative Services Agreement with Flores, and the Health Reimbursement Arrangement Agreement with Flores. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Audit Supervisor Shawna Larson, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. The items were considered as follows:

Flexible Spending Account Administrative Services Agreement and Health Reimbursement Arrangement Agreement with Flores: Controller Wagoner said we have a third party administrator, PBS, who helps with the process after we collect the monies and transfer those monies to the third party. We have been with PBS for 3-4 years and it's been challenging. On an annual basis we transfer nearly \$1 million to them and they facilitate repayment of that amount. We want to make sure the County's money, the employees' money is properly accounted for and taken care of, and on multiple instances PBS has overpaid by paying benefits out twice and county staff caught and identified those overpayments. They have met with PBS but the service has not improved and so he would like to make a change to Flores, which is a company we've used before and had a good experience with. The change will become effective January 1, 2020 and there will be an increased cost of \$4,000 per year. There is roughly \$500,000 that goes pretax that saves the County almost \$40,000 a year and the projected cost is \$40,641 so it almost pays for itself because employees participate and if more employees participated it would increase our tax savings additionally. HR Director Baumgart explained how the balance and account information will rollover with Flores. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the agreements with Flores. (See Agreement Nos. 19-186 & 19-187.) Mr. Wesley and Ms. Baumgart left at 11:34 a.m.

FY2019 Budget adjustments: Controller Wagoner explained that the Auditor's Office is finalizing fiscal year 2019 and the outside auditors are on site this week and there are a few minor budget transfers to consider. We are not increasing the budget today, we are not moving any cash this is merely an accounting exercise to transfer a few budget amounts. The transfers are as follows:

Public Information Officer:

Transfer \$600 from the "B" budget reserves and \$500 from the PIO "B" budget to the "A" budget - salaries and benefits for personnel expenditures. There was an increase in our PERSI rate, and there was a slight issue with the compensation plan spreadsheet that needed to be corrected. After the budget was approved they discovered the issue and made an adjustment to the PIO salary to be consistent with the compensation plan. We were \$1100 over budget on the "A" budget side.

Problem Solving Courts:

Transfer \$3,200 from the reserves line item to the problem solving courts B budget for expenditures related to testing activities.

Waterways:

Transfer \$9,000 from their B budget to their A budget for personnel expenditures related to part-time marine deputy functions.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the resolution authorizing and approving the FY2019 budget adjustments. (See Resolution 19-165.) The meeting concluded at 11:41 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 1:32 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Landfill Director David Loper and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing notice of sole source procurement - Bull Litter Fence with Canopy for use at Pickles Butte Sanitary Landfill from Metta Technologies: This is the same fencing that is currently used at the Landfill. Right now they have 20 panels which is enough to corral one side but these additional panels will allow them to corral blowing litter much better. Sole source is due to the compatibility with what is already being used and it is more cost effective. A hearing will be held on December 2, 2019 to take comment on the sole source. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the notice of sole source procurement for a Bull Litter Fence with Canopy for use at Pickles Butte Sanitary Landfill from Metta Technologies. A copy of the notice is on file with this day's minutes.

Consider signing notice of sole source procurement - Tarpomatic, Inc. Automatic Tarping Machine: This will be used as an alternative daily cover to cover the working face at the end of the day. Currently at the end of each day the working area is covered with soil but with use of the tarp only about ½ the fill will be needed at the end of the day, additionally, waste will be able to be placed in the same location for 2 days so there will be less soil used, less manpower necessary and a lot of airspace saved. The reason for sole source is due to this being the only product with chain-link woven in, has the needed durability and is compatible with what's already used at the landfill. Life expectancy of the tarping machine itself is 20-30 years and they hope to get 10-15 years from the actual tarp. Upon the motion of Commissioner Van Beek and second by

Commissioner White the Board voted unanimously to sign the notice of sole source procurement for the Tarpomatic, Inc. Automatic Tarping Machine. A copy of the notice is on file with this day's minutes.

Consider signing FY20 Pickles Butte Landfill monitoring well project solicitation of bids: Director Loper explained this is for the replacement of PB-4. This is for the specifications and bids to replace that well. They are not abandoning the current monitoring well at this point – they will drill the new well and then sample them simultaneously as per DEQ's request. At some point, once the testing is complete, he will ask for the old well to be abandoned. The reason for this new testing well is to show that there is no gas migration or leachate in the ground water which is all in preparation of submitting the expansion information to DEQ. Mr. Goodsell spoke about the solicitation of bid process and how the contract will be awarded. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the FY20 Pickles Butte Landfill monitoring well project solicitation of bids. A copy of the letter sent to contractors is on file with this day's minutes.

The meeting concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER THE APPROVAL/DENIAL OF A REQUEST BY AMY WOODRUFF FOR A ROAD NAME CHANGE; CASE NO. RD2019-0025

The Board met today at 2:06 p.m. for a public hearing to consider the approval/denial of a request by Amy Woodruff for a road name change and to consider signing the findings of fact, conclusions of law, conditions of approval and order; case no. RD2019-0025. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Deb Root, Amy Woodruff and Deputy Clerk Jenen Ross. Deb Root gave the oral staff report stating that Ms. Woodruff is requesting a road name change from Tivio Pine Lane to Breakaway Lane. This is a private road for a personal residence at this time although there are three parcels approved that would take access from this road. Staff is recommending approval to the Board for the name change. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Van Beek made a motion to approve the request by Amy Woodruff for a road name change as presented based on the findings of fact and conclusions of law. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADS TO DISCUSS CHANGE ORDERS

The Board met today at 3:02 p.m. with ADS to discuss change orders. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy

P.A. Sam Laugheed, Facilities Director Paul Navarro, Captain Daren Ward, Assistant Facilities Director Rick Britton, Tristan Kelly, Anthony Kelly, Timothy Kelly and Michael Shuey with ADS and Deputy Clerk Jenen Ross. Rick Britton stated the purpose of this meeting is to provide some clarification on certain items within Pod 6. The items to be discussed include the generator and all associated equipment and hook-ups, the Programmable Logic Control System (PLC system), test and flush of water lines coming from 12th Ave and installation of electrical conductor between the County's transformers into the main distribution panel. Commissioner White asked about the PLC system and the ability to control the doors from a remote location. ADS explained that this is not an industry standard and that each county has their own security system and computer systems. They rely on individual counties to provide their own system. ADS will 'rough-in' the mechanics and hardware but the computer system is needed to activate it all. Commissioner Van Beek asked about 'boiler-plate' type items for these kind of facilities. ADS explained that there really are no 'boiler-plate' items because what they do for each county is unique and customized to their specific needs. ADS has a personal anticipated completion goal of the end of November/beginning of December and once an agreement is reached with Advanced Automation Systems for the build of the PLC the electricians will get started on their part within the structure. Commissioner White asked about the transformer. ADS said a conductor needs to be run from the transformer behind the elections office to the main distribution panel and hooked up. Quotes from both Quality Electric, which the county uses regularly, and Salmon Electric, which is the company used by ADS, have been generated. Discussion ensued about the differences between the two quotes as to what is included and excluded. It was decided that both companies are qualified to do the work but that time is of the essence so that may be the deciding factor as power from the transformer is needed ASAP. Commissioner Van Beek asked ADS about their final inspection process and any other unanticipated costs. ADS said there won't be any additional charge for their 'punch-list' of final items to make sure everything is in perfect order and Captain Ward doesn't anticipate any additional costs for items pertaining to the actual structure nor does Mr. Britton on the facilities side of things. At Commissioner Dale's request, Mr. Britton reviewed items that need to be completed in order to test and flush the waterlines. A discussion ensued regarding the stability of the structure being on blocks, the likelihood of an inmate being able to get under the structure from the rec yard and the weight-bearing load for the rec yard lid in regards to snow mitigation. ADS gave a brief timeline of upcoming items to be installed and completed. Commissioner Van Beek requested a list of all the change orders and unanticipated costs which Director Navarro indicated he could provide to the Board. The meeting concluded at 3:56 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

Commissioner White made a motion to go into Executive Session at 4:03 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters relating to named employees,

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 Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter (left at 4:30 p.m.), IT Director Greg Rast, Facilities Director Paul Navarro, Security Director Joe Mueller and Deputy Clerk Jenen Ross. The Executive Session concluded at 4:48 p.m. with no decision being called for in open session.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 13, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

CANVASS ELECTION

The Board canvassed the November 5, 2019 Election results today which are on file with this day's minute entry.

MEETING WITH THE CITY OF MIDDLETON TO DISCUSS POSSIBLE RENEGOTIATION OF THE MIDDLETON AREA OF CITY IMPACT, PLAN AND ORDINANCE REQUIREMENTS PURSUANT TO IDAHO CODE SECTION 67-6526(D)

The Board met today at 10:32 a.m. with the City of Middleton to discuss possible renegotiation of the Middleton Area of City Impact, Plan and Ordinance requirements pursuant to Idaho Code Section 67-6526(d). Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Middleton Mayor Darin Taylor, Middleton P&Z Official Bruce Bayne, and Deputy Clerk Monica Reeves. In a letter dated October 25, 2019, Mayor Taylor's request is to start discussions with Canyon County to determine if the City and County agree to renegotiate the Middleton area of city impact, plan, and ordinance requirements for the following reasons:

1. County Ordinance 01-006 was adopted July 6, 2001 and since then there have been significant material changes in city population, staff expertise, and demand for development in the impact area;

2. City processes, plans and ordinances have been focused and refined to implement duties placed on the city by and according to state law; and
3. The city is prepared and willing to accept more responsibilities under Idaho Code when implementing comprehensive plan policies, zoning and subdivision ordinances in the impact area.

Mayor Taylor said the City and County staff have talked about possibly expanding the area of city impact boundary north one mile from the Purple Sage boundary because the city limits now touch Purple Sage and they want to bring that to a more formal setting. Their desired outcome is to identify a direction forward on how they can have this discussion. It was noted that the existing impact area boundary was approved in 2002. Director Nilsson said we need to decide how both agencies want growth to occur in the area of city impact and then figure out which provisions and technical standards to get us there. Bruce Bayne reviewed a map showing the current impact area. A roundtable discussion followed. (Commissioner Van Beek left at 10:53 a.m.) Following comments, Director Nilsson suggested the Board direct staff to work with Middleton staff and come up with the provisions that we want to bring back to a formal meeting with the governing boards after the first of the year to deal with what standards apply. The big question is how do we want development to occur? Because of the history in Middleton we should take some time to articulate the current county developments and how they will or will not be impacted by the changes. She will follow-up with a letter that summarizes today's discussion. The meeting concluded at 11:39 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 1:35 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale arrived at 1:45 p.m., Deputy P.A. Mike Porter, Chief Public Defender Aaron Bazzoli left at 1:43 p.m., Elections Supervisor Haley Hicks, Clerk Chris Yamamoto arrived at 1:36 p.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing independent contractor agreement for Public Defender Conflict Counsel with Joshua Taylor: Mr. Taylor has been doing contract work since the summer but it was just realized that there was no contract in place. Mr. Bazzoli has reviewed to make sure all other conflict attorneys have a contract in place. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for Public Defender conflict counsel with Joshua Taylor (see agreement no. 19-188).

Consider signing a resolution designating polling locations for the December 3, 2019 election: This is for the run-off for Caldwell City Council seat 6 and being done at the request of the City

of Caldwell and behest of the Secretary of State. For several reasons, including deadlines and potential confusion regarding precinct locations, it was decided to do all the voting at the Elections office. Early voting will open on Monday November 18th and run thru November 29th. Some minor parking adjustments will be requested. There will be significant cost savings by containing the voting to one location although the City of Caldwell will be paying the costs including overtime. A run-off wasn't planned for because there hasn't been one in Canyon County since 1989. Clerk Yamamoto discussed the definition of "majority" and the 50+1 rule. He has been told Caldwell City Council will meet to amend their language to state whoever gets the most votes wins. Over 19K voter cards will be sent out and the information will be added to the website. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution designating polling locations for the December 3, 2019 election (see resolution no. 19-166).

EXECUTIVE SESSION – PERSONNEL MATTER

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 1:57 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:09 p.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 - CONSIDER REQUEST BY DAVID AND JANE SANDERS FOR A ROAD NAME CHANGE, CASE NO. RD2019-0021

The Board met today at 2:13 p.m. to conduct a public hearing in the matter of a request by David and Jane Sanders for a road name change, Case No. RD2019-0021. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, interested citizens, and Deputy Clerk Monica Reeves. The Sanders are here to request a private road name change from SG Way to Barrel Lane. It is off Plum Road, between Hoskins Road and Homedale Road. There are four properties that have an easement they use to access their property off this road, and there is a fifth property owned by Jackie Groves, it doesn't have an easement but they do have access to it and they have written a letter of support. All properties that have frontage along SG Way have signed the application and support this change. Agencies were notified and no comments or concerns were submitted to DSD, and therefore staff is recommending the Board approve the name change as requested. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Van Beek made a motion to approve the road name

change. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

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MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR TO DISCUSS GENERAL ISSUES

The Board met today at 3:03 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Commissioner Van Beek left at 3:20 p.m. A discussion was had regarding use of courtrooms; Mr. Tyler said the biggest issue with filling all the courtrooms is having enough court clerks. Mr. Tyler is hoping to get stakeholders together in January to discuss remodeling of the 2nd floor courtrooms. They are very appreciative of the additional marshal position which gives them a total of six now. Discussion was had regarding the jail and jail bond. The discussion was general in nature and no Board action was necessary or taken. The meeting concluded at 3:28 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 14, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Liquid Engineering in the amount of \$2415.00 for the Solid Waste department
- ProForce Law Enforcement in the amount of \$34,820.00 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Coronar LLC to be used 11/16/19 for a quinceanera.

APPROVED CLAIMS ORDER NO. 11/15/19

The Board of Commissioners approved payment of County claims in the amount of \$5000.00 for accounts payable.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 8:50 a.m. with county attorneys for a legal staff update and to consider signing documents related to the City of Caldwell's Urban Renew Agency. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale via teleconference left the meeting at 9:01 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Sr. System Analyst Steve Onofrei, Clerk Chris Yamamoto, Assessor Brian Stender, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Treasurer Tracie Lloyd, Sheriff Kieran Donahue left at 9:02 a.m., Security Director Joe Mueller, Doug Waterman for the City of Caldwell/Urban Renewal Board, PIO Joe Decker arrived at 8:59 a.m., Other concerned citizen and Deputy Clerk Jenen Ross. Commissioner White noted for the record that the Board received an email signed by all the elected officials requesting a discussion that involves all of the elected officials. Commissioner Dale is out of the office until November 25th, there is also an Elected Officials meeting scheduled for that day so she thinks that would be the day for that discussion should it go that way with the vote of the Commissioners, if not we'll proceed with what is on the agenda today. She feels that sincere consideration needs to be given to holding off signing on the different documents and making decisions until they've addressed the request for communication. Commissioner Dale recognized the letter received by the other Elected Officials and in light of this development feels he needs to respect his colleagues request to further discuss the revenue allocation area. He reiterated that he is a proponent of urban renewal and all the good it has accomplished and can accomplish in the future. He remains committed to finding a path for this new revenue allocation area for the City of Caldwell. He understands that the delay creates the need to refigure the numbers that are used in creating the plan and he hopes this can be accomplished without overburdening the people who have spent so much time on the development of this plan. Zach Wesley clarified for the record that the legal civil team has reviewed the documents that have been provided regarding urban renewal but that Prosecutor Taylor's statement was not made as a legal advisor but in his capacity as an elected official. Commissioner Dale understands that and wants to follow the concerns of all those other six elected officials. Commissioner Van Beek spoke about her lack of respect for the rescission of a decision made on Tuesday after conversations were had during the previous weekend with the Urban Renewal Board. She feels there should be the opportunity of the people invited here today to express their concerns. There has been information that Commissioner Dale specifically called for. Commissioner Van Beek said she spoke with the Mayor last night and he said those conditions have been met, there was an agreement that was reached, although she is not responsible for how that decision was reached, and she would like the opportunity before there is a conclusion drawn to hear the elected officials along with Mr. Waterman for the Urban Renewal Board. She feels there was ample opportunity to schedule this meeting even yesterday and she objects to the late hour of rescinding a decision made by Commissioner Dale. Commissioner White argued that Commissioner Dale is not rescinding a decision because there has not been a vote. Commissioner Dale reiterated that he is a proponent of urban renewal but in light of the letter that was received from the other elected officials their opinions need to be taken into

account. He will not change his stance in being a proponent of urban renewal but the other elected officials need to be listened to. Commissioner White said there are no decisions being rescinded we're just going to allow time for everyone to get together and have communication on this subject. Commissioner Van Beek asked that out respect to the people in the room today to hear what has been proposed, there will opportunity if Commissioner Dale so chooses to request the audio since this was a meeting for clarification of the items Commissioner Dale called for. Commissioner White said this is a 20 year decision being made and she will not make it without a full Board present. Commissioner Van Beek read into the record an email received from Beth Ineck with the City of Nampa showing a comparison of Total Building Permit Values for the City of Nampa for FY2017 and FY2018 against what Amazon will bring; the email also included a statement indicating her support of urban renewal. Commissioner Van Beek said she received confirmation this morning that the \$88K received annually to the general expense fund for the county will continue thru the 20 year period so at best we are not going to lose ground when that area develops. She would like Mr. Waterman to speak about the de-annexation language once the three conditions that were a part of Commissioner Dale's request have been fulfilled. Mr. Wesley explained there are 3 documents that work together: the resolution that would essentially adopt the decision of the City of Caldwell declaring this area in need for urban renewal; the ordinance which is the mechanism for the transfer of power between the county and the urban renewal agency – the language that is included in section 4 will find a formal place in the formal plan that the urban renewal agency adopts. Because that adoption occurs after we've done this we've included language in the ordinance that specifies that if this language is not adopted that our grant of authority is null and void. This alteration to the plan that's been proposed would provide for the de-annexation of properties in the area when certain conditions are met and the effect of that would be that they would be returned to the full tax base and taken out of that urban renewal area where the tax increment goes to the Urban Renewal Agency. The following document language was read in the record as follows: The Commissioners of the Urban Renewal Agency will de-annex a portion of the revenue allocation area under the following circumstances: A) the request is made by a taxing district affected by revenue allocation B) property for proposed de-annexation has been substantially redeveloped C) terms of any tax reimbursement agreement have been performed D) de-annexation of property will not substantially hinder further implementation of the plan and projects. This is the language that Commissioner Dale had worked with the City of Caldwell to get into the document and agreed with the City of Caldwell and the Urban Renewal Agency. Mr. Wesley believes this agreement was reached either the end of last week or beginning of this week. In response to a question by Commissioner Van Beek, he also believes that as these conditions came together that Commissioner Dale was comfortable with the language in the urban renewal document. Commissioner Van Beek stated that the area being talked about with this urban renewal area does not yet have infrastructure in place to attract business so the idea is that urban renewal will catapult an area that may never develop in that 20 years, that by putting these things in place they will attract business that will provide what everybody is concerned about; there will be a tax shift and relieve residents of some of that burden because commercial will assume and pay in their share without diminishing the return to the county of their \$88K. Mr. Waterman said this is an accurate description of the area and the point of urban renewal. He stated that the city feels the area is deteriorated or is deteriorating as

evidenced by the resolution declaring it so and they don't believe that area would develop, particularly not substantially in the next 20 years as it would if urban renewal activities were undertaken in the area. Mr. Waterman requested that any meetings take place before the end of November to still allow them the 30 days required to issue notice for the final hearing and implement the plan in 2019. Commissioner Van Beek proposes we get the questions that are relevant to the urban renewal and see if the questions that were presented in the previous meetings have either been answered or if there are additional questions. Treasurer Lloyd's concern with the document provided is that the numbers are not correct, nor has she been contacted by anyone at the city or the Urban Renewal Board. Mr. Waterman said he has information for updated levy rates that has been provided to the county. Mr. Wesley said that information was provided at 8:00 this morning and he may be the only one that has a copy at this point. Clerk Yamamoto said the group of elected officials did not come today prepared to litigate this case, he thinks to continue on with any discussion now is fruitless. A meeting has been set for the 25th and communication back and forth can start to vet these things. There are several issues they have and have not had a time to evaluate yet. Commissioner White said this is a huge decision and the entire Board is not present to take part in the conversation. Commissioner Van Beek would like to invite the City of Caldwell to the table for the next meeting in order to address any questions. Commissioner White agrees but says we do need time to make these decisions and evaluate the information provided. The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH AARON FREUDENTHAL OF IDAHO PUBLIC DEFENSE COMMISSION FOR QUARTERLY REVIEW

The Board met today at 3:06 p.m. with Aaron Freudenthal, the Regional Coordinator for the Idaho Public Defense Commission (PDC), for a quarterly review. Present were: Commissioners Pam White and Leslie Van Beek, Public Defender Aaron Bazzoli, Aaron Freudenthal, and Deputy Clerk Monica Reeves. Mr. Freudenthal introduced himself to the Board and spoke of his background and experience. With the retirement of Brianne McCoy they have combined regions temporarily and he has taken over Districts 3 and 4. He met with Aaron Bazzoli yesterday and reviewed numbers, noting there hasn't been a significant increase. They were proposing two rules about political and judicial influence, and resource equity between prosecuting and defending attorneys but they've nixed those from the table this year because a lot of the guiding authorities have these proposed rules but they don't have any specifics on how to enforce them or check that they are being met. They will work on them for a year and make sure there's some objective standards. He said resource equity between the prosecutors and public defenders sounds nice but how you check that is incredibly difficult because it compares apples to oranges. The gist of the rule is to make sure both sides have what they need to present their case. The political and judicial influence rule was aimed at where commissioners in other states have told public defenders they're spending too much money or putting too much money into a case, or, where the public defender was left holding the bill. Canyon County is not a concern; if there's ever an issue he will talk with Mr. Bazzoli and then come to the Board if necessary. The PDC

getting feedback that quarterly meetings with BOCC's is too much since they don't have much in the way of updates, so they're thinking of changing it to twice a year and the other two times he will meet with the clerks and the chief public defenders. Commissioner White likes that idea. The state is expecting budget cuts; they have a 1% rescission this year and a 2% baseline cut, assuming 3% by the end of next year. The grant funds should be the same, although workload funding may be different. Even if the budgets are decreased they have enough to increase the grants next year by the average inflation, which is 3%, so hopefully they will be on track to match everyone's budget increases. They are still facing a lawsuit that's currently stalled at the Supreme Court. The ACLU is asking for their burden showing there's potential harm to all the defendants in Idaho, and the state is asking the ACLU to show actual harm which is a much higher standard. The ACLU filed their brief for argument recently and Boundary County took some flack in it, as did the PDC, as well as a few other counties who were singled out, but Canyon County was not called out. Mr. Bazzoli said the state's side of it is there may have been an issue, but with everything they have done there is no longer an issue. He believes it will have an impact regardless of how it works out. Mr. Freudenthal will be back in the late spring or early summer and will most likely meet with Aaron Bazzoli at that time. No Board action was required or taken today. The meeting concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 15, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/15/19

The Board of Commissioners approved payment of County claims in the amount of \$30,666.36 and \$175.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 11/25/19

The Board of Commissioners approved payment of County claims in the amount of \$9841.53, \$55,654.12, \$63,235.01, \$51,154.91, \$28,576.57, \$22,394.59 and \$62,600.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Salmon Electric in the amount of \$42,000.00 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 11/30/19 for an anniversary party.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:05 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. Commissioner Van Beek spoke of a bid and purchase order that was received for Salmon Electric to do work at the Pod 6 site. She noticed performance bond information or a contract were missing and wondered if Mr. Laugheed had any additional information in regards to that. Mr. Laugheed said he was not aware of this bid and PO but asked if Director Navarro or Mr. Britton had had a chance to review; Commissioner Van Beek confirmed they had. Mr. Laugheed said that after a quick review since the dollar amount is under \$50K it would not require a formal procurement process and without that process some of the standard items aren't as necessary. Although the cumulative work being done for Pod 6 by Salmon Electric will be over \$50K, this is the first work they've done for the county; the other work was done as a sub-contractor for ADS. Based on a cursory review Mr. Laugheed doesn't see any issue with moving forward and if there were concerns he would recommend going thru an abbreviated process for procurement where there may be a declaration of emergency circumstances since time is of the essence on this project.

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:13 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters pertaining to named personnel, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:00 a.m. to consider action items. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Treasurer's tax charge adjustments by PIN for October 2019: Commissioner Van Beek gave a review of the adjustments shown this month and then made a motion to sign the Treasurer's tax charge adjustments by PIN for October 2019. The motion was seconded by Commissioner White and carried unanimously.

Consider signing a resolution for a new alcohol license for Koda Bear Winery: Commissioner Van Beek made a motion to sign the resolution for a new alcohol license for Koda Bear Winery. The motion was seconded by Commissioner White and carried unanimously. *After the meeting concluded it was brought to the Board's attention that there may be some permit/and or zoning issues. The resolution and application were pulled from today's folder for further review.*

The meeting concluded at 10:03 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

The Board met today at 10:03 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The following topics were discussed:

- Budget update
- COMPASS activities
- Impact fees
- Land use training
- Fire safety conditions/plat notes
- Building permit turnaround time

The items discussed were general in nature and did not require any action by the Board. The meeting concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 18, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office

Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

NOVEMBER 2019 TERM
CALDWELL, IDAHO NOVEMBER 19, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/25/19

The Board of Commissioners approved payment of County claims in the amount of \$173,760.43 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Sunbelt Controls in the amount of \$79,526.00 for the Facilities department
- Mountain Home Auto Ranch in the amount of \$25,201.01 for the Fleet department
- Mountain Home Auto Ranch in the amount of \$25,018.70 for the Fleet department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Oneida de la Bretonne.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Vizcaya Winery to be used 11/23/19 for a gathering.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/1/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/3/19 for a Christmas party.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/6/19 for a Christmas party.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/10/19 for a holiday party.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/13/19 for a Christmas party.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/14/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/27/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/28/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/29/19 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/2/19 for a Christmas party.

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 Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A Zach Wesley, Deputy P.A. Jim Cornwell left at 9:15 a.m., Chief Deputy P.A. Sam Laugheed arrived at 9:03 a.m., Lt. Dave Schorzman left at 9:07 a.m., DSD Director Tricia Nilsson left at 9:20 a.m., Weed and Pest Superintendent AJ Mondor left at 9:15 a.m., Facilities Director Paul Navarro, Captain Daren Ward arrived at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing the Nance Artifacts Deed of Gift by William James Nance to Canyon County: Zach Wesley explained that Mr. Nance purchased these artifacts which he believes are from the same area as Celebration Park and would like to donate them. Discussion ensued regarding the security of the rock artifacts. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Nance Artifacts Deed of Gift by William James Nance to Canyon County (see agreement no. 19-190).

Consider signing 2019 Emergency Management Performance Grant Subrecipient agreement: Lt. Schorzman said this is the annual grant determined by the state by population and size. The main function of the grant is to offset the cost of running an emergency management program. It is a \$.50 on the dollar reimbursement for primarily salary and benefits of the emergency manager and some ancillary items. This year it encompass two projects: the emergency manager salary and benefits and then to offset some of the long-term maintenance expenditures for the Motorola contract. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2019 Emergency Management Performance Grant Subrecipient agreement (see agreement no. 19-191).

Consider signing Northwest Owyhee Cooperative Weed Management Area (CWMA) memorandum of understanding between Owyhee County, Canyon County Weed & Pest Control, South Board of Control - Gem Irrigation, Idaho Department of Lands, Bureau of Land Management - Boise District Office, Idaho Department of Fish & Game - Southwest Region, Reynold's Irrigation District, and Opaline Irrigation District: Mr. Mondor said that by forming this group they are able to apply for state funds to fight noxious weeds. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Northwest Owyhee Cooperative Weed Management Area (CWMA) memorandum of understanding between Owyhee County, Canyon County Weed & Pest Control, South Board of Control - Gem Irrigation, Idaho Department of Lands, Bureau of Land Management - Boise

District Office, Idaho Department of Fish & Game - Southwest Region, Reynold's Irrigation District, and Opaline Irrigation District (see agreement no. 19-189)

As part of the legal staff update a discussion was had about the resolution granting a new alcohol beverage license to Koda Bear Winery that was approved on Friday. Director Nilsson brought to the Board's attention that the winery is not zoned appropriately nor have they obtained the proper building permits from the county or state. Mr. Wesley feels it would be appropriate to hold the license or make it contingent upon getting the proper zoning and permits. Commissioner Van Beek would like to see the license held. Director Nilsson said that as far as she knows they have not violated anything to this point and they would simply provide a courtesy notice. Commissioner Van Beek asked how the license got this far without these issues being realized. Mr. Wesley said that the process currently in place by both the state and the county recorder's office doesn't necessarily touch these issues so it could potentially be one area for review within the county's procedure. It may be good to have a procedure in place where these locations out in the county are reviewed by both the Sheriff's Office and Development Services. At this time the license will be held by Commissioner Staff and Director Nilsson will coordinate to get something formal on the agenda.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Captain Daren Ward and Deputy Clerk Jenen Ross . The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

At the conclusion of the executive session Mr. Laugheed spoke about the legal discussion that was had regarding a purchase order for DDC unit in Pod 6 that controls water and lights. In this case the purchase qualifies for sole source procurement and emergency expenditure under statute 67-2808. The Reliable Controls are used in Dale Haile detention center as well as other locations on the courthouse campus and under statute 67-2806 there is an exemption that states that when there are goods that cost between \$50K and \$100K and it's impossible to obtain 3 bids then the county just needs to make a record of that. Sunbelt Controls is the State of Idaho's supplier for the Reliable Controls and there is a preference in Idaho code to use Idaho vendors whenever possible when public entities are purchasing. This product cannot be located anywhere else in Idaho so it's appropriate to use this statutory exemption to move forward. Director Navarro read into the record exactly what the county will be getting from Sunbelt Controls (these items are

also listed on the purchase order on file in today's minutes). At the request of Commissioner Van Beek, Director Navarro spoke about the budget these items will be purchased from. The meeting concluded at 9:45 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

Then Board met today at 10:05 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Juvenile Detention Steve Jett, Assistant Director of Juvenile Detention Sean Brown, Probation Officer Matthew Isaak and Deputy Clerk Jenen Ross. The Board was updated on the following:

- Numbers are fluctuating, but seem to be down.
- A contract with Department of Juvenile Detention is in the works and Director Jett expects it will come before the Board soon; this is a contract in order for them to have kids at the juvenile detention center as they are waiting to go on to other programs. Additionally, they have met with them to run the drug and alcohol program similar to Ada County. Tomorrow they will go over to Ada County to see how their program works.
- PREA audit was completed in late September; there were just a couple items the auditor asked them to work on.
- POST will be coming up in December; a couple of his employees will be instructing.
- Mr. Isaak recently took part in a training held in Salt Lake City and gave a review of what he learned.
- Director Jett spoke about the garden and reasons why it can't be used as part of meal planning in the detention centers.

The meeting concluded at 10:20 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 10:20 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Director Breach updated the Board on the following:

- Tomorrow they are doing a breakfast open house and invited the Board to attend.

- Provided a stat review: ended the month with 1353 active cases, 489 bench warrants, community service cases have leveled out at 288 with 13 reoccurring problem solving court cases.
- A new PO will be starting next week.
- Domestic Violence Court is still being worked on.
- The remodel of the breakroom is now complete.
- Director Breach will be out of the office the first week of December.

Ms. Catalano updated the Board on the following:

- Reviewed the annual report she will have to submit to the Idaho Department of Juvenile corrections; a copy of the report is on file with this day's minutes.
- She has been in communication with Optum Idaho who funds the kickball tournament, recently they reached out looking for more ways they can further support the community. Ms. Catalano said there are not enough recreational activities so they have created a survey for their clients to find out what they need.
- Discussion took place regarding resources available in the county.

The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 20, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 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 \$32,018.00 for the Fleet department/ Sheriff's Office
- Axon Enterprise, Inc. in the amount of \$34,800.00 for the Sheriff's Office
- DataBank in the amount of \$10,000.00 for the Information Technology department
- Carousel Industries in the amount of \$4967.99 for the Information Technology department

APPROVED CLAIMS ORDER NO. 11/25/19

The Board of Commissioners approved payment of County claims in the amount of \$44,926.37, \$80,272.16, \$284,390.14 and \$46,962.25 for accounts payable.

APPROVED CLAIMS ORDER NO. 2004

The Board of Commissioners approved payment of County claims in the amount of \$1,723,739.45 for a County payroll.

TAX DEED PROPERTY SALE/SURPLUS PROPERTY AUCTION; AND CONSIDER SIGNING A RESOLUTION AUTHORIZING THE GRANTING OF REAL PROPERTY TO OTHER POLITICAL SUBDIVISION OR TAXING DISTRICT

The Board met today at 9:02 a.m. to conduct a tax deed property sale/surplus property auction and to consider signing a resolution authorizing the granting of real property to other political subdivision or taxing district. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Deputy P.A. Brad Goodsell, Elizabeth Wallace, Cedric Eells, Juan Arriaga, Mike Dittenber from the Caldwell Housing Authority, Andy Rodriguez from the Nampa Housing Authority, Jeff Dunmeyer, interested citizens, and Deputy Clerk Monica Reeves. Commissioner White read a script outlining today's bid process. Since the notice was published, two properties (Parcel No. 2 and Parcel No. 3) have been removed for legal reasons and they are no longer part of this sale. The only property to be auctioned today is Parcel No. 1:

PIN: 224260000, located at 19510 Lori Dr., in Caldwell

The minimum bid is \$5,507.86

The property sold to Elizabeth Dian Wallace for \$49,000

After the tax deed sale the Board considered the resolution authorizing the granting of real property to other political subdivision or taxing district. Brad Goodsell said some of the properties are transferred to other government entities and this year the Nampa Housing Authority and the Caldwell Housing Authority have each requested the County transfer a property to each respectively. The County published notice of its intent to transfer the properties and today is the time to see if there are any objections or comments on the transfer. Jeff Dunmeyer questioned what kind of entity the housing authority is. Mike Dittenber, the Director of the Caldwell Housing Authority, said the housing authorities find their authority under Idaho Code Title 50, Section 19. It also runs parallel to Idaho Code Title 50, Section 20 which is the urban renewal code. We were created for the purpose of examining conditions that look at slum and blight and providing housing to those who are under-housed in our communities. We are a political subdivision and we do have the legal authority of the state to be in possession of property transferred from the County. Mr. Dunmeyer thanked Mr. Dittenber for the information. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board

voted unanimously to close public testimony. The property transferred to the Caldwell Housing Authority is one block west of the courthouse on Albany Street (Parcel No. 05033000 0). It's an abandoned property. Pursuant to the agreements with both agencies they will rehab these properties or they will demolish them and build something else. They are engaging in a renewal of the neighborhoods and providing low income housing. The parcel in Nampa is identified as Parcel No. 314892780. Treasurer Lloyd said someone is living there and she spoke with him and she tried a second time to speak with the person but she was not able to speak with him directly but she did post some notes on his door. Through this transfer process the County does cover its costs. Andy Rodriguez from the Nampa Housing Authority said in the past they have dealt with this where the individual is still on the property and they talk with them to try to remedy the situation. In most cases they are not trying to kick them out, nor are they in a hurry to rehab the property simply because they have to get a clean title and that takes almost a year to do that. They have a process they follow. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to authorize the transfer of County property by quitclaim deed to the Nampa Housing Authority and the Caldwell Housing Authority. (See Resolution No. 19-167.) As a result of the approval of the resolution the Board was authorized to sign the two quitclaim deeds for the transferred properties. The hearing concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY CANYON COUNTY PROPOSING TO AMEND THE ZONING MAP TO ASSIGN A ZONE TO A 0.169 ACRE PORTION OF PROPERTY DE-ANNEXED FROM THE CITY OF CALDWELL, CASE NO. RZ2019-0030

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of a request by Canyon County to amend the zoning map to assign a zone to 0.169 acres of Parcel No. R34062 which was de-annexed from the City of Caldwell, Case No. RZ2019-0030. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Deb Root, and Deputy Clerk Monica Reeves. Deb Root gave the oral staff report. We are here to assign a zone to a de-annexed property from the City of Caldwell which is a 0.169 acre piece of Parcel No. R34062, which remains in the City of Caldwell and is zoned residential. The 0.169 acres is proposed to be property boundary adjusted into the residential parcel that lies to the north of it. The property in the surrounding area is zoned agricultural and staff is recommending the Board assign the "A" (Agricultural) zone designation to the 0.169 acre piece of property. This came about because Nampa Paving (for Woodland Properties) asked to de-annex the property to match some property boundary and fence lines that are part of the residential property they sold to the adjacent owner. The property is located near the intersection of Midland Boulevard and Lincoln Road. Last year Nampa Paving obtained a conditional use permit for a mineral extraction operation and that property also had to be zoned, it had been de-annexed from the City of Caldwell, and DSD applied the agricultural zone to that property. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek made a motion to amend the zoning map to assign a zone to the 0.169 acre portion of Parcel No. R34062 which has been de-annexed from

the City of Caldwell by Bill No. 5, Ordinance No. 3197, recorded as Instrument No. 2019-019390 on May 8, 2019, and to assign an “A” Agricultural Zone, and to sign findings of fact, conclusions of law, and order as well as the ordinance directing amendments to the Canyon County Zoning Map for Case No. RZ2019-0030. The motion was seconded by Commissioner White and carried unanimously. (See Ordinance No. 19-049.) The hearing concluded at 1:40 p.m. An audio recording 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 2:32 p.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following:

- The auction went well with everything selling; the last Crown Victoria will leave tomorrow.
- The truck previously used as the SWAT vehicle will be destroyed as it cannot be passed on to another county for liability reasons. The tires will be removed prior to it being destroyed and once it is crushed the county will be paid for the value of the metal which is estimated at about \$265.
- The new technician is up and running.
- Currently county vehicles have been operating three different GIS systems but he’s had the opportunity to get them all on one system so they’ve been working to get everything changed over.
- A discussion was had about Mr. Tolman’s job title of Manager vs. Director.

The meeting concluded at 2:43 p.m. An audio recording is on file in the Commissioners’ Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 21, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/25/19

The Board of Commissioners approved payment of County claims in the amount of \$29,076.69, \$6472.00, \$79,006.21 and \$246.41 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, 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: 2020-0005, 2020-0020, 2020-0069, 2020-0008, 2020-0001, 2020-0124, 2020-0018, 2020-0030, 2020-0172, 2020-0019, 2020-0002, 2020-0088, 2020-0003, 2020-0067, 2020-0141, 2020-0061, 2020-0068, 2020-0012, 2020-0010, 2020-0006, 2020-0152 and 2020-0009. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials on the cases as read into the record with written decision to be issued within 30 days.

Commissioner Van Beek made a motion to issue approvals for case nos. 2020-0086 and 2020-0015. The motion was seconded by Commissioner White and carried unanimously

The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 8:59 a.m. for medical indigency hearings. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 8:59 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 White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:11 a.m. with no decision being called for in open session.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-467

The Board met today at 9:12 a.m. to conduct a medical indigency hearing for case no. 2019-467. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to January 16, 2020. The hearing concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-877 AND 2019-906

The Board met today at 9:28 a.m. to conduct a medical indigency hearing for case nos. 2019-877 and 2019-906. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Dahlia Torres for St. Lukes, Applicant and Deputy Clerk Jenen Ross.

After discussion was had on the record a request was made to go into Executive Session as follows:

Commissioner White made a motion to go into Executive Session at 10:28 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:37 a.m.

At the conclusion of the executive session Commissioner Van Beek made a motion to deny case nos. 2019-877 and 2019-906. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:39 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1232

The Board met today at 10:44 a.m. to conduct a medical indigency hearing for case no. 2019-1232. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, 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, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to place the case into suspension with the understanding as stated by Director Baker. The hearing concluded at 11:14 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-1170 AND 2019-1340

The Board met today at 11:18 a.m. to conduct a medical indigency hearing for case nos. 2019-1170 and 2019-1340. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny both cases. The hearing concluded at 11:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-817

The Board met today at 11:34 a.m. to conduct a medical indigency hearing for case no. 2019-817. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Elizabeth Sonnichsen for St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Timothy Ryan for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to place the case into suspension. The hearing concluded at 11:41 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-856

The Board met today at 11:34 a.m. to conduct a medical indigency hearing for case no. 2019-856. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Michelle Davis for St. Lukes and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Van Beek and second by

Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 11:49 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 11:53 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-1150, 2019-1171, 2019-1093, 2019-1186, 2019-1029, 2019-1154 and 2019-1219. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to issue final approvals with written decisions on case nos. 2019-930 and 2019-928. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 12:00 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell left at 12:06 p.m., Deputy Treasurer Tonya May left at 12:03 p.m., Chief Public Defender Aaron Bazzoli left at 12:06 p.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution authorizing the issuance of quitclaim deeds to successful bidders at the November 20, 2019 auction of surplus property: This property sold to Elizabeth Wallace who has tendered a cashier's check. The debt to the county has been resolved and excess funds will be handled accordingly. Upon the motion of Commissioner Van Beek 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 20, 2019 auction of surplus property (see resolution no. 19-168).

Consider signing independent contractor agreement for Public Defender Conflict Counsel with John Kormanik: Mr. Bazzoli said the fully executed agreement couldn't be located so this is just to make everything fully complete. Upon the motion of Commissioner White and second

by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement for Public Defender conflict counsel with John Kormanik (see agreement no. 19-192).

Consider making reappointments to the Canyon County Planning and Zoning Commission:

There are three P&Z Commissioners up for renewal who have been serving and want to continue to serve. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolutions making reappointments to the Canyon County Planning and Zoning Commission. The following were appointed: Robert Sturgill (see resolution no. 19-169), John Carpenter (see resolution no. 19-170) and Sandi Levi (see resolution no. 19-171).

The meeting concluded at 12:08 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 22, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale – out of the office
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/25/19

The Board of Commissioners approved payment of County claims in the amount of \$23.00 for accounts payable.

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Lori Berry.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Right! Systems Inc. in the amount of \$1192.00 for the Information Technology department
- Imprint City in the amount of \$2798.18 for the Facilities department
- Pacific Steel & Recycling in the amount of \$7411.57 for the Parks department

- SBI Contracting Inc. in the amount of \$2195.00 for the Parks department

LEGAL STAFF UPDATE AND CONSIDER NOVEMBER 22, 2019 AGENDA ITEMS

The Board met today at 9:00 a.m. for a legal staff update and to consider signing the November 2, 2019 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Landfill Director David Loper, HR Director Sue Baumgart, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider Signing Notice of Sole Source Procurement for a Caterpillar Model D8T Tractor; and Consider authorizing the Landfill Director to Sign Purchase Order for Caterpillar Model D8T Tractor that is Contingent on Approval of Sole Source Procurement - Director Loper said this is the dozer he's been talking about for the last several months and for FY2020 he budgeted \$500,000 for its purchase. The reason for the sole source is because he is requesting a mechanical-driven dozer with a high drive so that the differentials and the final drives are out of the waste. Caterpillar is the only manufacturer of this particular design, and instead of buying a new dozer for nearly \$1 million he decided to purchase a good used dozer because of the application they use it in. It should last 10-15 years because they don't put as many hours on a dozer that they do on a loader or compactor. The transmission comes with a one-year warranty and there aren't any delivery costs. He needs this transaction done by the end of December because the price will go up in 2020. Brad Goodsell said the purchase order is contingent on the Board ultimately approving the sole source so this will come back for a hearing December 13 and at that time if the Board approves the sole source the purchase order will already have been signed and they will get this ready to ship because one of the conditions is this has to be shipped by December 27th. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the notice of sole source procurement for the Caterpillar Model D8T Tractor as presented. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to authorize Director Loper to sign the purchase order for the Caterpillar Model D8T Tractor that is contingent upon the approval of the sole source procurement because of the deadlines and the conditions that meet the sole source requirement in the notice.

Consider signing Renewal Agreement with Delta Dental – Mr. Wesley and Ms. Baumgart spoke about this stating it's a renewal to some extent. The Board recently signed the rate agreement for the year and when we returned that Delta asked us to sign a formal agreement which we haven't done before. The benefits have not changed, the only change was with the added benefit where people could get additional cleaning besides twice a year if the dentist recommended it, at no additional cost. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the renewal agreement with Delta Dental as presented. (See Agreement No. 19-193.)

Consider signing the Findings of Facts, Conclusions of Law & Order, Development Agreement, and Ordinance for the Ed Bowman Conditional Rezone Request, Case No. CR2019-0008 - The hearing was held on October 31st and the request was approved subject to changes and staff was directed to bring back the findings, and the ordinance, and development agreement on November 22; however, the applicant is not here today to sign the agreement. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reschedule the matter to Monday, November 25, 2019 at 9:00 a.m.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:18 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, 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 Van Beek made a motion to go into Executive Session at 9:18 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 Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:48 a.m. with no decision being called for in open session.

Consider signing a resolution granting a new alcohol beverage license to Chop Shop, LLC, dba Chop Shop – Upon the motion of Commissioner Van Beek and the second by Commissioner White the Board voted unanimously to approve the new alcohol beverage license to Chop Shop, LLC, dba Chop Shop. (See Resolution No. 19-172.)

The meeting concluded at 9:50 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY RICH AND RHONDA PICKETT FOR APPROVAL OF THE PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, AND FINAL PLAT FOR PICKETT PLACE SUBDIVISION, CASE NO. SD2018-0002

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by TJ Wellard on behalf of Rich and Rhonda Pickett for approval of the preliminary plat, irrigation and drainage plan, and the final plat for Pickett Place Subdivision, Case No. SD2018-0002. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Deb Root, TJ Wellard, Rich and Rhonda Pickett, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Deb Root

gave the oral staff report. The applicant has provided a preliminary plat and final plat in accord with the development agreement. The dedication of right-of-way has been shown on the plat and the lots are divided in accordance with the development agreement requirements of approximately five acres, and although the lots are a little less than five acres it's because of the road right-of-way dedication. The preliminary plat, drainage plan and final plat have been reviewed for compliance with the county code and state statutes, and the checklist has been reviewed by staff and by Keller Associates. Staff has received the recorded water users' maintenance agreement for the irrigation plan. The development will consist of three residential lots, one which already has a home and accessory structures on it. The shared driveway access is in accordance with the highway district's requirements. There are no outstanding items that can be addressed at the platting stage. TJ Wellard testified the project will be served by individual wells and septic systems and that there is a joint access for the two new lots. Upon the motion of Commissioner Van Beek 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 Van Beek, the Board voted unanimously to approve the preliminary plat, irrigation and drainage plan and final plat for Pickett Place Subdivision and to sign the findings of fact, conclusions of law and order. The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH SECURITY DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:35 a.m. with the Security Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Security Director Joe Mueller, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Mr. Laugheed said it was his understanding there was the possibility of an executive session so he and Mr. Porter are present if they are needed; they are not here for Mr. Mueller's regular update. Commissioner White said the Board was going to be debriefed about an issue that occurred in the courthouse. Director Mueller said he had planned to provide information about the incident for awareness purposes. It was decided that an Executive Session should be held:

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

Commissioner Van Beek made a motion to go into Executive Session at 10:36 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 White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Director Joe Mueller, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike

Porter, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:35 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.

MEETING TO CONSIDER SIGNING ADDENDUM TO FY20 PICKLES BUTTE LANDFILL MONITORING WELL PROJECT

The Board met today at 1:31 p.m. to consider signing the addendum to FY20 Pickles Butte Landfill Monitoring Well Project. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Landfill Director David Loper and Deputy Clerk Jenen Ross.

Consider signing addendum to FY20 Pickles Butte Landfill Monitoring Well Project: There were two sets of questions received from potential bidders. Director Loper and Mr. Goodsell reviewed and answered the questions. The addendum with answers will be sent to potential bidders that the original packets were sent to. A discussion ensued regarding the RFB and details about the project. Along with the addendum a cover letter will be signed by Director Loper. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the addendum to FY20 Pickles Butte Landfill Monitoring Well project.

The meeting concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2019 TERM
CALDWELL, IDAHO NOVEMBER 25, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BMC in the amount of \$3045.00 for the Parks 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 Pam White, Tom Dale and Leslie Van Beek, DSD Planner Tricia Nilsson left at 9:08 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:22 a.m., HR Generalist Ellen Cahalan left at 9:22 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing findings of facts, conclusion of law & order, development agreement and ordinance; Case No. CR2019-0008: Commissioner Dale made a motion to continue the signing to 9:00 a.m. on Monday December, 2nd so that the original documents can be obtained. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing a resolution to adopt the changes to the title, job description and salary change of one (1) position in the Sheriff's office for fiscal year 2020: Chief Dashiell explained that Lt. Schorzman will be retiring this week and along with his lieutenant duties he was also tasked as the Emergency Coordinator. Knowing that Lt. Schorzman's retirement was imminent they have planned for the emergency management tasks to be taken over by Christine Wendelsdorf. She will not be law enforcement officer, they are moving away from the lieutenants' position crossed over and requesting the job title change to Emergency Manager from Emergency Coordinator in the description and also for the PCN. Chief Dashiell provided a history of the position and how Ms. Wendelsdorf will be able to fill this role well. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution to adopt the changes to the title, job description and salary change of one position in the Sheriff's Office for FY20 (see resolution no. 19-174). Further discussion ensued about the history of the Emergency Management position and the Board's role in selection of personnel and how that falls to each Elected Official.

Consider signing a resolution for a new alcohol license for V-Cut Lounge: Commissioner Dale said he has reviewed the application and sees no reason not to sign then made motion to sign the resolution. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 19-173).

The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY ELECTED OFFICIALS' MEETING

The Board met today at 9:40 a.m. for the monthly elected officials' meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Assessor Brian Stender, Sheriff Kieran Donahue, Chief

Deputy Sheriff Marv Dashiell, Controller Zach Wagoner, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, PIO Joe Decker, Sr. System Analyst Steve Onofrei, Julie Yamamoto, Rachel Spacek from the Idaho Press-Tribune, Wayne Hoffman from the Freedom Foundation, other interested citizens and Deputy Clerk Monica Reeves. Coroner Jennifer Crawford arrived at 10:13 a.m. Today's meeting topic is the City of Caldwell's request to establish a new revenue allocation area (RAA). A couple of weeks ago there was a vote taken to put it on hold until the Board had an opportunity to discuss the issue with all the elected officials who sent communication stating their desire that the Board delay action until they could discuss the ramifications of the RAA. Prosecutor Taylor said there are a number of questions that need to be answered and he looks forward to hearing what the city's intent is. Treasurer Lloyd spoke to city's legal counsel about her questions and she is still waiting for their clarification on those issues. The city did not include the flood district in their plan because it's outside the urban renewal district, but the Treasurer disagrees with that position. There are 58 PINS that are affected by the flood district and so she's identified those for city officials. They did, however, change the levy information that was discussed previously and now it appears to be correct as far as she knows. Commissioner Dale said the primary concern is how to mitigate the impact of an urban renewal district on the County's ability to budget for its needs. Two fundamental ideas have been put forth, one was the de-annexation idea that Assessor Stender brought up that was partially addressed in the last proposal, but it still left the decision point with the urban renewal board with no requirement. The second idea is similar to what the City of Nampa did with its present urban renewal district in exempting the Vallivue School District from that tax increment. In order to make that work there would have to be an allowance made for the fact that nearly all of this ground is outside of the city and the predominant taxes collected would be the Caldwell School District. The idea Commissioner Dale proposed was to look at that and have a flat rate of 30% or 20% of the dollars collected in that area which would normally come to the County, still come to the County which would allow us to budget with good predictability and know we're not going to be hurt by that urban renewal district. Commissioner Van Beek said she heard the \$88,000 a year that's collected in taxes on the \$20 million assessed value is going to continue to come to the County. What's the balance of weighing the growth and the termination of the RAA and the \$450 million that will come back and the County's portion of that against potentially no growth in that area without some type of a catalyst? Commissioner Dale said if we remove 20%-25% of their calculation they would still be able to complete the projects but it might take longer to reimburse the developers they anticipate will contribute by building the infrastructure first and then get reimbursed later. Commissioner Van Beek said it would impede their ability to develop the plan as they have outlined with their development timelines. Sheriff Donahue likes Commissioner Dale's idea and he said we need to protect the County and its financial needs because we have statutory mandates that we have to provide and to allow the city to take all the money out there and leave the County holding nothing is the wrong approach. Commissioner White said she believes the jail could be an economic driver for any area it's in, but she doesn't believe urban renewal is necessary, it's a 20-year albatross around the citizens' necks. Clerk Yamamoto agrees. Treasurer Lloyd said the Treasure Valley is facing serious issues and for us to send the message of we don't need this money is totally wrong. We have to fund mandated services. Sheriff Donahue is not a fan of urban renewal because the tax has to be made up by

someone else. The County owns land out there and we fought tooth and nail to keep it because there is no other land that will accommodate the jail needs. He questioned if the city has an alternate motive for that land. Clerk Yamamoto said the Board is being pressured to get this done because with the limitations within the law it has to be done by December 3rd so they can retroactive into 2019. The County needs to take some time and fully vet this. There was discussion regarding the city's notification of property owners within the area. The Sheriff spoke of how they are getting more pressure to provide patrol services and detention services and they are tasked with coming to the Board to request additional personnel. Discussion ensued regarding the rise in property taxes. Clerk Yamamoto said if the Board approves this new RAA it's anti-taxpayer. Sheriff Donahue said Representative Mike Moyle said last week that counties aren't doing a good job budgeting but they'll have to do better and tighten their belts, and he's also of the opinion that counties need to stop accepting state inmates but the Sheriff said there is zero logic in that statement as the counties are mandated to accept state inmates. The County needs to slow down until we know the details of the RAA. Assessor Stender said people are concerned about their property tax bill and he sees this as hampering the ability for property taxes to be reduced. We will see growth happen in the area and he believes this urban renewal will accelerate it and when we have some of those industrial facilities it will help reduce the levy rates, but 20 years is a long time for property owners to see a reduction in their taxes. He's reviewed the plan and he has a lot of concerns, one is about the parking garage that's included in the plan at a little over \$7 million, and the other is the cost for remediation of property. Commissioner White also questioned the remediation of gravel pits and why taxpayers would pay for that. Assessor Stender said the more he looks at the plan the more questions he has and he believes we should address that with the city this afternoon. There was further discussion regarding the city's project costs and plans for annexation. Zach Wagoner said once it's annexed into the city it won't generate money for the city, it will generate money for the URA and the County levy will not go away, it will be in addition to and on top of the County's levy. He's heard the number \$88,000 mentioned today, but that number is not correct, it's based on old levy rates. The correct number for the County's share of the base would be \$75,000. His concern is for the property taxpayers. The County carries out mandated services and if this area is designated as an RAA those incremental taxes are diverted away from the taxpayers and the County. Commissioner Dale's idea of a revenue split is a great idea and that idea works if there's no growth there's nothing to share. The current RAA has roughly 3,000-4,000 residential properties and we levy \$250 per resident so with 10,000 residents in the current RAA the cost to provide services is \$2.5 million. The County receives \$350,000 in base property tax so the need for services is \$2.5 million and the revenue is \$350,000 that's over a \$2 million shortfall that has to be made up of taxpayers outside the RAA. When it expires in 2023 we could potentially receive a new construction boost, but what are we doing for those taxpayers today. Prosecutor Taylor said there's a lot of wisdom in slowing the train down and said it might be prudent to have the urban renewal board meet with the elected officials and answer those questions. We've had many conversations about trying to develop a long-term Canyon County strategic plan, but if we don't even know what our plan is why are we going to commit to 20 years of urban renewal. Commissioner Dale said we have a 2:30 meeting today with the city and it will give us a chance to ask those questions. Commissioner White does not think this proposal is necessary. The City

of Caldwell is innovative and they have used urban renewal in a good way and the growth won't stop if we don't approve a 20-year urban renewal district. It's time for us to grow on our own merits and our own means. She hates urban renewal; usually the intent is good and the purpose is valuable, but it's complicated and misunderstood and it's misused and abused. She said the legislature has put that tool (urban renewal) in the County's finance basket, but they won't allow a local option tax. Commissioner Dale said the legislature allows us very few tools to use and we have to maximize the effectiveness of those tools and determine how to work those tools to their greatest maximum production for the needs we have to provide. His intent is to hold the County harmless as much as possible in this type of setting. There are some needs in that area that are blighted and will need some incentive to address those needs and as long as the County is held harmless he is okay with it. He agrees with Commissioner White in that it's interesting the legislature allows counties to do things with property tax but they won't allow us to ask our voters if they would impose a 1% local option sales tax. The state needs to allow other buckets, don't diminish the one we have. Commissioner Van Beek said there have been good questions brought forth and we want to do the very best job for the cities and the counties and she's looking forward to strengthening partnerships. Commissioner Dale invited the elected officials to attend this afternoon's meeting with city officials. The meeting concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT FOR OAK RIDGE ESTATES

The Board met today at 1:33 p.m. for a public hearing in the matter of a request by Corey Blaine for a preliminary plat and an irrigation and drainage plan for Oak Ridge Estates Subdivision, Case No. SD2019-0028. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Jay Walker, Corey Blaine, Brett Wilson, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. This property is zoned R-1 (Single Family Residential) and is located within a nitrate priority area and part of the platting of this site is a level I nutrient pathogen study had been submitted. The project contains 27 residential lots and 3 common lots and will utilize individual wells and septic systems, and it will utilize pressurized irrigation and internal public roads. Keller Associates has reviewed the plat. The P&Z Commission has recommended approval and staff is also recommending approval with the conditions of approval. Jay Walker testified in support of the request stating the developers are excited to bring larger estate lots that will beautify the area. Oak River Homes, LLC, has capability of doing some of the infrastructure improvements and they also build a great product and they will ensure a high quality product. They have responded to the substantive comments from the County engineer and made corrections to the preliminary plat and plans accordingly except for those ongoing conditions that will be part of the approval of the plat. They have done due diligence and addressed the highway district's comments on access and are agreeable to the additional right-of-way to accommodate the collector road status of Freezeout Road in fronting this property. They have addressed the nitrate priority area and have done extensive soils and ground water testing and have met with the Black Canyon Irrigation District and are expecting approved plans for irrigation. The Bureau of Reclamation has approved it, they're just waiting

for the consent to use. The developers are agreeable to a pressurized irrigation system that will provide risers to the lots, including the open space lots. They have met with the neighbors to the south and west to discuss plans for the project. Following his testimony Mr. Walker responded to questions from the Board. Brett Wilson stated they are going to landscape the common lots which will have irrigation risers. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale said it looks like all approvals have been met, and it's in order and the drainage plan has been explained and it sounds like it's up to code. Commissioner Van Beek supports approval of the preliminary plat. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat, irrigation and drainage plan and sign the findings of fact, conclusions of law, and order for Oak Ridge Estates Subdivision. The hearing concluded at 1:59 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CITY OF CALDWELL TO DISCUSS URBAN RENEWAL

The Board met today at 2:31 p.m. with the City of Caldwell to discuss urban renewal. Present were: Commissioners Pam White, Leslie Van Beek and Tom Dale, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Controller Zach Wagoner, PIO Joe Decker, Director of Security Joe Mueller, Attorney Mark Hilty for the City of Caldwell and the Urban Renewal Agency, Doug Waterman for the City of Caldwell/Urban Renewal Board, Rachel Spacek from the Idaho Press Tribune, Other concerned citizens, Steve Onofrei arrived at 2:36 p.m., Sheriff Donahue arrived at 2:41 p.m., Larry Olmsted, Hubert Osborn, Larry Stevenson and Deputy Clerk Jenen Ross.

Commissioner White asked about the reclamation of a gravel pit with the use of urban renewal monies. Mr. Hilty said the area has some fairly extensive un-reclaimed mine sites which will be problematic to rehabilitate. It is a huge disincentive to redevelopment and the idea was that at some point the agency in this new area may acquire those sites from the property owner who probably can't make the numbers work in the foreseeable future to filling or converting those sites and there would be some funds available if there needed to be help in moving and hauling dirt or creating ponds and recreation areas. It's not available for the money to be paid over to private individuals for their own improvements, it would only be available if that property was acquired by the agency and then there might be some money available to help it into whatever its next highest and best use is. At that point the agency would divest itself of the property unless it would have some kind of public use. If it were going to be sold to a developer for residential uses the agency would then have to sell it and the law is that it would have to be sold for its fair value. Mr. Hilty said in that area there is one pit that is just beginning, there is an 80 acre pit that he believes is mined out and then there are additional pits that are north of Hwy 20/26 so of the approximately 850 acres there is a significant portion that have been sitting as un-reclaimed mine sites for many years and that looks like it'll be the future of those properties without some funds

available. Commissioner Van Beek clarified that it really is an effort to help catapult that development forward in this plan and not to leave it as an unclaimed abandoned pit.

Commissioner White said a citizen question came up in the morning meeting about urban renewal funds being used for Caldwell High School. Mr. Hilty explained that there was an amended plan from 2014 in order to try to work with the taxing districts that were affected by the reallocation of tax dollars. This was the school district's effort to address its recreation facility, primarily sports and theater. It was the opinion of the Commissioners at the time that it met with the plan both in terms of assisting taxing districts affected by reallocation and met the plan language for recreational facilities. That project came forward under a 1998 plan where there was greater flexibility in terms of establishing and pursuing plans. In the new plan it would not be allowed. At the request of Commissioner Van Beek, Mr. Hilty spoke about the TVCC building in downtown Caldwell and the benefit it has provided to the community. Additionally, he spoke about how the building is being rented to TVCC and that they pay a lease payment to the agency. The building will be transferred to the City of Caldwell, which is common when a revenue allocation area sunsets.

Another question from the morning meeting was about the exit strategy for the current plan. Mr. Hilty said from a practical standpoint they forecasted revenue and they're looking for projects; the plan is to spend the revenue on urban renewal projects. Mr. Waterman said there are two years left on the current plan and the wind-up procedure is all lined out in the code. At the point the agency determines they have enough funding to complete all of its projects already planned then they will send notice to the tax commission and that will terminate the plan. The thing that triggers it is having sufficient revenue to cover the outstanding projects. Commissioner Dale said that although he is not intimately familiar with the Caldwell urban renewal plan he is very familiar with the Nampa's urban renewal plan which states that when the projects as outlined in the plan at its inception are completed and paid for the urban renewal district sunsets. His understanding here is that Caldwell is looking for projects to spend the money on and assumes the projects outlined in the plan have been completed. Mr. Hilty explained that the plan is to spend the urban renewal dollars on urban renewal projects – those projects are not spelled out in the existing plan in the same level of detail as the plan asking to be considered today because there has been a change in the law. The 1998 plan spoke to projects in very general terms so as long as the agency can find projects that fit those parameters then they're going to pursue those. Under the new plan you have to articulate your project and cost estimates, additionally there are restrictions on amending the plan. One of the challenges in crafting the new plan is that it is an inexact science in trying to forecast revenue and project costs 15 years from now. They've tried to think very broadly to provide decisions makers at that time options. When the projects that have been outlined here are done, which could happen sooner rather than later depending on when the development starts and how soon the increment starts to come in and how soon the property is annexed into the city because that will affect the amount of allocated revenue. If that happens very quickly and they get to the end of their project list then they're done. They can amend the list to add projects which would reset the base assessment; it's not an unreasonable thing to consider when you've reached the end of your planned projects. Commissioner Dale

asked if it has ever been considered to return the money to the taxing entities once all the major goals have been accomplished and sunset the urban renewal agency this year. Mr. Hilty said the plan was made by the Commissioners that they were going to consider projects. Commissioner White asked if giving the money back to the taxing districts is something that could be done legally by the urban renewal district. Mr. Waterman said the method for ending a plan is when cost hits revenue. When you have revenue beyond projects costs it is his understanding that it is returned to the taxing districts but it offsets budget in that year and because new construction doesn't roll in in that year it would drop levy rates in a given year when new construction can be utilized to adjust budgets upward and then in the following year levy rates would spring back up but you would have less new construction. In response to a question from Commissioner Van Beek, Mr. Waterman said they have set out projects, there is dollar amount associated with the projects and at some point in the future the dollar amount is changing as construction costs change but as they hit that dollar amount with revenue they must notify the tax commission and terminate the plan at that point, they don't have the same control as they do in the current plan. Commissioner Dale said it was clear to him that there are questions from this morning's Elected Officials meeting that they would still like to have answered. He said that the Assessor asked earlier about the identified project of a parking garage, he feels maybe that was put in there just in case there was more money but doesn't think you'd put a parking garage in this area as there really isn't a need for one. He feels it may just be a way to keep the plan rolling and collect more money. Mr. Hilty said it's been clear in substance what they've been trying to do for over a year and the plan has been delivered in draft form for months, they are happy to try to answer questions that were raised this morning but wish they would have been asked at a better time. The parking structure may prove to be a very viable, very important thing in this area depending on how it develops. It's a 20 year plan, we don't know. Right now it doesn't look like it is something they're likely to get to or is going to make sense to do – that may very well be the case and he understands why it raises eyebrows. The reason it's in the plan is because if they don't put it in the plan they can't build it. So they are trying to hedge, under the existing law, against what the features that might be wanted or desired in this area in ways that are difficult to see at this time. It might not be a project that makes sense. It may be a critical project – we just don't know at this time. They do know this, if they don't make a plan and estimate for it, it's not a possibility. When they were here before Mr. Hilty believes they were candid that this particular project may not get done but they are trying to work thru the plan under the rules that have been given by the legislature which are difficult when they want them to forecast valuable important projects and costs 20 years into the future.

Commissioner Van Beek asked about flood district 11 and the taxing districts contained in there and asked Mr. Hilty to talk about how that is levied – by acre, by value and then the impact of those 58 parcels and what's been assigned there and the impact on the overall project. Mr. Hilty said to the extent that there are minor issues that have been overlooked in the plan or things that need to be tweaked, that has always been a possibility, in fairness there have been requests that they can't accommodate. If we've overlooked something and if this is being brought forward constructively and in good faith then they can certainly adjust the plan or they would have been able to prior to the hearing that they hoped would take place on December 16th. There may be

some things in the plan that need to be adjusted even after it's adopted. The code allows you to amend your plan to address ministerial type issues, oversights and make those kinds of corrections, they are open to friendly, open, constructive, encouraging criticisms that can be added to the plan. Mr. Waterman said he received an email with a couple questions and was able to speak with Mr. Waite this morning about those and he is still trying to verify whether or not the flood district qualifies as a taxing district as defined in the urban renewal law. This is the type of cooperative, ministerial change that they were expecting at this point and are more than happy to make.

Commissioner Dale said a couple questions that were brought up in the last month were in regard to school district levies as school district bond levies are exempt from increment financing and it appears that was not backed out of the revenue projection stream. Mr. Waterman said supplement bond levies post 12/31/07 are exempt, that was known by Mr. Waite while creating the feasibility study and he factored that into the numbers. He has listed the total levy rates in the page that you've seen but was aware of the limitation on revenue generated by school bond levies when he put together the feasibility study. Commissioner Dale asked about levy rates as ground becomes annexed into the city. Mr. Hilty said the base assessment roll, which is the current valuation out there, is not static during the life of the agency. Much of the property has agricultural exemptions on it and to the extent that the underlying dirt increases in value as a result of urban renewal activity that will increase the base assessment roll for the taxing districts. As it comes into the city it certainly may increase in value as a result of that as well. Taxes go up because now you have the city's tax increment assessed against the property as well. The base assessment roll does not mean that the county is not going to see increases in value. Commissioner Dale said as whatever gets annexed into the city now becomes the city's levy rate which gets captured by the urban renewal district. Mr. Waterman said the way that was estimated in terms of when the annexation would take place and when the increased levy rate would apply is when development occurs. So as a property is developed the assumption is that it will annex so the cost for services for that will be the city's and the city will be applying its levy rate to that as well. Commissioner Van Beek said there has been some proposal to hold 25% of the county's portion of that and then that's tied to the de-annexation language in there, when we're talking about de-annexation and withholding a percentage of the county's tax line there has to be something in place, she asked Mr. Hilty and Mr. Waterman to address the impact of what that would be and then how that may or may not implode the project in seeing the completion of that. Commissioner Dale clarified stating that the idea of exempting a certain percentage of the increment to hold the county harmless is not tied to de-annexation of properties within the district, those are two separate ideas. The idea that has been discussed here is not to totally exempt the county's portion of the increment because in the unincorporated section of the district, which is most of it, most of that dollar goes to the county, none of it is going to the city right now so that would be unrealistic because you would not build any increment for the district's projects so the question as it relates to the normal process of taxation within the city limits of Caldwell, depending on which school district you're in, about 25-30% of the total tax bill goes to the county. His desire in all of this discussion is to hold the county as harmless as possible so that the elected officials can have a plan to budget and an expectation that they're going to see this increase revenue from increased

value before the end of 20 years. The idea is to do something similar to Vallivue but not the entire portion because he thinks that would be unreasonable. He realizes that would take some recalculations on the revenue projections, applying those projections to the project list and looking at what the timetable would be. Mr. Hilty said he understands those as being alternate proposals, he said they can accommodate to a certain extent, evaluation of what it means to de-annex properties after they're developed and after the incentivized infrastructure has been refunded to the company - that is something that they have put in the plan at the request of the county. He can't guarantee anything, it will have to be evaluated on a case by case basis in the future as those properties get to the point that they've been fully reimbursed because it has to be looked at based on its impact on the entire plan, it's a very difficult thing to guarantee and they did what they could. In respect to carving out a chunk of revenue for the county, what he has been told by the client is that it's not possible for them to do that and do the current plan. It affects the feasibility study profoundly - most of the revenue early on is county re-allocated dollars. That can't happen with this plan, whether it can happen under a future plan, he doesn't know. It does not look at this point that they're going to get approval from the county for the plan for the Caldwell North Urban Renewal Area and he suspects that there will be some regrouping after the first of the year. They are committed to economic redevelopment in the county so there will be something happen. Whether that means they have to look at annexing property, if that's possible, or looking at property that is wholly within Caldwell that's a possibility, or wait and try this again in the future or decide to carve out revenue for the county - he doesn't know, those decisions have not been made. There is a high level of frustration with his client. Everyone understands urban renewal and what they were doing and until the middle of October they didn't hear anything. They thought there was an understanding with the Commissioners and where they go in the future with their economic redevelopment efforts they don't know. Commissioner Dale said he has heard very clearly from the other elected officials that the county needs to understand the full implication and that the desire is to hold the county harmless so that as we have growing needs, especially in public safety and other needs where we'll see increasing costs, that they'll be able to count on that into the future and that's the guarantee that's been talked about. The simplest way to do that is to find the right number, realistically if the county decided to opt out it'd be closer to 50% but in his mind that would kill any effectiveness of an urban renewal district or revenue allocation area because you wouldn't get enough to do anything. Although it may take a little longer to do the incremental reimbursement for the infrastructure, which he believes needs to happen and the plan to incentivize that by reimbursing the developers who would put that infrastructure in there he thinks is right on. It might take a little longer to repay that if there was 20% removed, he'd like to see what that looks like, how it would affect the project list - from what he saw on the project list the basic infrastructure needs of water, sewer, roads and those kinds of items would still be able to be accomplished. There may be some more aggressive projects that might have to be scaled back, but it doesn't kill the whole thing, it "recrafts" it but it still makes it an effective economic development tool so that is what he'd like to see. He is a proponent of Urban Renewal and the way that it has helped cities as an economic tool when there are so few tools to utilize.

Commissioner Van Beek asked for clarification about the 20% carve from the county regarding it killing the deal.

Commissioner Dale said it does not kill a project, it implements the requirement to revamp the plan so the present plan would have to be redone to see what the impact would be of that kind of deal. It doesn't kill a project, this is a list of projects within a plan.

Mr. Hilty said that if that is a requirement now for this plan it will kill it. Whether a different plan accommodates it he doesn't know.

In response to a question from Commissioner Van Beek, Mr. Waterman said some of the attachments have been undergoing ongoing amendments as the property changes and they receive consents. They would make sure those were current right up until the plan is adopted so that the plan has the most current representation of the area.

In regards to the statutory requirement to contact land owners Mr. Hilty said there are a couple requirements – if there is active agriculture (cultivated within the last 3 years) then the property can only be included with the consent of the property owner. They have reached out to those owners and there are a couple that were not interested and have been excluded. There is a statutory requirement for public notice which will be an advertisement in the newspaper. Statutory requirements have been met. Mr. Waterman said notice of the final hearing has not gone out because prior to notice of the final hearing going out the Board would have to approve the documents before them today. At that point notice would go out which would have to be 30 days prior to the final hearing.

Commissioner Van Beek asked Mr. Hilty and Mr. Waterman to speak to the estimated job creation and what it will do for the average income for this area.

Mr. Hilty said the agency and the city feel very strongly that the existing urban renewal agency has been a profound success. They want to do the same thing, they want to keep this going. They want to create the jobs, they want to increase the property values and he believes there will be \$600M of properties coming onto the tax rolls as a result of urban renewal activity. For those who say that that development would have occurred anyway and could have been on the tax rolls all along – they're wrong. They've dealt directly with many of those large companies and some of them looked globally at where they can put their companies and they're looking towards what incentives they have and what the lifestyle is for their employees; they're interested in what's happened in downtown Caldwell. It factors in to where they want to move. They feel they can achieve in this area what they achieved at Sky Ranch, that's the goal. As far as jobs go, they are largely manufacturing jobs, they pay above a living wage and believes they pay above the median income in Canyon County and the hope is that they will see a job density of about 10 jobs per acre. They want to see both capital investment that grows the tax base as well as the well-paying jobs.

Mr. Hilty spoke about how the growth in the north area within a mile of downtown Caldwell has not significantly developed today. It has been used for agricultural use over the years but much of it has been used for gravel extraction and is now not used at all. There are significant hurdles to development out there for infrastructure purposes. Having spoken to property owners in the area, there is no clear annexation path into the city. That's why this area was identified, it needs help.

In response to Commissioner Van Beek's question about businesses being interested in coming to this area should site ready plans be available Mr. Hilty said the belief is that this area will not significantly develop without the assistance and incentives that can be provided thru urban renewal.

Commissioner White asked the reason for starting a new urban renewal district when the current one has not sunset yet. Mr. Hilty said that primarily they are largely out of room in the existing urban renewal area and that the incentives that are provided thru the existing urban renewal area are what brought those companies here. The room to attract industrial users is what's gone and that's the problem, they need a larger inventory of property that can be considered shovel ready for attracting industrial users.

In response to a question from Commissioner Van Beek, Mr. Hilty addressed the cost of legal services and direct administrative cost for economic development.

Commissioner Dale said he would like to find a win/win for everyone. He believes this area needs some help and an urban renewal revenue allocation area is a good tool to provide that help. He doesn't disagree that without some sort of help it would be a lot longer before anything happens out there. In his mind it doesn't kill the plan but it's a reshaping of the plan. The infrastructure needs have been identified and clearly laid out so that wouldn't need to be revisited, nor would the project cost estimates and that the total amount of revenue is still relevant. He wants to take a look at what it does to the list of projects and what it does to the timeline. The amount of money available that would go to the urban renewal district needs to be refigured if there was 20% - 25% that would be guaranteed to be given to the county as part of an ongoing win/win plan. That is the part that would need to be recalculated. With that being stated and requested, the retroactive back to 2019 wouldn't happen this year, it would start in 2020. He wants to see this area developed, it's good for the county and the city.

Commissioner Van Beek asked about the plan being retroactive. Mr. Hilty said the law provides that the base assessment roll is set at the value of the properties on January 1 of the year in which the agency is created.

Commissioner White asked Mr. Hilty if his clients have any desire to engage in discussion regarding the 20% or 25% that's been discussed. Mr. Hilty said he couldn't answer that. Commissioner White followed up asking if his clients are willing to attempt to get the information in regards to the 20-25% and come back and talk about it or if that is a deal breaker.

Mr. Hilty replied stating that documents were delivered in August and asked that they be approved in September. They gave a deadline of November 14, so the work that went into a year and half doesn't look like it's going to fly. The city is frustrated and upset and it's because they thought they had support for two years. He doesn't think they can provide that information in a timely manner. He said they will probably regroup and look at other options.

Commissioner Dale said his assumption was that today's discussion was about how to move forward. We know that residential growth doesn't pay for itself and with that being said the cities and counties depend on the industrial growth to basically subsidize the services for those residential properties. At this point he would like some of the calculations done.

Commissioner Van Beek thanked everyone for showing up and for the partnership with the city.

Commissioner White said she could make a decision but will weigh to the need for the others to have the information and for Mr. Hilty to speak with his clients to find out if it's a deal breaker or how it can be worked out and presented again and have it come back.

The meeting concluded at 3:41 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 26, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek – out of the office
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/27/19

The Board of Commissioners approved payment of County claims in the amount of \$10,174.46 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/6/19

The Board of Commissioners approved payment of County claims in the amount of \$2535.50 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/10/19

The Board of Commissioners approved payment of County claims in the amount of \$72,080.77 for accounts payable.

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Colleen Foster.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Motorola Solutions, Inc. in the amount of \$28,501.26 for the Fleet department

MEETING WITH THE DIRECTORS OF FACILITIES, INFORMATION TECHNOLOGY AND SECURITY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:32 a.m. with the Directors of Facilities, Information Technology and Security to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Director of Security Joe Mueller, Assistant Director of Facilities Rick Britton, IT Director Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Commissioner Dale asked about an entry door not closing properly; Mr. Britton said he would take a look at it.

Mr. Britton updated the Board on the following:

- The vault in room 201 has been demoed out which took about a week.
- The Facilities staff is working on getting the grounds cleaned up.
- Pod 6 update: A Gantt chart has been received from ADS. He has been working with Director Rast to make sure all the communication items are in place. Hoping to start pulling camera and TV wire next week although they don't want to do too much too soon so it doesn't get damaged. ADS will not make the November 30th deadline and he anticipates it taking at least another 3 weeks. Pre-work on the PLC unit is being done by IT but it hasn't been installed yet. The perimeter fence will be started the week of December 9th. Work on the rec yard should be started Monday and the hope is to have it completed by the end of the week. Facilities, IT, and the jail captain meet weekly and facilities, Captain Ward and ADS meet daily. He doesn't anticipate too much for unforeseen costs at this point. He hopes to have the power hook-ups done by the end of next week. A fire inspection will happen today at 10:00.

Director Rast updated the Board on the following:

- IT recently met with Telmate regarding the wiring for inmate phones and wireless access points in Pod 6 which should happen this week. He spoke about the space available for all the IT equipment and timelines.
- He spoke about asset management which means tagging any computer equipment over \$250 and then they will bring in a new system that will track all the equipment. In addition to be able to track he'll need to work with facilities to get all the rooms and offices numbered/identified. He spoke about Chromebooks that are being purchased outside of IT. Commissioner White requested that Director Rast meet with the elected official where the Chromebooks are being used. He would like to get on the elected officials' meeting agenda to speak about asset management. Commissioner Dale asked if the Board could make policy about the Chromebooks being purchased, Director Rast suggested that could be a conversation for executive session.

Director Mueller updated the Board on the following:

- He had his final meeting with his final elected official this past Friday and is about 45% done with the verification business of the 17 county locations.
- Surveillance video is now centralized in his office and out of IT's purview.

The Board would like to allow more time for this meeting and continued it to 11:00 a.m. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Tom Dale, Director of DSD Tricia Nilsson, Deputy P.A. Jim Cornwell, Deputy P.A. Zach Wesley, Todd Lakey left at 9:15 a.m., Representative for MAMLS, LLC left at 9:15 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider request for reconsideration and mediation in Case No. CR2019-0001, MAMLS LLC:

Zach Wesley said the request has several different points on which the reconsideration is being requested. Mr. Wesley read into the record a letter that will be sent to Mr. Ertz with Logan Copple P.C. addressing each point. A copy of letter is on file with this day's minute entry. Commissioner Dale made a motion to deny the request for reconsideration and mediation in case no. CR2019-0001 for MAMLS LLC and authorize the letter drafted by the legal staff to be sent to Mr. Ertz. The motion was seconded by Commissioner White and carried unanimously.

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 as follows:

Commissioner Dale made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records that are exempt from public disclosure and attorney-client communication and to communicate with legal counsel regarding pending imminently likely litigation. The motion was seconded by Commissioner 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 Pam White and Tom Dale, Deputy P.A. Zach Wesley, Deputy P.A. Jim Cornwell, DSD Director Tricia Nilsson (left at 9:50 a.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:55 a.m. with no decision being called for in open session.

PRELIMINARY PLAT AND IRRIGATION AND DRAINAGE PLAN FOR BLACK ACRES SUBDIVISION, CASE NOS. 2019-0019 AND SD2019-0020

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Guy Jones of Alliance Building, LLC, representing Steve and Verta Black in their request for a rezone and approval of the preliminary plat and irrigation and drainage plan for Black Acres Subdivision, Case Nos. 2019-0019 and SD2019-0020. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Derritt Kerner, Guy Jones, Steve Black, Verta Black, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. There are two application requests, one is for a rezone from an “R-R” (Rural Residential) zone to an “R-1” (Single Family Residential) zone, and the other is for the preliminary plat for Black Acres Subdivision which consists of 26 residential lots, with an irrigation and drainage plan. The area is zoned is rural residential, the area around it is predominantly agricultural zones and the City of Middleton. Rezones have been approved between the years of 2013 and 2018, most are R-1 zones and R-2 zones. The R-2 zone had a conditional approval but it’s starting to see this change to an R-1 zone. There are 32 subdivisions within the area with an average lot size of .99 acres, seven are within City of Middleton. Forecasts indicate a growth of over 300 houses between now and 2040 and as city services are provided it’s likely the forecast will change. The soils are moderately suited, and prime farm ground if irrigated, however, this is already zoned residential. The property is within a nitrate priority area, however, the subdivision will be connected to city services. The developers are proposing 26 lots and one common lot for a sewer lift station. The project will be served by a public road except for three lots that will have a private road. The average lot size is .51 acres. City water and sewer will be provided. There is an agreement with the city that they can provide the developer the services subject to annexation when it’s available and agreeing to requirements for putting in dedication of roads, and paying their fair share of fees required for the future buildout of that area. The fire department is providing adequate water flows through the city and providing hydrants throughout the subdivision; irrigation is proposed through the Black Canyon Irrigation District. Staff is recommending approval subject to the conditions of the preliminary

plat. The applicant has agreed to pay their impact fee to the city as per their agreement. Guy Jones testified that he is a developer from Middleton and he spoke of the importance of developing responsibly. Even though this property is located in the County they started the process by going to the City of Middleton and discussed the city's future plans for road expansion and what their vision for growth was because they wanted to make sure they are conciliatory towards future growth plans. They have entered into an annexation and utility agreement with the City of Middleton and have agreed to pay impact fees. He will bring the water line 1,500 feet to the site. The city is just one parcel away from annexing the subject property so Mr. Jones wanted to make it easier for neighbors to continue sewer and water down Purple Sage Road. On the north side of Purple Sage Road the homes were built some time ago and the fire department did not require those homes to have sprinkler systems so fire suppression is a major concern and with this project bringing in hydrants and water services it will make it a lot easier for the fire department to hook up their trucks to city water. The lots for this project are one-half acre, some are larger, the site flows well and the ingress/egress is going to be conscientious of traffic flows. They did not do a site ingress/egress off Purple Sage because it's already heavily utilized by bussing and agriculture so they came out on Cemetery Road. They have agreed to give the adjacent homeowners an access road. They will pay to have the road paved and utility services brought out so they can tie in to city water and sewer if they want. According to Mr. Jones, the city is happy because they have agreed to pay impact fees for future road improvements as well. Derritt Kerner testified they are going to provide pressurized irrigation for every lot. All drainage will comply with Canyon Highway District; they will have sewer and water within and a sewer lift station in the north end. They will build it as high as they can so when the trunk line sewer is brought in the lift station can be taken offline and everything will gravity flow off the site. The City of Middleton will take the lift station on, which will make upgrades a possibility. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White said this is the way organized growth should be done and the planning and preparation the developers have shown for the surrounding area is impressive. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the ordinance for the rezone, Case No. RZ2019-0019, and authorize the Board to sign the findings of fact, conclusions of law and order. (See Ordinance No. 19-050.) Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to sign the findings of fact, conclusions of law and order for the subdivision, Case No. SD2019-0020. The hearing concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED MEETING WITH THE DIRECTORS OF SECURITY AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 11:03 a.m. for a continued meeting with the Directors of Security and Information Technology to discuss general issues, set policy and give direction. Present were:

Commissioners Pam White and Tom Dale, Director of Security Joe Mueller, IT Director Greg Rast and Deputy Clerk Jenen Ross.

Director Mueller continued his update with the following:

- His meetings with the elected officials went really well. He spent anywhere from 30 minutes to 4 hours interviewing and/or touring. He spoke about some things that can be done out at the Landfill to protect and secure some of the assets such as the microwave towers and test wells. The Board would like to see the Enterprise fund used for the security upgrades at the Landfill.
- On October 17th he started the process of opening a job posting for a security coordinator position.
- All the CCTV are now piped into Director Mueller's office and he has asked Mr. Decker to forward all video requests to him.
- Security department webpage is up on the public website and the internal portion will be coming later.
- He is preparing a presentation to outline his two highest priority security issues which are lone worker support and roving patrol protection to have a presence on campus, evenings and weekends. He considers this phase one to take place November thru March.

Director Rast said he plans to call a meeting with all the department administrators next week to discuss asset management before going to the elected officials' meeting. Commissioner White suggested starting with the elected officials first or at least reach out so they are aware of the meetings happening.

The meeting concluded at 11:33 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 11:34 a.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Landfill Director David Loper and Deputy Clerk Jenen Ross.

Director Loper updated the Board on the following:

- Waste amounts were down 5.79% for October 2019 vs. October 2018.
- CUP/Site Certification: site certification footprint needs to be increased to get the correct land use decision for expanding the footprint, once that's done he can do the site certification thru DEQ. Commissioner Dale asked about shutting down the public access for the motorcycle park area. Director Loper said it will depend on how we move forward

over the next couple years. A lot will depend on how they need to take the truck may determine how/when/what they close down.

- Dust Control: He is investigating to see if the well on the Stuart property could be used to help with dust control. He will need to look into changing it from a domestic well to commercial so it could be a back up to the canal water.
- HHW Collection: will take place December 11, 2019 at the O’Conner Fieldhouse. He will work with Mr. Decker on getting the word out.
- Tetra Tech work authorization: Director Loper is authorized to sign but likes to review with the Board prior. This authorization is for \$12K for work to be done per the contract.
- Dozer FY20: The procurement of the dozer is in process and the public hearing will be next month. A used one had been located in Washington that has been maintained by Caterpillar and another municipality. It is a 2015 w/6000 hours but it has been completely redone with a warranty on the transmission and should last for many years. The price being asked is \$460K but Director Loper anticipates getting \$50-60K for the current dozer which they will auction once the new machine is here which he hope to have before the end of the year.
- PB-16 new monitoring well: the RFB is in process now and he hopes they will receive a couple of bids for the project.
- Operations Plan: due to implementation of the tarp system and updating the petroleum contaminated soil process it has to be put out from public comment.
- Tarp: His plan is to utilize a tarp for half the fill so that only half the fill will be covered by dirt each day. Eventually it will pay for itself in savings of fuel, machine expense, time and the air space will be better utilized.

The meeting concluded at 12:01 p.m. An audio recording is on file in the Commissioners’ Office.

NOVEMBER 2019 TERM

CALDWELL, IDAHO NOVEMBER 27, 2019

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale
 Commissioner Leslie Van Beek – out of the office
 Deputy Clerk Monica Reeves / Jenen Ross

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0087, 2020-0011 and 2020-0070. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days.

Commissioner Dale made a motion to issue an initial approval on case no. 2020-0085 with written decision within 30 days. The motion was seconded by Commissioner White and carried unanimously.

Case no. 2019-927 was taken under advisement for a decision in 30 days. Commissioner Dale made a motion to issue a final approval with written decision within 30 days for dates of service of May 5th thru 9th received in a timely manner. The motion was seconded by Commissioner White and carried unanimously.

The Board went off the record and back on at 8:52 a.m. for a continued conversation about the transmission of information from the hospitals. Commissioner Dale feels there needs to be a better system of passing information to and from the hospitals. Ms. George said they have tried several different ways of communication and so far email seems to work the best. Going forward they have set up additional safeguards within the email system to show system receipt of emails.

The meeting concluded at 9:00 a.m. Two audio recordings are on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEM

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, Chief Deputy Sheriff Marv Dashiell left at 9:09 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a resolution approving award of Officer's badge and duty weapon to Lt. David Schorzman: Friday November 29th will be Lt. Schorzman's last day. He has been with CCSO 25 years working patrol, detention, classifications and as the emergency manager. The Sheriff has sent a letter requesting to provide his badge and weapon to him. The official retirement ceremony will take place in January. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution approving the award of Officer's badge and duty weapon to Lt. David Schorzman (see resolution no. 19-175).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MONTHLY MEETING WITH PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:00 a.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Chief Public Defender Aaron Bazzoli, Deputy Public Defender Scott James and Deputy Clerk Jenen Ross.

Mr. Bazzoli updated the Board on the following:

- Review of clearance rates for October 1st to current, monthly case type count, monthly case comparison from year to year and attorney active caseload.
- Mr. Bazzoli spoke about the 'failure to appear' program in Ada County and how two judges in Canyon County are already doing this but they would like more judges to participate as a way to get people out of custody a little quicker.
- A discussion was had about the holiday appreciation days and how those days will be handled by his office. The Board is okay with Public Defender's office closing at 3:30 today for the holiday weekend.
- They have recently hired 3 new attorneys and all positions are currently filled.
- He has been working towards getting a kiosk in the jail booking area for people to use for bond argument. He is working with IT and trying to get the Sheriff and jail on board with the idea.
- One of his legal support specialists is working to create a "parents' guidebook" to help guide parents thru some of the legal issues they may be facing when they have a juvenile in the system.

The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 16th day of March, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: Jenen Ross, Deputy Clerk

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 2, 2019

PRESENT: Commissioner Pam White, Chair - out of the office
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Metta Technologies in the amount of \$105,100.00 for the Solid Waste Department
- Tarpomatic, Inc., in the amount of \$83,712.00 for the Solid Waste Department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:40 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINDINGS OF FACTS, CONCLUSION OF LAW & ORDER, DEVELOPMENT AGREEMENT AND ORDINANCE FOR THE ED BOWMAN CONDITIONAL REZONE REQUEST, CASE NO. CR2019-0008

The Board met today at 9:01 a.m. to consider signing the Findings of Fact, Conclusions of Law (FCO's), the development agreement, and the ordinance regarding the Ed Bowman conditional rezone request. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, Kurt Smith, and Deputy Clerk Monica Reeves. The hearing was held on October 31, 2019 and the request was approved subject to changes and staff was directed to bring back the FCO's, and the ordinance, and development agreement at a later date. Dan Lister said the Board added a couple of conditions to the development agreement: a stub road to the south, and a 10-foot buffer was added to the setbacks that are already required. When adding the setbacks from the neighbors' properties and the adjacent properties it's going to be a 40-foot setback, which the applicant and the next door neighbor have agreed to. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale the Board voted unanimously to sign the FCO's, development agreement and the ordinance for the Ed Bowman conditional rezone request, Case No. CR2019-0008. (See Ordinance No. 19-051 and Agreement No. 19-194.) The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER DECEMBER 2, 2019 AGENDA ITEMS

The Board met today at 9:04 a.m. to consider the agenda items scheduled for 9:00 a.m. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Landfill Director David Loper, and Deputy Clerk Monica Reeves. The items were considered as follows:

Open Bids for FY20 Pickles Butte Landfill Monitoring Well Project: No bids were received so Director Loper will contact the well drillers and consultants he had been in contact with and see if he can identify any issues as to why they didn't bid. The project cost was estimated to be below \$200,000 so it was in the range that didn't require noticing in the newspaper but we may have to change that after we find out what's going on. During the meeting Director Loper received an email stating a bid had been submitted that should have arrived this morning at 9:00 a.m. Mr. Goodsell suggested the Board continue this meeting to give some time to make sure something didn't come in that we didn't know about. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue the bid opening to tomorrow, December 3, 2019 at 9:00 a.m.

Hearing to Consider Public Comment Regarding Bull Litter Fence with Canopy for use at Pickles Butte Sanitary Landfill from Metta Technologies Sole Source Procurement: Board issued a notice of sole source and it was published on November 15, setting today as the date to receive public comment. No one is here to comment. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the authorization in execution of the purchase of the Bull Litter fence with canopy from Metta Technologies Sales.

Hearing to consider public comment regarding Tarpomatic, Inc. Automatic Tarping Machine Sole Source Procurement: The notice was published on November 15 stating the Board intended to procure this equipment by sole source, and no one is here today to comment on the proposed sole source procurement. Director Loper said we should have both pieces of equipment within 2-3 weeks. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Board to sign the purchase order and authorize the execution of the purchase with Tarpomatic, Inc.

The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY DANIEL & DEBORAH TRONCALE FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT; CASE NO. CR2019-0011

The Board met today at 2:00 p.m. for a public hearing to consider a request by Daniel and Deb Troncale for a conditional rezone and development agreement; case no. CR2019-0011.

Deb Root gave the oral staff report stating that the applicant would like to rezone approximately 35 acres from "A" Agricultural to "CR-RR" CR Rural Residential for the purpose of dividing off two small residential parcels with the balance to remain as agricultural with the residential and accessory structures that currently exist on that balance property. The property is identified as agricultural on the future land use map which is why a conditional rezone is being considered. The properties north of the subject property are identified as residential on the future land use map and there is a significant amount of development in this section of the county. The applicant has requested to enter into a development agreement restricting him to the two residential parcels for a total of three on the 35 acres. The two small residential parcels would be restricted to only one single family residence, no secondary residences. The majority of the property will remain in agricultural production. Staff is recommending approval and the planning and zoning commission has recommend approval. Commissioner Van Beek asked about the site plan in exhibit C, there is one small strip that was left out. Ms. Root said the strip of hayfield buffers the roping arena and potential parking for the facility that currently exists there. There are two homes located along Goodson Rd. on the property and then the five acre parcel in the NE corner was the first division out of the original 40 but is not a part of this application. In response to a question by Commissioner Van Beek, Director Nilsson spoke about why they rezone the way they do. Deb Root said in the future they could come back and apply for a comprehensive plan map amendment and withdraw the development agreement at that point to further develop this although it would have to be platted as a subdivision. Doing it this way perseveres the agriculture and does not impede the agriculture from occurring. Each parcel is just over one acre and meets the definition of residential because if you take the average lot size of the entire 35 aces it exceeds two acres. Mr. Troncale stated he is in need of selling one of these lots for financial purposes. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to close public comment. Commissioner Van Beek made a motion to approve the findings of fact, conclusions of law and order. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Dale made a motion to approve the map amendments, the development agreement and the ordinance. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 19-195 and ordinance no. 19-052). The hearing concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 3, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Slat Depot in the amount of \$6660.00 for the Facilities department

APPROVED JULY 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of July 2019 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.

APPROVED AUGUST 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of August 2019 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.

CONTINUATION OF BID OPENING - FY2020 PICKLES BUTTE LANDFILL MONITORING WELL PROJECT

The Board met today at 9:05 a.m. for a continuation of the bid opening for the Fiscal Year 2020 Pickles Butte Landfill Monitoring Well project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Brad Goodsell, Landfill Director David Loper, and Deputy Clerk Monica Reeves. The bid opening was scheduled for yesterday, however, no bids were submitted although Director Loper thought we should have so the matter was continued to today's date. (Most County offices were closed on Friday, November 29th so there was confusion as to where the bids were delivered.) The bids were received were as follows:

Layne Granite Company (Layne Christensen Company)
5810 East 77th Avenue
Commerce City, CO 80022
Bid Amount: \$277,370.00
Bid Received: December 2, 2019 at 9:47 a.m.

Cascade Drilling, L.P.
6480 Contractor St.
Boise, ID 83709
Bid Amount: \$450,000

Bid Received: November 29, 2019 by the U.S. Post office, and was delivered to the courthouse on December 2, 2019 and received by the Commissioners' staff at 1:20 p.m.

Director Loper and Mr. Goodsell will review the bids and report back to the Board later this week or the first part of next week. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING DECEMBER 3, 2019 AGENDA ITEMS

The Board met today at 9:12 a.m. to consider signing the December 3, 2019 agenda items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider corrected quitclaim deed to Nampa Housing Authority: The Board signed a quitclaim deed a couple of weeks ago and afterwards it was discovered that the property description was incorrect so a new quitclaim deed has been prepared with the correct description. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the corrected quitclaim deed for the Nampa Housing Authority.

Consider resolution granting a fee reduction for a rezone and comp plan map change for Jonathan Lee: Commissioner Van Beek said the original amount was \$3,350 and they are requesting to pay \$850 for their application so it's a waiver of \$2,500 which seems like a lot so she wants Director Nilsson to speak to that. Commissioner White said the explanation in paperwork indicates the applicant is combining two applications into one hearing which is why they are seeking a fee reduction, and Director Nilsson approves of it. Commissioner Van Beek believes splitting the fee would be more equitable than charging \$850. The Board will delay action on this item until it can have a discussion with Director Nilsson.

Consider resolution granting a refund for a conditional use permit to Marcy Hibbs: The applicant applied for a conditional use permit to operate a daycare center and after the application was processed it was discovered the property already has a CUP. The application should have been for a CUP modification. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution granting the refund to Marcy Hibbs. (See Resolution No. 19-176.) **This matter was incorrectly noted on the agenda as a fee waiver, but it should have been identified as a refund.*

The meeting concluded at 9:21 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CANYON COUNTY MOSQUITO ABATEMENT DISTRICT TO DISCUSS YEAR-END REPORT FOR 2019, AND TO CONSIDER A RESOLUTION REAPPOINTING NORM BROWN TO THE CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 9:31 a.m. with the Canyon County Mosquito Abatement District to discuss the year-end report for 2019, and to consider a resolution reappointing Norm Brown to the board of trustees. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director Ed Burnett, Assistant Director Julie Treasure, CCMAD HR Director Lennie Steward, Doug Shinn, Board of Trustees President, and Deputy Clerk Monica Reeves. Ed 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. Eastern Equine Encephalitis is moving west, which is concerning because it's very dangerous and we need to be on the lookout. It's not clear why it's making its way so far west but it could be a combination of factors including virus adaptation and mutation. The report was provided for the Board's information but did not require any action on its part. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution reappointing Norm Brown to the Board of Trustees for a term of four years. (See Resolution No. 19-177.) The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH KIM YANECKO TO DISCUSS CANYON COUNTY NOISE ORDINANCE AND HVAC

The Board met today at 1:33 p.m. with Kim Yanecko to discuss Canyon County noise ordinance and HVAC. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Commissioner Dale left at 2:37 p.m., DSD Building Official Dave Curl, DSD Mechanical Inspector Jacob Crossley left at 2:27 p.m., DSD Code Enforcement Officer Eric Arthur, Kim Yanecko and Deputy Clerk Jenen Ross. Ms. Yanecko spoke about that as part of a purchase and sale agreement a new HVAC system was installed in their home. A different type of system was installed but it was not permitted, there was no manual J done and does not meet code. The county was out and did a special inspection which is when they learned their system could be deemed grossly negligent. In response to a question by Commissioner White, Ms. Yanecko said the purpose of her being here today is to get answers about enforcement. Since the contractor did not pull a permit so the system was never red-tagged as it should have been. Commissioners White and Dale both believe this is a civil matter and not one that can be resolved by this Board. Ms. Yanecko understands that but her purpose in being is to bring to light areas of enforcement lacking within the county. She feels the county has no enforceability and the contractors know it. Commissioner Van Beek confirmed with DSD building officials that it is nearly impossible to get a contractors license revoked. Ms. Yanecko said she had filed a complaint with the state. In response to Commissioner Van Beek, Ms. Yanecko said her concern is in regards to people assuming there is protection by the county if a contractor is not abiding by the rules. At the request of Commissioner Van Beek, Mr. Curl addressed building codes, enforcement and the permitting/inspection process. Ms. Yanecko wants to know why the county is not going after this contractor and taking steps to revoke his license knowing he is doing poor work and operating unlawfully. Their attorney

has advised them that pursuing this contractor in court could potentially cost them \$25,000 and he could still file bankruptcy and they'd still end up with nothing. She doesn't feel a private citizen should have to do this if a person is licensed by the state; she feels his work should be enforced and in place by the county. In response to a question by Commission Dale, Ms. Yanecko explained the items that will need to be done to her home in order to correct the poor work done by this contractor including mold mitigation due to vents being cut in their roof, roofing repairs, drywall, HVAC and electrical. She indicated that she has not spoken with her homeowners insurance about it due to fear of denial because of this system. Ms. Yanecko explained that at the state level, IBOL (occupational licensing), requires a contractor to have an insurance policy to protect the homeowner but not for HVAC. For HVAC the state requires a \$2000 bond. Commissioner White again asked what Ms. Yanecko is looking for from the Commissioners. She said she would like to Board to come up with a better plan for enforcement so that the building officials have something to fall back on. She also provided a statute which talks about the prosecuting attorney being able to go after this contractor but that nothing is happening to protect consumers. There is no tracking by state and no central repository. Ms. Yanecko said she spoken to the civil attorneys and was told that the county doesn't enforce this. Commissioner Dale read into the record a memo provided by the Prosecutor's Office. Commissioner Van Beek asked if Ms. Yanecko has a list of policies that she is taking issue with that could potentially be taken to the IAC. Commissioner Dale asked if the Yanecko's hired an inspector after the HVAC system was installed. She confirmed that they did not have an inspection done subsequent to the system being installed; they were just told that it was installed and then met with the contractor because they had never used a geothermal system (the system that was originally in the house) before and it was during the walk-thru, which was also the day of closing, that they learned it was not the same system that was installed. They were advised to get a special inspection which is basically an investigation, it lets the requester know what they have. They now have a list of things to be done in order to bring the system up to code. Commissioner White feels that Director Nilsson and legal need to be here for this discussion. She feels that as Commissioners they can't help with the situation. Ms. Yanecko's argument is that this contractor is out there doing subpar work yet there are statutes that say there should be some enforceability. She has met with the HVAC Board for the state of Idaho and they have said it is the county's job to inspect and enforce. She doesn't know that there is a process in place for enforcement and that is the part she feels the Board has control over. There is an Idaho statute that says that the contractors are supposed to provide a \$300K liability coverage and that is not happening in Canyon County. She feels there is no protection for the consumer and she just needs to get somebody on board to hear her; there are laws here but they are not being enforced at each agency level that is responsible. She is asking that the Board at least look at this and she is happy to come back and talk to whomever.

As part of the noise ordinance discussion Ms. Yanecko spoke about an issue she has with a neighbor who is a contractor doing work very early in the morning. She has prepared a sample noise ordinance for Board review.

The meeting concluded at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 4, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held this day.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 5, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hanson Janitorial in the amount of \$5197.50 for the Sheriff's Office
- Boise Office Equipment in the amount of \$22,329.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 12/6/19

The Board of Commissioners approved payment of County claims in the amount of \$1,660,638.67 and \$213.50 for accounts payable.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, 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: 2019-1446, 2020-0114, 2020-0112, 2020-0111, 2020-0104, 2020-0072, 2020-0216 and 2020-0211. Commissioner Van Beek made a motion to issue initial denials with written decision within

30 days on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Dale made a motion to issue an approval with written decision within 30 days on case no. 2020-0103. The motion was seconded by Commissioner Van Beek 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 9:00 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

Commissioner Dale made a motion to continue case nos. 2019-1185, 2019-1183 and 2019-1194 to January 30, 2020. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final approval with written decision within 30 days on case no. 2019-1184.

Case nos. 2018-1363, 2018-640, 2018-1214 and 2019-57 have been pulled from suspension and now meet the eligibility criteria for county assistance. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final approvals with written decisions to be issued within 30 days on the cases as read into the record.

The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1225

The Board met today at 9:07 a.m. to conduct a medical indigency hearing for case no. 2019-1225. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Lisa Buseth for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek

the Board voted unanimously to deny 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. 2019-1247

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for case no. 2019-1247. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Ashley Hesteness for St. Lukes, Applicant and acquaintance and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-1208 AND 2019-1210

The Board met today at 9:36 a.m. to conduct a medical indigency hearing for case nos. 2019-1208 and 2019-1210. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Dahlia Torres for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve case no. 2019-1208. Commissioner Van Beek then made an amended motion to approve both case nos. 2019-1208 and 2019-1210. The motion was seconded by Commissioner Dale the Board voted unanimously to approve both cases. The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1002

The Board met today at 9:53 a.m. to conduct a medical indigency hearing for case no. 2019-1002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Elizabeth Sonnichsen for St. Alphonsus, Timothy Ryan for St. Alphonsus, Lisa Buseth for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to January 30, 2020. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:04 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2019-1223, 2019-1160, 2019-1250 and 2019-1233. Commissioner Van Beek made a motion to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously. The meeting concluded at 10:05 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 10:11 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting new alcohol beverage licenses to Plaza Garibaldi and Kerry Hill Winery: Commissioner Dale said both applications look to be in order and made a motion to sign both resolutions. The motion was seconded by Commissioner White and carried unanimously. See resolution nos. 19-178 and 19-179. Commissioner Van Beek asked if anything more had happened in regards to having Development Services and Sheriff's Office review applications. Mr. Wesley said no further action has been taken on this component.

Consider signing Government Employees' Medical Plan (Gem Plan) joint powers agreement: The purpose of this agreement is to facilitate negotiation of agreements with insurers for better administration fees. Although several counties pool their money in a trust fund Canyon County does not participate in that and remains self-insured. The most significant change is that we are now called out as a separate member so not everything that is applicable to us is applicable to the counties that are part of the pool and vice versa. Additionally, it also expanded their membership of the Board of Directors to include a self-insured member on the board – being either Bannock or Canyon County. Commissioner White asked about the necessity of the Gem Plan, Mr. Wesley said the main benefit is their negotiation power. He also provided a history and process of the self-insured fund to address questions posed by Commissioner Van Beek. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Government Employees' Medical Plan (Gem Plan) joint powers agreement (see agreement no. 19-196) The Gem Plan is looking for representatives for the self-insured board member, Mr. Wesley presented to the Board for consideration.

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 10:33 a.m. pursuant to Idaho Code, Section 74-206(1) (c) regarding acquisition of an interest in real property. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, Deputy PA Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:56 a.m. with no decision being called for in open session.

The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TINA WILSON TO RECEIVE UPDATE ON RURAL ECONOMIC DEVELOPMENT INNOVATION INITIATIVE

The Board met today at 1:36 p.m. to receive an update on the Rural Economic Development Innovation Initiative. Present were: Commissioners Pam White and Leslie Van Beek, Tina Wilson from the Western Alliance for Economic Development, and Deputy Clerk Monica Reeves. Ms. Wilson reported that last year she applied for, and was awarded, a grant for technical assistance for the Western Alliance to give capacity-building for Owyhee County, Canyon County and Gem County to do a comprehensive economic development strategy. Part of the grant request was for a training component that would bring in other counties in the region and with the board of directors' approval she has been making the rounds to other counties to give them the opportunity to participate. She has letters of commitment from Elmore County, Valley County, Payette County, Mountain Home, and Kuna. Washington County is considering whether to participate. The agencies are obligating two people to sit on the steering committee and participate in workshops and she needs to know who will participate on behalf of Canyon County. Director Tricia Nilsson has expressed interest but it's a matter of whether she has the time. Two workshops will be held, with the first one taking place on January 30th in the administration building, where they will teach the group how to do the assessment needed for the "SEDS" document. It will take a couple of months to gather data and then in March/April there will be a second workshop on how to take the data collected from the counties and turn it into the planning document. Hopefully by the end of summer they will have a draft document that goes out to each county for public comment followed by potential adoption, and by the end of 2020, the 10-county region will then have their comprehensive economic document. Ms. Wilson reported on the projects she's worked on and how she's making the time to push this comprehensive document forward which will benefit the counties involved in terms of being eligible for project funding. The Board thanked Ms. Wilson for the information; no Board action was required.

or taken. The meeting concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 6, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 11/26/19

- The Board of Commissioners approved payment of County claims in the amount of \$24,641.02 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/10/19

- The Board of Commissioners approved payment of County claims in the amount of \$56,292.68, \$230,211.98, \$36,977.84, \$105,961.90 and \$33,205.25 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- The Polygraph Institute, LLC, in the amount of \$5,500.00 for the Sheriff's Office
- Premiere Wireless Solutions in the amount of \$3,295.00 for the Sheriff's Office
- BOE in the amount of \$7,247.90 for the IT Department
- BOE in the amount of \$7,443.00 for the IT Department
- R&H Wholesale in the amount of \$2,801.96 for the Facilities Department

MEETING WITH THE DIRECTOR OF FACILITIES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. with the Director of Facilities to discuss general issues set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Assistant Director of Facilities Rick Britton and Deputy Clerk Jenen Ross.

Director Navarro and Assistant Director Britton updated the Board on the following:

- In order to find out if there is sufficient ADA parking at the juvenile detention center Director Navarro will check the parking several times a day for 30 days and track it thru a spreadsheet.
- The Fair expo building is moving quickly. They've met with the architect from Iowa, he's walked thru the design which Director Sinner has signed off on. A roundtable with the City of Caldwell will take place next week.
- Lake Lowell office design is finalized and plans have been given to a contractor for a "fat-finger" estimate.
- Rick Bugatsch has provided a design for the animal shelter roof which Director Navarro showed the Board.
- The vault in 201 is being demolished. The work was done by the facilities staff vs. hiring a demolition company. The new office is being framed and will give them more workspace and a breakroom. They hope to have it complete before Christmas.
- Judges chambers on the 2nd floor and the jury room are getting quick 1-2 day remodels.
- The Crossroads Museum has been sheet rocked, the floor has been painted and the plumbing has been roughed in. They are hoping for an inspection after Christmas.
- The ADA fishing docks at Lake Lowell have been torn down by an Eagle Scout group and facilities will work to refresh them. A more user-friendly ADA fishing dock has been proposed to purchase with a grant that was obtained by the Parks department.
- Pod 6 update: concrete is being poured for the generator pad and trenching for the exterior fence is being done. They are still pushing for the 20th of December but Mr. Britton sees it being closer to the second week in January. Next week they will start the process for camera installation which he anticipates taking about a week and the PLC is still being worked on. Commissioner Van Beek requested cost tracking which Director Navarro said he will send to her.
- Commissioner Van Beek asked about an accident between two county vehicles – Director Navarro will ask Director Tolman about the damage and cost and forward that information to her.
- Starting in January every Monday morning they will have a safety training.

The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Chief Marv Dashiell left at 9:17 a.m., Lt. Gentry left at

9:17 a.m., Deputy P.A. Mike Porter left at 9:17 a.m., Deputy P.A. Zach Wesley, Controller Zach Wagoner left at 9:36 a.m., TCA Doug Tyler left at 9:36 a.m., DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing solicitation of interest for a rural landscape and agricultural resources survey consultant: This is a grant funded project from the State Historic Preservation office to conduct a survey of county historical areas. This solicitation will go out to everyone in the state who is on the list of potential contractors. The solicitation will remain open thru holidays and wrap up in January. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the solicitation of interest for a rural landscape and agricultural resources survey consultant. A copy of the solicitation is on file with this day's minutes.

Consider signing contract with T-O Engineers, Inc. to create an exhibit and construction cost estimate for the Canyon County Parks Department: Zach Wesley said we're still waiting to get the document back from T-O Engineers. Once it's received back it will be re-agendized.

Consider signing Project Safe Neighborhoods Sub-award application: Lt. Gentry gave an overview of the project – it is a resource in building a database of shell casings from crime scenes for future comparison. Canyon County qualifies for \$25K although CCSO is asking for \$8710 which is closer to actual costs. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Project Safe Neighborhoods sub-award application. A copy of the application is on file with this day's minutes.

Consider signing resolution granting a fee reduction for a rezone and comprehensive plan map change for Jonathan Lee: This is actually a refund as Mr. Lee has already paid the fee. Director Nilsson explained that Mr. Lee and two partners want to divide a 15 acre parcel into three 5 acre parcels. They've requested a comp plan amendment from ag to residential which will probably be an administrative land division. Mr. Lee paid for both the zoning text amendment (\$2500) and the zoning map amendment (\$850) but staff doesn't believe there will be any additional work, so they believe the \$850 will cover DSD costs. Director Nilsson addressed questions posed by Commissioner Van Beek regarding fee amounts. Commissioner Dale made a motion to sign the resolution reducing the fee as recommended by the Director of DSD. The motion was seconded by Commissioner White. The motion carried in a 2-to-1 split vote with Commissioner Van Beek voting against the motion. See resolution no. 19-180.

Consider ratifying application for lengthy trial juror compensation reimbursement application: Mr. Laugheed explained that the Trial Court Administrator identified an opportunity for the county to receive reimbursement for some jury trials. Mr. Tyler worked to get the deadline extended and has been working with the Controller to make sure all the numbers are in place. Mr. Laugheed recommended that that Board sign the initial application prior to it being on the agenda because of the due date. Mr. Tyler explained the history of jury compensation and the statute that states any trial that last more than 5 days, starting on day 6 the county has to pay jurors \$50 a day. Additionally, the legislature also passed a

provision that money would be available in a fund where counties could apply for relief of the difference between the \$10 daily rate the county would have paid and the \$50. Canyon County had two trials this year that would qualify for this reimbursement, however, reimbursement is only being requested on one case as we received full reimbursement from Idaho County on the Lankford case and it will be up to them to request reimbursement. A discussion ensued about how the timelines will be better addressed in future years. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to ratify the application for lengthy trial juror compensation reimbursement application.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:37 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy PA Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:46 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 – PRELIMINARY PLAT FOR CASCADE HILLS SUBDIVISION, CASE NO. SD2019-0012

The Board met today at 9:49 a.m. to conduct a public hearing the matter of a request by Tradition Capital Partners, LLC, for a preliminary plat, irrigation and drainage plan for Cascade Hills Subdivision, Case No. SD2019-0012. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Peggy Bresky, Alan Mills, Mike Wagner, Spencer Kofoed, Tyler Hess, Jackie Grayson, other interested citizens, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is zoned R-1 single family residential with an average minimum lot size of one acre and the proposed lots meet the minimum lot size. The property is designated as residential on the future land use map and is located within Middleton's impact area. The project contains 51 residential lots, will be developed in two phases, and will utilize individual domestic wells and septic systems. The P&Z Commission and staff have recommended that a pressurized irrigation system be utilized. Keller and Associates has reviewed the plat and found it to be in compliance and their recommended conditions were added by staff. The P&Z Commission and staff have recommended approval of the plat with conditions. Peggy Bresky, with Horrocks Engineers, testified this is a standard development

and is going to be developed in two phases. It has gone through the County surveyor, the Canyon Highway District and the fire department and all areas have been addressed. They originally submitted their plan to include four of the most northeastern lots to receive pressurized irrigation with the remainder of the lots to be individually irrigated with private wells. The rationale for that is that with the development that's occurring in the area farmland is getting less and less water availability and this would be the best and highest use of the available irrigation water. They would like the Board to allow for the developer to transfer those water rights for the remainder of the lots and give those rights to adjacent farmers. Ms. Bresky responded to questions from the Board regarding irrigation and drainage. Alan Mills testified that before they proposed the irrigation system they met with Idaho Department of Water Resources (IDWR), Black Canyon Irrigation District, and Al Barker who is a leading water rights attorney to make sure their proposal made sense to those agencies. They did a drone flyover of nearby Kingsbury Meadows and found there none of the one-acre lots irrigated even close to half an acre. He spoke of how lots of this size do not utilize pressurized irrigation, and how there is a backlog of farmers who need these water rights. He said they could have transferred the rights already but the developer wanted to have buy in and make sure everybody understands all the facts. Mr. Mills responded to questions from the Board regarding irrigation and fire flow. Mike Wagner, who has farmed in the area for 50 years, gave testimony regarding irrigation. He said the irrigation district was put in on a gravity irrigation basis and so whatever was below the water level had a water right, and whatever was above it did not. There are 53,000 acres in the Black Canyon Irrigation District and they were irrigating 57,000 acres. In 2000 there were lawsuits from people saying they were paying for water to go on ground that did not have water rights so the district tried to alleviate that issue and dry up those 3,500 acres. Ditch riders have to deliver water to subdivisions but the extra water goes unused while farmers are having a difficult time irrigating their crops. There is a better application for those water rights than in the middle of development. Mr. Wagner responded to questions from the Board regarding irrigation water. Spencer Kofoed testified they want to do what's right for the homeowners and farmers and they would be happy to put in the system if that's the right thing to do but they truly believe this is a discussion of how best to use the water rights. State statute allows them to water one-half acre, but his experience is that homeowners prefer not to have to share and pay for the infrastructure and the water rights if they don't have to and so by allowing a system that does have water rights for the bigger lots and allows the other people to opt out and not have to pay for the infrastructure and water rights it's good for the homeowner and better for the farmer to transfer 40-50 acres of water rights to a neighboring farmer. There is a concern that the deep water aquifer would be used but that's a moot point because they're going to use the half-acre they have anyway and so whether you mandate the pressurized irrigation system or allow them the water off their wells he doesn't think it affects the deep water aquifer either way. With regard to the timeline of Phase 2, they applied with the Bureau of Reclamation to move the ditch and straighten it out, and they have worked with the neighbors to the south where they will get the same or better system for their irrigation. With regard to the fire suppression, the fire district wants them to either create a pond so they will have enough water to fight a fire, or to do sprinkler systems. Mr. Kofoed answered questions from the Board regarding home fire sprinklers and fire suppression. Tyler Hess testified that he developed Purple Sage Estates and they put in a pressurized irrigation system for all the homes with one-acre lots and last

year they ordered 5 inches of water for the 60 acres but most of the homeowners didn't use them, they used their wells. The concern is having an expensive system that just sits there when there are farmers who have no water rights. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to close public comment. Commissioner Dale made a motion to approve the request by Tradition Capital Partners for approval of the preliminary plat, and irrigation and drainage plan as well as the findings of fact, conclusions of law, and order (FCO's) for Cascade Hills Subdivision, Case No. SD2019-0012. The motion was seconded by Commissioner Van Beek. Ms. Almeida asked for clarification on the Board's position regarding the pressurized irrigation system. Commissioner Dale made a supplementary motion to remove Condition No. 2, which is a pressurized irrigation system. Commissioner Van Beek said it applies to certain lots, Lots 1 through 4. Commissioner Dale said the motion removes the requirement, it doesn't say they cannot do it. It shall be at the discretion of the developer to utilize as is best. Commissioner Van Beek said if we remove that from everything then those four lots would not meet the requirement for the ½ acre so she wants to amend the motion to stipulate that there are four lots that will retain the pressurized irrigation and the blanket condition of having a pressurized irrigation system for the subdivision would be removed. Commissioner Dale agreed. The motion carried unanimously. The updated FCO's will be signed on Monday, December 9, 2019 at 9:30 a.m. The hearing concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM

CALDWELL, IDAHO DECEMBER 9, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/10/19

The Board of Commissioners approved payment of County claims in the amount of \$10,867.07 and \$52,239.11 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1530.00 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Amelia Barton.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 12/20/19 for a Christmas party.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for October 2019 in today's minutes.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:03 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd left at 9:05 a.m., Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross.

The Treasurer's monthly report for October 2019 were filed in today's minutes. Treasurer Lloyd noted for the record that the report contains nothing out of the ordinary.

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

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. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss personnel matters regarding named personnel, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER AN ACTION ITEM

The Board met today at 10:01 a.m. with the Director of Development Services to discuss general issues, set policy and give direction and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida left at 10:05 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing the findings of fact, conclusions of law and order for Cascade Hills Subdivision; Case No. SD2019-0012: Ms. Almeida said these finding reflect the decision that was made by the Board last week in regards to the pressurized irrigation condition. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the findings of fact, conclusions of law and order for Cascade Hills Subdivision; Case No. SD2019-0012.

As part of her monthly meeting Director Nilsson updated the Board and discussion ensued on the following topics:

- DSD participation in the REDI initiative: Director Nilsson will speak with Tina Wilson regarding the requirements.
- Budget and personnel: The first two months of this fiscal year are tracking with last year. They are a little short staffed but are getting by okay at this point.
- COMPASS activities: First meeting of the Fiscal Impact Sub-committee was held recently.
- Impact fee committee: Zach Wesley has drafted the resolution and the list of names has been sent to the Board. At this time terms would not be set for the committee members as it's not required by state law but it will be suggested that they adopt bylaws.
- Code enforcement: Historically there has only been one code enforcement officer who works closely with the Sheriff's Office as well as the city code enforcement staff. Year to date 133 cases have been opened, 78 were public nuisance violations, 44 zoning violations, 10 building permit violations and 1 that was found to not be a violation. Discussion ensued regarding code enforcement issues and ways they are handled and resolved. Further discussion was had about the special inspection process and wording within the document.

The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

CANVASS ELECTION

The Board canvassed the December 3, 2019 Election results today which are on file with this day's minute entry.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 10, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Boise Office Equipment in the amount of \$7,904.00 for the IT Department
- Apple in the amount of \$1,347.00 for the IT Department

APPROVED CLAIMS ORDER NO. 12/24/19

- The Board of Commissioners approved payment of County claims in the amount of \$5,739.07 for accounts payable.

MEETING WITH THE DIRECTOR OF INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:32 a.m. with the Director of Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of IT Greg Rast, Project Manager Shawn Adamson, Business Analyst Chelsea Baguley, Development Manager Rick Fisher, Operations Manager Don Dutton, Business Manager Caitlin Pendell and Deputy Clerk Jenen Ross.

Director Rast along with Mr. Adamson and Ms. Baguley provided a Project Closure Update. The following projects were reviewed:

- Indigent Services Repository
- CCRag
- Communication Room Wire Standardization
- CCSO Nortel Removal
- CCSO Jail Metrics
- OSSI to Blue Iris

A copy of the Project Closure Presentation is on file with this day's minute entry. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY DUANE DARBIN FOR A CONDITIONAL REZONE, CASE NO. CR2019-0010

The Board met today at 9:32 a.m. to conduct a public hearing in the matter of a request by Duane Darbin for a conditional rezone, Case No. CR2019-0010. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Keri Smith-Sigman, Duane Darbin, Lee Blankenship, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The applicant is requesting a conditional rezone to change the zoning from agriculture to single family residential; the future land use map designates this area as agriculture. As restricted by the development agreement a one-acre parcel will be located in the northwest corner of the property and the remaining 8.81 acres will be retained for the existing home site as well as agricultural uses. The request will retain a majority of the parcel for agricultural uses much as it is currently. The surrounding land uses are a mix of agriculture and residential. Caldwell's area of city impact is located approximately 668 feet east of the property and within one mile there are five platted subdivisions with an average lot size of 1.65 acres. The proposed access will be via existing ingress/egress easement located on the west boundary of the property. Canyon Highway District will require an approach permit onto Upper Pleasant Ridge Road and they will require the current approach be improved; it will be required to be a private road. The Idaho Transportation Department did not anticipate any significant traffic impacts and had no objections to the proposal. There is no opposition to the request. The P&Z Commission recommended approval and staff recommends approval as well. Keri Smith-Sigman gave testimony on behalf of the applicant and stated they are doing this land division in order to build a home for their daughter and son-in-law. They are allowed to build a secondary residence but it's difficult to get financing on secondary homes so in the future they may take that option. She spoke of how this is the fifth parcel but that's because of an unapproved land division, it was a large parcel and the original included an administrative land division. It's unfortunate that the subdivision ordinance includes all land divisions, whether approved or not, so the Darbins are being penalized for that and it will cost them \$20,000 to do a subdivision plat for something that isn't fair. There are other communities whose subdivision ordinances recognize approved divisions as counted toward the plat so that people who do follow the law aren't penalized. There is another rezone just north of the property and the old platted subdivisions to the east are similar in size and rural in nature. There is a ditch that runs north and south so by putting a home on the western portion of the property that will keep the most agricultural uses viable. Ms. Sigman responded to questions from the Board following her testimony. Commissioner Dale asked why it costs \$20,000 to do a plat, and secondarily is there a process through which a person can say there's only "x" amount of houses to be built so is there an exemption to that subdivision without an entire ordinance change. Ms. Almeida said plats are not a cheap endeavor, you have to hire engineers to prepare civil drawings and that's where the cost comes in. Secondly, the process staff follows is in line with our ordinances so without an ordinance change there is no way around that. The property that was split off without a building permit was sold so it's not the original owner who retains it so unfortunately for the applicants the fifth parcel triggers the platting requirement and that's where this falls unless they decide to do a secondary residence if the financing can be worked out, then they would not have to do a subdivision plat. Ms. Sigman said people do land divisions all the time and the County doesn't have a

good mechanism to go after them to comply. It would be nice if there could be an ordinance amendment in the next two years before the Darbins are required to do the subdivision plat where that the platting requirement could be removed from the development agreement and where the ordinance could be amended to correct the definition to include buildable lots. Commissioner Van Beek said that's outside the scope of this hearing and it's a policy discussion that would have to take place with legal counsel and with the DSD Director. Commissioner Dale said the applicant could request an amendment to the development agreement. He appreciates Ms. Sigman's comment that the ordinance should be amended to be more fair to people, and in the future he would like to look at that but as far as this case goes it adheres to the current ordinance. Commissioner White said it would be good if they could send correspondence to the Board so we can document it. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the request by Duane Darbin for a conditional rezone and development agreement, Case No. CR2019-0010 and sign the findings of fact, conclusions of law and order as well as the ordinance. (See Ordinance No. 19-053 and Agreement No. 19-197.) The hearing concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 2:34 p.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale arrived at 2:39 p.m., Chief Deputy P.A. Sam Laugheed arrived at 2:39 p.m., Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell arrived at 2:37 p.m., Facilities Director Paul Navarro left at 2:41 p.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Northwest Elevator & Contracting, Inc. maintenance agreement:

Director Navarro explained that the elevators are registered with State of Idaho – Division of Building Safety and are required to have an agreement in place for routine maintenance. The State of Idaho requires an annual certification as well as a five-year certification. Previously there was a contract in place with Otis Elevator but due to cost and service have now elected to go with Northwest Elevator & Contracting, Inc. who have two offices in Idaho. Director Navarro addressed several questions raised by Commissioner Van Beek. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the maintenance agreement with Northwest Elevator & Contracting, Inc. (see agreement no. 19-198)

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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 2:42 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy PA Sam Laugheed, Deputy PA Dan Blocksom, Deputy PA Brad Goodsell (left at 2:50 p.m.), Deputy PA Zach Wesley (left at 3:05 p.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 3:44 p.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 2019 TERM
CALDWELL, IDAHO DECEMBER 11, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

PUBLIC HEARING – REQUEST BY TROOST FAMILY TRUST FOR A COMPREHENSIVE PLAN
MAP AMENDMENT AND A REZONE, CASE NOS. OR2019-0002 AND RZ2019-0004

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Troost Family Trust for a comprehensive plan map amendment to change the designation of Parcel No. R33402010 from "Agriculture" to "Commercial" and "Residential", and a rezone of approximately 30 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, and approximately 6 acres from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone, Case Nos. OR2019-0002 & RZ2019-0004. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Greg Bullock, TJ Wellard, Sheena Wellard, Bill Werhane, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is approximately 36.72 acres and is currently zoned agriculture. There are seven subdivisions within one mile with an average lot size of 1.18 acres. The adjacent properties were platted in 1948 and 1949 prior to zoning regulations in the County. The remaining subdivisions within one mile were also created prior to zoning regulations with the exception of Pear Lane Estates Subdivision which was platted in 2007 and the Newby Subdivision which was platted in 2018 and contains one residential lot with the remainder of the land is agriculture. There is commercial zoning located south of the subject property which dates back to at least 1985 and serves as the Sunnyslope Market, a store and gas station. COMPASS TAZ data shows this area anticipates an increase of 22 households by the year 2040; they noted the proposal

exceeds growth forecasts for the area specifically noting transportation and infrastructure may not be able to support the new transportation demands. The applicant is proposing individual septic systems and wells. It is located within a nitrate priority area as defined by DEQ. There are several wells within the immediate vicinity that have tested high in nitrates. The Golden Gate Highway District stated the residential portion of the development would be below the threshold for a traffic impact study, however, they were concerned that the commercial zoning would generate potential significant traffic at full buildout. The district will require a traffic impact study for the commercial portion of this project. ITD noted that the development should, if possible, take access from local roads and if the applicant wishes to take access via the state highway they must prove the need for access through a TIS. Staff has found the request does not meet the standards of review for the comprehensive plan map amendment and rezone as presented. The P&Z Commission recommended denial on September 19, 2019. Greg Bullock, who testified on behalf of the applicant, stated Greg Troost is not a developer, he is a very large farm operator who owns thousands of acres in Canyon County, and is a major agricultural player who recognizes a need for housing for agricultural employees. The intent is to provide one-acre lots with manufactured homes on a foundation that will be affordable and qualify for rural residential loans at a reduced interest rate for agricultural workers to purchase and be motivated to remain in Canyon County. CC&R's will allow them to park farm machinery on the lots, build shops for repair work, and promote uses for farm operations. It will not be for retail commercial mechanical work. This site is more compatible than other locations he owns given there are already two large subdivisions contiguous with 111 lots, the majority of which have manufactured homes and old trailers homes that are primarily used by agricultural workers in the area. The agricultural industry is suffering with the lack of affordable housing. Mr. Bullock spoke of large vineyard projects that are coming to the area which will bring more employees. Over a year ago, Mr. Troost purchased the Dorsey Dairy and part of that purchase included this 37-acre piece that came with the sale. He testified about the character of the area and the types of manufactured homes that will be on the property which range in size from 500 square feet to 1500 square feet ranging in price from \$150,000 to \$190,000. They are looking at 24-25 one-acre home sites; they will be owner-occupied properties, but that doesn't preclude an investor from buying and renting it to agricultural employees. Mr. Troost does not intend to make this a rental property. Mr. Bullock responded to questions from the Board. TJ Wellard testified the point of one-acre lots is to cluster the ability to develop into a smaller area rather than expending the other agricultural areas. He said they were steered to go toward a conditional rezone, but in evaluating the proposal they didn't think putting conditions on an R-1 zone would be beneficial because it would result in subdivisions like those that are next door that are zoned agricultural, but are obviously residential, so they thought it would be best to give the properties the rights of R-1 since they will be an R-1 property. Regarding the commercial portion, if they were to do C-1 instead of C-2 they would have to do a conditional use to be able to get a gas station and C-store, so why ask for zoning and then ask for another use in the zoning so that is the main reason for C-2 commercial. The commercial isn't the goal, it's a buffer between the highway and it serves a need for the area. He said some neighbors have responded negatively, but they are not here today. Mr. Wellard said the applicant has identified this property as the best scenario since it's surrounded by residential. There is a housing crisis in Idaho and we have to have a place for people to come; the agricultural community is suffering because we don't

have a place for workers to live and in this scenario it provides out-of-town living for people who are working in the area and it reduces the traffic in and around town. It's a good solution to the problem. Bill Werhane testified that he had questions regarding the well and septic but those questions have been answered. He believes the five-lane highway in the Sunnyslope area should be extended all the way down to the bridge near Marsing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek appreciates comments in support of the project, and she complimented staff and the P&Z Commission on evaluating the impact. She supports the use of comprehensive plan goals and policies which have been carefully picked out in the staff report in support of the denial. To turn the property into low income affordable housing will change the quality and character which is in direction opposition to the comprehensive plan and what that area could look like. She is compassionate to the need for affordable housing but this is going to require reconfiguring. She also expressed concern about the possibility of the dumping of hazardous waste or oils due to farm equipment maintenance. If the request is approved it will open the door to development that she doesn't think is in the best interest of Canyon County. She agrees with the reasons of denial cited by the P&Z Commission. Commissioner Dale spoke of the need for affordable housing and said this is not intended to be low income, it's affordable housing that qualifies for the rural residential loan. This is a good plan and we need to come up with ways to make it fit in with what needs to happen to make this acceptable, although he doesn't know what that would be. He appreciates the innovative ideas of trying to provide affordable housing. Commissioner White wants to see a conceptual plan before deciding this case. She does not want to see multiple families living on one acre, nor does she want it to be limited to farmworkers. Mr. Bullock said they will plat out the lots and do a pre-development agreement that says all homes have to be on a foundation. There will be no secondary residences or trailer houses without a foundation. They will also draft a development agreement so the Board has more validity to what's going in there. Commissioner Dale said he is not comfortable with a 600 square foot home. Mr. Bullock said anything they put in that area will be an upgrade because it's a really rundown area. The intent is not to limit affordable housing. Commissioner Dale suggested that perhaps modular housing could be looked at as an alternative. Director Nilsson said if the issue is affordable housing the information we can get an estimate of lot development cost and then take a crack at what the ongoing cost of taxes on a one-acre lot will be compared to existing houses. She doesn't want to put that on the applicant, but it would be informative to the decision if affordable housing is the goal; she would not recommend any housing size. Mr. Bullock said they are happy to do that. Commissioner Van Beek doesn't have enough evidence to overcome reasons for denial, but if the property is going to be used as a staging area for maintenance on equipment there should be some consideration with the health department to make sure the groundwater and the aquifer are not contaminated. Commissioner White said that is a good point and she would like the application to provide clarification on that. Commissioner Van Beek said she objects to locating this in the area that has the potential to be a scenic byway portion. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to January 6, 2020 at 10:00 a.m. The applicant will submit the conceptual plan to staff by December 25, 2019. The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 12, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Hyland in the amount of \$4,955.00 for the IT Department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0133, 2020-0113 and 2020-0120, 2020-143, 2020-142, 2020-240, 2020-139, 2020-119, 2020-116, 2020-138, 2020-260, 2020-117 and 2020-114. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days on the cases as read into the record.

Commissioner Dale made a motion to issue an initial approval for case no. 2020-0140. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF PUBLIC HEARING – APPEAL BY TRENT WHITE FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 9:01 a.m. for a continuation of a public hearing in the matter of an appeal by Trent White for a variance of the 20-foot rear setback for a pool that has been constructed. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Todd Lakey, Kristoffer Sperry, and

Deputy Clerk Monica Reeves. The hearing was continued from November 12, 2019 in order to give the applicant time to conduct a survey. The property owner's representative indicated to staff they need another couple of weeks to get the survey recorded. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to January 13, 2020 at 10:00 a.m. The matter concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office

CONSIDER SIGNING RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO THE CANYON COUNTY DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE; AND CONSIDER A NEW ALCOHOL LICENSE FOR EIGHT TWELVE MAIN, LLC

The Board met today at 9:04 a.m. to consider signing a resolution establishing and appointing members to the Canyon County Development Impact Fee Advisory Committee; and to consider a new alcohol license for Eight Twelve Main, LLC, in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. The items were considered as follows:

Resolution establishing and appointing members to the Canyon County Development Impact Fee Advisory Committee: Zach Wesley said this resolution is based on prior conversations the Board has had with legal counsel and Director Nilsson concerning the establishment of the impact fee advisory fee committee. Director Nilsson, along with the Board, has identified nine individuals to serve on this committee. According to state law, the minimum membership is five, and two of those members have to have certain requirements being active in business development, building, or real estate. Four out of the nine members have that qualification. We meet the minimum requirements of the state statute to establish this committee. Mr. Wesley said a prior draft of the resolution had tentative terms of office listed and Director Nilsson had previously suggested we get rid of the terms and have everybody serve at the pleasure of the Board. The advisory committee does not have the state requirement for certain terms in office. Commissioner Van Beek referenced an email the Board received from the City of Middleton regarding countywide impact fees. Mr. Wesley said today's resolution is for a County development impact fee committee and the nine members will serve the County and it will be broad enough to include the fire districts, the recreation district, and the highway district that want to participate, and if the Board wants to do countywide impact fees it could also utilize this committee for that. Commissioner Van Beek said a member of a concerned citizens group expressed objection to the people that were outlined on the committee as they felt it was a conflict of interest. The person thought Director Nilsson served as the economic development coordinator and was stacking the committee with developers, so Commissioner Van Beek clarified some of those miscommunications. She said Director Nilsson's selection of these committee members was meant to be a broad-range selection representing cities within the County that would understand impact fees and be able to represent the development of what that looked like. Mr. Wesley said the names on this committee initially came from recommendations from the highway district and there were other names suggested by the Board; he does not know that Director Nilsson had a role in selecting any of the members on her own. Some of the people

on this committee will have to have active interest in building development and real estate, according to state law. The law is to recognize that those groups have an interest in developing the fees because they and their clients will end up paying them at some point. Commissioner Dale said the reason the developers are on the committee is because the development community in general is the one preventing the establishment of school impact fees because they see this as adding to the cost of homes, they don't see the bigger picture. This is established so we can begin the process of distributing the recommendations from this, and ultimately every district will be required to adopt fees if they want to have fees. The committee serves in an advisory capacity only – they are not a decision board – and it's likely they will only meet a couple of times a year. Commissioner Van Beek said it's not that lay people cannot be involved, but there is a rubric that's established in the implementation of these and this sounds like a template that can be used to protect the best interest of the County when the impact fees are looked at whether it's fire, highway, or parks districts. Commissioner Dale said he knows most of the committee members and he is pleased they are willing to serve and he said this is a first step toward getting some of these costs that continually come down to the property taxpayer shifted to those who are coming in and creating a need for more infrastructure and growth, Commissioner Dale made a motion to approve the list that's been given for appointing the members of the Canyon County Development Impact Fee Advisory Committee. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Resolution 19-182.)

New alcoholic beverage license for Eight Twelve Main, LLC: The applicant is seeking approval of a beer, wine, and liquor license for property located at 812 Main Street in Caldwell. (Mr. Wesley left at 9:17 a.m.) In reviewing the application Commissioner Van Beek suggested the matter be tabled to allow time for legal counsel to review the application and license in regards to fees and the response to Question No. 12 on the application which indicates the premises is within 300 feet of a church. She then made a motion to table this matter until we can get information on what the ramifications are regarding the location in order to make sure the Board is within compliance on that. (The motion failed for lack of a second.) Commissioner White said by the time the County receives the license application it has already gone through the city's and the state's process, the County is the final pass through. Commissioner Dale said in terms of permitting it's gone through the city's process and he is comfortable with their process which has approved this building to be in the location. Commissioner Van Beek will ask Mr. Wesley to answer the question on what the ramifications are for answering yes to Question No. 12. She will be voting no on this application. Commissioner Dale made a motion to authorize the Board to sign the resolution for a new alcohol beverage license for Eight Twelve Main. Commissioner White seconded the motion. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote. (See Resolution No. 19-181.) The meeting concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – APPEAL BY WAT IDAHOPHOXAIYARAAM, INC., FOR A CONDITIONAL USE PERMIT

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of an appeal by Wat Idahophoxaiyaraam, Inc., for a Conditional Use Permit (CUP) to allow a church use on

Parcel R22926, Case No. PH2016-51-APL. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Laird Lucas, Phannipar Butterfield, Yo Saithavy, Toby Griffin, other interested citizens, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The applicant is appealing on the basis that the decision made by the P&Z Commission was arbitrary and unlawful, that the neighbors' testimony regarding impacts to the neighborhood was not justified by factual information, and that the denial violates religious land use in the Institutionalized Persons Act of 2000. They are requesting the decision be reversed and that the CUP be approved with reasonable conditions. The parcel and structures will be used for religious services, monthly holidays, and religious education. The use includes a sign, and a resident will live in the existing dwelling. Once a month there will be an event observing a religious holiday. There are 25 off-street parking spaces and 16 overflow parking spaces. On October 3, the P&Z Commission denied it for three reasons: 1) they found it was an inconsistent use to the surrounding neighborhood, 2) it was impactful to the existing neighborhood; and 3) neighbors testified the use has been loud and traffic and parking has impacted Howard Lane. It's been an illegal use since 2006, they requested a temporary permit for a special events use, and at that time they were told they need to obtain a CUP. This application has been in process since 2016. Back when the temporary use was approved the neighbors had concerns about the noise and traffic. Other reasons for denial include: septic and water, the conditions on site made it difficult to use the existing septic system so Southwest District Health (SWDH) required an engineered septic system. The applicant has requested portable toilets as a permanent solution. The P&Z Commission found the solution was temporary and unenforceable if approved. The same with water, if the use includes 25 or more people for 60 days or more a year a public drinking water system is required. The Commission found that the temporary alternative, which is bottled water, is temporary and unenforceable. The parcel is zoned rural residential and is in the City of Nampa's impact area, but it's not near the city limits; if it were to be annexed it would be industrial because it's in close proximity to the airport and it would be an allowed use by right. Staff has recommended 12 conditions if the Board decides to approve the request. The use requires building permits. Staff has added a caveat that they submit their building permit within 60 days. It has been an illegal use and the use will probably continue while they are working on their CUP. Staff wants the structures to be safe and meet the current building codes. Signage has to meet requirements within 60 days. After discussing the septic issue with SWDH they came up with the idea of portable toilets; as long as they are contracted through a commercial vendor where there is a mechanism to check that they are under contract with a commercial vendor, that they are providing enough toilets and they are being maintained by that vendor, it should not be an impact. Staff is still reluctant and feels this is still a temporary use and a permanent use should be sought such as doing the engineered facility or reaching out to the city about potentially extending the water and sanitary lines that way. Staff added a condition stating that if they trigger 25 or more persons for 60 days per year they have to get the public drinking water system, and they can use the bottled water as they are attempting to get that permit. No onsite food preparation is allowed except when they have a public drinking water system and septic system. They have to meet Nampa Highway District's access and approach requirements, same with fire access and water supply requirements. Staff added an exterior lighting requirement that all light be shielded downwards and away from other properties. Staff has requested an off-street parking plan

to ensure the issues with on-street parking are mitigated through this off-street parking plan. This use is not transferrable; once the owner leaves the site it expires and goes back to being a residential use. Mr. Lister responded to questions from the Board. Laird Lucas, a volunteer attorney representing the group, testified that his wife is Thai and she attends the Buddhist temple. He spoke of how this story goes back to the end of the Vietnam War where communists not only overran the Vietnamese government many people left as refugees and ended up in the Treasure Valley area in the late 1970's and early 1980s. The applicants bought the land in 2006 and they started operating as a small temple. There was a farm house with a detached garage and the monk lives in the small home. The detached garage was turned into a place of worship with an altar and Buddhist statues. People give food to the monks every morning, they pray, they meditate. A few times a year they have larger celebrations, typically one Saturday each month. There may be one or two additional holidays that are not on a Saturday or it might go to a Sunday but it's only 1-2 days a month, it's not one day a week or 84 days a year. It's only at those celebrations that the community comes more often and they will have folks outside, they'll put up a stage, there may be chanting and praying, and they will play music. It happens during the daytime, they have never gone past dark because the monks are spiritual and quiet. There are not loud noisy parties at night and there never will be. In 2006 they didn't follow all the rules to get the permits they should have, but beginning in 2015 they worked with DSD and got a CUP. They have gone through the process to get a building permit and certificate of occupancy for the detached garage. It's gone on too long, but there is an architect who's been working with them. The key issue has been restroom facilities so once a month when they have more people coming, usually 50-100 people, they use a porta-pot that's been there for a couple years. They have raised a lot of money over the last few years to build a permanent restroom and the architect and SWDH went to the site and did engineering and they found rock under the soil that made it really hard and expensive to put in a septic system. They want to explore another alternative which is to get a trailer that is self-contained and serviced by commercial vendors. They need to have restroom facilities and they will spend the money and show they have adequate facilities to cover that. Regarding public drinking water, there have been extensive negotiations with SWDH and DEQ about whether they need a public drinking water system, which is triggered by 60 or more people using it for 25 days or more a year but the applicants don't meet the threshold of needing a public drinking water system. They are happy to have the condition in there because if the use does expand they would comply. They believe they already have sign-off that they don't need to put in a public drinking water system. They are fine with the condition of no onsite food preparation, however, there might be an occasion when they grill some food, but that's it. In response to the neighbors' complaints about loud noisy parties at night Mr. Lucas said there is another property where a wedding had been held and they put up a big stage and had a loud party. It was not the temple, it was another neighbor. He said the applicants agree with the condition requiring a parking plan and they agree with the condition to get a building permit for the overhead canopy. He referenced the Religious Land Use Freedom Act and the Institutionalized Persons Act and the fact that the P&Z Commission and staff were not familiar with that. It's a federal law regarding freedom of religion and provides more specific detail that you cannot put unreasonable conditions on the exercise of religion, but the P&Z Commission did not take that into account and they should have. They know they are subject to reasonable conditions, and they want to be reasonably regulated and they have proposed conditions and what staff

has recommended is very similar and they think they can adhere to those. If the CUP was denied that would put them in the position of not being able to operate as a temple on this property. The neighbors across the street are in support of the temple. The applicants have had trouble coming into compliance but they're going to take care of things and come into compliance. The temple and the board of directors has to make a determination about cost and they should look at alternative that would be serviced regularly and maintained in sanitary conditions rather than digging a new septic system with all that expense. Mr. Lucas responded to questions from the Board. Phannipar Butterfield testified in support of the request. She and her husband attend the temple every Sunday to offer food to the monks and take care of foreign exchange students in Canyon County. Some students have come from Thailand to study and live in US with an American family for one year to learn about American culture. Sometimes they are lonely and homesick so she invites them to the temple for support. Toby Griffin, who lives nearby, said there is no bias on the part of those opposing the request. He and others walk in the neighborhood in the evenings and on several occasions they have heard music which is slightly louder than the events held at the Idaho Center. He said he has heard music as late as 9:00 p.m. Those who attend the temple park on both sides of the street and the lighting isn't good nor is the infrastructure built for accommodating parking on both sides of the street. He would like there to be some decibel monitoring to address the noise issues. Mr. Griffin said they want to work with the applicants, but they need to be aware it's a neighborhood area. Linda Miedema said it was stated that this is the only temple that's suitable in the State of Idaho, but she said there's another one in Oregon and a 45-minute drive is not that far. She has concerns regarding water and septic as well as the street parking that occurs which makes it difficult to travel Howard Lane, a one-lane road since. She said the noise from the temple's events is excessive, particularly one that was held in July of 2019 because it went on for hours and was disruptive to the neighborhood residents. Laird Lucas offered rebuttal testimony and said they have statements from neighbors across the street who support the temple and talk about how they are good neighbors. There are two people who have concerns about noise, but he disputes the testimony that the temple has noisy events at night because the monks do not do that after dark. He spoke about how other residents have had wedding celebrations and perhaps that is the noise that was heard. He recommends the Board limit activities to the daytime (nothing after 6 pm, whether it's light or not). For noise during the day there could be a decibel meter and because they are willing to be good neighbors they could turn down the music so they don't bother the neighbors. Mr. Lucas said there is no evidence of any traffic incident nor evidence of anybody being injured or hurt; the Board heard an anecdotal report from a neighbor or two whereas there are other neighbors who support this request. He responded to questions from the Board. Mr. Lister said staff didn't want add anything that would violate their right to assemble. Zach Wesley said it's a question of do we impose conditions on other uses. There are disturbing the peace ordinances that could be applicable and he thinks that's why we don't commonly bring those things in. It's better to address it through decibel level outside the property. We are not talking about assemblage but how far the sound goes beyond the property and that is something the County regulates with commercial and other assemblage uses. Director Nilsson said 65 decibels is a reasonable level. Mr. Lucas said they propose hours from 10am to 3pm, in regards to amplified music, but there may still be people onsite after 3pm. In response to Commissioner Van Beek's comments about violations on this property, Mr. Lucas said he doesn't think there have been

violations, there was the correspondence in 2018 instructing them to obtain a CUP, but there haven't been any determined violations of any type. There have been no sanctions imposed and they have been proceeding with process, which has taken too long. There have been a lot of discussions with SWDH and DEQ about the water and septic and there was agreement on that. Commissioner Van Beek said to date we have no testimony that validates Mr. Lucas's position that there is a waiver and she requested a recess to meet with legal and talk with the Board and staff about it. Mr. Wesley said once testimony is closed he suggested there be a continuation for deliberation and then set it for another date. Commissioner Dale agreed and said there have not been a number of violations. He's read that DEQ and others are fine with the sanitation things that have been proposed as far as porta-pots or portable toilet system and the providing of drinking water. The issue is how to mitigate for the noise so it doesn't intrude onto the neighbors. He also noted that is legal to park on the side of the street. Commissioner White spoke of how she senses respect on both sides of this issues. Mr. Lucas said for the P&Z hearing there two letters from the SWDH from 2017 and 2019 and they both discuss the question of whether a public drinking water system is required beyond the use of the residents. The recommendation from 2019 was that the applicants should contact SWDH to schedule a meeting and that has happened and they reached an agreement. Commissioner Van Beek said she supports Commissioner Dale's comments but of equal importance is the safety and transportation corridor that's being interrupted by a potential increased traffic. Mr. Lucas said traffic is a non-issue because the City of Nampa and the Nampa Highway District said it's not a problem. Commissioner White said this will be part of the Board's discussion. Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to Friday, December 20, 2019 at 10:00 a.m. The hearing concluded at 11:39 a.m. An audio is on file in the Commissioners' Office.

DECEMBER 2019 TERM

CALDWELL, IDAHO DECEMBER 13, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/24/19

- The Board of Commissioners approved payment of County claims in the amount of \$23,528.83, \$10,270.25, \$172,226.76 and \$182,276.25 for accounts payable

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Bob Barker in the amount of \$4,121.76 for the Sheriff's Office
- Dell in the amount of \$6,394.44 for the Sheriff's Office
- Dell in the amount of \$1,285.99 for the Sheriff's Office
- Nampa Auto Supply in the amount of \$3,859.00 for the Landfill Department
- T & E and NC Machinery in the amount of \$465,500 for the Landfill Department

MEETING WITH COUNTY ATTORNEYS FOR 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 Leslie Van Beek, Assessor Brian Stender, Treasurer Tracie Lloyd, Chief Deputy Assessor Joe Cox, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Dan Lister, Controller Zach Wagoner, Landfill Director David Loper left at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Hearing to consider public comment regarding Caterpillar Model D8T Tractor sole source procurement: A notice was issued and published November 27th inviting public comment on the purchase of the Caterpillar tractor although no one showed to offer comment. The vendor is set to ship once the process is complete and anticipated arrival is prior to the end of the year. Commissioner Van Beek made a motion to authorize Director Loper to sign the purchase order for the Caterpillar Model D8T Tractor. The motion was seconded by Commissioner Dale and carried unanimously. Director Loper said he will get the purchase order to the vendor today.

Consider decision regarding bids on 2020 landfill monitoring well and informing bidders of same: This is a letter to be issued by the Board letting bidders know decision on the monitoring well at Pickles Butte Sanitary Landfill. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the letter regarding bids on the FY2020 Pickles Butte Landfill monitoring well and informing bidders of the same. A copy of the letter is on file with this day's minutes.

Consider signing Treasurer's tax charge adjustments by PIN for November 2019: Treasurer Lloyd explained there are few more than normal due to the 2019 tax notices and adjustments done by the Assessor's office. The Treasurer and Assessor addressed questions posed by Commissioner Van Beek in regard to properties given to the housing authorities and homeowners exemptions. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for November 2019.

Mr. Wesley said a renewal has been received for the healthcare trustees' fiduciary liability policy from the Hartwell Corporation. The rate is up approximately 4% making the total due

for this year \$4134.00. This policy is in place to protect the trustees and the county in their fiduciary duties.

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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:18 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Planner Dan Lister and Deputy P.A. Zach Wesley (in attendance from 9:18 a.m. to 9:33 a.m.), Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Assessor Joe Cox and Deputy P.A. Brad Goodsell (in attendance from 9:33 a.m. to 10:01 a.m.) 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.

DECEMBER 2019 TERM

CALDWELL, IDAHO DECEMBER 16, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Neopost in the amount of \$1203.60 for the Information Technology department
- Smart Deploy in the amount of \$4500.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 12/16/19

- The Board of Commissioners approved payment of County claims in the amount of \$23,845.85 for accounts payable

APPROVED CLAIMS ORDER NO. 12/25/19

- The Board of Commissioners approved payment of County claims in the amount of \$35,987.75 for accounts payable

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross and Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. No Board action was required or taken. 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 TO CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. with county attorneys for legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend left at 9:14 a.m., HR Director Sue Baumgart arrived at 9:14 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing agreement with T-O Engineers, Inc. for professional consultation services on improvements to the Celebration Park east end campground improvements:

Director Schwend said they are going to be applying for State Parks RV grant for improved RV camping sites. T-O Engineers will essentially put all the engineering work into place and provide estimated costs so they know what to apply for in the grant. There is a small cost upfront but it will be able to be used as match for the grant. Mr. Wesley reviewed what TO Engineers will be doing and the fee schedule. The goal of the improvements is to make it really clear its county land and there is a fee. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with T-O Engineers, Inc. for professional consultation services on improvements to the Celebration Park east end campground improvements (see agreement no. 19-201).

Consider signing Canyon County vision care plan with VSP: This is the annual renewal; there is no fee increase it just reestablishes the service. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the vision care plan with VSP (see agreement no. 19-200).

Consider signing 2020 contract and renewal letter with Willamette Dental: The renewal letter covers the changes to the contract and increases. This year will include a new dental implant benefit which necessitated a contract change to include that language. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2020 contract and renewal letter with Willamette Dental (see agreement no. 19-199).

The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY ELECTED OFFICIALS' MEETING

The Board met today at 9:31 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Coroner Jennifer Crawford, Sheriff Kieran Donahue, Captain Daren Ward, Assessor Brian Stender, IT Director Greg Rast, Asst. Director of Operations Ricky Britton, Timothy Kelly and Michael Kelly from All Detainment Solutions (ADS), and Deputy Clerk Monica Reeves. The following topics were discussed:

ICRMP Risk Management Discount Program: Sam Laugheed referred to a memo prepared by Dan Blocksom regarding the ICRMP risk management discount program which is an opportunity they offer to the County where if we have 80% of our employees go through their online and in-person training we can get a discount off the premium. Historically we have run the numbers to see how much it'd cost us and how much benefit it would give and then talk with elected officials to gauge willingness of going through the program. Based on the finances alone it could save approximately \$23,000 and would cost \$15,000 in terms of employee time. There are some questions about what practical effect the training would have, for example, if we're empowering employees to articulate claims, or encouraging them to talk to people at ICRMP rather than people here. For the past several years we haven't participated in the program, instead HR has put together some training and some offices/departments have some of their employees take that training, and that sort of ala carte option is his recommendation where you figure out what you need and have your people take that and work with HR, but it's something for the elected officials to discuss. Commissioner White said the Board discussed it but wanted to bring it to the elected officials. Sheriff Donahue said we'd have to see what training they're offering compared to what we are already doing or already have planned through the Prosecutor's Office or otherwise. To duplicate that would not be advantageous because we are taking so much of the employees' time. Commissioner Dale believes

there are some trainings that are beneficial and he encouraged the elected officials to look at those, although to do the whole thing is probably impractical.

Pod 6 update: Michael Kelly and Timothy Kelly provide an updated on the status of the Pod 6 project. Recreation Yard 1 will be completely covered in the next week or two, but the second yard will be out until January 10th. They are making headway inside the facility; the man hours are roughly 1500 hours and with the manpower on the ground it's 1 ½ to 2 weeks if there are no delays. They anticipate being out by the first of the year; they will have staff through the Christmas period. They are confident they satisfy the contractual agreement of 90 business days to put it up. There are other trade contractors who are working autonomously and ADS is providing assistance to them, if needed. Commissioner Van Beek has had requests from citizens to tour the facility and there was a previous discussion about having the public information officer (PIO) do a limited video where people can link in. It's a hard hat area and there are too many risks with having people come through right now. Captain Ward said until construction is completed it's too much of a pain to let the general public do tours while the workers are in there. He wants to have it complete before we do anything; he likes the idea of a video where we can control what's been seen for security aspects. Once it's completed it won't be any different than when we have people who want to see the main jail and organized tours can be arranged. Sheriff Donahue said he is not opposed to having the PIO doing a video once construction is complete and putting it on the website. If the final turnover is the middle of January, staff will need two weeks to compress training and so they'll likely be looking at an operation date in February. Rick Britton said the fence fabric will be done the first of the year and then we have to put slats in it, and order landscaping fabric to be permanently attached to the outside of the fence. The landscaping can be pushed out to the spring. Clerk Yamamoto believes the city has added \$85,000 of things that are unnecessary. Commissioner Van Beek said there have been four change orders and unanticipated costs totaling \$167,000. She asked if we bought out the lease portion. Sam Laugheed said the decision about whether to buy out has not been made. Clerk Yamamoto raised concerns about the parking situation behind the elections building. Mr. Britton said they will have to change the parking situation behind the building due to how far the fence comes out. (Mr. Britton, Captain Ward, Michael Kelly and Tim Kelly left at 9:55 a.m.)

Phishing Campaign, Asset Management and Security Issues with Chromebooks: Greg Rast reported on the phishing campaign where IT sent a countywide email and 2% of people clicked on a link and got phished. The department will send three campaigns and stagger them through the year with reports going to each elected official. There was discussion about how there needs to be a unified approach on what to do as far as how it is handled in terms of written notices or discipline. Director Rast said the industry response is like the three strike method in baseball. On the first offense you talk to the employee, on the second you talk to them again and have them take more training, and when there's a third time that's where there is disciplinary action. Commissioner Dale said this is critical because 2% of employees clicking on links is enough to destroy the County's websites and integrity. Most employees have

to be able to use the internet and if they prove they are not trustworthy with technology then they can't do their job because we have to restrict access, there has to be severe consequences for opening up the entire County to this kind of risk. Sheriff Donahue said when it comes to the third strike it's up to the elected official on how they handle it. It is important to address it. The next issue Director Rast reported on is the need to shore up asset management. When digital equipment comes in IT places a bar code on it, but that's an inferior system for tracking purposes. There is no reconciliation happening between the purchase and the surplus or disposal and that's a major problem. The asset management system that was approved this fiscal year is the same system he brought to the Attorney General's Office and he would like to use it here. There was discussion about how purchase orders aren't required for anything procured under \$1,000. Prosecutor Taylor is leery about the procurement numbers because there were issues in the past that where the Board would not allow elected officials to purchase office chairs. He said the \$1,000 amount was an arbitrary number and he spoke of how the procurement component requires a different conversation versus creating a uniformed system of the acquisition of certain items. There has to be flexibility with the elected officials. Director Rast said it will take a fulltime position to operate the assessment management system and he wanted to make sure we have the concept before he buys the software. Prosecutor Taylor wants to know what the software is and what it entails. Controller Wagoner said the Auditor's Office currently tracks roughly \$60 million worth of assets and that includes anything with an initial cost greater than \$5,000 and a useful life greater than a year. Clerk Yamamoto doesn't think we are losing much and what we're talking about could cost more than what the actual loss is. Even though there is a \$5,000 threshold he said the Auditor's Office still looks at purchases. Commissioner White suggested Director Rast prepare a proposal that outlines what he wants to do and bring it to the January meeting. The next issue that was discussed was in regards to security issues with Chromebooks. Director Rast outlined his concern with the use of Chromebooks as they are becoming a major issue because they are a vulnerability on networks because they can circumvent securities. He said audits performed through ILETS are asking specifically if Chromebooks are on our network and if they are we will fail. It's not official yet, but it is coming as a criteria for an audit and he wants to take a serious look at getting rid of Chromebooks. Prosecutor Taylor and Chief Civil Deputy Laugheed want to see the major security vulnerabilities written up so they can talk to people and validate the concerns. There is concern about the cost of changing out the Chromebooks to higher-end laptops. Director Rast's concern is the potential that the County will fail the ILETS audit if we continue the use of Chromebooks.

Office reports/updates: Assessor Stender reported that they just processed the sub-occupancy roll with just over 2100 accounts that went out this year, which is 200 more than last year. \$3.1 million new value to the taxing districts.

The meeting concluded at 10:34 a.m. An audio recording 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 10:45 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Fleet Director Mark Tolman, Sr. Admin Fleet & Fuel Analyst Dawn Pence arrived at 10:52 a.m. and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following:

- Vehicle authorization forms were presented for the new Coroner's position and the new emergency manager. Discussion ensued regarding Director Tolman's checklist in authorizing a commuter vehicle and driving record. He would like to do driving record background checks yearly but that is out of his realm and would need to be conducted by the HR Investigator. Ultimately he would like to see the authorization form as part of the on-boarding process.
- Equipment continues to come in for patrol vehicles. Several vehicles will be coming in soon and others are on order.
- ASE and EVT training is set up for the first week of January.
- Fuel prices are coming down.
- Commissioner Van Beek requested a report of claims handled in-house vs. sent to ICRMP.

The meeting concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM CALDWELL, IDAHO DECEMBER 17, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/24/19

The Board of Commissioners approved payment of County claims in the amount of \$172,226.76 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Charm-Tex in the amount of \$6032.90 for Sheriff's Office

MEETING WITH THE DIRECTOR OF SECURITY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:30 a.m. with the Director of Security to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Commissioner Dale left at 8:46 a.m., Security Director Joe Mueller and Deputy Clerk Jenen Ross. Director Mueller updated the Board on the following: He is still working to evaluate all the locations, discussions ensued regarding cameras at county locations, cost projections provided in the security report, his priority list of security issues, mail and package delivery to the courthouse, need for a security assistant vs. an admin assistant and bailiff staffing of courtrooms. The meeting concluded at 9:04 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 9:04 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. 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. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Deputy PA Zach Wesley, Chief Deputy PA Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:49 a.m. with no decision being called for in open session.

MONTHLY MEETING WITH THE JUVENILE DETENTION DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:00 a.m. for a monthly meeting with the Juvenile Detention Director to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director Steve Jett, and Deputy Clerk Monica Reeves. Director Jett reported on the involvement of various community groups who bring items to the center for the juveniles during the Christmas holiday. They received their fingerprint machine and it was installed last week. He spoke of staff's involvement in programming to keep the juveniles busy so they're not just sitting in their rooms. POST is in session and he has several employees who are involved in instructing. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:12 a.m. An audio recording 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 10:15 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 Pam White and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano, and Deputy Clerk Monica Reeves. Director Breach reported the department finished November with 1,344 active cases, 498 bench warrant cases, 316 people in the community service program, and 16 in the reoccurring problem solving court. Twin Falls County is pushing some legislation to receive drug testing fees and pretrial release fees into Odyssey. Currently the Supreme Court will not allow it to be receipted because the fees are not delineated in statute, but Twin Falls County has found somebody to sponsor some legislation to be able to receipt those monies. He and staff members will attend upcoming training regarding stalking cases. He reported on a new hire and how the department is reorganizing to help manage the workload. Elda Catalano reported that the department ended with 380 kids that are being supervised; they are still monitoring 20 who were committed to the Department of Juvenile Corrections. The department has performed 550 urinalysis tests. Probation officers conducted 642 contact visits during the month of November. The average number of kids coming into the system is 25. There are new changes coming on how they do discretionary time; the Supreme Court is considering not having probation officers apply short-term detention discretionary, instead it will be a judge applying that discretionary time. It won't be effective until next year but Judge Onanubosi wants to implement that immediately which could mean they will have a spike in formal violations. She has plans to hire a new probation officer. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY CATHERINE REINDEL FOR A REZONE, CASE NO. RZ2019-0027

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Catherine Reindel for a rezone from Agricultural to R-1 (Single Family Residential) Case No. RZ2019-0027. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Gene Oaklund, Justin Tigerman, Maryann Machete, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The parcels were created without County approval in 2001, they were split into their current configuration and they do not have building permits available. Through rezoning and platting they would be able to obtain a building permit. The property is zoned agricultural, it is within a TAZ zone and it's in the impact area where they foresee residential growth. It is surrounded by existing subdivisions, a lot are within the Caldwell impact area and city limits. The future land use plan shows it to be residential, and the City of Caldwell predicts this to be medium-density residential. They have to do a nitrate priority study, and the plat

will have to be reviewed to make sure it meets the health department's requirements for septic. They are not able to connect to city services yet. The P&Z Commission recommended denial of the request because they felt the area is still rural and the request would change the area. There was testimony about the unmaintained public right-of-way that's maintained by the owners in the area and they are concerned about emergency services and traffic. It will go through a platting process so they will have to meet access requirements for the County, the highway district, and the City of Caldwell. Mr. Lister said the city would be happy to have it annexed even though there is no connection to services and they contacted the applicant about it, but the applicant wants to stay in the County and preserve the rural character. They have no intention of dividing those lots any further. The City of Caldwell does not oppose the request. Staff is recommending approval; the density is much lower than what is anticipated in the area. Mr. Lister responded to questions from the Board. Justin Tigerman testified he is a neighbor and he was opposed at the previous hearing, but he learned a lot and is changing his position to be in support of the request. He read the letter into the record from the residents of Shiloh Drive and Sunshine Lane who continue to have concerns with the proposal, however, the concerns will be better addressed with the applicant or during the platting stage. They do not have issues with the applicant's rezoning of the parcels from Agriculture to Rural Residential and they look forward to working out their concerns to benefit all parties involved. Gene Oaklund testified that he is the applicant's representative and when he attended the first hearing there was considerable pushback from the neighbors because they didn't understand what Ms. Reindel was requesting. Her request is totally compatible with the other residences in the area. The road situation has been discussed and it will have to be fine-tuned, but it's a do-able deal and it fits within the neighborhood. Ms. Reindel really wants to leave it as a rural residential neighborhood and the neighbors are now on board and they will work out the details. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Commissioner Dale said it's a very reasonable request and the roadway issues are fully able to be worked out during the platting process. He is in favor of the request. Commissioner White is pleased the neighbors took the time to seek more information, and she thinks it will be a nice fit to maintain the agricultural feeling. Commissioner Van Beek said it's unfortunate these splits occur in the first place because it places the County in a position of having to provide remedy and mediate for that, but the applicant has done a good job in creating parcels and protecting the landowners and the surrounding area. In looking at the density of .36 and up to almost 3 acres on some parcels this fits an inventory need of one acre that should be a good fit for the area. She likes the behind the scenes efforts to address the neighbors' concerns and she supports the project. Commissioner Dale made a motion to approve the request by Catherine Reindel for a rezone, Case No. RZ2019-0027, and to sign the findings of fact, conclusions of law and order as well as the ordinance. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 19-054.) The hearing concluded at 1:52 p.m. An audio recording is on file in the Commissioners' Office.

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Bode Technology in the amount of \$1,856.93 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 2006

The Board of Commissioners approved payment of County claims in the amount of \$1,728,930.04 for a County payroll.

CONSIDER SIGNING FINAL PLAT FOR BRITTANIA HEIGHTS NO. 4, CASE NO. SD2019-0026

The Board met today at 1:31 p.m. to consider the final plat for Britannia Heights No. 4, Case No. SD2019-0026. Present were: Commissioners Pam White, Leslie Van Beek and Tom Dale, DSD Planner Jennifer Almeida, Jerry Hess, and Deputy Clerk Monica Reeves. Ms. Almeida reported that the current zoning designation is R-1 single family residential. The project consists of 23 residential lots and will utilize internal private roads and a community waste water treatment facility, and domestic water will be provided by the City of Nampa. The plat and the construction drawings have been reviewed and approved by Keller Associates, and a letter of credit has been submitted for the remaining road improvements. The applicant has obtained all required signatures on the plat and staff is recommending approval. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Chairman to sign the final plat for Britannia Heights No. 4. The meeting concluded at 1:32 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 19, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- HP, Inc., in the amount of \$1,121.00 for the IT Department
- SHI in the amount of \$1,509.30 for the IT Department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0239, 2020-0144, 2020-0168, 2020-0197, 2020-0179, 2020-0131, 2020-0145, 2020-0153, 2020-0159, 2020-0154, 2020-0150, 2020-0149 and 2020-0195. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to approve case no. 2020-176 with a written decision to be issued within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials on case nos. 2019-1435 and 2019-1302.

Commissioner Van Beek made a motion to continue case no. 2019-728 to January 30, 2020 and case no. 2019-1248 to January 16, 2020. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final approvals on case nos. 2019-1259, 2019-1407 and 2019-1249.

The hearing concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:54 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services

Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final denial with written decision within 30 days on case no. 2019-1339. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to place case no. 2019-1303 into suspension pending a resource. The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1273

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for case no. 2019-1273. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Interpreter Mercedes Lupercio, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with written decision in 30 days. The hearing concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1318

The Board met today at 9:21 a.m. to conduct a medical indigency hearing for case no. 2019-1318. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the case to January 16, 2020. The hearing concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1313

The Board met today at 9:31 a.m. to conduct a medical indigency hearing for case no. 2019-1313. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Amber Jones for St. Lukes, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1220

The Board met today at 9:56 a.m. to conduct a medical indigency hearing for case no. 2019-1220. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Timothy Ryan for St. Alphonsus, Applicant and spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case. The hearing concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1336

The Board met today at 10:04 a.m. to conduct a medical indigency hearing for case no. 2019-1336. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to February 13, 2020. The hearing concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:05 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to issue final denials with written decisions within 30 days on case nos. 2019-1282 and 2019-1315 as neither the hospital nor the applicant appeared. The meeting concluded at 10:06 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 10:12 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 10:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed

and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:13 a.m. with no decision being called for in open session.

MEETING AND PRESENTATION BY DIRECTOR OF SECURITY, JOE MUELLER TO DISCUSS CANYON COUNTY SECURITY PLAN

The Board met today at 3:13 p.m. for a security plan presentation by the Director of Security. Present were: Commissioners Pam White and Leslie Van Beek, Director of Security Joe Mueller, Deputy P.A. Mike Porter, IT Director Greg Rast, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Director Mueller's presentation outlined certain issues and a proposal for mitigation steps. It's an executive summary about progress and in-progress activity from October 15, 2019 to today describing risks, cumulative findings by location, and cumulative findings by security category (hardware, locks, fences, access control system components, surveillance points, etc.). In reviewing the Triad findings he believes the County has made progress by hiring a security director, establishing a security department, establishing a mission statement, having a public security webpage for communication, and commenced the standup of a security operations center that centralizes surveillance capability and security operational presence. Phase 1 improves aspects that directly impact worker security of where mitigations are opposite best known security methods. There is a request to initiate an RFQ/RFP for a guard services contract with a proposal for four contract guard staff personnel with an approximate cost for hours of service per month of \$17 to \$23 per hour for staff. At the end of Phase 2 they would look at adding one more. He spoke of the benefits of having interior and exterior roving patrol as well as the need to have better control of access codes, door locks, etc. There is a request to initiate an RFQ/RFP for a security system integrator and surveillance evaluation replacement. Phase 2 would improve aspects which are either failing and pose an evaluated potential to impact worker security or are near a point of operational failure providing no protection value. Chief Dashiell believes Director Mueller is accurate with the interpretation and research that has gone into his report and he thinks the implementation schedule is visionary but it's also accelerated. We need to be looking at opportunities to protect ourselves by training staff about threats which are low-cost quicker implementation opportunities. Director Mueller said his priority has been to get immersed in the Triad report and seek the highest priority because when we fix the biggest problems we get a lot of value in other areas because they touch the most things which comes around to personnel safety. Discussion ensued. In response to a question from Commissioner White, Mike Porter said if there is going to be discussion about specific solutions perhaps it should be done in Executive Session.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 3:59 p.m. pursuant to Idaho Code, Section 74-206(1) (a), (d) and (i) 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 motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Director of Security Joe Mueller, Deputy P.A. Mike Porter, IT Director Greg Rast, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Mr. Porter left at 4:05 p.m. The Executive Session concluded at 4:41 p.m. with no decision being called for in open session.

An audio recording of the open portion of the discussion is on file with this day's minute entry.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 20, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 12/23/19

The Board of Commissioners approved payment of County claims in the amount of \$83,727.46 for accounts payable.

APPROVED CLAIMS ORDER NO. 12/24/19

The Board of Commissioners approved payment of County claims in the amount of \$59,867.38, \$14,933.46, \$51,360.19, \$37,271.40, \$42,710.87, \$1403.25 and \$5782.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 1/10/20

The Board of Commissioners approved payment of County claims in the amount of \$2292.91 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/10/20 for a wedding.

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 Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell, Chief Deputy Sheriff Marv Dashiell left at 9:05 a.m., Fair Director Diana Sinner left at 9:03 a.m., Assessor Brian Stender arrived at 9:25 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020 Canyon County Fair contracts with Rico Weisman, Talent Coordinator; Josh Casey, Fusion Talent Group; Murray Hatfield, Fusion Talent Group: These are just renewal contracts and the same as previous years. Director Sinner provided explanation of what each contractor offers. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the contracts with Rico Weisman, Talent Coordinator (agreement no. 19-204); Josh Casey, Fusion Talent Group (agreement no. 19-202); Murray Hatfield, Fusion Talent Group (agreement no. 19-203).

Consider signing a resolution approving award of Officer's badge and duty weapon to Deputy Larry Tucker: Chief Dashiell said Deputy Tucker retired last month after 15 years with CCSO and spoke about his time with the Sheriff's Office. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving the award of Officer's badge and duty weapon to Deputy Larry Tucker (see resolution no. 19-183).

EXECUTIVE SESSION – PERSONNEL MATTER REGARDING NAMED PERSONNEL, 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 as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and attorney-client communication and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:24 a.m.

At the conclusion of the executive session the following action item was considered:

Consider approving stipulation in Lafky Properties, LLC vs. Canyon County and Canyon County Assessor; Case No. CV14-19-07372: Assessor Stender said he is in agreement for dismissal of the case. Commissioner Dale made a motion to authorize the PA's office to sign the letter. The motion was seconded by Commissioner Van Beek and carried unanimously. A draft copy of the letter is on file with this day's minutes. The original letter will be mailed by the Prosecuting Attorney's Office.

The meeting concluded at 9:26 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER APPROVAL/DENIAL OF AN APPLICATION FOR CANCELLATION OF PROPERTY TAXES UNDER IDAHO CODE §63-711(CANCELLATION OF TAXES) FOR JENNIFER MERRITT

The Board met today at 9:32 a.m. to consider approval/denial of an application for cancellation of property taxes under Idaho code §63-711(cancellation of taxes) for Jennifer Merritt. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Jennifer Merritt and Deputy Clerk Jenen Ross. Ms. Merritt applied for a hardship for her 2019 property taxes in the amount of \$1751.36. There are some extenuating circumstances surrounding this application as it is usually the county's position to wait until a property is in jeopardy of tax deed. Mr. Cox explained that Ms. Merritt should have received the circuit breaker for 2016, 2017, 2018 and 2019 but when she won her case with social security in March of 2019 she was awarded back pay but due to the way the PTR is run she did not qualify. Commissioner Dale made a motion to cancel taxes in the amount of \$1751.36 for 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER THE APPROVAL/DENIAL OF A REQUEST BY WAT IDAHOPHOXAIYARAAM, INC. FOR AN APPEAL OF A CONDITIONAL USE PERMIT DENIED BY PLANNING & ZONING COMMISSION; CASE NO. PH2016-51-APL AND CONSIDER SIGNING THE FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER

The Board met today at 10:02 a.m. to consider the approval/denial of a request by Wat Idahophoxaiyaraam, Inc. for an appeal of a conditional use permit denied by the Planning & Zoning Commission; case no. PH2016-51-APL and consider signing the findings of fact, conclusions of law & order. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Dan Lister, Representatives for Wat Idahophoxaiyaraam, Inc., other concerned citizens and Deputy Clerk Jenen Ross.

Dan Lister spoke about the report from Southwest District Health regarding the public drinking water requirements. Exhibit 10 indicates that based on the numbers that they reviewed this wouldn't trigger that request, however, concerns of the Board are valid that expansion could lead to the need for a public drinking water system. SWDH agrees with the conditions that were crafted indicating a mechanism in place should they hit a certain threshold they would go before SWDH to apply for the public drinking water system but they could use bottled water as a temporary source until that is complete. Staff also crafted an additional condition to consider which adds attachment B that states 'During holiday events all amplified sound shall cease at 6:00 p.m. After 6:00 p.m. all noise generated by the event shall not exceed 65 decibels at the property line'. This is a standard condition that has been used before for special events and is measureable so there is an enforcement mechanism to it. Mr. Lister believes it goes with what the applicant was trying to do with their conditions as well. The county would not want to limit their events but need to have some way to mitigate for potential impacts. Mr. Lister noted that in speaking with the applicants they believe they have already met the requirements from Nampa Highway District during the temporary use in 2015 but in discussions with the highway district that is not the case, they still want the paved apron. Since this is a conditional approval they would have to do that at the point they come in for the building permit. Condition no. 2 says they have 60 days to submit their building permits and get the appropriate permits for the buildings that are there. At the point of submittal they need to have approval from both the highway district and the fire district.

Commissioner Dale spoke about the direction of speakers and suggested the placement could mitigate some of the sound issues.

Commissioner Van Beek spoke about the comprehensive plan map based on the land use planning act. She sighted the Religious Land Use Institutionalized Person Act stating that her position is one that favors the existing character of the area because that's talked about a lot in the comprehensive plan, she spoke about minimum lot sizes to accommodate septic and well and how the residents of the area had to do that but the church is not able to at this time. It is not based on a religious bias but the best and highest use for the area. She also spoke about the community design and property rights component policies of the comprehensive plan; she noted sections 11 and 12 regarding property land uses and the appendix portion of the comprehensive plan regarding aesthetics of a neighborhood and compatibility. For her it comes down to if the positives of one are allowed to come at the expense of another and do they have enough mitigation of things in place to overcome the negative aspects and because of the nature that it's a subdivision that has not been overcome for her. She feels what they're looking at is compatibility and the quality of life.

Commissioner Dale said in looking at the satellite images from Google Earth it appears that the property is well screened, there are a lot of trees and bushes, you can't really see back into the property and the backside of the property borders fields. It's not a high residential density and this type of use is allowed with a special use permit. He believes there are conditions of approval that can be applied that will mitigate a lot of the complaints they've heard from the neighbors. The permit that is being asked for is a CUP and there really isn't a timeframe on it; if the conditions of the permit aren't followed it can be revoked. He thinks

we need to try this and see if it can work. He appreciates what he's heard in that the people of the temple are going to work to make sure they are good neighbors.

Commissioner White said this is a temple and it does have to do with religion. The comprehensive plan is malleable, it's not in stone. The Board can make adjustments that work on a case-by-case situation. Nothing being asked is above and beyond what is asked of any other event center. She spoke about how people congregate for home bible fellowship and how many of the Mormon churches are in residential areas with outdoor areas for recreating and large fellowship halls. She does not want to hinder them from the way they practice in their space but also does not want to set them aside from any other outdoor space. She really wants for everyone to get along but you have to be very careful you are not offending your neighbors and be very conscience of them. She believes the applicants have regulated themselves and we have strengthened some of their suggestions and applied some of our own but not set them apart or created any unbearable situations for them. In regards to growth she is expecting them to be conscience and respectful enough of their congregation and neighbors to realize when it's impeding on the safety and other conditions of neighborhoods. She believes this has all happened for a reason – 1) to bring them into compliance 2) to make them aware of the concerns of the neighbors and 3) it puts everyone on the same page as to what they can expect as it goes forward. She believes it was addressed at the last hearing that the church thought they could address some of the parking issues by accommodating more within their property and mitigate noise concerns. She believes everything has been done to not make them an example, address the concerns that came before the Board and put in guidelines to be followed.

Commissioner Van Beek read the objective of the Canyon County Comprehensive Plan. To the residents she encouraged them to use the tools available to maintain the standard and the quality of life in a rural county neighborhood that they would like and noted that people do have to follow and comply with rules. She does not find the location of this consistent with the vision in the next 10 years for development in rural areas of the county. There are other places they could choose to do that and thinks that in the long-run they will need to start looking at what they will need to do to meet public drinking water standards and a septic system per what SWDH noted. She stands firmly on the fact finding she has done and with the information that has been given to her she did not find a way to overcome this that would be in accordance with our comprehensive plan and found things in our LUPA (local land use planning act) that would support her position.

Commissioner White said she feels the same way about what she has stated and where she is at with her decision as well. She does not feel she is making a favored or prejudicial decision. She is following the standards that have been set as a county.

Commissioner Dale said as he looks at the general area he does not find this to be incompatible with other surrounding properties.

Mr. Lister said that if this property were to be annexed into the City of Nampa it would be zoned industrial.

A representative from Wat Idahophoxaiyaraam, Inc. commented that all of the conditions they've heard today are acceptable. They've looked into paving the apron but it can't be done while it's frozen outside and asked for a little leeway to make sure that's done otherwise they can comply with all the conditions. Commissioner White said these are items that would be settled at the building permit stage. Mr. Wesley said that a second noticed hearing will be required if the Board approves the conditional rezone because the decision would be materially different than the recommendation by planning and zoning.

Commissioner Dale made a motion to approve the request by Wat Idahophoxaiyaraam, Inc. for an appeal of a conditional use permit denied by Planning & Zoning Commission; Case No. PH2016-51-APL. The motion was seconded by Commissioner White. A vote was taken on the motion with Commissioners Pam White and Tom Dale voting in favor and Commissioner Van Beek casting the dissenting vote. The motion carried in a 2-to-1 split vote.

The findings of fact, conclusions of law & order will be considered at a later time once Development Services has time for proper notice.

The meeting concluded at 10:45 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2019 TERM

CALDWELL, IDAHO DECEMBER 23, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$1,810.00 for the IT Department

APPROVED CLAIMS ORDER NO. 12/24/19

- The Board of Commissioners approved payment of County claims in the amount of \$44,246.26 and \$107,010.86 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 Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Tina Wilson with WAED via teleconference at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution to transfer alcohol license to JM Assets, LLC doing business as Garbonzo Pizza: Commissioner Dale has looked over the application and everything looks to be in order. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution to transfer an alcohol license to JM Assets, LLC dba Garbonzo Pizza (see resolution no. 19-184).

Mr. Goodsell presented a notice of public hearing to be sent to the taxing districts and the Department of Commerce regarding the Board's consideration to grant an exemption to Materne North America Corporation. The public hearing and consideration of the tax exemption will take place on January 7, 2020. The Board signed the letter as a ministerial matter and it will be mailed to all parties today. A copy of the letter is on file with this day's minutes.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (e) and (f) regarding records exempt from public disclosure, consider preliminary negotiations involving matters of trade or commerce and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Deputy P.A. Brad Goodsell (left at 9:21 a.m.), Tina Wilson for WAED via teleconference 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.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 24, 2019

Commissioners' Office was closed.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 26, 2019

Commissioners' Office was closed.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 27, 2019

Commissioners' Office was closed.

DECEMBER 2019 TERM
CALDWELL, IDAHO DECEMBER 30, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS
REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Gary Brower.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:44 a.m. for an office staff meeting. Present were: Commissioners Pam White and Leslie Van Beek, Deputy Clerks Jenen Ross and Jamie Miller, and Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

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 Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Chief Deputy Sheriff Marv Dashiell left at 9:04 a.m., Jail Captain Daren Ward left at 9:04 a.m., PIO Joe Decker left at 9:04 a.m., Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross.

Mr. Decker has received some media requests regarding tours of Pod 6. He will coordinate to have the Sheriff attend a legal staff update at a later time to discuss further.

EXECUTIVE SESSION – 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 as follows:

Commissioner White made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter 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.

PUBLIC HEARING – REZONE REQUEST FOR GREG HIPWELL, CASE NO. RZ2019-0028

The Board met today at 10:06 a.m. to conduct a public hearing in the matter of a request by Greg Hipwell, on behalf of C10 Investments, LLC, for a rezone of 20.12 acres from "A" (Agricultural) to "RR" (Rural Residential) zone, Case No. RZ2019-0028. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Dan Lister, Greg Hipwell, Dave Baker, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. Staff is recommending approval. This parcel is not an original lot and does not have a building permit available, therefore rezoning and platting is required. The applicant has provided a conceptual plan depicting a 9-lot subdivision with an average lot size of 2.10 acres. The parcel is located within an area with a mix of agricultural and rural residential zones. The future land use is designated as residential. The property is within the vicinity of nine other parcels with an average lot size of 44.9 acres. It is approximately 3,000 feet from two active gravel pits and is near the landfill and the Beranna Dairy. The parcel is not in agricultural production. Within a one-mile radius there are 12 subdivisions with 148 lots with an average lot size of 4.10 acres, some are open space lots, so they're really an average lot size of two acres. Soils range from moderately suited to least suited due to the terrain and gravel consistency. The P&Z Commission unanimously recommended approval and staff is recommending approval as well. Mr. Lister responded to questions from the Board. Greg Hipwell testified they have some elevation issues for the lots to overcome and he's going to rely on the engineer to address that. The entire property has a view of the lake so engineering can structure that in a way in order to maximize the view lots. He recalls the property being farmed in the 1980's until the water rights disappeared. They will work within bounds of the fire district and the County on what they require for access. Dave Baker, a local real estate agent, testified in support of the request and said they are in the process of purchasing the adjacent acreage to the west. Mr. Hipwell said his longtime perspective is to combine the two properties and propose development of both. He's been told they don't want any more access off Lewis so he's going to take it to his engineer and they will facilitate

that. Commissioner Van Beek had additional questions regarding access. Upon the motion of Commissioner Van Beek 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 Van Beek, the Board voted unanimously to approve the rezone for Greg Hipwell, Case No. RZ2019-0028, from an “A” (Agricultural) zone to an “RR” (Rural Residential) zone. (See Ordinance No. 19-055.) The hearing concluded at 10:28 a.m. An audio recording is on file in the Commissioners’ Office.

DECEMBER 2019 TERM

CALDWELL, IDAHO DECEMBER 31, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Overhead Door Company of SW Idaho in the amount of \$5,340.00 for the Landfill Department
- JB’s Roofing, Inc., in the amount of \$5,189.00 for the Landfill Department
- DigiCert in the amount of \$1,307.00 for the IT Department
- ZoHo in the amount of \$1,319.00 for the IT Department
- Priority Dispatch in the amount of \$2,325.00 for the Sheriff’s Office

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:10 a.m. with county attorneys for legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross.

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 9:10 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:32 a.m. with no decision being called for in open session.

MEETING WITH DSD STAFF TO CONSIDER AN ACTION ITEM

The Board met today at 10:32 a.m. with DSD Staff to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Planner Dan Lister and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider approval/denial of a resolution granting a refund to Mike Conklin for a short plat application; Case no. SD2018-0002: Mr. Lister explained that the applicant paid two fees - one for a short plat and one for a final plat. After further review the final plat fee was already paid for within the short plat fees resulting in a necessary refund of \$930.00. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution granting a refund to Mike Conklin (see resolution no. 19-185).

The meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF DECEMBER 2019 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 9th day of June, 2020

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale
Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk