

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 2, 2020

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

APPROVED CLAIMS ORDER NO. 1/6/20

The Board of Commissioners approved payment of County claims in the amount of \$372.50 for accounts payable.

APPROVED CLAIMS ORDER NO. 2007

The Board of Commissioners approved payment of County claims in the amount of \$1,639,717.47 for a County payroll.

MEETING TO 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, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0242, 2020-0223, 2020-0238, 2020-0233, 2020-0170, 2020-0214, 2020-0236, 2020-0209 and 2020-0177. Upon the motion of Commissioner Van Beek 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. 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 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 White the Board voted unanimously to continue case no. 2019-1337 to February 27, 2020.

Commissioner Van Beek made a motion to uphold the denial due to hospital withdrawal on case no. 2019-1275 with a written decision 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 issue approvals with written decisions within 30 days on the following cases: 2019-1465, 2019-1052 and 2019-1342.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1310

The Board met today at 8:56 a.m. to conduct a medical indigency hearing for case no. 2019-1310. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, 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 continue the case to February 27, 2020. The hearing concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1329

The Board met today at 9:07 a.m. to conduct a medical indigency hearing for case no. 2019-1329. Present were: Commissioners Pam White 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 Van Beek and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY MATTERS

The Board met today at 9:19 a.m. to consider medical indigency matters. Present were: Commissioners Pam White 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 Van Beek made a motion to issue final denials on the following cases as neither the hospital nor the applicant appeared: 2019-1358, 2019-1409, 2019-1320, 2019-1256, 2019-1405, 2019-1352, 2019-1319, 2019-1413 and 2019-1338. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

PRESENT: Commissioner Pam White, Chair - out of office
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 Taylor Reeves and Rider Hofer.

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 Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Commissioner Van Beek requested that the Board is allowed the opportunity to participate in the rewrite or revisions to the job description for the Security Director position. Mr. Blocksom said he would pass that along and Commissioner Dale said the Board approves job descriptions so there will have involvement.

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 9:03 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) (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 Van Beek. 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 9:22 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.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 6, 2020

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 9:05 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, Controller Zach Wagoner, PIO Joe Decker, Chief Probation Officer Elda Catalano left at 9:09 a.m., Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom left at 9:12 a.m., Lt. Ben Keyes left at 9:12 a.m., Election Supervisor Haley Hicks, Chuck Stadick, Larry Olmstead, Rachel Spacek from the Idaho Press, Sheila and Darryl Ford and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Juvenile Justice Annual Financial Report for October 1, 2018 thru September 30, 2019:

Ms. Catalano explained this is the annual report to be submitted to the Idaho Department of Juvenile Corrections to account for all the funds the county receives from them. The report is prepared by the Controller's office and outlines the overall expenditures of the funds we receive and what is being carried over in the lottery division. The carry over amount is approximately \$22,000 which will be used for continued training and provide equipment to the Juvenile Probation offices. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Juvenile Justice Annual Financial Report for October 1, 2018 thru September 30, 2019. A copy of this report is on file with this day's minutes.

Consider signing Idaho Department of Parks and Recreation request for reimbursement/close out report for grant #WW20-3-14-1: These grant monies were used for the purchase of a new motor for a boat and this report is to outline how the funds were used and a detailed breakdown showing the match amount. The new motor was \$15,843, \$1800 was received in trade-in value, leaving a remaining balance of \$14,043. The grant amount was for \$11,882.15 so the match amount is \$3961. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Department of Parks and Recreation request for reimbursement/close out report for grant #WW20-3-14-1. A copy of this document is on file with this day's minutes.

Consider signing agreement with Hart InterCivic, Inc. for elections voting equipment sales and service: Mike Porter said there is possibly one change in regards to billing and the cap on increases related to licensing and service fees requested by the Controller that may be different from what was previously sent to the Board.

Haley Hicks read a statement into the record explaining the reason for new equipment and specifically the Hart Verity Duo system.

Mike Porter spoke about the process thus far in regards to sole source. Throughout the process and negotiation with Hart a contract has been worked out that lays out the key terms of Hart and the county. There is also a 9 page scope of work document that lays out what Hart would provide to the county as far as deliverables as well as warranties and exclusions. There is also the attachment of exhibits which primarily relates to costs. This contract, in total, in year one would be \$3,176,952 and of that \$117,386 are licensing and support service fees; the 4% cap of how much can be charged in addition is on the \$117,386 in years 2 and 3. The equipment will be purchased in year one, in year two we intend to purchase the licensing and servicing fee sections.

Commissioner Van Beek said that on October 23rd there was a public meeting where questions were generated that she feels have still not been answered. On December 21st the Board received the draft contract, the scope of work and the quote from Hart but there has not been a full quorum since before that date, until today, to discuss the merits and the liabilities of the contract and she feels a vote today would be premature.

Mr. Porter said time is of the essence today, per the Clerk we are looking towards a March Presidential Primary. The contract is intended to have the equipment delivered on the 15th of this month.

Commissioner Van Beek said she recognized there are some upgrades which are potentially necessary to the elections equipment but the Board has the sole authority under Idaho code to approve this agreement and has the right and responsibility to examine, analyze and ask questions relating to this agreement and in the absence of that this contract should not go forward. There are a number of unanswered questions including issues related to IT, cloud storage and transportation. One of the things she asked for in the last meeting was a comparative analysis which was received in comparing the Hart system to the current ES&S system but nothing as to whether or not there are upgrades to the ES&S system that have taken place since the county purchased the product. She wonders what it would take to build a page where an error on a document would not allow that to go forward in the absence of incomplete information. Is there a possibility the touchscreen portion could be expanded? She feels there are a number of questions that have not yet been answered in addition to the vetting by our IT department as they have not looked at this. She has questions about their ability to do cloud storage and who is going to perform the required maintenance and back up, there is a question about errors on the software programs and the onus on the county to have Hart be able to reproduce that and a clause that says they don't have to fix every error that occurs, so what does that mean? There are clauses that specifically exclude the county's right and ability to provide input, whether it's intellectual property or anything else that goes along with this contract that, to her thinking, hasn't been analyzed. There is also a 10 day period in which to inspect and evaluate the integrity of more than 3600 pieces of software and hardware which is insufficient time to do that. If the equipment is damaged Hart reserves the right to replace the equipment with refurbished equipment without extending the warranty. She appreciates Ms. Hicks providing the garage draft, but it looks like that is about a \$4000 commitment on the part of the county that is in addition to this. She has received a number of requests from the public to vote against this until the county has a chance to include an evaluation of the capital improvements program which she continues

to hear is a priority but hasn't been prioritized to date in evaluating the needs of the county and she thinks, in what she is hearing from the public, that the department of motor vehicles is in need of having some relief at the Graye Lane location to handle the amount of traffic that is coming thru. There is also no dedication of funds by resolution to improve the needs for public safety. There are too many unanswered questions for her on the longevity of this proposal going forward including the scope of work, which she understands would probably precede the language in the draft contract that she feels is pretty tight where the scope of work is not. They work in tandem so if there is something legally that is going to come down, the scope of work is going to be exercised as we've seen with the ADS contract. It's a pretty easy comparison to point back to legal documents to say this is not our responsibility, it falls on the county. Also, she read in the Press Tribune where Ada County is considering an upgrade to their voting system, she has heard nothing about a piggyback procurement process under a proprietary agreement with a vendor where their software has to be run on specific hardware, she thinks that should be evaluated to make sure the county is really getting the best deal possible. She believes perhaps there was a meeting between Clerk Yamamoto and Chairman White to discuss questions that she brought forward regarding this contract. In the event that other questions were raised she believes it is fair to the Board to have the benefit of that information. She believes if additional information was provided to the chairman it should be available to the rest of the Board.

Commissioner White clarified that when she met with the Clerk on the day referenced by Commissioner Van Beek it was to discuss another project. She noted that the correspondence that has been received often references that this is nothing more than to enhance the experience of voting for the public but she thinks that is a misconception, this is about the security guarantees for the people. She feels this is about public safety, especially considering the way the voting experience in the US has been compromised in the last decade. She is tired of Canyon County being the example of elections gone bad.

Clerk Yamamoto said no one else in Idaho is using this particular system but Hart equipment is used in Idaho and certified with the State of Idaho. He clarified that there are two different types of systems - a centralized count which is what the county currently uses and a precinct count which is what Ada County is doing and Canyon County is talking about switching to.

Commissioner White said that during the budget time a capital needs line item was added to the budget. \$500K is what was allocated to the line item this budget year with the intention of adding the same amount each fiscal year moving forward to address several capital need items facing the county and she appreciates the work Commissioner Van Beek has done in addressing the capital needs plan. She believes this equipment falls under public safety and that is her no. 1 priority. If something can be done here in Canyon County to ensure the integrity, security and accuracy of our elections then she believes we can do that.

Commissioner Van Beek clarified her position on questioning Commissioner White about her meeting with the Clerk and appreciates the explanation of the subject of that meeting. As we talk about major expenses, she feels there are some unanswered questions that the full Board has not had the opportunity to evaluate. There is a lot of information contained in the contract and the last time there was a meeting with Mr. Porter and Mr. Laugheed they

indicated that the questions that were raised would need to be addressed by the Clerk and the Board has not had the opportunity to meet with the Clerk to have those questions answered; in the absence of that this is a premature decision. She noted that what we're talking about is a class of voters heavily weighted in the senior citizen area and that she would still like to talk to Bob Perkins to find out what Ada County is upgrading to. Mr. Perkins indicated to Commissioner Van Beek that the county has the opportunity to take advantage of group or discount pricing that is offered to other entities. She understands that the deadline is coming up and that there is a \$2500 reschedule fee should we go past the 15th and if we're not there by the 17th that the contractor has the right to rescind the offer as presented but she still feels there are too many unanswered questions.

Commissioner White asked what the drop-dead date is. Clerk Yamamoto said that in order to get the ballots started we're basically at that date, the 14th of this month is the absolute drop-dead date.

Mike Porter said today is for the Board to sign the contract and for Hart to begin delivery. If it's not signed today then Hart won't begin their job today, they won't begin until the Board signs the contract which could be more pressure on that deadline.

In an effort to expedite the process several questions were addressed as follows:

In regards to transportation of the equipment Clerk Yamamoto said Hart can be utilized to do that for a fee which they plan on using for at least the first cycle. They have not been happy with the provider that is currently being used. Wrong equipment is being delivered to the wrong precinct and they are rough on the equipment.

Commissioner Van Beek spoke about IT having not had the opportunity to review the contract and address storage and back-up. Clerk Yamamoto said that the county IT would not be unitized for this system.

Mr. Porter addressed questions he received Friday evening as follows:

Increasing cost in subsequent years: the maximum is 4% on the licensing and servicing fees and in year two the maximum would be \$4695.

Jurisdiction and how it relates to the scope of work and the contract: legally it's been articulated in the contract in the venue section that the laws of Idaho will apply. Jurisdiction elsewhere in the contract relates to where things are going to be delivered and where a case would be held, that reference is filled out in the signing contract that Canyon County is the jurisdiction. We've elected for Idaho law to apply to any dispute and for Idaho to be the place for any case to be held. He doesn't anticipate there being any cases as Hart has a track record with Idaho and there haven't been any to date.

Warranty: pages 5-8 in the scope of work deals with warranties to which there are a lot of "boiler-plate" items. The first pages of section 4 deals with what the county gets: we get certification that the equipment we're receiving complies with all relevant things include the Secretary of State's standards; paragraph 2 talks about warranties: the one year warranty

for new equipment, 90 days for refurbished equipment and consumables; replacement requirements and Hart's opportunity to replace or repair equipment at their prerogative to make it work; several paragraphs address if the county does something to the equipment that they will not warranty it. There is a warranty for the software and partial services. There are a lot of exclusions which Mr. Porter would summarize things we break it, hire a contractor that they don't approve of to repair equipment, force majeure clause or if a 3rd party software is used they won't warranty those things; however, in a subsequent paragraph they agree to pass thru to us any warranties from 3rd parties they use. The state has warranties that they read into every contract, specifically the merchantability clause, Idaho code says that every contract has a merchantability clause so a line was inserted into the boiler plate items stating "to the maximum extent permitted by applicable law" Mr. Porter's belief and understanding is that if Idaho has a law that gives us a warranty that is still in affect because we put that clause in there. There are a lot of warranties that companies can be held to in common law and they are basically opting out of any that the law doesn't require them to give us. The same with the limitations on liabilities. Another section was noted stating that if something fails and we have an out of pocket cost that exceeds the value of the contract without this clause we can sue Hart for that difference, he believes we've mitigated that because of the section on insurance. Basically, Hart is saying they are not going to pay us more than the value of the contract and we conceded to that. This is a product of compromise. We want their services and product and they want to sell it to us.

Scope of work and contract: the contract is meant to work in tandem with itself, meaning the scope of work, the contract and the quote are all co-equal. If there is a conflict between languages then normal legal contract interpretation would apply. Mr. Porter doesn't believe there is any direct conflict between the scope of work and the contract. The scope of work may not be as tight as the contract but he reviewed again this weekend and didn't see anywhere there was any conflict of language.

Mr. Porter spoke about the need for this equipment just due to the ES&S AutoMark portion of the current voting system coming to the end of its useful life and would need to be updated, additionally we have 600 poll workers and despite extensive training there are still errors introduced by the poll workers. Based on those needs and the timeline from July to present to get this done there are some compromises in the contract.

Although the agreement doesn't articulate what we would pay if we need additional services for a Hart employee to come out and fix something that isn't covered by the contract they have agreed in the contract that it will be their regular rate which we've agreed to take their word that it's a reasonable rate. Mr. Porter spoke about how there is a practicality to not negotiating contracts to that level as an agreement may never be reached. There was a conscience decision not to drill down to that level because of the timeline. Commissioner Van Beek spoke about another contract where the exact cost is broken down and she feels in the absence of that it leaves the county vulnerable to the prevailing rate and really no recourse on the part of the county to dispute that effectively outside of a court of law. Mr. Porter said that is all true and that if Hart decided to gouge us the only remedy would be to not sign the invoice. Clerk Yamamoto said that with the ES&S contract it depends on the circumstances as to what the charges will be. Clerk Yamamoto said what this boils down to is that you have to look at the historical performance of the company you're dealing with to see whether you

can trust somebody – there are always ways you can end up in court. Clerk Yamamoto said we are specifically looking at this system because there are poll workers who will override what they are told to do and will sometimes allow voters to talk them into the ballot they want. Sometimes there are 400+ ballot styles, there is a very real possibility of someone getting a wrong ballot. The Hart system will not allow a poll worker to override the system. The Clerk is tired of bad elections and voters in the country are hyper-sensitive to what is going on in the voting centers. This is the best system he's seen and they know they're going to have a heavy turnout in March, the issues with the Tenex system at the state level are known and he believes with this system they will be able to overcome some obstacles with the state in a better way. He thinks it's imperative that we move forward and the reason he's looking at spending the \$3M is to protect the integrity of the democratic vote.

Commissioner White asked about an extended warranty upfront which Mr. Porter said there is a clause to allow for an extended warranty to allow for pricing which has not yet been worked out and would be a separate agreement.

Commissioner Dale spoke about one of the challenges of county government is to balance all the needs that need to be funded. There are some who have suggested that all needs be put on the backburner until a new jail has been built and that every extra dollar should be put into a savings account to fund the jail although that would still be years down the road. He just doesn't think this is a sustainable course to follow. He is in favor of implementing a capital improvement fund but doesn't believe everything else should be put on hold. Short and long-term needs have always been evaluated and he is supportive of a capital improvement plan although even with a plan in place priorities can change from year to year as needs arise. Per the Clerk this system has been evaluated for 3 years now, this has not been a short process. The money has been budgeted, the contract has been extensively evaluated. He said we are not rushing this decision, it has been a long term process and believes it's time to make a decision.

Commissioner Van Beek would like the opportunity to discuss as a Board and have other questions answered. Her goal is to work in tandem with a high level of transparency for the Elected Officials and citizens to make decisions they can defend. She would like to have this reconvened on Thursday or Friday.

Ms. Hicks noted that in order to meet deadlines required by the state they have to send out mail-out ballots on January 24th. With this continuing to be pushed out the elections office is at a stand-still and not able to move forward in creating a ballot with the current process because if we move forward with Hart it would be invalid. Maintenance has stated that they have time this week to renovate the garage for the Hart equipment to be delivered but after this week they may not have the assistance of maintenance for the renovations. They are very concerned because the upcoming election is a presidential primary. She recently conducted a practice election run-thru with poll workers and saw the exact same errors happening repeatedly. In having senior citizens as the poll workers this equipment will make their processes easier, they don't have as much to remember and the machines will not allow them to continue making the same errors or retro back to old ways of doing things. The

current process would require quite a bit of upgrades and they are concerned they are running out of time to have those done if a decision isn't made one way or the other.

Discussion ensued regarding continuing this meeting to a later time or date. Commissioner Van Beek reiterated that the Board reserves the right to evaluate a decision of this magnitude and thoroughly look at whether the questions have been answered to go forward. Commissioner White said there was an initial 3 hour meeting and presentation with the Hart representatives and there has also been a lot of feedback from the public.

Controller Wagoner pointed out that the Clerk has been elected to his position just as the Board has been elected to theirs. He has 10 years hands-on experience running elections, he knows what works and what doesn't. The idea of spending \$3M on any project doesn't excite the Clerk. He has personally gone thru this top to bottom many, many times. The reason this is before the Board is to protect the vote and the voters.

Commissioner Dale agrees the Board has the right to carefully evaluate all contracts and all request but in his opinion there has been sufficient time to do that with this project. There has been a multiplicity of questions that have been addressed by the Clerk, Controller and legal staff. He is satisfied with the answers that have been provided. He is ready to make a decision today.

Commissioner White said she is also ready to make a decision but respects Commissioner Van Beek's request for additional time, she then made a motion to continue this meeting 3:00 p.m. today. The motion was seconded by Commission Van Beek and carried unanimously. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:25 a.m. for a continuation of a public hearing that was held on December 11, 2019 regarding the request by Troost Family Trust for a comprehensive plan map amendment and rezone, Case Nos. OR2019-0002 and RZ2019-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Greg Bullock, TJ Wellard, and Deputy Clerk Monica Reeves. At the conclusion of the previous hearing the Board was looking for a conceptual plan as well as information on the development costs for a one-acre lot. According to Jennifer Almeida the updated staff addendum was submitted by Director Nilsson last week. Commissioner Dale asked, based on the development costs, if the project still falls within the affordable housing range. Greg Bullock said it does qualify for affordable housing when you consider the fact that it's a one-acre parcel for labor intensive people who need it for the industry, and he said they can obtain a rural residential loan which entitles them to the lower interest rate which lowers the monthly mortgage amount. On a competitive bidding process these numbers would be lower than what is before the Board as far as the cost of construction. Mr. Bullock said the

numbers are high for construction and the cost of the improvement but they will be doing it for a lot less than that. Commissioner White asked if it's anticipated that the commercial development will pick up some of that cost. Mr. Bullock said yes, it will reduce the numbers for cost. Commissioner Van Beek had questions regarding the commercial development and the potential for fuel contamination caused by the existing gas station; the conceptual design; and ingress/egress. With the existing subdivision in the area it could be considered a blighted area, and she expressed concern about protecting and maintaining the scenic byway in the wine country and the Sunnyslope area. She questions if the proposal is considered affordable housing. Mr. Bullock said the motive is for housing for ag-employees and he knows of two large projects for vineyard development that include housing for workers. He said Mr. Troost is one of the top three landowners in the County and he's trying to solve a problem with this ag-driven proposal. He also noted the scenic byway is on Lowell Road and goes around this property by a mile and a half. Commissioner Van Beek said the Sunnyslope area is a scenic byway and she'd like to see higher-end development occupy that ground. TJ Wellard testified about that the neighbors have said they do not want connectivity to the adjacent subdivisions, which is why there is no connectivity and the highway district has no problem with that. He said the highway district had requested possible connectivity to the property to the north which is owned by the LDS church but they said they wanted no connectivity to the subdivision. He spoke with Southwest District Health regarding the gas station to see if there were any contamination or well log problems and they indicated there weren't any issues. Mr. Wellard said the applicant owns thousands of acres and he chose this site for its location and what is located around it. He also said a brand new structure on a one-acre lot is affordable. Commissioner Van Beek suggested a development agreement should limit the staging of equipment on properties and prohibit the dumping of oil and gas. Commissioner Dale said staging and maintaining equipment is part of the legitimate use of this kind of development, it does not contaminate the ground. Affordable housing is an issue and he would hate for this area to become like Blaine County where people commute from Twin Falls because they cannot afford to live in Blaine County, and that's the same kind of situation we could find ourselves in if we don't allow this kind of establishment to provide affordable housing. He believes this is an innovative approach to supply and it's affordable based on what's happening in the market and the rural residential programs that are available. Commissioner White said a housing development like this would be under the Troost Family's philanthropic desires and they take a lot of pride in the things they do for the community. She does believe there needs to be some CC&R's and restrictions for basic things dealing with health and safety. She hopes the development isn't just limited to farm workers, but that it will be affordable housing for everyone. Commissioner Van Beek sees merits in this but she is not able to overcome her concern for the kind of development out there and some of things that she hopes would be in place, including the ingress/egress and the scenic byway. Commissioner Dale made a motion to approve the request by Troost Family Trust for a comprehensive plan map amendment and rezone, and to approve the resolution, ordinance and findings of fact, conclusions of law and order (FCO's) for Case No. 0R2019-0002 and RZ2019-0004. The motion was seconded by Commissioner White. Ms. Almeida said there are no FCO's because staff recommended denial so she needs to prepare the documents reflecting the Board's approval and she will bring those documents at a later date. Commissioner Dale amended his motion to remove the signing of the resolution, FCO's and ordinance, and Commissioner White seconded the amended motion. The amended

motion carried by a two-to-one split vote, with Commissioner Van Beek casting the dissenting vote. The Board will consider the written documents on January 21, 2020 at 9:30 a.m. The hearing concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER NEW ALCOHOL LICENSE FOR CRAFTSMAN UNLIMITED HAIRCUTS

The Board met today at 11:01 a.m. to consider the new alcohol license for Craftsman Unlimited Haircuts. Present were: Commissioners Pam White and Tom Dale and Deputy Clerk Monica Reeves. The applicants are seeking approval of the alcohol license for property located at 16554 Midland Blvd., in Nampa. Commissioner White said the paperwork looks good, they have explained how the haircut business is related to the alcohol license. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to approve the alcohol beverage license for Craftsman Unlimited Haircuts. (See Resolution No. 20-001.) The meeting concluded at 11:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY DANA & ARLINE DEVLIN FOR A CONDITIONAL REZONE, CASE NO. CR2019-0012

The Board met today at 1:33 p.m. to consider a request by Dana and Arline Devlin for a conditional rezone, Case No. CR2019-0012. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Dan Lister, Hethe Clark, Dana and Arline Devlin, Jerome Mapp from the City of Caldwell, and Deputy Clerk Monica Reeves. Commissioner Tom Dale arrived at 2:32 p.m. Dan Lister gave the oral staff report. The request is for a rezone from agricultural to M-1 (light industrial). The property contains two original parcels; here is a small wedge that is .24 acres that came through an adjustment from the eastern part of the adjacent portion and all they will have to do is merge it through a land division process to fix that. It is surrounded by agricultural zones, and the comprehensive plan designates the area as residential, however, the subject parcel is located adjacent to a large area designated for industrial use by the City of Nampa. The subject parcels are within Nampa's impact area and designated for industrial use. To the south is a conditional rezone that came through the Board of Commissioners for an M-1 zone that was approved with a development agreement with berms and landscaping around a batch plant which is currently being constructed. To the east, Nampa has been working with the Union Pacific Railroad to establish an industrial corridor to service an industrial park in the future. A wastewater pipeline from Northside Boulevard is currently being designed. Annexation of this area is foreseen to be in the next 2-5 years. The City of Nampa supports this rezone; the area is designated in the city's comprehensive plan as the North Nampa Industrial Area Development and the objective is to enhance infrastructure in that area and promote industrial development in this area. Within a one-mile radius there are lot of subdivisions with most being within the City of Caldwell. There is a floodplain to the north of the subject property and the developers will have to meet the County's floodplain requirements at the time of development. Staff acknowledges there are potential impacts: the west side, which is the City of Caldwell and

with the original application for Roderic Lewis they did have some concerns about potential uses that could impact then Adams Ridge Subdivision and Arbor Subdivision as well as the schools. There are concerns that some industrial uses could potentially create an impact. When staff looked at the Lewis case there was a development agreement with conditions to reduce those impacts by limiting certain uses such as mineral extraction and requiring them to follow Nampa's code which has performance measures and landscaping requirements. There is a list of uses that could potentially be an impact to this area: batch plants, mineral extraction, light industrial, manufacturing uses, lumber yard, vehicle services facility, impound and sales of salvaged goods, but with the following conditions in the development agreement staff believes it can be mitigated: the development has to comply with federal, state and local laws; they have to meet the performance measures by the Nampa code, including noise standards, lighting, flammable and combustible liquids, gases, power safety emission, waste product, open storage, and fabrication. There a landscaping provisions similar to the Roderic Lewis case that will have to be met; Nampa's city code for landscaping, including industrial zone, parking lot and corridor landscaping provisions. They are not proposing a berm with landscaping because they don't know who is going to take over. They are selling the lots and they don't know who the buyer will be. They know it's turning into light industrial area and they want to open the market. They are proposing to have a license qualified, professional landscape architect or designer review and make up the landscaping plan that would meet Nampa's minimum requirements. Mineral extraction is prohibited. Asphalt and concrete batch plants are prohibited without conditional use approval. Written permissions should be obtained by Pioneer Irrigation District, the Bureau of Reclamation and the Army Corp of Engineers for any modification to the drains. Staff has a commitment from the applicant that at the time of development the developers will dedicate right-of-way along Midland and Ustick for their future roundabout and future expansion needs, as well as extend Spruce Street. ITD has no opposition to the request, however, they do want a way to review upcoming development of uses and so they are requesting that it be added to the development agreement that they have some type of review. If a traffic impact study is required they will have to do it at that point. The P&Z Commission recommended approval and staff is recommending approval as well. Hethe Clark testified on behalf of the applicants and stated this request is similar to an application that came before the Board a few months ago, the Roderic Lewis case. The area is planned for heavy industrial in Nampa and the rezone is intended to bring it in conformity with the Nampa comprehensive plan. The main difference between this case and the Roderic Lewis case is that in that case the berm went in because they wanted to have a use that is allowed under the County standards, a batch plant, allowing that to move forward so the berm went in and the other safeguards went in then in lieu of a conditional use permit that would come later. In this case they are proposing no mineral extraction and there would be a conditional use permit if there is a batch plant, so in other words, all of that mitigation would come into effect at the time of a future application if there were to be one. The roundabout right-of-way has already been dedicated, there is a condition of approval for the right-of-way adjacent to the roadways that would be dedicated at the time of an actual use coming in. The reason for that is that this is going to continue to be farmed until someone comes and there's irrigation along the roadway so it makes more sense for that to be dedicated at the time of an actual project. Spruce Street is also something they have discussed with the highway district and agreed upon, but they are not sure at this point whether Spruce Street will be extended given that there's some interference on the

other side, but it's on the table when a use comes in. They are in agreement with the language staff has proposed regarding ITD's comments. They do not know what someone will be requiring in connection with future development so they reserve that right to have that conversation with ITD, but it'd be standard operating procedure for ITD and the highway district to provide comment. Mr. Clark said they haven't had any opposition to the request despite the nearby residential development. Commissioner Van Beek had questions about the conditions imposed on the Lewis property regarding slopes and fencing. Mr. Clark said he hasn't been involved with that property since the previous hearing a few months ago, but the property changed ownership and the new property owner is subject to the conditions and the development agreement included landscape plans and they were required to come before DSD with their landscape plan. That's separate ownership from the Devlins and separate from his former client, the Lewis's. If there were to be a batch plant that came into existence on this property they would have to go through a conditional use permit process. That's an above and beyond commitment, if this were to just be rezoned to industrial within the County a batch plant would be a permitted use so they are committing to something beyond what the County would require typically in an industrial zone. The Devlins have been in contact with the City of Nampa about what is intended for this larger area including discussions about urban renewal, the wastewater line, and the future timeframes for annexation, but they don't have any current partners. Jerome Mapp, the Caldwell Planning Director, said the city has had discussions with property owner regarding whether it was going to Nampa or Caldwell over updating the comprehensive plan. His concern is the proximity to the residential development and the school. The term heavy industrial in planning terms means it's a land use that has certain types of impacts, such as noise, vibration, odor, or sound, something that is environmentally hazardous to property owners or areas. Industrial is a different land use – in Caldwell they have areas identified as industrial but under the new comprehensive plan they will be called manufacturing and production. Industrial can also have some land uses which may not be appropriate next to residential. He spoke of the general practice to separate those type of uses from residential development. He's talked with City of Nampa officials regarding mitigation and they talked about landscaping but that depends on what type of landscaping you're talking about and the impact it will have on adjacent property owners. He spoke of how notification requirements for a conditional use permit hearing will be outside of the school and the residences in the area, therefore the notice boundary should be increased. The City of Caldwell's major concern is how there's been a transition between industrial and residential land use. Commissioner Van Beek expressed her concern with the request and suggested the cities of Nampa and Caldwell should talk about what could be a compromise to mitigate the big difference that exists. She suggested there be a stand-down from industrial to C-2 which would eliminate rendering plants, automotive salvage yards, things that are significantly harmful and impactful. Mr. Mapp said the suggestion of C-2 would be favorable next to a low-density residential development. Mr. Lister explained the difference between this case and the Lewis case, and he reviewed the uses and the small amount of uses that would be potentially impactful, noting that they added performance measures and landscaping requirements from the City of Nampa to have that type of use, if approved. (Commissioner Dale arrived at 2:32 p.m.) Hethe Clark said the suggestion that what Nampa has done here is contrary to the planning processes is problematic. Caldwell is on the other side of the impact area agreement and they had the opportunity to negotiate with the County

for an area of impact agreement. Nampa reviewed this and they identified this area has heavy industrial and they have spent a lot of time and effort planning for an industrial park so the suggestion that because Caldwell approved uses that are residential, Nampa on their side of the area of impact doesn't get to do what they have agreed with the County to do is incredibly problematic for a number of reasons. To take this out of industrial and move it to C-2 would be to throw away the planning that the City of Nampa has done and it would violate the impact area agreement with Nampa. He's really concerned about the testimony that was given because it's not factually accurate. He said the notice that went out 600 feet brought it in 30 neighbors and they talked to the Devlins and they said the only thing they don't want is a convenience store. The Devlins are not proposing heavy industrial. Nampa has planned it for heavy industrial, but the Devlins are proposing M-1 light industrial which is a different set of uses that allows for a number of commercial types of uses. They are asking the Board to uphold the plan that's been in place for quite some time that Nampa has spent a lot of time promoting. Commissioner Van Beek objected to Mr. Clark's statement that the testimony provided by Jerome Mapp was not factual. There has to be some mitigation to account for the disparity that exists between Nampa and Caldwell separated only by Midland Blvd., and if they are determined to not compromise then her proposal would be to exclude asphalt batch plants and mineral extraction. Mr. Clark said the question is whether the Board is going to rezone this property in accordance with the Nampa comprehensive plan and whether the conditions that have been identified on the development agreement are adequate to bring the Board comfort that any future uses are adequately addressed. The Devlins have proposed that the County has the ability to come back and look at uses in a way that you wouldn't otherwise if this were just zoned industrial. Nampa standards are far more restrictive than what the County applies and Nampa will ultimately be the jurisdiction that controls this property once it's annexed. Commissioner Van Beek spoke of uses that would be problematic given the location of the schools and residences and she said to stand down to a C-2 designation, which would allow development similar to what's happened at the Smeed Parkway in Caldwell, appears to be a compromise that could be a better fit than the current proposal. Mr. Lister said a lot of those are conditional uses so they would have to come back through a public hearing to see if they are appropriate or not. There is an enforcement we can look at noise, lighting, fumes, and open storage to get it consistent with the codes in that area. Mr. Mapp suggested the City of Nampa meet with the City of Caldwell to review final designs to reduce any impact on residential properties. Commissioner Van Beek said where there is no buyer why would we not be able to meet that compatibility standard of a C-2 designation and take some of the problem off of having that M-1 classification. Mr. Clark said it's a question of due process – any applicant has the right to rely on the codes and ordinances in effect at time of the application and those in effect say this is supposed to be heavy industrial under the Nampa comprehensive plan so they have submitted an application in conformance with that planning. Caldwell is essentially asking the County to take over Nampa's planning process and toss it to the side. There was an area of impact renegotiation between Caldwell and Nampa and they decided Nampa would handle things on the east side of Midland and Caldwell would handle things on the west side of Midland. The Devlins are asking for an approval that's in accordance with the planning that Nampa did east of Midland, and to come in and say because Caldwell has approved residential subdivisions within the last 18 months and Nampa cannot do what they have been planning for a decade is horribly problematic. Commissioner White spoke of the

Devlins property rights having owned the property for over 40 years. Commissioner Van Beek said property rights extend to not only the applicant but those around the property, and to come to a compromise she agrees that both cities should talk about the difference that exists and we should work in tandem and see it develop in a way that benefits citizens for the long term. Mr. Clark said a lot of what we're talking about with property rights is predictability and those plans have been in place and the County has a contract with the City of Nampa for its area of impact and this is what was agreed to years ago. This applicant shouldn't be held hostage to a process that requires two cities to agree on certain standards. Commissioner Dale arrived approximately one hour after the hearing began, and he helped broker the agreement for this area between Nampa and Caldwell and it was with the understanding that Nampa has limited industrial space and this area was designated to be protected for that use. Commissioner White made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to January 13, 2020 at 1:30 p.m. to allow time for Commissioner Dale to listen to today's testimony and participate in the Board's deliberation at the continued hearing. The hearing concluded at 2:44 p.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF MEETING TO CONSIDER SIGNING AGREEMENT WITH HART INTERCIVIC, INC. FOR ELECTIONS VOTING EQUIPMENT SALES AND SERVICE

The Board met today at 3:05 p.m. for a continuation of the meeting to consider signing the agreement with Hart InterCivic, Inc. for elections voting equipment sales and service. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Elections Supervisor Haley Hicks, Rachel Spacek with the Idaho Press, a concerned citizen and Deputy Clerk Jenen Ross. After receiving a response from Bob Perkins in the Ada County procurement office Commissioner Van Beek initially understood there to be a significant cost difference between the prices quoted to Canyon County and what was quoted Ada County. Discussion ensued to clarify that the information provided to Commissioner Van Beek was only for the electronic poll books and not the entire voting system as Canyon County is looking to purchase. Commissioner White read into the record security and manufacturing information she located on the Hart website and Clerk Yamamoto spoke about the importance of having a voting system built in the United States. Commissioner Van Beek asked why cybersecurity insurance is written into the contract providing the system will never be connected to either the inter or intra-net and how the thumb drives will be kept safe. Mr. Porter addressed the question about cybersecurity stating that he inserted that into the contract at the concerns raised at a previous meeting about risk to the county. Ms. Hicks spoke about the security for the USB drives explaining that is part of the renovations that have been requested; part of their garage area will be turned into a secure location to hold all the precinct counters and USB drives. Mr. Porter reiterated the reason for going to sole source wasn't just because of Hart but because of the e-poll pads, Hart's core system and the Duo system that really drove the Clerk from consideration of other potential vendors to this one being the only one that can provide the services that we need. Commissioner Dale gave his thoughts on the system,

purchase and appreciation of the Clerk's Office for the work they've put into this. Commissioner Dale then made a motion to approve signing the contract with Hart InterCivic for election equipment. The motion was seconded by Commissioner White who then provided her comments along with Commissioner Van Beek and Clerk Yamamoto. A vote was taken on the motion with Commissioners Dale and White voting in favor of signing the contract and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. A copy of the agreement is on file with this day's minutes (see agreement no. 20-001). The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM CALDWELL, IDAHO JANUARY 7, 2020

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:

- T-O Engineers in the amount of \$3,500.00 for the County Fair
- Sun Belt Controls in the amount of \$2,950.00 for the Facilities Department
- CDP Elevator Supply in the amount of \$3,398.00 for the Facilities Department
- Elevate Technology in the amount of \$9,939.96 for the IT Department
- EDU: Business Solutions in the amount of \$1,870.20 for the IT 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:

- An Eagle Scout group assisted in taking apart the ADA fishing docks at Lake Lowell so they are now ready for new decking and railing
- There are now a couple of designs to choose from for the animal shelter roof project; Director Navarro showed drawings of what the design would look like. He recently toured the new Ada county shelter for ways to mitigate noise. This project is not budgeted for in FY2020 and may need to be done in more than one fiscal year. In order to get an accurate budget number he will start looking to get a professional cost estimate

- A new roof was recently installed on the CCOA building
- Appliances and cabinets are being installed in the kitchen and bathrooms at the Crossroads dormitory
- The elections office has put in a request for the remodel of the garage in order to store the new election equipment. Renovations are not expected to exceed \$3800. They will be starting the project today and it should take about a week
- Many trees needed to be removed or heavily pruned on Storybook Trail at Lake Lowell
- Dan Blocksom requested the facilities department to take some cybersecurity training and help identify some whistleblower things in order to potentially receive a 5% discount from ICRMP
- Three people will be attending the Idaho Nurseryman's Landscape Association Convention this month
- POD 6 update: the exterior fence is erected and fabric (chain-link) should start to be installed today. Inside partitions are up; some wings are complete. Most of the data and coaxial cable is pulled; the PLC is being tested and is working. Completion is anticipated for mid to end of the month with inmates probably not being housed until next month. The county side of things are mostly complete. Commissioner White requested a copy of the SUP which Director Navarro said he would email. Mr. Britton and Captain Ward will be meeting today with Jerome Mapp at the City of Caldwell regarding the SUP and Commissioner White has asked to join. Discussion ensued regarding amendment of the SUP regarding fence slats, although Director Navarro is concerned about how it could affect the timing. Commissioner Van Beek requested a bulleted layout of the discussion points with Mr. Mapp to which Commissioner White said she would compile along with other notes about previous discussions with Brent Orton.
- The ADA parking at the Juvenile Justice Center has been monitored for the last 30 days due to a concern brought forth by a citizen and on average only one space was used at a time.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC MEETING TO CONSIDER A RESOLUTION GRANTING MATERNE NORTH AMERICA CORPORATION A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE §63-602NN

The Board met today at 9:00 a.m. for a public meeting to consider signing a resolution granting Materne North America Corporation 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, Brian Gunnell from Materne North America, Assessor Brian Stender arrived at 9:02 a.m., Chief Deputy Assessor Joe Cox arrived at 9:02 a.m. and Deputy Clerk Jenen Ross. Brad Goodsell said that letters were sent to the taxing districts notifying them of this meeting but no one has appeared to offer comment. Beth Ineck with the City of Nampa sent an email to Mr. Goodsell in support of the exemption which he read into the

record. This request is for an expansion of the facility and a draft resolution has been provided to Materne to which they have provided a letter stating they agree to the terms of the resolution. Mr. Goodsell reviewed the amounts that will be exempted and the timeframe. Mr. Gunnell gave a review of the growth they've experienced over the past 5 years, what they are planning with this new expansion and suppliers that are used for their product. Assessor Stender spoke about how this exemption is different from the first exemption. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting an exemption to Materne North America Corporation (See resolution no. 20-002). The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – APPEAL BY ROBERT TURNER REPRESENTING WILD ROSE LANE HOA AND THE TWO TOWERS SUBDIVISION HOA REGARDING THE DECISION TO GRANT A C.U.P. TO COPE SAND AND GRAVEL, CASE NO. APL-CU2019-0019

The Board met today at 10:11 a.m. to conduct a public hearing in the matter of an appeal by Robert Turner representing the Wild Rose Lane Homeowners Association and the Two Towers Subdivision Homeowners Association regarding the P&Z Commission's decision grant a conditional use permit to Cope Sand and Gravel, Case No. APL-CU2019-0019. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Claudia Frent, George Bonovan, Monte Holt, Robert Turner, Christeen Barron, Mark Blackwell, Kurt Batey, Marilyn Tanner-Wolford, Ed Wofford, Flavious Frent, LaRae Sizer, Philip Shearer, Austin Shuler, Anne Turner, Ashley Shearer, Ray Sizer, Jose Arids, Katherine Adams, Steve Adams, Terry Hagler, Bayne Just, Julie Parsons, Ted Bustos, Cristian Stanciu, Patricia Denis, Elspeth Turner, Kristi Rachel-Lawson, Ronald Parsons, Jaye-Jaye Johnson, Amy Haskew, Spencer Asay, Tom Wedeven, Victor Rodriguez, Timothy McMahan, David Oldenkamp, Robert Turner, Wilma Huston, Al McGlinsky, Lee McGlinsky, Christina Dennis, Dean Flint, Tyler Flint, Linda Flint, Brandon Behymer, Emma Bussolini, Gregg Lasher, Stacey Stanciu, Anne Marie Bussolini, Suzanne Kelley, April Scholtec, Alan Scholtec, Sue Morton, Gabriel Harry, Danny Robinson, Barbara Bussolini, Mark Bussolini, Rebecca Woolsey, Matthew Woolsey, Laura BeBeau, Jessica Milbourne, Barry Martin, Steve Bishop, Sheryl Mansfield, Barbara McIntosh, Herman McIntosh, Kim Lasher, JoAnn Butler, Brett Cope, Paul Cope, Cody Cope, Angie Robinson, Marshall Anderson, Boyd Schaffer, John Babcock, Leslie Robinson, Jacque Cope, Dave Cockrum, Marca Taverniti and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report. The appeal was filed by Robert Turner representing Wild Rose Lane HOA and Two Towers Subdivision HOA regarding the request by Cope Sand and Gravel for a conditional use permit (C.U.P.) approved by the P&Z Commission. The CUP would allow an expansion of the Copes existing site to a 12-acre portion on a different parcel. The appeal is requesting the Board overturn the P&Z Commission's decision and deny the CUP based on many reasons, one is the impact to the surrounding use, the use is an eyesore, there's residential growth within the area, specifically in the City of Nampa's area where there is a proposed school within 1,000 feet; Carriage Hill West is adjacent to the existing

gravel pit; the expansion moves closer to the Wild Rose Subdivision which decreases the buffer; and the gravel trucks along Lake Lowell are a dangerous situation to cars, buses, walkers, joggers, cyclists; they believe this is a property rights violation to their property rights; and the previous decisions in 2016 and 2017 were appealed and denied in the expanded use so they believe this should be denied based on those previous denials. The pit was approved in 2002 when the Board overturned the P&Z Commission's denial; there is an active pit with an expiration date of March 20, 2032. In 2016 there was a proposal on the north side of Lake Lowell to expand the pit about 64 acres as the current pit was depleting. The P&Z Commission approved it and the Board denied it on appeal because residential growth was foreseen in that area; it would have expanded the timeframe of that use to 2052, as it was a 40-year expiration date. In 2017 Cope Sand and Gravel requested a CUP to do a smaller expansion of 23.3 acres to be transitioned from their current pit. This was approved by the P&Z Commission but on May 9, 2018 the Board denied the expansion on appeal saying it was inconsistent with the comprehensive plan and injurious to the immediate area, but the Board listed actions the Copes could take to possibly obtain approval, such as addressing noise, dust generation, traffic, and negative impacts to property values. The Copes came in with another proposal for the same location but a smaller pit of 12 acres only for mining and stockpiling, there'd be no new access or crushing. The crushing would stay on the existing pit – all the operations would stay on the existing pit except for the mining and they propose a conveyor to bring the materials over to the crusher on the other side so the only thing that would change is that it would be 12 acres and there'd be mining within that 12 acres but other than that the operations would stay on the existing 40 acres. The expiration date for the expansion is 10 years, it ends two years before the expiration date of their existing pit. The area is predominantly zoned agricultural, however, the future land use plan designates the area as residential, which is consistent with the Nampa future land use plan. Staff's report included the existing uses – the ones that were there prior to Cope Sand and Gravel and the residential uses that came afterward. The Copes took heed of the Board's request to provide more information about how they're going to manage dust, noise and they plan to meet all OSHA and MSHA and DEQ requirements for dust control, which is watering the access roads and the stockpile area. This is an existing gravel pit, the only thing changing from the existing use is the mining of the 12-acre area and the conveying of it to the existing site. The rest of it is an approved use already. A noise study was done and the results demonstrate it is consistent with MSHA's permissible exposure levels. The applicant has provided conditions that will help with that such as requiring visible strobe lights instead of the backup sounds on the loaders, and to keep the crusher at least 300 feet away from the expansion property. The crusher doesn't move at all, it stays where it's at now. Based on water contamination well logs were reviewed and a geology review was done which shows there has been no contamination since the Copes have started and there is a very low chance of that occurring, especially since they have to meet state and federal regulations regarding groundwater contamination, fuel storage and hazardous materials so based on that report the operation doesn't show any water contamination and they plan to keep it that. There is evidence that property values have not been affected by the gravel pit from the time Cope has been there until now. The assessments have increased in that area, which probably has to do more with population and growth of the area. The applicants recognize the neighbors have complained about the landscaping; the original conditions required trees to be placed along Midway Road and Lake Lowell and the trees have died and they try to keep working at

it but it's a dry pit, there's no water, no irrigation to provide for that. They are proposing a condition to better mitigate for that and they propose gravel landscape at the front with some rocks and vinyl fencing that is consistent with the residential fencing in the area. The P&Z Commission recommended approval with conditions. Staff is recommending the appeal be denied and the CUP be approved. Mr. Lister responded to questions from the Board following his report.

The following people testified in support of the appeal:

Claudia Frent testified that the application for a new CUP was denied in 2016 and 2017, both times because of land use. She spoke about how the City of Nampa is considering putting the Two Towers Subdivision, the Wild Rose Subdivision and the surrounding area back in the impact area. Ms. Frent said the proposed use is not consistent with the 2040 comprehensive plan goals and policies. The proposed gravel extraction site is designated in residential on the future land use map, the comprehensive plan describes residential designation as a zone specifically set aside for residential development, therefore the plan states that the residential developer should be encouraged in or near the areas of city impact, or within the areas that demonstrate a development pattern of residential land uses. Residential development surrounds the area. The Babcock property is near the impact area and is designated as residential on the future land use map. The proposed use will be injurious and it will change the essential character of the area. Approving the CUP is not in compliance with the future proposed use of the land. Ms. Frent has contacted the Idaho Department of Lands, DEQ, and DSD, to find out on the original CUP. The neighbors are very concerned about the depth of the pit because it can affect their well water. It was stated the pit would only be 30-50 feet deep, but the neighbors hired a drone that flew over the pit and measured it to be about 95 feet. Ground water in our area is between 60-115 feet. The Copes did not keep the berms in the condition they were supposed to and they have never been held accountable for that. The neighbors want clarification on how the sound test was done, and how the noise was measured. She said the Copes have not been good neighbors because they are in violation of their original CUP by violating the pit depth and not maintaining the berms.

Robert Turner is the President of the Wild Rose HOA and he presented a slideshow depicting the area. He thanked Commissioner Dale for looking at the property and said at the last appeal they asked the P&Z Commissioners to go to the property and they said they could not do that. He spoke about the number of people who visit Lake Lowell. In 2002 there were 49 homes within a one mile radius of the new gravel pit and at that time the documents stated there were 40,000 residents in Nampa and they estimated with the 2020 plan they would have an additional 40,000 move here. The infringement up to Midway Road is incredible. Approximately 2,500 homes have been completed within a one-mile radius. The City of Nampa reports that 1,000 homes are requesting permits and that doesn't include all of the annexed properties on Midway, near Karcher Road. The pit is not consistent with the neighborhood. There has been no mechanism with the County to be able to file complaints/concerns about the permit. According to Mr. Turner there are 6-7 pits that are abandoned within a five mile radius and almost all of them are less than 50 feet deep. The depth of the pit is a concern so they hired an independent licensed drone pilot, which showed

a measurement of 95 feet and that creates a problem for homeowners that draw their water at 65 feet. They have concerns of truckloads of dirt going into the pit and the doubling of traffic in the area. For 45 years well drillers have done monthly tests on the residents' quality of water and every three years they have to spend about \$2,000 to do the major tests, and this year they have spent \$4500 to manage their water quality. Despite years of excellent water quality, in February of last year they had an extensive water problem in Wild Rose with hydrogen sulfide, chloroforms, iron bacteria, and they spent thousands of dollars to have the water tested weekly. The disturbance of the ground at 80-100 feet could cause issues with the aquifer. According to Mr. Turner they have spent nearly \$10,000 to treat their water system for chloroforms, lead bacteria and hydrogen sulfide.

Jaye Jaye Johnson testified she is an engineer in the oil field and has worked for Phillips Petroleum and Schlumberger and performed well logging. Her credentials include an MBA and she is one-third of the way through her PhD. She spoke of the geology report prepared by Dave Cockrum and the reference to the geology being both impermeable and low permeability, but it cannot be both. She referenced maps showing proximity to Lake Lowell and where the gravel is being pulled from, and she questioned the location of the clay. She gave technical testimony regarding earthquakes, micro fissures, and faults in the gravel pit which can impact wells. She questioned the tool Dave Cockrum used to take noise measurements, noting it was a noise meter purchased from Radio Shack, which should be used for hobby use only.

Victor Rodriguez spoke of land use decisions he's made as Nampa city councilmember. He spoke about growth in the area and said he wanted to purchase in the Carriage Hill development but knowing about this gravel pit caused him to change his mind. He spoke of the protection of property rights and how he wants to see this area reopened as an impact area.

Elspeth Turner lives adjacent to the subject property and is a farmer operating an agricultural business from her personal property and she is concerned how the proposal will affect her plans to expand her business. The depth of the pit concerns her, she is on a well system and lives directly adjacent to the proposed pit. The Copes were issued a CUP in 2002 which they have violated on many terms, not just the depth of the pit, but also they were supposed to limit truck traffic to eastbound only. At this point limiting truck traffic near residences is near impossible because there are so many homes going in. Their berms are lacking, and they have had many MSHA violations and paid fines. She is concerned the mine will decrease the value of her home and affect her quality of life.

Rebecca Woolsey owns two homes in the Wild Rose Subdivision, and she read an email from neighbors Bill and Shara Rapp who are opposed to the proposed CUP. She said the Copes have breached the existing permit by mining to depths of over 90 feet. The request does not fit with the long term plan for this area. She is concerned about the quality of life and how the proposal will negatively affect the growing neighborhoods.

Julie Parsons testified that a corner of her family land touches a corner of the proposed mineral extraction site. She has not heard any pro arguments that explain why a gravel pit

is an appropriate use of land in the midst of a rapidly growing residential area. She said homeowners concerns are seemingly dismissed based on the reasoning that they had moved into the area when there was an existing pit in place. She offered a historical perspective on her family's ownership of property in the area for several decades. In 1975 her parents donated a small parcel of land to Canyon County to develop the county park which they believed would provide wonderful recreational opportunities to residents of the County and hoped the donation would ensure the land would never be developed in a way that would negatively impact the residential nature of the neighborhood. Ms. Parsons said gravel trucks barrel down Midway Road and roll through the stop sign at Midway and Lake Lowell. Expansion of this pit in the middle of a neighborhood and this close to a recreational site with foot and bicycle traffic is not an appropriate use of this land.

Patricia Dennis testified about her family's long history in the area and how their wells are being affected noting that eight years ago they had to drill a lower well and have the motor changed. Had they known about the previous hearing they would have objected to starting a gravel pit in the neighborhood. She objects to the Copes request.

Al McGlinsky testified that he purchased five acres in the early 1980s and it was a peaceful area surrounded by long existing homes, agricultural land, a park, the lake, and the wildlife refuge but that changed when the Board granted a CUP for the Copes to begin mining gravel a few hundred yards from their house. They share a back fence with the Babcock property which the Copes want to mine and the McGlinsky's dream home is less than 200 feet away which will decrease his property value. He spoke of concerns about noise, dust, and silicants. He said the Copes have failed to follow requirements on their existing mine and they paid over \$3200 in fines for 33 MSHA violations between 2007 and 2017. Repeated violations deemed it was easier to pay the fines than fix the problems. The gravel pit is not a good fit in this residential area.

Lee McGlinsky read a statement from neighbor Diane Eckles who had researched the health risks associated with silica dust which can become air born and transmitted to surrounding areas during mining operations and by the wind. The proposed site is too close to homes and Lake Lowell Park. It's a public health issue impacting quality of life and medical expenses. Silica dust is not the same as ordinary dust, it's too small to be seen but can easily enter the human respiratory system. Public health agencies have identified crystalline silica as a human carcinogen.

Larae Sizer stated as a community they are not against the Copes current operation, but said to grant them more mining rights would be a disservice to the neighboring communities. She questioned what agency has oversight and authority to see that conditions and restrictions are followed? She doesn't want to put them out of business but she wants them to be a good neighbor.

Marilyn Wolford, who is opposed to the Cope expansion request, submitted a video depicting traffic concerns with large gravel trucks in a residential neighborhood. Large trucks with trailers need both lanes to make turns. With a new subdivision going in the traffic will be much heavier than it is currently.

Ed Wolford submitted video of a person who worked around limestone and sandstone and spoke about the severe health impacts it's had on his life. Silicosis is caused by exposure to crystalline silica which comes from chipping, cutting, drilling or grinding soil, sand, granite or other minerals.

Greg Lasher testified that he was the original developer of the Two Towers Subdivision and it's been mentioned that he knew it was there and the residents weren't supposed to fight it but he said they did not object to the existing pit, they are fighting the expansion because they don't want them to continually expand the operation into the residents' backyards. They have concerns about the gravel operation negatively affecting property values in the area.

Tom Wedeven spoke of the amount of detailed and scientific research that's been done by the neighbors. He wants to see Nampa revived and people stepping up and integrating and investing in the community. The proposed expansion results in an ugly, unhealthy, uncreative response to the land in the middle of a growing population.

Testimony in opposition to the appeal was as follows:

JoAnn Butler, the attorney representing the Copes, stated there was a two-page letter of appeal that was filed before today by Mr. Turner and there were a lot of things that have been said today that the applicants were not aware of so she posed the concept that perhaps it would be worthwhile to defer so that the appellants can see what the applicants submitted and vice versa and provide some comments in writing. They did a 20-page letter of intent in which they summarized the application and all of the various studies and it addresses everything that has happened over the last 20 years and it addresses the law and the comprehensive plan. Some people have said there was depth required in the first approval, but a depth was not stated in the conditions of approval. It was mentioned that Canyon Highway District regarding eastbound truck traffic to leave eastbound only from the site, that was a condition the district has imposed for this application. She wants to correct the things that have been said that are not factually accurate. The other gravel operations are hundreds of acres in size and have no time limit, whereas the Copes have limitations of 10 and 12 years so it begs the question of how the Copes might be treated as compared to other gravel operations when they're looking for 12 acres to keep their business alive. The Cope business is not a big gravel operation as found elsewhere in Canyon County, instead it has served as retail source of gravel for smaller construction jobs providing cost savings. Over 90% of the end users are located within 8 miles of the gravel operation. The Copes are very concerned about the neighbors and they listened to them and had their consultants change the application: In 2017 over 23 acres of the Babcock property were proposed for extraction, today it's just 12 acres pushing the buffer further out. In 2017 there was a portable crusher proposed at various locations on the Babcock property, but today there is no crusher. In 2017 an additional access road was proposed to Lake Lowell Avenue, but today there isn't one. In 2017 retail sales were proposed on the Babcock property, but not today. They have proposed increased landscaping along Lake Lowell and Midland. It has been difficult to maintain trees on the berm but they are willing to talk about that in terms of a landscape

plan to the extent they can. There will be a berm, solid fence, and decorative stone and rock along that area so that it is neat and tidy. There are no additional employees at the site, no additional truck traffic. In 2017 they asked for a 20-year term, but today that term is 10 years, two years less than the existing conditional use permit. Regarding reclamation, the 12 acres in the expansion would take nine years to gravel and the reclamation plan, which is bonded with the Department of Lands, would take the year on the expanded 12 acres, then the Copes would step back into the original and clean up the stockpiles and reclaim that area and that will take about two years. The dirt that comes into the pit is for the reclamation purpose, it's continuous over time trying to plan for the future for that reclamation. Other government agencies have reviewed the application, none are opposed. The level of traffic associated with the site is so low that Canyon Highway District did not require a traffic analysis, however, the district did recommend trucks turning from the site should go eastbound only and the Copes included that in their conditions of approval. There is an email from Southwest District Health stating that drain field installers are having a very tough time getting the correct sand and gravel for their work, making it more expensive and sometimes impossible to do drain fields, but this is exactly the type of gravel that's available from Cope Sand and Gravel, which many other mines do not make available because they are going for the bigger jobs. (The letter was written in August and according the SWDH Director it is still the case today.) The gravel can only be mined where it's located, this is one of three main gravel veins beneath the 12 acres of the Babcock property. The interests of the County are wisely served by extracting this natural resource at this small location before residential takes over. The ability to provide this type of gravel is disappearing rapidly. The application is not the same application as the one filed in 2017, it's been designed to address neighbors' concerns, and the Copes concern to keep the family business alive. In 2017 the Board directed very specifically the applicant on what it needed to do to obtain a conditional use permit; it focused on noise, dust, traffic and property values. The applicant has made the demonstration that the noise from the proposed use does not cause injury to or interfere with the uses of the properties in the immediate vicinity. Sound levels are typically found at the range of 50-60 decibel range, well within EPA guidelines. The Board asked the Copes to demonstrate that the dust generated from the proposed use does not cause injury or interfere with the use of properties in the vicinity and they have made that demonstration. Dust is contained by regularly watering roads, equipment work areas, unlike farming operations in the area that have no regulations. They have stringent state and federal regulations that have to be met. There have been no MSHA violations so the factual evidence provided shows that the DEQ inspections have found they comply with all dust emission requirements. The Board asked the Copes to demonstrate that the traffic generated from the proposed use won't cause injury or interfere with the use of property in the vicinity. She pointed out the level of service, no additional trucks, no additional employees; it's been deemed accessible to ITD and Canyon Highway District. The Board asked them to demonstrate that the proposed use will not negatively impact property values in the immediate vicinity and so they provided factual information from the Assessor's Office and the Realtors' Multiple Listing Service to show that assessments and sales prices have consistently increased over the years. Other residential areas, such as Carriage Hill West, have been approved for hundreds of homes immediately across the street from Cope Sand and Gravel. The area is trending residential, but the zone is agriculture and that zone says gravel operations are allowed uses with a conditional use permit. So Mr. Babcock and his

potential gravel operation have a property interest and an interest in understanding that you have a legislatively approved zone for this area and with the right to request a conditional use permit. It is up to us to show we meet all the conditional use criteria and they believe they have done that. You cannot strip away somebody's property right or right to request a conditional use under a legislatively zoned piece of property. The P&Z Commission approved the request. The comments of the appellants in their appeal letter did not provide any basis to overturn the decision of the P&Z Commission. They do not dispute that the applicants meet the County's conditional use criteria and the direction of the Board in 2017, rather, that letter shows that they have strong-felt general concerns about residential growth and builders who, according to their letter, just want to build homes and not deal with growth issues. They have concerns of increase of traffic "from new homeowners that flood our streets with more cars." Again, no additional traffic is being generated by this use. We are glad to hear the neighbors don't want to put the Cope family out of business, but they state in their letter that the homeowners have property rights but imply that neither Mr. Babcock nor the Copes have the right to request a conditional use. Because it is zoned agriculture and when you make that zoning statement legislatively you have said it is in compliance or in accord with the comprehensive plan. The appellants incorrectly state in their letter the existing conditional use permit was approved because fewer people were notified in 2002 implying that pure numbers of people in opposition to a project will guarantee that a project will be denied, and she thinks that's what the neighbors are saying today. They believe they've taken those concerns, reduced the area to 12 acres and adjusted so they can be a good neighbor and provide for the County as a whole. The appellants have asked the Board to overturn the P&Z Commission just because the Board has done so in the past, but this would not be right, it would take this application today and say it's like what was done four years ago and two years ago – it's not the same application. They asked the Board to recognize that the applicant has developed a good application, tried to take into consideration the code, the Board's direction, and the P&Z Commission thoroughly analyzed the application making its decision. The Board took a break at 12:31 p.m. and went back on the record at 12:40 p.m.

Dave Cockrum, a registered professional geologist with Geodysey testified he performed a noise test for the Cope operation. He has calibrated the machine and it's not going to be more than two decibels wrong, if at all. You cannot hear the operation 400 feet east of the west boundary of the proposed expansion area; you cannot hear it in the Wild Rose Subdivision. You can barely hear it on Memory Lane, but you cannot hear it in the Two Towers Subdivision. The noise levels in the existing pit range in an acceptable way to MSHA who comes in and tests from time to time. No noise reduction measures are required. They took 108 sound measurements, 72 were in the pit, 16 were in the proposed expansion area, 3 were in Wild Rose, 1 was on Memory Lane and 1 was in the Two Towers Subdivision. The highest reading was 92 decibels on the C scale and that was at the crusher. 60-68 decibels on the C scale was what they came up with routinely along the property boundary which would be on the back side of the berm. Sound levels on the existing property boundary are lower than passing vehicular traffic which is typically 70-72 decibels. Sound attenuates 800 feet west of the crusher and at that point you can still hear the crusher but it doesn't overpower the sound that's already there and caused by vehicles, airplanes, wind, etc. The sound propagation from the crusher and the active parts of the mining operation stay inside

the existing pit and those average sound levels are within MSHA and EPA guidelines for rural residential properties. The average sound levels in the expansion area range between 59 and 63 decibels with a crusher operating in the existing operation. It meets EPA rural residential guidelines and with it in operation – because they are not proposing a crusher in the expansion area, that’s the noise level you’d expect in the expansion area when mining is taking place. With the addition of the crusher belts, feeder bins, those kind of things that are part of the mining operation they sampled in the existing operation when the crusher wasn’t running and determined they were in the 65-70 decibel range. It is well within MSHA and EPA noise requirements and it won’t add to background noise in the area. Dust is generated by crushing gravel, it’s also generated by running across the screen, and from dumping material from front end loaders as they are mining or dumping material from dump trucks. MSHA is interested in dust from the point of view of silicosis and in the coal mining areas of the world, black lung disease so they test. They perform tests by measuring dust picked up and from that they know the size of the dust, the amount of the dust and whether it’s a violation or whether it’s okay. The Copes have never had a violation. To make the dust less of a problem they propose to put up spray bars in the expansion area above the feeder bin to knock down all kinds of dust. The pit will be located below ground level which minimizes the effect of the wind which minimizes dust generation as well. If there was a silicosis problem in the pit someone would be sick or going to the doctor with chronic lung conditions and that has not occurred. The Copes have a regular watering program for dust and they continue to do the best they can. Regarding ground water, they analyzed 11 water wells, and they sent out a letter asking those in the area if they’d like to have their wells sampled, but no one responded. They sampled two locations on the Babcock and Lester properties, which are the two closest wells to the operation and the expansion. There is no petroleum in the groundwater on either site; there is a little bit malidum but not cadmium and those are things you routinely send to labs to look for contamination. The metal comes from the breakdown of engines and grease and if something would have spilled it would be in the ground water and it’s not. We can never say there’s no risk, but the potential for a spill is low because of how it’s operated. They stay on a schedule that localizes the petroleum generating spills in one area and it won’t be in the expansion area unless a machine explodes or a diesel tank leaks. There is no way we can say categorically there’s no reason to worry but for 18 years nothing has happened. In reference to the geology map referred to by Jaye Jaye Johnson, Mr. Cockrum said it’s a surface map, it doesn’t tell you anything about what’s below the surface, which is what we’re interested in when looking at well contamination. Those maps are good for knowing what’s there in terms of the surface geology, but what they’re looking at for ground water is what is below the surface and the best way to do that is to look at existing data regarding water wells that were drilled in the last 50 years. Regarding fracture lines, there’s no blasting that takes place for the mining so it’s not really jarring the rocks and it’s not going to have a catastrophic effect on a water well that’s a ½ mile away, the highest risk would be on the Lester well and they sampled that well and didn’t see anything ground disturbance-wise that would give any indication that there was active faulting or things going. Mr. Cockrum responded to questions from the Board.

Brett Cope testified the demand for gravel is increasing with the growth and the amount of material they’ve sold proves that. This location is one of the key factors when they originally were asked to be permitted in 2002 because they could see demand was coming this way.

The property they're currently on is not the best farm ground, it's sloped, and is dry with no irrigation rights. They have a huge irrigation well to irrigate and that's why they chose that location, it makes economic sense. He said they could go out farther out, but they are running into the same problem with people wanting to build on view lots. We have gravel with this expansion, it's agricultural, it's zoned properly and it's right next door. SWDH is finding a problem with suppliers in the gravel industry and the Copes have been on their suppliers list for years. A lot of larger companies are no longer supplying to SWDH and that is creating a huge problem. Those companies want larger projects, and are not interested in serving residences. The Copes strive to supply to homeowners, residential developments, and local agencies. Mr. Cope responded to questions from the Board regarding the location of gravel vein and former pits. He believes the County is running out of gravel due to the amount of growth that's occurring on gravel ridges. Commissioner Van Beek said the objection is not necessarily to the current operation, it may be to the feeling that the Copes have not been a good neighbor.

She's heard some disappointment in the fulfillment of those conditions and she asked why the Copes haven't been pro-active and help bridge that gap where's there's been some violations. Mr. Cope said in 2002 they said they would berm and landscape Lake Lowell Road; they were still farming everything along Midway and as they came closer they would berm it, but they did not landscape it. They came back with conditions of approval this time and said they will totally landscape everything and put in a \$75,000 landscape plan with 6-foot vinyl fence and a 3-foot elevation. The Department of Lands holds them to reclaiming the pit. In response to questions from Commissioner Dale, Dan Lister said staff's recommended conditional approval states they have to have that in prior to starting their expansion. They have to provide a plan and show how it will look and then execute it. Regarding the 2002 conditions, Mr. Cope is correct, the wording only required landscaping, pines and spruces along Lake Lowell with berming and then as the operation got closer to Midway it was only berming, no landscape. Back then they just had to meet state and federal requirements, have a reclamation plan, and have a dust mitigation plan. The only thing that comes up with code enforcement was the trees along Lake Lowell and they recognize that and that's why they are trying to fix it with this application; however, if this request is denied they still need to fix that because it is in violation. If this were to be approved they would reinforce it with the landscaping they are proposing. The appellant is correct in that there was discussion that the pit would be 30-50 deep but it was never conditioned to not exceed that depth.

Paul Cope testified it is an agricultural area with farming, cattle, gravel pits and homes. On the 2002 permit they were only going to do the trees and landscape with berm on Lake Lowell and when they got to Midway it would be a berm with a 4-foot fence because they were still farming the ground. There are no conditions regarding the pit depth. The pit depth averages 65 feet, and the gravel is good and rich which is why they were able to go deep. They are in compliance with the 2002 CUP. He wants to be neighborly and he wishes the neighbors would have said they didn't like the berm and they would have worked with them. They want to refresh the look because of the heard complaints. There is a former gravel pit dump site by the Carriage Hills development that the City of Nampa uses for backfill, and houses will be developed around it which shows that housing can coexist with gravel pits in an agricultural area. He is the safety supervisor for Cope and testified they have been fined

for a headlight on a loader, and a taillight, and something on the conveyor, but 90% of the time they have it fixed before the inspector leaves the site. They take dust seriously and they water the roads daily. Safety is a huge aspect of their operation, they have never had a serious and significant fine in 17 years. Mr. Cope responded to questions from the Board. Commissioner Van Beek said the Copes former legal counsel, Todd Lakey, who represented them on a previous case that was denied expressed to her that the biggest reason the case didn't go forward was because of the lack of compliance with the 2002 CUP on the landscaping portion. She asked if they have considered putting in designated truck lanes to handle the traffic. Mr. Cope said they have not considered it. The traffic count on Lake Lowell is a low density volume road and the highway district hasn't asked us to put in a truck lane. Regarding the berm violation, twice they've had trees stolen from the property and they've replaced them in the past. It will take 2 to 4 weeks to refurbish the berm and install a vinyl fence and they will start when the weather gets better in the spring. They currently rent from the Babcocks and the Lesters and they have an agreement to purchase the property. If they obtain approval today they will purchase it. The expansion property is owned by John Babcock and he does not want to sell it. After they mine the 12-acre piece they will slope the sides and put the grass on the sides and that will take roughly 10 years and they will sign off with the Department of Lands and then they will have two years left on the current site to remove stockpiles and to sign off for the Department of Lands in 2032. Mr. Cope responded to additional questions from Commissioner Van Beek.

Dan Lister said John Babcock wants to make it a campground of some sort, but the Department of Lands allows for the minimum requirements for that reclamation and in the end it will require a CUP in that area to see if it can be a campground. The tree farm thing is already said and done, however, with the proposed expansion they are looking at a Boy Scout campground as the reclamation of that 12 acres. Commissioner Van Beek wants to see a conceptual design for that.

John Babcock said that he owns the subject property. His grandparents farmed the property, followed by his parents, and then he farmed it with his parents. He has an irrigation well with a 20 horsepower pump and the Lester property has an irrigation well they use to fill their water trucks. Since the Copes have started mining he hasn't had any trouble with his well and he doesn't think the Lesters have had any trouble with theirs either. In 1980 his well had pumped a lot of sand because something caved in underground and it wore out the pump and he had to drill a new well at a cost of \$30,000. Approximately 30 years ago they lowered the water in the lake so they could work on the dam and when the lake went down his irrigation well went dry. The people in Wild Rose Subdivision are less than 100 yards from the lake so perhaps that could have also affected their wells. Mr. Babcock spoke of the history of the gravel pits that have been in the area. Regarding the reclamation plan he has specified to the Copes that they are to retain all of the topsoil on the farm and put it back on top when they are finished mining. They are not allowed to sell any topsoil. He said if the permit is denied it will give the Rambo pit a monopoly and they will control the price of gravel in the area and they will be hauling it for longer distances. The safest and closest distance is from the Cope pit. He said he protested the original Cope pit, but he also protested Wild Rose Subdivision being built. Once the Copes dug the pit they have been good neighbors. This property has been zoned residential by the City of Nampa and two summers

ago the neighbors protested being annexed into the impact area and the Nampa P&Z Commission removed everything west of Midway Road from their impact area. Mr. Babcock said he will never subdivide his property. With the original reclamation plan they were going to have a pond and campsites all around the outside and they had plans for a soccer field and a shooting range, and they were going to plant pine trees in between the campground. They are still planning on having the dirt reclaimed on the bottom and the sides and still plan on having trees on the outside edges, they just might have a smaller pond. He said when they backed off to try to keep Wild Rose residents happy about the noise concerns it made the project smaller and caused the reclamation plan to be reduced.

Claudia Frent offered rebuttal testimony and said the residents of Two Towers Subdivision never received a letter asking for their wells to be tested from Mr. Cockrum and she does not believe the residents of Wild Rose or Memory Lane got any such letter either. Mr. Babcock says Copes currently own the pit they're in now, but she heard Mr. Cope say they are wanting to purchase the pit if this new CUP goes through. Which is it? She was one of the biggest in opposition to the Cope operation on all three requests and they have not reached out to her or the community to try to mitigate the concerns. She said the neighbors want to protect their investment and the community. Today she's heard them say they will go as deep as they can, not only in this pit but in the 12 acres and once they mine out the 12 acres they will ask for the rest of the property from John Babcock. She asked the Board to not allow new land to be destroyed, and if you do allow it they must state what they are going to do and they must comply before they are able to touch the new land. She said the residents have no problem with the existing gravel pit, they just want them to follow the conditions of the original CUP, and to make those berms beautiful. We are not trying to put them out of business, we just don't want them to expand. Their opposition is to the new C.U.P.

Commissioner White said Ms. Butler said there was new information and they want some time to further examine it. She believes the hearing should be continued. Commissioner Dale said at the continuation we are not going to re-hash everything that's already been discussed today. As far as new information that needs to be evaluated he heard concerns about the depth of the pit and he didn't see that in the present CUP, but for the 12 acres that is being considered for expansion he suggests we look at a depth restriction as well and that would be new information that needs to be considered as well. Commissioner White said there was a lot of information on both sides and she wants to continue the hearing. Commissioner Van Beek supports the request to continue the hearing and she suggested the Copes look at the findings of fact and conclusions of law and order that were cited in the staff report and take a look at that from the side of the people they are trying to coexist with. There's been testimony that there's been some minimization of their concerns so if we evaluate this from their side that is a good suggestion to get the intent and what neighbors can expect going forward on the record that will help form decision-making in light of those findings of fact, conclusions of law. She made a motion to continue the hearing to January 29, 2020 at 10:00 a.m. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:21 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS INFRASTRUCTURE COST FOR CANYON COUNTY FAIR BUILDINGS

The Board met today at 2:36 p.m. to discuss infrastructure cost for Canyon County Fair buildings. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Facilities Director Paul Navarro, Fair Director Diana Sinner, Rachel Spacek from the Idaho Press left at 2:48 p.m. and Deputy Clerk Jenen Ross. Director Navarro said they were asked to come up with some infrastructure costs ideas in order to approach the Urban Renewal Agency to ask for funding. He provided an overview of the fairground property, other agencies involved and showed the Board the building concept ideas. He spoke about how some of the landscaping will need to be redone due to the city sloping the property for drainage. Additionally, because it was re-sloped it changed the FEMA floodplain and it is now part of the 100-year floodplain. It will also affect the building itself such as a retaining wall may need to be built or perhaps the building may need to be elevated but these are items that could be included in infrastructure cost. Some other items that are being required by the city for the Special Use Permit include oil and grease separators and a leaching field beneath the swales; curb, gutter and sidewalks around the property; city standard lighting around the property. Discussion was had about the design and features of the building and property.

The following is the intended list of items to request from the Urban Renewal Agency:

- Sidewalk - \$37,300
- Curb/gutter - \$17,800
- Main pedestrian bridge - \$230,000
- Overflow bridge #1 - \$120,000
- Overflow bridge #2 - \$120,000
- Decorative street pole lighting - \$47,500
- Storm water retention (oil/water separator, leach field/swale) - \$65,000
- Parking lot improvements - \$285,000
- Pedestrian path thru Wilson's Creek - \$33,288
- Equestrian path thru Wilson's Creek - \$23,800
- Additional lighting along pedestrian/equestrian path - \$67,500
- Retaining wall for flood water retention - \$125,000
- Power line relocation underground - \$80,000
- IPCO connection fees for 480V 3-phase power to site and transformer - \$55,000
- Drive aisle/roundabout buildout - \$65,000
- Concrete pad and power connection for concert venues - \$55,000
- Decorative fencing along Georgia and Stocktrail - \$285,000
- Digital signage along Blaine St. w/power - \$75,000
- Fiber optic connectivity from existing fairgrounds building to expo site - \$35,000
 - Project subtotal - \$1,822,188
 - Project contingency and unknowns, A&E fees and permitting, 3rd party construction management/owners rep. - \$253,996.92
 - Project total to be requested from the Urban Renewal Agency- \$2,167,294.32

The architect solicited a professional cost estimate from Ellsworth Kincaid Construction for this project which came back at \$4.9M. This number includes the items that will be requested from the Urban Renewal Agency. Zach Wagoner believes there should be a balance of \$3.5M in urban renewal dollars available to the county at the end of the fiscal year. At Board direction, Director Navarro said he will work on a prioritization list in case the URA won't fund the all the projects. The Board is in support of Directors Navarro and Sinner presenting to the URA Board Monday.

Prior to the conclusion of the meeting a purchase order was presented to the Board for TO Engineering to conduct a survey on the county's portion of the fair property now that the floodplain has moved.

The meeting concluded at 3:19 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 8, 2020

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

No meetings were held today.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$3,934.36 for the IT Department
- IAED in the amount of \$1,195.00 for the Sheriff's Office
- Hanson Janitorial in the amount of \$2,899.40 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 1/10/20

The Board of Commissioners approved payment of County claims in the amount of \$96,529.98, \$13,765.00, \$4,870.18, \$132,664.23, \$132,839.19 and \$79,661.52 for accounts payable.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 9, 2020

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

APPROVED CLAIMS ORDER NO. 1/10/20

The Board of Commissioners approved payment of County claims in the amount of \$741,728.10, \$11,590.55, \$43,279.23, and \$194,202.63 for accounts payable.

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 criteria for county assistance: 2020-0243, 2020-0241, 2020-0118, 2020-0259, 2020-0237, 2020-0246, 2020-0225, 2020-0331, 2020-0264, 2020-0324 and 2020-0300. 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 issue initial approvals on case nos. 2020-0122, 2020-0329, and 2020-0333 with written decisions to be issued within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

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

BOARD OF EQUALIZATION 2019 OCCUPANCY TAX ROLL HEARINGS TO CONSIDER APPROVAL/DENIAL OF 2019 OCCUPANCY TAX ROLL PROTEST FORM 19336 FOR COSTEL AND EMILIA STOICA

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:00 a.m. to conduct an occupancy tax roll hearing for Costel and Emilia Stoica, Account No. 32713012 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative Property Appraisal Supervisor Greg Himes, Administrative Analyst Jennifer Loutzenhiser, Sr. Property Appraiser Ken Watters, Assessor Brian Stender arrived at 9:04

a.m. and Deputy Clerk Jenen Ross. Costel and Emilia Stoica did not appear. Greg Himes and Ken Watters offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Dale made a motion to agree with the Assessor's revised value for this property of \$461,500. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ELIZABETH JETT FOR A REZONE, CASE NO. RZ2019-0029

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Elizabeth Jett for a rezone, Case No. RZ2019-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, Elizabeth Jett, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 4.98 acres and is currently zoned agricultural. The future land use map shows this area as residential; it is not located within an impact area or a flood zone. The surrounding area contains primarily agricultural properties, however, the parcels surrounding the property are utilized for residential purposes. The subject property is located within a platted subdivision, Valley View Ranch Subdivision. Within one mile there are 17 platted subdivisions for a total of 251 lots, with an average lot size of 3.81 acres. The property is not located within a nitrate priority area. It has frontage on Ranch View Drive, which will provide access to the new lot. The applicant will have to do a replat and access will be determined at that time. The Nampa Highway District has no objection as long as their requirements are met, and the Idaho Transportation Department does not anticipate any significant traffic impacts. No objections from the public have been received. The P&Z Commission recommended approval of the rezone on November 21, 2019, and staff is recommending approval as well. Elizabeth Jett testified they want to subdivide and build a larger house on the adjoining lot in order to accommodate their expanding family, and it's likely they will sell their other house. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close the public testimony. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the rezone for Elizabeth Jett, Case No. RZ2019-0029, and to authorize the Board to sign the findings of fact, conclusions of law and order as well as the ordinance. (See Ordinance 20-001.) The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM CALDWELL, IDAHO JANUARY 10, 2020

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 Mark Tolman (job title change from Fleet Manager to Fleet Director).

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- WASP Barcode Technology in the amount of \$9,129.33 for the IT Department
- SHI – Pure Storage in the amount of \$15,489.96 for the IT Department
- D&B Supply in the amount of \$2,176.00 for the Solid Waste Department
- Norbryhn Equipment in the amount of \$3,652.00 for the Facilities Department

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

The Board met today at 9:00 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, Director of DSD Tricia Nilsson left at 9:03 a.m., Director of Misdemeanor Probation Jeff Breach left at 9:08 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a refund for a mechanical permit fee to YMC Mechanical: Director Nilsson explained that this was discovered by the building official when they took in a mechanical permit for YMC for work at the Simplot plant. For commercial projects the mechanical fee is based on the bid price, however, on this project the type of piping used for food processing is stainless steel with a much higher value. The building official asked them to submit a bid that averaged out the material cost because that doesn't affect the inspection times. This refund is the difference between the original fee and the revised fee. Development Services is requesting they be issued a refund in the amount of \$8256.62. Upon the motion of Commissioner Dale and second Commissioner Van Beek the Board voted unanimously to sign the resolution to issue a refund to YMC Mechanical (see resolution no. 20-003).

Consider signing FY2020 Idaho State Historic Preservation office certified local government sub-grant application: Mr. Wesley said Director Schwend was asked by SHPO (Idaho State Historic Preservation Office) to submit a grant application due to extra funding. If the grant is awarded it will be used for several staff members to attend trainings and conferences. The match for the grant will be covered by the Historic Preservation funding. Upon the motion of Commissioner White and second by Commissioner Dale the board voted

unanimously to sign the FY2020 Idaho State Historic Preservation Office certified local government sub-grant application. A copy of the application is on file with this day's minutes.

Consider signing Canyon County Historic Preservation support award agreements with the Historical Society of Middleton and the American Legion Joseph H. Murray Post 18:

Both of these agreements are for projects that have been approved for Historic Preservation funding. Commissioner Dale made a motion to sign the support award agreements with the Historical Society of Middleton and the American Legion Joseph H. Murray Post 18. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreements 20-003 thru 20-007).

Consider signing resolution classifying records of Canyon County Misdemeanor Probation and authorizing destruction of closed offender supervision files:

Director Breach said this is for the paper files closed in 2017. The bulk of the files are electronic and will always be retained in Odyssey and CMS. 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. 20-004).

Consider signing resolutions classifying records of the Canyon County Prosecuting Attorney's Office and authorizing the destruction of certain criminal and juvenile case files/records:

Mr. Laugheed said these resolutions for destruction are done routinely and gave a brief description of how they determine files to be destroyed or retained. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolutions classifying records of the Canyon County Prosecuting Attorney's Office and authorizing the destruction of certain criminal and juvenile case files/records (see resolution nos. 20-005 and 20-006)

Mr. Wesley spoke about the recent land use hearing for Troost Family Trust. The Planning & Zoning Commission had recommended denial but the Board approved the case, due to the conflicting decisions another hearing will be required. Jennifer Almeida will work with staff to get a new date 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 White made a motion to go into Executive Session at 9:13 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 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 – CONDITIONAL REZONE REQUEST BY JEFF AND AMY BARNES

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Jeff and Amy Barnes for a conditional rezone, Case No. CR2019-0014. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Jeff Barnes, Amy Barnes, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is to conditionally rezone a portion of the parcel from agricultural to rural residential and to allow one division. The Barnes's are working with the property owner, April Dietrich, to eventually sell this off and divide it so they can put a house on it and after the division they will not be allowed anymore unless the property is modified or annexed into the city. The vicinity is a mix of agricultural and residential with a future land use designation of residential. There are 35 subdivisions within the area with an average lot size of .92 acres. The rezone is only going to apply to a portion of the parcel, the rest will remain agricultural. The soils are considered best suited to moderately suited, and the best suited soils will stay on the agricultural zoned piece. The property is within a nitrate priority area and the wells have shown some traces of nitrates in the water therefore this division has to go through the platting process and nitrate priority study will be required. Staff is recommending approval. There is one small change noted in the paperwork: when the request was originally submitted it was based on approximately 2.5 acres but as they did a survey it came out to 2.39 acres. The original draft development agreement stated they had to have written permission from the irrigation district if they make any modifications or changes to any ditches or laterals, and in the paperwork he listed Mason Creek, however, this will not touch Mason Creek so he removed it to state existing ditches and laterals. Mr. Lister responded to questions from the Board regarding the ingress/egress and the nitrate priority area. Amy Barnes testified that when the Dietrich's bought the 16 acres they did extensive due diligence to make sure the nitrate issue on the property was okay and they had the health department test six different sites to make sure they could dig a well and utilize septic systems. 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 Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve Case No. CR2019-0014 to conditionally rezone a 2.39 acre portion of Parcel R30652010 from Agricultural to Rural Residential, subject to conditions, and to sign the development agreement and the ordinance. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:18 a.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 ORDERS

The Board approved the following purchase orders:

- Mtn. Home Auto Ranch in the amount of \$42,384.00 for the Fleet Department
- Curtis Blue Line in the amount of \$31,700.00 for the Sheriff's Office

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 and Jamie Miller, and Deputy Clerk Monica Reeves. Commissioner Pam White arrived at 8:37 a.m. 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 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, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter left at 9:09 a.m., Deputy P.A. Zach Wesley, Planner Dan Lister and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Historic Preservation support award agreements with the Greenleaf Historical Society and the Melba Valley Historical Society: These are standard agreements so that the Historic Preservation funds previously approved can be dispersed. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Historic Preservation support award agreements with the Greenleaf Historical Society and the Melba Valley Historical Society (see agreement nos. 20-008 and 20-009).

Mike Porter spoke about the contract with JobScore that will be coming before the Board tomorrow as he may not be able to attend the meeting tomorrow. He said it is just a renewal of the agreement that was signed last year. The only modification made to the contract is that it will now run with the fiscal year instead of the calendar year.

Commissioner Van Beek spoke about some concerns with code enforcement and what seems to be a knowledge throughout the county that there are no “teeth” to anything County Enforcement Officers can do. Commissioner White acknowledged that the County only has one Code Enforcement Officer and the Board was recently provided an 8 page report of violations which could be part of the problem. Commissioner Van Beek would like to see this discussion as part of the budget season to see what it would look like to increase DSD staff and from a legal standpoint to become a viable arm of the county. Mr. Laugheed thinks discussion could be had about amending the ordinance to include different penalties. Historically, he has thought of DSD’s Code Enforcement as more of “code compliance” issue with enforcement being more of the last step. He feels the Code Enforcement Officers have been really good about talking with people and bringing them into compliance. Mr. Laugheed would like to see further conversations to include DSD and Mr. Wesley.

General discussion was had about a pending land use case although the specific case was never noted on the record.

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 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) 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, Deputy P.A. Zach Wesley, Planner Dan Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 a.m. with no decision being called for in open session.

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

The Board met today at 9:37 a.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, Director of DSD Tricia Nilsson, Deputy P.A. Zach Wesley arrived at 9:39 a.m. and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following:

- After the first quarter their budget is up \$132K. She may be asking for another inspector at budget time and she just filled a vacancy for a mechanical inspector.

- They are going to put together an ag survey as part of the comprehensive plan and will be sending out a test survey this week to “key” people.
- A comp plan amendment will need to be done in order to accommodate the impact fee CIP adoption. A public meeting has been scheduled for February 20th, once P&Z makes their recommendation it will come before the Board.
- Code Enforcement Officer Eric Arthur has had some conversations with Weed and Pest Superintendent AJ Mondor regarding weed control issues. Mr. Mondor seems to be interested in taking over the weed cases although some additional meetings may need to take place to include legal to discuss the authorities and make sure there is a process in place. In response to a question from Commissioner Dale, Mr. Wesley said there is certain statutory authority to attach assessed fees to tax bills if there is a code enforcement violation that needs to be addressed by the county such as weed control. Commissioner Van Beek asked about building permit violations, wondering if there is a way to attach a penalty. Director Nilsson said there is a penalty - if you are caught building without a permit your fees are doubled.
- Commissioner Dale asked about a land use hearing that took place last week for the rezone of one house but required a plat fee which he wonders if it is an unnecessary expense. Director Nilsson noted the platting statute and explained why it applied to this particular situation. Commissioner Dale asked Director Nilsson to look into this and see if there is a meaningful way to allow relief in these situations. Commissioner Van Beek is not in favor of this being changed because it’s based on state code. As the definition of ‘subdivision’ is determined by the county Commissioner Dale asked that the definition be evaluated. Commissioner White’s request it that it doesn’t become something that is applied on a case-by-case basis.

The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners’ Office.

CONTINUATION OF PUBLIC HEARING - TRENT WHITE’S APPEAL FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 10:02 a.m. for a continuation of the hearing in the matter of Trent White’s appeal for a variance Case No. ZV2019-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Todd Lakey, and Deputy Clerk Monica Reeves. Today’s hearing was continued from November 12, 2019. Staff said the applicant is still waiting for the survey to be recorded and they would also like some time to coordinate with the neighbors so they are requesting a continuance of 2-3 weeks. It was decided it’d be best to continue this matter to tomorrow, January 14, 2020 to allow time for staff and Mr. Lakey to coordinate a date and time for the continued hearing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to January 14, 2020 at 1:30 p.m. The hearing concluded at 10:06 a.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING - CONSIDER REQUEST BY DANA AND ARLINE DEVLIN FOR A CONDITIONAL REZONE, CASE NO. CR2019-0012

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Dana and Arline Devlin for a conditional rezone and development agreement, Case No. CR2019-0012. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Hethe Clark, Dana and Arline Devlin, Jerome Mapp from the City of Caldwell, Beth Ineck, the Nampa Economic Development Director, Rachel Spacek from the Idaho Press-Tribune and Deputy Clerk Monica Reeves. Today's hearing was continued from January 6, 2020 to allow time for Commissioner Dale to listen to the audio of the previous hearing. The purpose of today's hearing is for Board deliberation only. Commissioner Van Beek believes the request, if approved, will greatly impact the health, safety and general welfare of the area. She referenced Jerome Mapp's comments that in the early beginnings of land use they allowed heavy industrial next to residential but because of the smoke, noise, and toxic materials that were generated it was found to be injurious to the health of the residents they moved away from that and they don't encourage that type of planning and development any longer. The general practice has been to separate those types of uses from residential development. She referenced comments in direct rebuttal for the attorney's statement that the City of Nampa would have a right to trump the County's jurisdiction on what's contained on County ground. If there was a disagreement that existed, it has now fallen to the Board to evaluate the impact so it's a County decision to determine the best and highest use for that ground. The uses she objects to fall under the M-1 classification: bulk storage as an accessory use of any flammable liquid above or below ground; bulk storage for wholesale distribution of any flammable liquid above or below ground; a fertilizer processing facility; an impound yard; long term mineral extraction or short-term mineral extraction; a rendering plant; the sale of salvage goods; a slaughterhouse; transit or trucking terminal and a service facility. The difference between this project and a nearby project is there is almost \$1 million dollars in development on a berm, mitigation fencing, and landscape in addition to the commercial buffer. She believes mineral extraction, batch plant, and fertilizer plant uses should be eliminated entirely because they are inappropriate and incompatible uses to be placed next to residential development. She addressed traffic concerns. She said it's important for there to be discussion between the City of Nampa and the City of Caldwell regarding the highest and best use on the east/west side of Midland Boulevard given that there are thousands of residents who will occupy properties in that area. Commissioner Van Beek does not believe this project meets the standard for industrial development. Commissioner White said at this time there are no plans for the property, the applicants are requesting a conditional rezone of property that is planned to be an industrial park. The area is an urban renewal district and there are reasons they want it to be an industrial park because Nampa needs industry and they need it in the urban renewal district. She spoke of how the development agreement can mitigate a lot of the concerns by keeping things like a slaughterhouse, for example, from going in. The City of Caldwell anticipated because they have buffer areas in front of their subdivisions, and they are putting millions of dollars into Ustick Road in an effort to plan for growth. Commissioner Dale said all of the things that have been deemed negative and dangerous have strict requirements for further permitting and they are not automatically allowed in an M-1 zone. There are a lot of good things that are allowed that will not destroy or cause problems for the neighborhood. Commissioner Van Beek said the precedent of a previous case involving the Roderic Lewis property has provided a way for this to gain

access, but when we're talking about the proximity of residential the propensity is to try and do everything we can to allow for mitigation but we already have one in that area and that would be something we would either zone down to a C-2 to prohibit an additional batch plant or any extraction. Mr. Lister said the development agreement includes the City of Nampa's performance standards for noise emissions, outdoor storage, and fumes so there would be a mechanism to hold it against the allowed uses. There was further discussion regarding Commissioner Van Beek's concerns with incompatible uses, what uses are allowed in an M-1 zone, and the existing uses in the area. Commissioner Dale wants to leave it up to the property owners and the market to determine what goes on the property. He is okay with restricting a batch plant and mineral extraction and salvage yards from this area but with the rest of the uses he'd like to leave it up to the property owners and the market to determine what goes in there. We want to protect the area and make it available for highest and best use. Commissioner Van Beek would like to add a fertilizer plant to that list of restricted uses and she would like to have the applicants have a discussion with Nampa and Caldwell about the highest and best use. Hethe Clark responded to the suggestions he's heard through the Board's discussion. The City of Nampa has planned this for heavy industrial, it's part of their park and making it C-2 as a result of that tosses out everything Nampa has been doing. The piece that's not been acknowledged is the fact that the property is near a rail line and so if you take it from C-2, or take an M-1 and make it effectively a C-2, you are losing the benefit of this rail area and the way the property has been set up. If there are specific items that the Board would like them to consider in terms of removal from the allowed uses list he wants to hear what those are and talk it over with this clients. The reason the berm was there in the Lewis application was because they were asking for batch plants to be a permitted use within the berm. They were going through the process that would be required with a conditional use permit by mitigating for all of those impacts, but in this case they are not asking for that. The Devlins are asking for less than what Mr. Lewis asked for and if they wanted to do a batch plant later they would have to come back to the P&Z Commission and on appeal the Board would have an opportunity to see if that kind of mitigation is appropriate. Commissioner Dale said asphalt batch plants are a conditional use and that is a change from what an M-1 zone is, and as a compromise you might want to make a fertilizer plant conditional as well rather than prohibitive; and the same thing with salvage, make things conditional so this Board would have an opportunity to see an actual plan put in place rather than just restrict the sale of salvage goods he would suggest a conditional use permit which could be carefully evaluated by the Board. The Board took a five-minute recess at 2:39 p.m. for Mr. Clark to speak with his clients about fertilizer plants, salvage yards and batch plants being conditional or eliminated. The Board went back on the record at 2:45 p.m. Mr. Clark referred to a book from 2006, and a letter from 2004, which shows what the City of Nampa plans for this area. The applicants have been very conscientious neighbors and they are willing to make batch plants, fertilizer plants and salvage yards a conditional use. To go any further is essentially gutting the concept of having this industrial zone and it does allow for the Board have to have the additional review. Commissioner White made a motion to grant the conditional rezone of M-1. She said the Board could include in the development agreement what Mr. Clark and his clients have agreed to. Commissioner Dale seconded the motion for discussion and he clarified that the motion is to grant the conditional zoning of M-1 with a development agreement with the three conditions changing to conditional use permit. (Fertilizer plants, salvage yards and batch plants will be conditional uses.)

Commissioner Van Beek proposed a continuation of the hearing to allow discussion to take place between the applicants, the City of Caldwell and the City of Nampa. She does not believe this request represents the best interest of the citizens who have to reside in that corridor and be subject to heavy industrial without taking those uses completely off the table. Commissioner White said the neighbors have had every opportunity to be here so if it was not in their best interest they would have been present for today's hearing. Commissioner Dale said the Board is looking at the impacts of a conditional zone, and it's been thoroughly reviewed by the P&Z Commission and the Board and we are encouraging industrial development and we are sensitive to how it impacts the non-industrial areas. It is wrong to assume that just because something is available with a conditional use permit that it will be granted automatically. Commissioner White said one of the big issues right now is property tax relief and business and industry coming into the community is one way to get that relief. Commissioner Van Beek asked if the Board would allow the applicant to engage in discussions with the City of Caldwell and City of Nampa. Commissioner White said the applicants know that option is available and she is not going to make it a condition. The motion carried by a two-to-one split vote with Commissioner Van Beek voting against the motion and Commissioners White and Dale voting in favor of the motion. The documents will be signed at a later date. The hearing concluded at 2:59 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM

CALDWELL, IDAHO JANUARY 14, 2020

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:

- BOE in the amount of \$18,141.00 for the IT Department
- Platt in the amount of \$2,431.36 for the Facilities Department

APPROVED CLAIMS ORDER NO. 1/16/20

The Board of Commissioners approved payment of County claims in the amount of \$1,918.00 and \$27,945.83 for accounts payable.

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

The Board met today at 8:37 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, PIO Joe Decker, Webmaster Nick Toves, Development Manager Rick Fisher and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following:

- He had a call last Friday with Microsoft that went well and he expects to have a purchase order to the Board next week for licensing.
- Commissioner White asked about the phishing campaign, Director Rast said that has been done but he forgot to send the report to the Board so he will get that done.
- The Assessor's Office has requested a queuing system for the 2nd floor office which the IT Department has started developing and Facilities will renovate the space to accommodate accordingly.
- The new mailroom equipment is up and running. Discussion ensued regarding the screening and security of packages coming into the courthouse.
- Director Rast is looking at putting 4-6 cameras out at Weed and Pest that will stream back to the courthouse. Director Rast has asked Director Mondor to reach out to the highway district to see if they would participate in the cameras.
- In response to a question from Commissioner Van Beek, Director Rast said they have budgeted this year for an asset management system to track IT assets which he figures is about 30% of the county assets. Once he has his department set up he will ask other areas if they would like to participate. Anticipated completion of the project is in the next 10-12 months.
- A conversation was had about possible changes to the website. It was suggested that each Commissioner have their own page to include biographies, district map and contact for direct email; additionally, more tabs could be added if there was additional information a Commissioner wanted to include. A discussion ensued regarding the fine line between campaigning and county business and not creating a conflict of interest. Mr. Decker spoke about how Commissioner Van Beek requested the website show the voting record and IT presented a mock-up of what the agenda would look like if it were to include votes. Commissioner Dale does not feel this is the purpose of the website and that the voting record is available thru public records. Mr. Decker said he thinks it's just making the website more transparent and Commissioner Van Beek likes the way the website looks, it makes each Commissioner's decision clear and believes it would be a great tool. Commissioner Dale said he would like to see possibly a tab or a link to show the votes of an agenda item but doesn't like it on the main agenda page. Commissioner White spoke about how it's not all about the Commissioners but there are a lot of opinions from the other elected officials and Commissioner Dale feels the vote doesn't show the whole story. Commissioner Van Beek feels the "buck stops here" so the evaluation has to be thoroughly vetted and the final responsibility falls to the Commissioners. Commissioner White feels that all the elected officials have their own budget and take responsibility and the reason the elected officials are a good working group is that everyone feels that they are part of the whole team. Director Rast clarified that there are really two discussions – one is about the website layout and the other is about the voting record. Commissioner Van

Beek said she is good with both but Commissioner Dale said he worries about “red flags” and possible self-promotion. He likes the layout and the district map but would like to see the “careers” section renamed. There was Board consensus to go ahead and separate each commissioner district but any other changes would need further discussion. The meeting concluded at 9:22 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 9:35 a.m. with the Director of Human Resource to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following:

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- There was higher attendance for the 2019 health fairs vs. 2018; the goal this year is to bring in more vendors and grow the fair. Director Baumgart reviewed the 2018 and 2019 numbers for comparison.
- She is working on 2020 goal setting with her department.
- 364 people took part in the Bullying and Harassment training which included all Board employees plus some Assessor, Clerk, Prosecuting Attorney and Trial Court Administrator employees. She thinks this may be something to consider offering annually as a refresher and for liability purposes. A survey to evaluate the training has been sent and once it’s compiled it will be sent to the Board. She would like to also send out a countywide reminder of the bullying and harassment policy from the handbook. Director Baumgart will email the policy to the Board for review and asked them to provide direction once they receive the email.
- At the request of Commissioner White, Director Baumgart gave a review of the JobScore program and some of its features.
- A discussion was had about the Security Director position. Director Baumgart said she hadn’t received any direction as to what to do with the position. Commissioner Dale thinks there needs to be a review of the job description to make sure it’s still applicable and appropriate; he would like to meet with the PA, Sheriff and Director Baumgart for input on the job description. Commissioner Van Beek and Commissioner White would like to see the Board meet first and then meet with the larger group for input and to talk about what worked and what didn’t.
- March is the next wellness challenge. Director Baumgart will send out a calendar to show the challenges for the year.

The meeting concluded at 9:59 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 10:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioner Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 10:07 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell left at 10:14 a.m., Controller Zach Wagoner left at 10:07 a.m., HR Director Sue Baumgart left at 10:07 a.m., Sergeant Andy Kiehl left at 10:07 a.m., Landfill Director David Loper left at 10:14 a.m., Sheriff Kieran Donahue and Captain Daren Ward arrived at 10:04 a.m., Other concerned citizen left at 10:14 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing JobScore employer service agreement: Sgt. Kiehl spoke about his experience working with the JobScore system and the usefulness of it. 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. 20-011). Mr. Porter noted for the record that the contract has been amended slightly to align with the fiscal year instead of the calendar year otherwise it is the same as last year's contract.

Consider signing legal notice inviting public comment on revisions to Pickles Butte Sanitary Landfill operations plan: Director Loper explained they are doing some revisions to the Pickles Butte Sanitary Landfill operations plans which includes the tarp machine, with that approval is needed from the health district and DEQ. The operation plan that talks about daily cover will need to be updated and there are a few other items that needed some revising so they included those too. The operation plan will need to be submitted to the health district for review with a 30 day public comment period. Director Loper will email a copy of the operations plan to the Board so that it will be available for inspection. Any comments can be made directly to the health district. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice inviting public comment on revisions to Pickles Butte Sanitary Landfill operations plan.

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 Dale made a motion to go into Executive Session at 10:15 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters concerning named personnel, 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 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, Sheriff Kieran Donahue, Captain Daren Ward and Deputy Clerk Jenen Ross. A brief recess was taken from 11:00 a.m. to 11:30 a.m. in order to conduct a meeting with the Ambulance District. The Board went back into the executive session at 11:30 a.m. Facilities Director Paul Navarro and Assistant Facilities Director Rick Britton arrived at 11:30 a.m. The Executive Session concluded at 12:23 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.

CONTINUATION OF PUBLIC HEARING - TRENT WHITE'S APPEAL FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 1:36 p.m. for a continuation of the hearing in the matter of Trent White's appeal for a variance, Case No. ZV2019-0001. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. The hearing was previously held on November 12, 2019 but was continued to a later date allow time for the parties to have a discussion and to have a survey prepared. Additional time is requested. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to February 20, 2020 at 9:30 a.m. The meeting concluded at 1:37 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH JUDGE PETTY TO DISCUSS COMMUNITY-WIDE MENTAL HEALTH PROJECT INITIATIVE

The Board met today at 2:02 p.m. with Judge Petty to discuss a community-wide mental health project initiative. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Petty, TCA Doug Tyler, and Deputy Clerk Monica Reeves. Judge Petty said the Supreme Court has identified what we are doing is just not working and they have tasked two districts to be pilot programs to try to address the issue. The court cannot do it alone, it's a community-wide issue. People cycle in and out of the court system and the jail, but the process is not getting to the real cause of their issues, which is mental illness so we need to pull together all the stakeholders and discuss better ways to do what we're doing. He's had tremendous support from the Prosecutor, Public Defender, Sheriff's Office, St. Luke's, the crisis center, housing organizations, and police departments who want to be a part of this. He is planning a 2-day workshop and have a formalized process to discuss how to do it better and he would love it if the Board would be a part of the workshop. It's not scheduled yet; the idea is to get everybody in the same room and start a discussion. Discussion ensued regarding community partnerships with other agencies and organizations that provide services. The focus of the model (intercept zero) is identifying what's available, the gaps in treatment, and barriers we can break down to get people access to the treatment they need and that starts with law enforcement (training for officers) and mobile crisis capability (getting someone to the scene who is a mental health professional to diffuse it). The judge has applied for a grant to get technical assistance to guide us through the process and provide reports and he will find out Friday if he got the grant. There was continued discussion

regarding coordination of resources. No Board action was required or taken, however, the Board does want to participate in the upcoming workshops that the Judge will be conducting. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINAL PLAT FOR SADDLEBACK RIDGE ESTATES SUBDIVISION, CASE NO. SD2019-0027

The Board met today at 3:00 p.m. to consider the final plat for Saddleback Ridge Estates Subdivision, Case No. SD2019-0027. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Cheney Stotts, and Deputy Clerk Monica Reeves. Dan Lister reported the final plat meets all the conditions that were imposed and all affected agencies have signed off on the plat and it's ready for the 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. The meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 15, 2020

PRESENT: Commissioner Pam White, Chair - out of office
Commissioner Tom Dale – Attending District III meeting in Gem County
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Boise River Industries in the amount of \$5,400.00 for the Facilities Department

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 16, 2020

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

APPROVED CLAIMS ORDER NO. 2008

The Board of Commissioners approved payment of County claims in the amount of \$1,756,445.36 for County payroll.

APPROVED CLAIMS ORDER NO. 1/17/20

The Board of Commissioners approved payment of County claims in the amount of \$3,500.70 for accounts payable.

APPROVED CLAIMS ORDER NO. 1/24/20

The Board of Commissioners approved payment of County claims in the amount of \$147,293.50 \$58,772.67, \$28,367.33, \$ \$167,108.98, \$58,175.61 for accounts payable.

APPROVED PURCHASE ORDER

- ULINE in the amount of \$4,360.31 for the Elections Office
- Les Schwab in the amount of \$2,912.69 for the Solid Waste Department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar, LLC, dba Raising Our Bar to be used for weddings scheduled for 2/1/20, 2/2/20, and 2/8/20.

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: 2020-0247, 2020-0261, 2020-0266, 2020-0263, 2020-0171, 2020-0366, 2020-0160 and 2020-0262. Commissioner Van Beek made a motion to issue initial 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 8:49 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, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas and Deputy Clerk Jenen Ross.

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 case nos. 2020-7, 2019-1341 and 2019-1419.

Commissioner Van Beek made a motion to continue case no. 2019-1321 to March 12, 2020 and case no. 2019-1417 to February 13, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1344

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2019-1344. 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, Attorney Elizabeth Sonnichsen for St. Alphonsus, Applicant and her husband 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 March 12, 2020. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 9:49 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: 2019-1318, 2019-1462, 2019-1406, 2019-1399, 2019-467, 2019-1248, 2019-1283 and 2019-1347. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decisions within 30 days on the cases as read into the record. The meeting concluded at 9:50 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER, A DEVELOPMENT AGREEMENT AND AN ORDINANCE FOR THE DANA AND ARLINE DEVLIN CONDITIONAL REZONE REQUEST, CASE NO. CR2019-0012

The Board met today at 10:02 a.m. to consider the findings of fact, conclusions of law and order, a development agreement and an ordinance in the matter of the request by Dana and Arline Devlin for a conditional rezone, Case No. CR2019-0012. 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 Monica Reeves. The Board held a hearing on January 6th and deliberated on January 13th where it was decided to approve the request. Commissioner White noted that the conditions reflect the Board's discussion where mineral extraction is prohibited and that the following uses shall require a conditional use permit: batch plants, fertilizer processing facilities, and the sale of salvage goods. Commissioner Dale made a motion to authorize the Board to sign the findings of fact, conclusions of law, and order, the development agreement and the ordinance for Case No. CR2019-0012. 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. (See Agreement No. 20-010 and Ordinance No. 20-003.) The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 10:06 a.m. for a legal staff update. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Commissioner Dale gave an update on the District III elected officials quarterly meeting which was held in Gem County where there was discussion on the following topics:

- The Gem Plan
- ICRMP discount program
- Indexing the homeowner exemption to rise as values would rise
- Legislators are considering a one-year budget freeze for cities, counties, school districts, etc., as well as possibly taking away new construction, lowering the levy cap, and restricting the use of fund balance further
- Transportation budget stabilization bill that basically memorializes the surplus eliminator where the goal would be to create an endowment fund of around \$500 million with the interest being utilized for highway projects
- There is a handheld wireless device elimination while driving bill where the purpose is to eliminate the opportunity of counties and cities from passing bills so there's not a patchwork quilt of handheld device laws around the state.
- Uncontested city elections bill
- Funding options for jails including local option sales tax
- Increasing the circuit breaker threshold to enable those on fixed incomes to access relief; and transportation funding.

No Board action was required or taken; the discussion was held for information purposes only. The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 17, 2020

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

APPROVED CLAIMS ORDER NO. 1/24/20

The Board of Commissioners approved payment of County claims in the amount of \$265,639.63, \$70,730.22, \$38,452.38, \$84,731.69, and \$113,068.95 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Elevate in the amount of \$1,817.88 for the IT Department
- QED Environmental Services in the amount of \$5,202.97 for the Solid Waste 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: Commissioners Pam White and Tom Dale, Chief Deputy Sheriff Marv Dashiell, Director of DSD Tricia Nilsson left at 9:26 a.m., Parks Director Nicki Schwend left at 9:26 a.m., Deputy P.A. Zach Wesley, Chief Deputy Treasurer Jennifer Mercado, Juvenile Detention Field Training Officer Alan Oats left at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing FY20 Idaho STEM camp & out-of-school program grant award agreement: Director Schwend explained that Laura Barbour applied for the grant and they were awarded \$10K for the Canoe Science program. The grant does not require a match and is paid out with provided proof of spending. At the request of Commissioner White, Director Schwend gave a review of the camp. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the FY20 Idaho STEM camp & out-of-school program grant award agreement (see agreement no. 20-014).

Consider signing selection of Rural Landscape and Agricultural Resources Survey Consultant: Director Schwend said they applied for a grant thru the State Historic

Preservation Office for funding to perform this survey as one of the steps in the Historic Preservation Plan and were awarded \$13K for the project. Two proposals were received and reviewed at the last HPC meeting. SHRA (Stevens Historical Research Associates) had the better proposal and are a local company that has a lot of information about this area. They proposed a 4 phased plan to be able to really do a complete survey. Mr. Wesley said he has reviewed the two the proposals and both satisfy the requirements of the RFP. If accepted a letter will be sent to both proposers letting them know the choice and that we're entering into negotiations. At Commissioner Dale's request Director Schwend gave a brief review of what the project entails. A copy of each proposal is on file with this day's minutes. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the selection of Rural Landscape and Agricultural Resources Survey Consultant agreement. Commissioner White then made an amended motion to accept the recommendation of the selection of SHRA. The motion was seconded by Commissioner Dale and carried unanimously. There is nothing to sign at this point.

Consider signing Southwest Idaho Juvenile Detention Maintenance renewal: This is the renewal of DataWorks Plus software for the fingerprint machine. Mr. Oats spoke about the good experience they've had with DataWorks in previous years. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Southwest Idaho Juvenile Detention maintenance renewal agreement (see agreement no. 20-013).

Consider signing capital improvements plan independent contractor agreement with Conner Community Consulting: Director Nilsson explained this is to engage the services of Elizabeth Conner to facilitate the conversation among a core team at the county and prepare for a workshop with all of the elected officials and department heads to scope out what their desires and expectations would be for a CIP. The follow-up step would then be to prepare a scope and do a formal solicitation in hopes of including it in next year's budget. Director Nilsson spoke about Ms. Conner's experience in this field. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the capital improvements plan independent contractor agreement with Conner Community Consulting (see agreement no. 20-012). Director Nilsson explained after they scope out the tasks she will meet with Zach Wagoner, Paul Navarro and Commissioner Van Beek has expressed an interest to be involved. Commissioner Dale indicated he would also like to be involved.

Consider signing quote and purchase addendum to Spillman Technologies agreement: Chief Dashiell gave the history of the Spillman GeoValidation mapping system. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the quote and purchase order addendum to Spillman Technologies agreement (agreement no. 20-015).

Consider signing Treasurer's tax charge adjustments by PIN for December 2019: Ms. Mercado said there is nothing unusual in the reports this month. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustment by PIN for December 2019.

The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

AMEND AGENDA: MEET WITH SHERIFF'S OFFICE AND ADS REGARDING POD 6

The Board met today at 10:47 a.m. regarding Pod 6. Present were: Commissioners Pam White and Tom Dale, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Marv Dashiell, Captain Daren Ward, Michael Shuey and Timothy Kelly from ADS, and Deputy Clerk Monica Reeves. Sam Laugheed said the agenda needs to be amended to include a meeting with the Sheriff's Office and ADS regarding Pod 6. The good faith reason the item's not included in the original agenda notice is it sounds as if there is some rapidly developing new information that needs to be addressed soon and there's a chance the County's interest would be compromised if we don't meet now. No media have requested to be advised when we amend the agenda. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to amend the agenda based on the information from legal counsel. Captain Ward and Sheriff Donahue believe the matter could become a litigation issue and so an Executive Session was held as follows:

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

Commissioner Dale made a motion to go into Executive Session at 10:49 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 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, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Marv Dashiell, Captain Daren Ward, Michael Shuey and Timothy Kelly, and Deputy Clerk Monica Reeves. Mr. Shuey and Mr. Kelly left at 11:15 a.m. Facilities Director Paul Navarro arrived at 11:37 a.m. Skip Young from Houston-Bugatsch joined the session via conference call from 11:45 a.m. to 11:50 a.m. The Executive Session concluded at 12:10 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.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 21, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Curtis Blue Line in the amount of \$1782.00 for the Sheriff's Office

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

The Board met today at 10:04 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 Sean Brown arrived at 10:11 a.m., Training Coordinator Shawn Anderson arrived at 10:11 a.m. and Deputy Clerk Jenen Ross.

Director Jett and Sean Brown updated the Board on the following:

- His last day will be February 28th and he indicated to the Board that Sean Brown is ready to take over the department if the Board so chooses;
- He spoke about how discretionary time is no longer allowed to be used by the PO's and how those decisions will now have to go back before the court. He gave an explanation of discretionary time and spoke about the Supreme Court ruling regarding misdemeanor arrests.
- They are looking at doing the drug and alcohol program in the Juvenile Detention Center similar to what is done in Ada County. Judge Onanubosi is not entirely on board but they will be meeting with Ms. Catalano's and her supervisors to discuss further.
- Numbers are still down and in the future may need to look at reducing staff. Currently 15 juveniles in custody today.
- Training coming up on the 10th and 13th of February.
- POST is sending someone to evaluate two staff members to become certified instructors.
- MOUs are still being negotiated with the Department of Corrections for someone being housed at the Juvenile Detention Center until October.
- Currently they are paying about \$2500 year for radio maintenance but they have found less expensive radios that work well for their needs. He will be contacting AA-Tronics to discontinue the maintenance service agreement.

The meeting concluded at 10:19 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 10:19 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.

Director Breach updated the Board on the following:

- He is working on a rewrite of the Deputy Director job description to be a full time supervisor. He hopes to have the resolution before the Board in the next few weeks.
- They have been working with the Clerk's Office on inactivity dismissals which are warrants that have been out for a while but they aren't able to do anything with.
- Overview of active cases and bench warrants and year-to-year comparison.
- Stalking training will happen on February 5th.
- The Supreme Court is changing some rights and roles in Odyssey; Director Breach has concerns about how it may affect the receiving of money in future years.
- Discussion was had about a free lunch won by an employee. Director Breach has spoken with legal who does not have any concerns regarding ethics in government but asked him to check in with the Board as the lunch is sponsored by a local chiropractor who would like to speak at the lunch. The Board is okay with the lunch going forward.

Ms. Catalano updated the Board on the following:

- Her department has partnered with the Caldwell School District and St. Lukes to have speaker Jermaine Galloway give a speech regarding drug use this Friday from 8:00-1:30 at the Nampa Civic Center.
- The Job Corp. has changed the way they operate and trying to figure out how they will operate and who they will serve going forward. Ms. Catalano will be meeting with them tomorrow to figure out how to get her youth on probation into the program.
- Idaho Youth Ranch has invited Ms. Catalano out to visit about the youth programs; she will be going out there on January 30th for a tour.
- She is working to get a new PO on board with the hope he'll be able to start Monday.
- She is working with the Communications Manager in the Sheriff's Office to replace some of the radios used by her POs during home visits.
- Ms. Catalano was invited to attend a legislative session this Thursday with the Idaho Department of Juvenile Corrections to talk about their programing and probation standards she was part of developing. Last week she attended the American Correctional Association conference; much of the cost is offset thru reimbursement so the county will only be responsible for her per diem.

The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS SECURITY DIRECTOR POSITION

The Board met today at 11:03 a.m. to discuss the Security Director position. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross.

Commissioner Van Beek said she likes the job description and what the security committee put together. She thinks that what was developed in the document is a good working document and she's not sure there is much she'd want to change.

Commissioner Dale would like to have the security team and key stakeholders get together to evaluate the job description and see if there are points that could be modified. He feels it may not be a decision for just this Board but involve a greater group of people. Before we advertise for this position again he thinks it would be a good idea to re-evaluate this job description.

Commissioner White agrees with Commissioner Van Beek as this description is what the committee came up with and she feels they did a very adequate job and everyone agrees it's very comprehensive. Commissioner Dale asked, based on the experience that was just had with the previous Security Director, is there anything in the description that can be modified?

Commissioner White wondered if it should be addressed in the job description that this position works closely with the Sheriff's Office and there is a great deal of shared communications with the courts. She feels that with the previous director there was a real misunderstanding.

Commissioner Van Beek feels maybe there was a lack of clear communication of what his responsibilities would be. She thinks the Board needs to establish clear direction - that this person needs to be able to work with each remote location, elected officials and people covered under that. A big area where there were issues before was with the courts and it needs to be figured out what that looks like. She feels there was not a clear understanding and perhaps the previous director came with a different set of ideas about how to do that. She thinks maybe this is a bigger discussion with the TCA and ADJ about courthouse security. Commissioner Van Beek noted that there was a mission statement created by the previous director and thought that should also be looked at. Do we retain the mission statement created by another person? She liked the fact that one was developed and the core principals of it - she would like to be a part of the Board discussion as to whether this is a "one size fits all" for the next person coming in. She would also like for the new person to be a part of the budget process for this department.

Commissioner White asked if Director Baumgart should start actively recruiting as it's going to take a little bit of time and we could already be into budget discussions.

Commissioner Dale reiterated that he would still like to hear from the key stakeholders and have a group debrief on what was experienced the last time, what we should be looking for and if the job description needs to be changed which is a much broader discussion than just the three of them.

Commissioner Van Beek said she is not opposed to hearing other opinions but that the Board needs to have confidence in what is being developed.

Commissioner Dale would like to hear from the Sheriff and the Directors of IT, Facilities and HR to find out if any adjustments need to be made to clearly define the position works closely with the Sheriff's Office among others.

Commissioner White asked if the Director of Security needs to be deputized as that seemed to be sticking point with the previous director. Chief Dashiell said that he believes the resolution indicates that it's a shared authority granted by the Sheriff to get some limited powers moved across to the department. Commissioner Dale asked what that looked like and Chief Dashiell said he sees it as dealing with the courts and authority to carry a firearm would have to be authorized under the Sheriff. Commissioner White asked about the authority outside the confines of the building. Chief Dashiell said that previously they would not have been because they hadn't gotten to the stage of deputization. Staff members that did pursue outside the building had no authority any more than a citizen but that was one of the things that was going to be developed between the Sheriff's Office and Security department to give them limited powers of arrest and limited authorities outside the structure of the building. Commissioner Van Beek noted the use of the Marshals as mentioned in the Triad report. Chief Dashiell said he thinks one of the stumbling blocks they have with that right now is the authorities that are being granted under the court's authority as compared to the authority that the Sheriff has – that is something that would have to be stabilized and worked out. Currently, Marshals are paid by the state and hired by the TCA and the authorities they have given to them are thru the courts.

Commissioner Dale suggested a debrief in executive session to discuss the lessons learned from the previous experience.

Commissioner Van Beek said since this person is a Board employee there needs to be a clear understanding of what's in the job description, of the funding, of the budget. She would propose that there be a meeting with the courts first to find out about their needs although she's also okay with a bigger meeting too. This is a Board employee and the Board needs to have a clear direction. She is okay with input from other offices but the ultimate decision rests with the Board on the description.

Commissioner Dale said he'd like to meet with the stakeholders as soon as possible, including the courts. He doesn't know that a separate meeting with the courts about the Security Director would reveal much information that isn't already known. Those meetings about the shared employees is bigger than this group and no one is questioning that the security director falls under the administration of this body and reports to this Board.

Commissioner White spoke about the liability and how it doesn't all fall under this Board. If the Sheriff deputizes them then there is a liability there too. She feels that IT and Facilities have already done their part in the establishment of the security department and don't need to be a part of the meeting but would like to meet with the ADJ, TCA, Sheriff Donahue and

Chief Dashiell and the civil attorneys. Commissioner Dale agrees with having that meeting and believes that part of the debrief is to discuss where there could have been a smoother transition and what could have been done differently.

Commissioner Van Beek spoke about a refresher of the Triad report, Commissioner White thinks that's a good idea but would like to take it a step further in that she would like to have a discussion on everyone's point of view on what was learned, what everyone saw or didn't see, what was expected or did not get what was expected. She also thinks that a meeting with the Controller should be set to establish a realistic budget for the department in order to hire the caliber of person needed for a business the size of the county. Commissioner Dale said this is not a short-term fix but a long-term vision.

The meeting concluded at 11:31 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 1:33 p.m. for a quarterly meeting with the County Agent to discuss general issues, set policy, and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, County Agent Jerry Neufeld, Educators Carrie Johnson and Jackie Amende, and Deputy Clerk Monica Reeves. Jerry Neufeld reported the department's decades-old heaters have been replaced with a new fan heater by the facilities staff, which he is very appreciative of. He inquired about the status of an issue the Prosecutor's Office is working on with an attorney from the University of Idaho; the Board will follow-up with Deputy PA. Zach Wesley on the issue. Carrie Johnson, who is the extension educator, gave a report on the youth activities she is working on; they are sending 18 youth to the district ambassadors' retreat which is a leadership conference, and there are plans to host upcoming district volunteer training. She applied for an AmeriCorp grant for a summer intern and she has been working with fair staff on the exhibitor guide. Jackie Amende, the family consumer sciences educator, spoke of the diabetes prevention and management program she's been working on and how she's been impressed with the interest and participation in the program. They are doing year 2 of the Master Well Connected Communities Volunteer Program, a health and wellness volunteer program. The items discussed were general in nature and did not require Board action. The meeting concluded at 1:52 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

The Treasurer's report for November 2019 were filed in today's minutes

LEGAL STAFF UPDATE AND CONSIDER SIGNING THE JANUARY 21, 2020 AGENDA ITEMS

The Board met today at 2:30 p.m. for a legal staff update and to consider the agenda items that were scheduled for the afternoon of January 21, 2020. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy PA Sam Laugheed, Deputy PA Brad Goodsell, Deputy PA Zach Wesley, Deputy PA Dan Blocksom, Landfill Director David Loper, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. (Sheriff Kieran Donahue joined the Executive Session via conference call from 3:21 p.m. to 3:30 p.m.) The items were considered as follows:

Consider Signing Idaho Department of Water Resources Application for Permit for water use at Pickles Butte Sanitary Landfill – Deputy PA Goodsell said a few months ago the County acquired nine acres next to the landfill and that property had a domestic water right and this application is an attempt to enlarge that water right so we can have more water to use for dust control at the landfill. Director Loper said he is requesting .18 cubic feet per second, 50-60 gallons per minute. They will only be using the water on roads and certain spots at a time. Following a review of the application, Commissioner Dale made a motion to authorize the Board to sign the permit application for water use at the Pickles Butte Sanitary Landfill. The motion was seconded by Commissioner Van Beek and carried unanimously. (The signed application is on file with this day's minute entry.)

Consider signing Application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation for City Development, Inc./U-Save Storage, LLC, CV14-19-04564; Consider signing Application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation for CTI-SSI Food Services, LLC, CV14-19-02264; Consider signing Application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation for Twin Islands, LLC, CV14-19-05106 - Chief Civil Deputy PA Laugheed said an Executive Session would be appropriate under Idaho Code Section 74-206(1)(d) and (f) for these items.

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

Commissioner Dale made a motion to go into Executive Session at 2:45 p.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 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 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, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Civil Deputy PA Sam Laugheed, Deputy PA Dan Blocksom, Deputy PA Zach Wesley, Deputy PA Brad

Goodsell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:59 p.m.

When the Board returned to open session Commissioner Dale said there was discussion in Executive Session about the necessity of moving forward in some lawsuits that have been percolating for quite some time in the Assessor's Office and at this time it is expedient to move forward with the applications to the Idaho Association of Counties for help in these outstanding litigation matters and to work towards signing an agreement with an outside attorney. He made a motion to authorize the Chair to sign the application to the Idaho Association of Counties for Assistance in Economic Obsolescence and/or Property Value Litigation. One is for Twin Islands, LLC, one is CTI-SSI Food Services, LLC, and the other is for City Development, Inc./U-Save Storage, LLC, with their appropriate case numbers noted on the agenda. The motion was seconded by Commissioner Van Beek and carried unanimously. (The signed applications are on file with this day's minute entry.)

Consider signing Agreement with Barclay Damon LLP to Provide Legal Services – Chief Civil Deputy PA Laugheed said this is something the Assessor's Office and Prosecutor's Office have been working on for quite some time and they have identified certain resource limitations in the Prosecutor's Office that prevent them from being lead counsel on these, although after the work that's been done so far they are confident in the case that's going to be presented and believe it's necessary for the Assessor to pursue these. They found outside counsel in the Syracuse, New York area who charges an amount comparable to the amounts of local counsel if they were not conflicted, as well as regional counsel in the Utah area. From the Prosecutor's perspective he is happy to represent that these are actual and necessary expenses. Dan Blocksom and other attorneys in the PA's Office will participate with the pro hac vice admission of this attorney because he's not licensed in Idaho and also to help provide communication, conduit and backstory on these. The Clerk and Controller have looked at the finances. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the agreement with Barclay Damon, LLP, to provide legal services as articulated by legal counsel and as recommended by the Assessor's Office. (See Agreement No. 20-016.)

At 3:04 p.m. the Board reconvened 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 Dale made a motion to reconvene into Executive Session at 3:04 p.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 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 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, Chief Civil Deputy PA Sam Laugheed, Deputy

PA Zach Wesley, Chief Deputy Sheriff Marv Dashiell, Jail Captain Daren Ward, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue joined the session via conference call from 3:21 p.m. to 3:30 p.m. Director Navarro, Captain Ward and Chief Dashiell left at 3:38 p.m. The Executive Session concluded at 4:06 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.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 22, 2020

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:

- HP, Inc. in the amount of \$3075.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 1/23/20

The Board of Commissioners approved payment of County claims in the amount of \$11,000.00 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar, LLC, dba Raising Our Bar to be used for a banquet on 1/25/20.

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 and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter arrived at 9:03 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:07 a.m., Sheriff's Office Financial Manager David Ivers left at 9:07 a.m., Sheriff's Office Sr. Finance Specialist Bree Ann Kilbourne left at 9:07 a.m. and Deputy Clerk Jenen Ross.

Consider signing a resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds: Ms. Kilbourne said \$43,694 was received which is the award from the 2018 calendar year although the SCAAP was 2019 and Chief Dashiell said the amount is almost triple what's been seen the last few years. He spoke about what they use the money for such as a training that is coming up in April and for the replacement of a camera system. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds (see resolution no. 20-007).

Consider signing Historic Preservation support award agreement with Canyon County Historical Society: A discussion was had regarding the disbursement and tracking of funds and how they're applied to the project. Upon the motion to Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Historic Preservation support award agreement with Canyon County Historical Society (see agreement no. 20-017).

Commissioner Van Beek asked Mr. Wesley if he had any updates on the Karcher Farms case. He said that the appellants reply brief is the final written document filed in the case's final briefing and it is now before the courts for a decision. He believes it could take approximately 3 months in the court system before a decision is rendered.

The meeting concluded at 9:16 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 9:34 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Discussion items were as follows:

- January 31st is the tentative date set for media tours of Pod 6. It may be good for the Board to be there before or after the tour but not necessary for them to take part in the actual tour. Mr. Decker will coordinate with Captain Ward on the time. Commissioner Van Beek wondered if anyone had reached out to the City of Caldwell and thought perhaps a reception could take place after the tour.
- He is working with DSD on the Comprehensive Plan update and will be meeting with Rachel Spacek from the Idaho Press Tribune to see if she has any ideas to get the word out to the Latino community. Open houses for public comment will take place on February 10th in the admin building, February 13th in Middleton and February 27th in Parma.
- He's been working with Sheriff's Office recently regarding some proposed legislative bills. Commissioner Van Beek said she would like more information about the acceptance and funding of refugees.

- Review of upcoming meetings and events. Mr. Decker noted some of the agenda items listed for the department administrator meeting and indicated that several DAs had mentioned, during the Ron Price training, wanting a better understanding of the compensation plan. Commissioner Van Beek also expressed that she too would like a better understanding of the compensation plan.
- Commissioner Van Beek requested Mr. Decker reach out to the Middleton School District regarding the AAFV presentation.
- Commissioner White is scheduled for KBOI in February and Commissioner Van Beek is scheduled for March.

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

PUBLIC HEARING - REQUEST BY CANYON COUNTY FOR A ZONING ORDINANCE AMENDMENT, CASE NO. OR2019-0010

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of a request by Canyon County for a zoning ordinance amendment, Case No. OR2019-0010. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, TJ Wellard, Alan Mills, Mark Irwin, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The purpose of the amendment is to provide an application process to amend a previously approved land division in the agricultural zone and to remove the language that says one-time only land division as it pertains to other zones. This is to mirror the current office process. Amendments to land divisions are currently processed in DSD but the zoning code should reflect the requirement for such an application. Currently an application to amend a land division is submitted to DSD but it's not in the code as a requirement. The application would mirror a new administrative land division and would require highway district and fire district acknowledgments for any amendment and would not give more entitlements to a property than what is currently allowed by ordinance. This amendment would also remove one-time only land divisions in all other zones; this would allow residential, commercial, and industrial zoned property to be divided administratively into no more than four lots. Beyond that a subdivision plat would be required. Currently there is no codified process for dividing land that is zoned anything other than agricultural when a plat is not required, and unfortunately that is a gray area in the ordinance. This amendment will require an application to be submitted along with highway district and fire district acknowledgments, and it will allow for staff review of the division to ensure that minimum lot sizes are met and access to the parcels meet our zoning ordinance requirements for width, construction, etc., rather than dealing with those issues at the time of a building permit. Agencies were notified of this request and no concerns were noted. The P&Z Commission recommended approval of the amendment as written, and staff also recommends approval. Ms. Almeida responded to questions from the Board. She said the amendment allows the applicant to have the ability to amend the previously approved land division whereas right now the language says one-time only. We want to have the ability to amend a previously approved land division if they wanted to

change lot sizes; it would not give them anything more than what they were approved for but allows for adjustments within that approval. The one-time only language restricts us from entering any sort of approval documents for lands in other zones, for example, if you had a property that had incurred their administrative land division then they went through a rezone of one or all of those parcels there is no process for them to divide the land until the plat is required, other than just recording a record of survey and by doing that we have no oversight in any of it. The amendment will help the process and property owners to understand there is a process for dividing residential zoned property, commercial or industrial, and that it would be an administrative land division process unless a plat is required. TJ Wellard said he has been a surveyor for 15 years and he's encountered this conundrum and he is in support of the amendment because it clarifies the process and it brings practice into the ordinance so the process will be clear. He gave an example of a case he is working on with Mark Irwin who owns property that was part of an administrative land division and he rezoned the property and currently he wouldn't be allowed to re-subdivide that property. With the amendment he would be able to split his parcels as long as he remains under the four pieces. He would essentially be able to get another three parcels without turning it into a subdivision. Alan Mills testified he is in support of the amendment. He has a client who purchased an 80-acre parcel and the previous owner wanted their son to build so she took a one-acre tract from the 80 when she was entitled to two, plus the remainder, now they are left with a 1 ¼ acre on the other side of the canal that his client cannot farm. This will allow him to amend that decision and pick up that parcel. It's not adding anything, it just complies with Title 50 which is where the subdivision definition is. It would bring consistency from what's been done to now without violating any ordinances. According to Mr. Mills too many people didn't realize if they had an allowance of four they had to take them or lose them. 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 she appreciates staff's explanation in that this amendment will not have a significantly impact and she appreciates the testimony offered. Commissioner Dale said it effectively removes at least one road block and helps the landowner, and it requires less governmental procedure. Commissioner Van Beek made a motion to adopt the change to the zoning ordinance Case No. OR2019-0010 and sign the findings of fact, conclusions of law and order as well as the ordinance. The motion was seconded by Commissioner Dale and carried unanimously. (See Ordinance No. 20-004.) The hearing concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 23, 2020

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

APPROVED CLAIMS ORDER NO. 1/24/20

The Board of Commissioners approved payment of County claims in the amount of \$100.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- J.B.'s Roofing in the amount of \$3794.00 for the Facilities department
- BOE in the amount of \$5505.00 for the Information Technology department
- HP, Inc. in the amount of \$1514.68 for the Information Technology department
- SHI in the amount of \$65,531.72 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 Noel Rangel.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0294, 2020-0285, 2020-0283, 2020-0301, 2020-0311, 2020-0244, 2020-0222, 2020-0284 and 2020-0306. 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. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY WILD ROSE HOA FOR A REZONE, CASE NO. RZ2019-0033

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by the Wild Rose Homeowners Association (HOA) for a rezone of Parcel R27891 to "R-1" (Single Family Residential), Case No. RZ2019-0033. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, Robert Turner, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is approximately 1.86 acres and is currently zoned agricultural. The applicant is requesting the rezone for the purpose of making Lot 8 Block 1 a buildable lot. The surrounding area contains primarily agriculturally zoned property, however, the parcels

immediately surrounding the subject property are residential in nature. The subject property is located within Wild Rose Ranchettes, a platted subdivision and within one mile there are nine platted subdivisions with an average lot size of .71 acres. The city limits of Nampa are located approximately 3,094 feet east of the subject property. The property has frontage on Wild Rose Lane which will serve as the access point for the new residential lot. ITD did not anticipate any traffic impacts and had no objections. No public opposition to the rezone has been received. The P&Z Commission recommended approval on November 21, 2019, and staff is recommending approval as well. Robert Turner, the President of the Wild Rose HOA, spoke of the layout and topography of the subdivision. One of the reasons the HOA chose not to split the parcel is because it is too narrow to have easements and setbacks. Staff said the applicants could request an R-2 zone but the HOA decided against it due to the cost and the risk of denial as well as the concern about putting the houses too close together. Mr. Turner said the HOA has tremendous support to make this change and they have a surveyor waiting for approval to begin working on it. The revenue from the sale of the lot will cover the road repair and restoration and some will be set aside for maintenance. Following his testimony, Mr. Turner 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 likes the proposal and she appreciates the clear request to provide abatement for weeds and to maintain roads and the water system. Commissioner White appreciates the benefit this change will bring to the subdivision. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the rezone request by Wild Rose HOA and to sign the findings of fact, conclusions of law and order, and the ordinance. (See Ordinance No. 20-005.) The hearing concluded at 10:21 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 10:32 a.m. for a meeting 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, Chief Juvenile Probation Officer Elda Catalano arrived at 11:00 a.m. and left at 11:26 a.m. and Deputy Clerk Jenen Ross. Discussions were had regarding a claim for the 3rd District Youth Court, budget processes, District 1 department administrator invitation and meeting and the Power Plan training.

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 Dale made a motion to go into Executive Session at 11:29 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. The Executive Session concluded at 11:54 a.m. with no decision being called for in open session.

The meeting concluded at 11:55 a.m. An audio recording of the open portion of the meeting 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 CANDIDATES FOR THE MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 1:31 p.m. to interview and evaluate candidates for the Mosquito Abatement District Board of Trustees. Commissioner Dale 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 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, Tammy Dittenber, and Deputy Clerk Monica Reeves. Ms. Dittenber left at 1:55 p.m. The Board took a recess at 2:08 p.m. and resumed the session at 3:27 p.m. at which time Scott Robinson arrived. Mr. Robinson left at 3:56 p.m. The Executive Session concluded at 4:02 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.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 24, 2020

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:

- Motorola Solutions in the amount of \$5063.28 for the Misdemeanor Probation department

APPROVED CLAIMS ORDER NO. 1/24/20

The Board of Commissioners approved payment of County claims in the amount of \$10,975.00 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 and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, Chief Probation Officer Elda Catalano, Deputy P.A. Brad Goodsell arrived at 9:03 a.m. left at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Canyon County Historic Preservation support award agreement with Historical Society of Middleton: Mr. Laugheed noted for the record that Mr. Wesley has reviewed the agreements and everything is in order. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Canyon County Historic Preservation support award agreement with Historical Society of Middleton (see agreement nos. 20-018 and 20-019).

Consider signing landfill monitoring well agreement with Layne Christensen Company: Mr. Goodsell said this project has been vetted over the past few months and an agreement has been reached with the lowest bidder. They will start work by February 3rd to be completed by the end of February. He sees 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 landfill monitoring well agreement with Layne Christensen Company (see agreement no. 20-020).

Discussion was had regarding a PO/Claim for the 3rd District Youth Court. Commissioner Van Beek asked whose jurisdiction the youth court falls under. Mr. Wagoner said over the years is has been a mix of individuals from different departments and offices. Mr. Laugheed believes it's a court program that the county contributes to but may not fall into the structure of regular county government and the Clerk thinks the ADJ probably has final say. Commissioner Van Beek has concerns about the process portion of this particular payment in that it never came before the Board for discussion or approval. The Clerk explained that the expenditure of funds come thru Auditor's office and anytime those funds are used in any way that comes before the Board. In this particular instance his understanding is that the Youth Court has run out of funds and the PA's Office felt that it was an important piece that needed to be funded so a meeting was called that included the PA's Office, TCA, Ms. Catalano and Mr. Wagoner to discuss infusing funds into that court and trying to determine where it's going to come from. Commissioner White clarified that this payment is being made from lottery funds and asked if Juvenile Probation will be losing anything if this money goes to the Youth Court. Mr. Wagoner said the lottery funds are restricted monies that can only be used for juvenile justice functions and everything in her approved budget remains the same. Commissioner White asked Ms. Catalano if this court is effective. Ms. Catalano said that she doesn't have the knowledge because she is somewhat removed from the Youth Court – she couldn't speak to how many cases they see or what their functions are. She knows that in the

past it had a great impact on an individual her office worked with and the court often took cases that her office normally handled. In response to Commissioner White's request for reporting on how the funds were used Mr. Wagoner said that reporting is a "must-do". There will be a return and a report of what happened with the \$10,000 and then there will be a plan going forward for funding. Ms. Catalano said that will work for her and as she stated in the meeting yesterday she is not going to rescind the claim she signed approving the \$10,000 payment. She is more concerned about the bigger picture - that everyone is aware of the budget and where the money is going. Additionally, she gets requests from other organizations and collectively she wants to make sure that things are run thru the Board and not just herself making a decision. Commissioner Van Beek is concerned about giving money to an organization that we don't know the effectiveness of. In response to Commissioner Van Beek's concerns, Mr. Laugheed thinks maybe the Youth Court Board and Coordinator need to be invited to a meeting to address the concerns. In the absence of Youth Court representation today Mr. Laugheed gave a brief overview of how the court operates. He then spoke about the process of how claims are handled; he views the claim as a recommendation to the Board from a Board employee. If we did it the other way people would come to the Board and then they'd direct their employee which could be a loss to efficiency. Clerk Yamamoto spoke about how the Problem Solving Courts are underfunded and the monies that support them is unreliable, they are not supported by any property tax dollars. Commissioner Van Beek would really like to hear more about the effectiveness of the court and asked Mr. Wagoner about the 5 year revenue stream of the lottery fund availability, how it's being used and if it has a fund balance. Mr. Wagoner said the Board recently signed the Annual Juvenile Justice Report which had an ending fund balance of \$22K in lottery tax dollars as of September 30, 2019. Mr. Wagoner explained that the lottery tax is based on sales and activity which varies from quarter to quarter. Typically \$50-\$100K a year is what the county receives in revenue and there is a specific accounting entity to track money in and expenditures out. Ms. Catalano reviewed monies received from the lottery over the past 5 years and Mr. Wagoner spoke about what the money has been used for in the past and how Ms. Catalano has done a good job of administering those monies. Mr. Wagoner said he likes to explore restricted monies first when a request is made. When he received this particular request he spoke with Ms. Catalano for a history and felt it was a worthwhile investment although it's not his decision which is why it was prepared for final approval by the Board. Commissioner Van Beek proposed that since there doesn't seem to be any specific deadline that perhaps some time could be taken to evaluate the program and the return on investment. Clerk Yamamoto said he watches the Problem Solving Courts to evaluate the value and viability. He explained that they do provide a lot of good and operate very well on very little money. At the request of Commissioner Van Beek Ms. Catalano reviewed some of the items she budgeted for this year. Commissioner White said she can't think of a better use of this money as it will not affect any of the items budgeted for Juvenile Probation and it does help lighten the load for that department. Ms. Catalano reiterated that she will not rescind the claim because she does believe in the process and the program. Conversation ensued regarding some procedural issues, making sure there is a formal budget presentation this year and Clerk Yamamoto provided a review of how the Problem Solving Courts began. Commissioner Van Beek said that until she has a report back on the effectiveness she won't be able to sign the invoice. There are two Board signatures on the claim so it will continue to move forward.

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

MEETING WITH CLERK'S BOARD TO INTRODUCE THEMSELVES AND PRESENT INFORMATION REGARDING THE COMMITTEE'S GOALS THROUGH FUNDRAISING EFFORTS

The Board met today at 11:02 a.m. for a meeting with the Clerk's Board to introduce themselves and present information regarding the committee's goals through fundraising efforts. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Denise Kennel, Kandice Taylor, Raena Bull, Edna Bullon, Christina Jeffes, Victoria Castro, Robin Sneegas, Yvonne Baker, and Deputy Clerk Monica Reeves. The Clerk's Office has a party planning committee that plans various events including a Christmas party and a Summer BBQ, which promote teambuilding and socializing outside of work. The events are paid for through fundraising projects such as cookie sales, Christmas tree sales, snack carts, to name a few. A portion of the money they raise is donated to charitable organizations, including a recent donation of \$200 to Operation Brave Heart, a charity that provides Christmas for families of Veterans. This year the party planning committee is gearing towards naming a local non-profit charity of choice early on in order to increase involvement and donations. Fundraisers include a pet calendar and where proceeds from the sale will be made to the West Valley Humane Society or the Idaho Humane Society, and for Valentine's Day they will sell cookies and carnations and will deliver orders to anyone on the campus. Commissioner White said it's a great idea and she asked about marketing or advertising plans. Discussion ensued about what type of permissions are allowed and Commissioner Dale said it has to be carefully considered because there are ramifications, such as opening the door to a flood of similar requests coming in. He doesn't want to see advertisements on the County's webpage or sent via the email system, but he has no objection to the group printing and distributing flyers and posters and seeking permission from each elected official to post the flyers in their respective workplaces. Commissioner Van Beek said she appreciates the group's ambition and excitement and asked if they have vetted and/or approached the Prosecutor's Office with their ideas for fundraising. Through discussion it was stated that PA's Office has nixed a lot of their ideas so the planning committee wanted to make sure the Commissioners are aware of their plans. Last year they tried to have a yard sale at Justice Park and they thought they went through the appropriate channels by reserving it with the facilities department but when they distributed flyers for the yard sale the Prosecutor's Office shut it down. Apparently the next day some private citizens were selling lemonade in the park so there is some confusion as to why certain sales are allowed but others are not. Commissioner Dale said you don't see yard sales happening in city parks and there are reasons for that. Commissioner White said perhaps the group could consider using the parking lot for a flea market. Apparently the group tried to do that but due to liability concerns they were unable to. Another question dealt with why the juvenile probation department is allowed to send a countywide email about their annual chili feed, but the party planning committee is not allowed to send advertisements via email. Commissioner Dale said maybe the difference is the Clerk's organization is raising dual-purpose funds for a party and for a charitable donation, and he encouraged them to talk to the Prosecutor's Office about it and if there are legal objections with using email they can go a different route, such as flyers. The committee

members want to be transparent and they want people to know they aren't just funding their parties – they also make charitable donations. Commissioner Van Beek said perhaps they could break it apart and have a designated event where all proceeds will go to a charity so that it's clear you have a clear separation from your parties. Commissioner Dale appreciates knowing about the events because it allows him to meet people he wouldn't ordinarily meet. Commissioner White agreed and said it's a great networking ability. Commissioner Van Beek likes the networking and collaboration and the positivity in the work environment. Commissioner White congratulated the group for their energy toward a good purpose and she thanked them for sending out the email regarding their charitable donation. The meeting concluded at 11:30 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 27, 2020

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 Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross, Jamie Miller and Monica Reeves. The Board reviewed this week's schedule with staff. Commissioner Pam White arrived at 8:46 a.m. 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 ITEM

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Chief Deputy Criminal P.A. Chris Topmiller, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson left at 9:03 a.m., Accountant Charlotte Schmidt with the 3rd District Youth Court and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing summary and ordinance of Canyon County, Idaho, amending Chapter 7, Article 18 Zoning Regulations: Zach Wesley explained this is just the formal ordinance and publication summary pertaining to the hearing that was held last week where the ordinance was approved. Director Nilsson gave a brief review of the ordinance. Upon the motion of

Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the summary and ordinance of Canyon County, Idaho amending Chapter 7, Article 18 Zoning Regulations (see ordinance 20-004).

A discussion was had regarding funding to the 3rd District Youth Court. Mr. Laugheed noted that a couple of discussions were had last week about this topic but there were a few things that needed further clarification. The Youth Court Board is actually a separate 501(c) (3) non-profit so he wanted to make sure that information was brought to the Board. Mr. Topmiller said that several years ago they did stop asking for county funding because they had the Millennial Fund from the tobacco litigation money available as a revenue source but that went away in 2017. Commissioner Van Beek spoke about the regular budget process where organizations come forward and present their information. Mr. Topmiller said they are planning to do that this year. He explained they have 3 main issues: 1) the continued funding of Youth Court 2) funding the program thru the end of the school year this year 3) immediate budget shortfall of \$1700 which was the purpose of their meeting with Commissioner Dale and the Controller to meet that immediate shortfall. Mr. Laugheed believes this is the goal (to make a formal budget presentation) that has been worked towards, there were some administrative obstacles this year that prevented it from happening but he thinks everyone is on the same page that this needs to come before the Board during budget season. Mr. Topmiller spoke about the Youth Court stating that it has about a 90% success rate. Judge Meienhofer, who is on the Board and also covers Juvenile Drug Court, loves the program and can see the difference in terms of success between the Youth Court and the Juvenile Drug Court. Mr. Topmiller explained that Youth Court is a post-conviction diversion program. In the previous meeting they determined that the \$15,000 that has been infused into the program will sustain them thru FY2020. Commissioner Van Beek would like to see parent and student testimonial to support the success numbers. Mr. Laugheed said that at the meeting Friday it was thought that this was a court/TCA/State driven program but it's really not, it's a 501(c)(3) that brings in volunteers from all over the community. Mr. Topmiller said he'd really like to get back to where they were before when they had a reserve and were able to provide college scholarships.

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

MONTHLY ELECTED OFFICIALS' MEETING

The Board met today at 9:32 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, Assessor Brian Stender, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Sheriff Kieran Donahue, and Deputy Clerk Monica Reeves. Topics of discussion included the following:

Status update on Pod 6 – Sheriff Donahue said they have made good headway and they will have final inspection. They are working on some ADA handrail issues and if everything goes according to plan they'll be able to inspect on Wednesday and finish it on Friday although

that doesn't mean they are going to occupy it. They still need to get the special use permit and the temporary occupancy permit from the city but that should be done in the next week or so and once the final inspections are done they'll do some training to see how determine where they are in terms of staffing levels. The Sheriff offered to do a tour of the project for elected officials separately. Invitations have not been sent yet but Joe Decker will send an official invitation after the Sheriff makes sure everything is in line with ADS. Sheriff Donahue and Captain Ward will lead that tour for the media and then he will turn the media over to the Board following the tour, perhaps for questions and answers at the reception. Lt. Stafford is working on a video of Pod 6 that can be posted online for the public to view. There were suggestions for a time lapse video to show the progress on Pod 6, and also of the Dale Haile jail to show why the need exists. Staff will go through training and coordination for a couple of weeks and then they expect to be moved in by late February. Sheriff Donahue said once they have vacated the 1948 annex they are planning to ask the Board to consider a resolution closing the old jail annex forever. Commissioner Van Beek has questions regarding the costs associated with the annex, specifically the rerouting of the fiber optics in the annex. Sheriff Donahue said the big concern is the dilapidated condition of the annex and the fact that operation is manpower intensive for such a small gain.

Potential Second Location for DMV Services in Nampa – Assessor Stender spoke of discussions he's had about a potential second location for DMV services. There are determinations that need to be made with regard to a location and whether the driver's license office will move with auto license. Also, with the Clerk no longer being able to use schools and churches for polling locations they have started the discussion on the potential of leasing a larger building that would include a super voting center. There was an option of having a three-step process where the Assessor vacates a portion of his staff the first year and obtains a second location in Nampa, and then the next year have a location in Caldwell which would free up his side of the current DMV so the Sheriff could expand his operations into the entire building. There has also been discussion about having a facility on the County-owned land between the current animal shelter and the DMV with a portion of the new building being used for DMV expansion and a portion being used for a super voting center. Discussion ensued about wait times being affected by the tremendous growth the valley has experienced and the need for expansion and new personnel requests. Assessor Stender has looked at the following sites in Nampa: the old Rite Aid building, and the old Paul's Market locations on 12th Avenue and 11th Avenue, however, the sites are either not available, or have traffic control issues that need to be addressed. Prosecutor Taylor said it would be nice to have a location in Nampa versus a new facility by the animal shelter. Assessor Stender said the Sheriff is in a predicament because they are losing \$300,000 a year in providing state functions and he doesn't have the administrative fee to cover the cost, but hopefully there will be legislation to help with that. Clerk Yamamoto said for several years there has been consideration for having a Nampa location and a Caldwell location for auto license, and leaving the driver's license office where they're at with one location. He is looking at a lease more so than a purchase.

Request from the U.S. Census Bureau – Commissioner Dale spoke about a request from the Census Bureau to put a table in high-traffic areas to recruit people to assist with the census. Sheriff Donahue said the drivers' license department is limited on space and he

doesn't want to limit space for citizens who are already waiting a lengthy amount of time for service. They would like to use the lobby area in either the courthouse or the administration building; it was suggested they seek to use the Nampa Recreation Center or the YMCA in Caldwell. (Sheriff Donahue left at 10:05 a.m.)

Proposed Legislation - Assessor Stender submitted copies of House Bills 353 and 355 that have been introduced in regards property tax issues. Discussion ensued regarding the impacts the County will face if the bills become a law, and if a budget freeze occurs.

The meeting concluded at 10:20 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 11:06 a.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, Judge George Southworth, TCA Doug Tyler and Deputy Clerk Jenen Ross. The following items were discussed:

- Judge Southworth will take over as the ADJ on February 1st.
- Mr. Tyler has requested a new magistrate judge in the FY2022 budget. A letter of support will be requested from the Board if it gains traction at the state level, this will be an additional position due to the increased caseload. Office and courtroom space is available if the position is approved.
- Due to the amount of judges and the Odyssey system they are at a point to consider remodeling of the 2nd floor magistrate benches. They would like to contact Director Navarro to get some preliminary planning done. It would be 5 courtrooms initially and maybe down the road combining courtrooms 6 and 7 into one larger, more useful courtroom.
- Courthouse security needs were discussed and Mr. Tyler said he generally tries to defer to whatever the county is doing. Commissioner Van Beek said she'd welcome any input from the ADJ and TCA.
- They are starting to get some momentum with the Domestic Violence Court. They have had one judge be very involved and a new judge who has expressed interest. The goal would be to have just two judges working all of the domestic violence cases. Mr. Tyler spoke about how the court will be funded.
- At the request of Commissioner Van Beek, Judge Wiebe explained the function of ADJ.

The meeting concluded at 11:32 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEPARTMENT ADMINISTRATORS FOR ROUND TABLE DISCUSSION

The Board met today at 2:05 p.m. with department administrators for a round table discussion. Present were: Commissioners Tom Dale and Leslie Van Beek, Fair Director Diana Sinner, HR Director Sue Baumgart, Facilities Director Paul Navarro, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano, Landfill Director David Loper, Director of Juvenile Detention Steve Jett, Assistant Director of Juvenile Detention Sean Brown, Chief Public Defender Aaron Bazzoli, Parks Director Nicki Schwend, Agent's office Sr. Administrative Specialist Debbie Lowber, IT Director Greg Rast, PIO Joe Decker, Director of DSD Tricia Nilsson, Weed and Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross.

Commissioner Dale spoke about possible legislative changes that may impact budgeting including a budget freeze. Commissioner Van Beek spoke about her request to the DAs to build their budgets based on what was received for revenue last year and show what would have to be done without. She passed out a survey with questions relating to management training, budget training, training on the compensation plan where Mike Porter could potentially come to explain the plan so it can be passed along to their employees, and peer-to-peer evaluations. Director Baumgart said she is looking to schedule a group meeting in the public meeting room with the compensation committee. Topics of discussion included the following:

Comments on budget:

- Ms. Catalano noted that her budget is somewhat unique in that half of it is based on revenue that is received from the Idaho Department of Juvenile Corrections (cigarette and lottery tax) and wondered how a freeze may have an impact.
- Director Schwend asked how fund balance plays into this possible legislation. Commissioner Van Beek said she would follow up to find the answer.

Capital Improvements Plan for each department:

- Commissioner Van Beek said it would be helpful to have a plan of projects to be funded in each year and in the event of a freeze could help direct each project.
- Director Nilsson said she is working with Elizabeth Conners on the scope of work in an effort to coordinate a facilitated discussion.

Security Director Position:

- There is a meeting tomorrow to determine how best to move forward. Commissioner Van Beek would like to have the person in place before the budget season so they can participate.

Training on budget:

- Director Navarro thought PowerPlan training would be helpful. Director Rast would like the opportunity to justify positions or a new resource with the Board directly before the presentation by the Clerk. Commissioner Van Beek would like to allow the DAs to present to the Board as they sometimes feel filtered by the Clerk. There sometimes is a conflict when DAs answer to the Board but being told yes/no by the Clerk.

Survey Monkey & Peer-to-peer evaluations:

- Director Navarro likes getting feedback from his employees and would maybe like to see the questions tailored by department although he does not feel qualified to evaluate any of the other directors. General consensus of the directors is that they do not feel qualified to evaluate each other and wonder if it's beneficial. Director Baumgart said the surveys really aren't based on performance but more on communication type items. She will double check the questions to make sure they're not based on performance but more on customer service.

Board Liaison/Peer-to-peer mentorship:

- Director Navarro likes it, he felt like it was mentorship and a closer relationship. Commissioner Dale spoke to his understanding of why those went away. Commissioner Van Beek suggested possibly a Director handbook to provide guidance to a new director. Director Navarro thought maybe a senior Director mentorship could be beneficial. Mr. Bazzoli likes the Directors handbook idea. Director Navarro suggested a quick reference FAQ and Mr. Bazzoli suggested a central place for updates and happenings within the county.

Development of policies and guidelines:

- Commissioner Van Beek spoke about her desire for a policy or guideline regarding credit cards and drug testing. Director Navarro said that Ms. Catalano has a great policy that he's used as a template for his department. Director Baumgart said several departments and offices have their own policies. She said that the majority of the time HR is not notified of vehicle accidents or workman comp. claims until long after the fact. Commissioners Dale and Van Beek think this is something that can be looked into.

Asset management:

- Director Rast said he is going to be implementing an asset management system and asked if any of the other Directors would be interested in participating.

Commissioner Van Beek recapped what she will follow up on and said that if anyone has anything to address to feel free to reach out. The meeting concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 28, 2020

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:

- R&H Wholesale in the amount of \$3,790.50 for the Facilities Department

APPROVED CLAIMS ORDER NO. 2/10/20

The Board of Commissioners approved payment of County claims in the amount of \$149,165.50, \$11,372.00, \$72,944.75, \$23,796.51, \$64,199.06, and \$53,579.21 for accounts payable.

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 Dale made a motion to go into Executive Session at 8:33 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 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 9:53 a.m. with no decision being called for in open session.

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

Note for the record: As properly noticed the Board met today at 9:53 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 9:56 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 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, 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.

PUBLIC HEARING – REQUEST BY TRADITION CAPITAL PARTNERS FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR STAR RIVER MEADOWS SUBDIVISION, CASE NO. SD2019-0032

The Board met today at 10:09 a.m. to conduct a public hearing in the matter of a request by Tradition Capital Partners for a preliminary plat, irrigation and drainage plan for Star River Meadows Subdivision, Case No. SD2019-0032. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Stephanie Leonard, Spencer Kofoed, other interested citizens, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is zoned single family residential and the average minimum lot size is one acre, but County code indicates that parcels within the area of city impact with central sewer and/or water services can reduce the lot size to 12,000 square feet. The property is located within Middleton Area of City Impact. The property was annexed into the Star Sewer and Water District on June 27, 2019, and it is designated as residential on the future land use map. The property is located within the AE flood zone and the applicant will adhere to FEMA requirements for development within the floodplain including, but not limited to, development permits throughout the platting and building of the site. The subdivision contains 13 residential lots and one common lot. Sanitary sewer and domestic water will be provided via the Star Sewer and Water District. Pressurized irrigation will be provided to each lot within the development. An internal public road will be provided for access. Keller and Associates has reviewed the preliminary plat and two additional recommended conditions of approval have been added. The P&Z Commission recommended approval of the plat on December 5, 2019, staff is also recommending approval with conditions. Commissioner Van Beek asked questions regarding the conditions and the flood zone. Stephanie Leonard, with KM Engineering, testified on behalf of the applicant. The project will connect to Star Sewer and Water services and they are proposing 13 single family residential lots and one common lot. There is one public road proposed that will access River Ranch Lane on the east side; curb and gutter are proposed along the public road and they will facilitate storm drainage to the common lot. The property was rezoned last year and since it's being served by city services lot sizes will range from 12,000 square feet to 17,500 square feet. The gross density is about 2.71 dwelling units per acre and the average lot size 13,500. They have been working with the subdivision to the south to tie into their pressurized irrigation system. The property is located within the flood plain and they will make sure they comply with the County's and FEMA's requirements. Ms. Leonard responded to questions from Commissioners White and Van Beek. Spencer Kofoed testified in support of the request. The property next door is in the County and Star River Ranch was annexed because of the things they wanted to do, but Mr. Kofoed didn't see any advantage of going into the City of Star, he prefers to be in the County. They are contributing additions to the infrastructure as part of his agreement to annex into the Star Sewer and Water. According to Mr. Kofoed the 12,000 square foot lot size is bigger than many of the subdivisions in Star with homes ranging in size from 2,500-3,000 square feet. This property was originally going to be part of Star River Ranch but it fell apart and went through bankruptcy. It's never been farmed, it's a low-lying area. 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 Van Beek and the second by Commissioner White, the Board voted unanimously to approve the request by Tradition Capital Partners for a preliminary plat, irrigation and drainage plan for Star River Meadows Subdivision, Case No. SD2019-0032, and to sign the findings of fact, conclusions of

law and order. The hearing concluded at 10:24 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 1:33 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:

- Review of budget numbers; 'doctors' line is at about 50% but that is due to some adjustment of fund lines, conflict counsel is at 23% although part of that is when the billings come thru. Pretty much everything else is where it should be.
- Review of monthly case count type review showing comparison year to year and age of active pending caseload.
- By December 5th his department was fully staffed.
- The idea of a kiosk at the jail in the booking room has been put on hold until Pod 6 is fully operational.
- He has been trying to grow his department incrementally but he really only has a couple more spaces available and wonders if this is something the county should look more closely at. Commissioner Van Beek thinks this would be a good discussion for the Capital Improvement Plan.
- He is a part of the Idaho Association of Criminal Defense Lawyers legislative committee. He spoke about what's being considered including a new statute to move felony burglaries to misdemeanor retail theft burglaries based on certain circumstances/criteria.
- Last week he was invited by a representative to be on a panel on the House Judicial Rules and Standards committee to speak about the role child protection plays in public defense.

The meeting concluded at 2:07 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 2:07 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, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following:

- Waste amounts were down .6% for December, FY20 is down 3.5% but with spring coming he anticipates the number going back up.

- He will be starting the CUP/site certification process again and provided a map showing the current footprint and the area they'd like to expand to.
- The Household Hazardous Waste Collection Day is March 28th at the Idaho Center.
- A Tetra Tech work authorization was reviewed that is comprised of several things planned for this year including ground water sampling, installation of a new well, writing the ground water reports among other things. A 3rd party expert will be out there while PB-16 is being drilled. There will be two groundwater samplings with reports written.
- He spoke about how the Idaho Department of Fish and Game are having some issues statewide with 'wasting disease' for deer and elk among other animals. They are wanting the different counties and landfills to put together a plan on how to dispose of an animal with this kind of disease. There is a lot of sensitive ways they'd like this material dealt with so it doesn't spread to the community.
- The new dozer and tarp have been received. A person with the tarp company came out to do a couple days of training. They've been practicing and testing it although it can't be formally used until they've received approval of the revised operation plan which is going thru public comment right now. He hopes to be using it by the middle to end of next month.
- The water permit was submitted to the Idaho Department of Water Resource on Monday where it will be reviewed.
- Drilling of PB-16 should start on Monday.

The meeting concluded at 2:27 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE MOSQUITO ABATEMENT DISTRICT TO CONSIDER APPROVING THE ANNUAL MOSQUITO MANAGEMENT PLAN FOR 2020

The Board met today at 2:30 p.m. to consider signing a resolution approving the Annual Mosquito Management Plan for 2020. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy PA Jim Cornwell, Director Julie Treasure, Ed Burnett, Doug Shinn, President of the Board of Trustees, Trustees Norm Brown and Liz Mamer, and Deputy Clerk Monica Reeves. Director Treasure said this year's plan is nearly identical to last year's plan with a few slight differences: they added more surveillance sites into new areas, and they have added a gravid trap that will go into subdivisions and be monitored on a weekly basis. This season they will do non-target monitoring which hasn't been done in years. Their NPDS permit is up this year and the state is taking over the process next year so the district is getting a head start on monitoring in case they are asked to collect data. Ed Burnett spoke about the monitoring that's already been done on the Deer Flat National Wildlife Refuge and their hope to do studies on pesticide resistance out there. Director Treasure said the refuge has allowed the district to use a new chemical on their property which is going to help keep the population down for longer periods of time. Commissioner Dale said in today's meeting with the Southwest District Board of Health he learned that the state has dramatically cut their support of mosquito abatement. There was discussion about the state's portion not

being enough to be effective in the counties that do not have abatement districts and it was asked if there is a possibility for those counties to contract with Gem, Payette, or Canyon to perform abatement services. Mr. Burnett said the district has trapped in Owyhee County along the border in order to know what's going on across the river. Commissioner Dale said a representative at the health department is going to ask the state if the funds can be utilized for education in the counties that do not have districts because so far they are used just for trapping. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the Annual Mosquito Management Plan for 2020 (Resolution No. 20-008.) The meeting concluded at 2:48 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 29, 2020

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:

- Thompson's Maytag in the amount of \$3,568.85 for the Facilities Department for use in the jail

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 Danielle Heitz.

QUARTERLY MEETING WITH THE WEED AND GOPHER CONTROL SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:32 a.m. for a quarterly meeting with the Weed and Gopher Control Superintendent to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Weed Control Superintendent AJ Mondor, and Deputy Clerk Monica Reeves. Director Mondor reported on the following items: the department is building owl boxes and installing them when weather permits; other counties are asking for the plans so they can build their own boxes which are an excellent tool for gopher and vole control; he gave an overview of the department's efforts to identify weeds for eradication along canal banks; he's spoken with Roger Batt with the Idaho Weed

Awareness Campaign about the potential for the County to provide a grant pool the canal companies could utilize to pay their personnel to spray weeds. Commissioner Van Beek had questions about cost breakdown, and she wants legal to weigh in on the idea. Commissioner Dale said it shouldn't be the taxpayer that pays for that. Director Mondor spoke about the weed overlay map (the collector App) used to track where they spray, when they spray, what chemical they used, and which vehicle was on the property. He spoke of weed conferences he's attended as well as upcoming trainings that are planned. He reported on an international conference on weeds and invasive species that he attended in Coeur d'Alene which he found very informative. He spoke about the various biological controls (bugs) used to treat weeds. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:56 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION TO ADOPT THE CHANGE TO THE JOB TITLE, JOB DESCRIPTION AND FLSA STATUS OF ONE POSITION IN MISDEMEANOR PROBATION

The Board met today at 9:00 a.m. to consider signing a resolution to adopt the change to the job title, job description and FLSA status of one position in Misdemeanor Probation. Present were: Commissioners Tom Dale and Leslie Van Beek, Director Misdemeanor Jeff Breach, Senior HR Generalist Jennifer Allen, and Deputy Clerk Monica Reeves. Director Breach said this change takes our deputy director position and changes the title to assistant director, but the biggest change is making it a fulltime supervisor position. It's a big strategic step forward in terms of preparing for the future as the workload continues to grow. There will not be a change in salary. Jennifer Allen said she and Director Baumgart reviewed the job description and suggested changes and they are in support of the changes Director Breach wants to make. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution adopting the change to the job title, job description and FLSA status of the Misdemeanor Probation employee as presented. (Resolution No. 20-009.) The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF PUBLIC HEARING – APPEAL BY ROBERT TURNER REPRESENTING WILD ROSE LANE HOA AND THE TWO TOWERS SUBDIVISION HOA REGARDING THE DECISION TO GRANT A C.U.P. TO COPE SAND AND GRAVEL, CASE NO. APL-CU2019-0019

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of an appeal by Robert Turner representing the Wild Rose Lane Homeowners Association and the Two Towers Subdivision Homeowners Association regarding the P&Z Commission's decision grant a conditional use permit to Cope Sand and Gravel, Case No. APL-CU2019-0019. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Claudia Frent, Bill Rapp, Larae Sizer, Ed Wofford, Patricia Dennis, Jaye Jaye Johnson, Robert Turner, Christian Stanciu, Elspeth Turner, Barry Martin, Dean Flint, Sherra Rapp, Marilyn Wofford, Christina Dennis, Laura BeBeau, Cheyanne Turner, Terri Hagler, Joan Perdue, Sheryl Mansfield, John Babcock, JoAnn

Butler, Paul Cope, Brett Cope, Dave Cockrum, Jacque Cope, Robert Parrish, Casey Cope, Leslie Robinson, Angie Robinson, and Deputy Clerk Monica Reeves. Today's hearing was continued from January 7, 2020 to allow time for the review of new information. Dan Lister reviewed the late exhibits that were submitted and following his report he responded to questions from the Board and discussion ensued.

The following people testified in support of the appeal:

Claudia Frent gave testimony regarding her discussion with City of Nampa representatives regarding the city's plan to include this area in its impact area, which the Two Towers Subdivision will not object to. She spoke about how MSHA (Mine Safety and Health Administration) only regulates what happens inside the pit, but when it comes to measuring dust and noise outside the pit that falls to the EPA and DEQ. She questions whether an accurate measurement of the noise has been taken given that the Copes used a hobby tool, rather than a calibrated measurement, to test noise. She spoke of how the residents of Two Towers Subdivision can hear the crusher when it's operating. She believes the previous Board did a disservice to the community by not addressing the depth of the pit. Because they haven't shown where the clay layer is she does not feel a 70-foot depth is acceptable, perhaps it should be 50 feet. At a previous hearing the Copes gave their word to the County and the community that they would not penetrate the water or mess with the aquifer because they were not going to go more than 30-50 feet, but they did go deeper. She noted the issues the Wild Rose Subdivision is having with some wells. Ms. Frent addressed a late exhibit referencing a social media email. Staff only has to provide notification to those within 300 feet of the subject property so there are many residents who were not notified, and so it is the job of the HOA President to make sure residents know what is going on in the community. She said the presentation was posted on social media by the appellants, it was sent to an HOA representative in Red Hawk Subdivision and what that person did does not fall on the appellants in this case. She spoke of concerns this proposal will have on traffic patterns, as well as her frustration that the Copes have not done anything to correct the violation or fix the berm, nor have they reached out to the community, instead they have communicated through their attorney via a letter to the County. She does not believe a new CUP should be given to a company who's in violation of a previous CUP. Ms. Frent went to the Department of Lands to learn more about reclamation, and she believes the Copes plan is very sketchy, noting that a 3-to-1 slope is not sufficient. Furthermore they don't have the funds to make it into useable land. In response to previous testimony, she reached out to the Boy Scouts and they said they are not interested in doing a camp on the property. The Copes have said they will do things but in the end they are not held to anything, and if they are going to put in a reclamation plan they should be obligated to make it nice.

Bill Rapp stated he believes the Copes have been less than ethical and honest because they do not do what they say they will do. He spoke about how the Copes consistently submit information at the last minute leaving the neighbors very little time to review that information. He said the request has been denied three times for the same reasons; the plan has not changed nor do they follow through with what they say they will do.

Larae Sizer testified that each time the Copes have brought forth a request it has been denied, and nothing has been done to address the issues from 2002 to 2017 so why should they be rewarded.

Ed Wofford gave testimony regarding his concerns about silica dust which is created through the crushing of rocks. He requested the Board not allow the Copes to expand toward the Wild Rose Subdivision.

Patricia Dennis gave testimony about how her new washing machine was in need of repairs and it was determined that the problem was being caused by sand in the filter and control board which prevented it from working correctly. She expressed concern about how the proposal will affect her property in terms of if they plant trees where will those roots go, and, if she has to have a new well she wants to know what her recourse is for compensation.

Jaye Jaye Johnson said there was a lot of testimony regarding depths, but nowhere was the information given where the clay boundaries are located and that is pertinent to depths. She gave technical testimony on permeability and said the geologist submitted literature that was inconsistent because it included language that the clay is impermeable and has low permeability, but it can't be both, it has to be one or the other. Is it impermeable, or is it low permeability. Regarding the noise study, she said the residents don't benefit from the gravel pit and she questioned who will monitor them. Ms. Johnson said they had contextual knowledge of depth, the first application was submitted at 30-50 feet and the Copes knew that. There is an ethical point to business and that point binds you.

Robert Turner testified there are thousands of homes within the one mile radius and history shows us that the things that were promised were not kept. Trying to restore trust in the community is very difficult because they don't believe the Copes are trustworthy. He said the homeowners have rights, and the sound is only going to get worse if the barrier is removed. He said there is no question about the depth of the pit, it's between 90-96 feet and regardless of their intent the Copes violated that in the original goal. Residents' concerns include: heavy traffic, dust and odor concerns from the pit, and recent persistent problems with water. Mr. Turner said there will be thousands of additional homeowners in this area and they will be concerned about the operation of the pit.

Christian Stanciu said he is affected by traffic on a regular basis. He's on the downhill slope from the pit and when the trucks come down the road they use their jake brakes and it's very loud. He sells safety equipment and he has spent 20 years calling on gravel pits and most gravel pits you cannot get past the front gate without safety goggles. The intent is not to put the Copes out of business, but we have to be really careful about what we put amongst ourselves. It was said this valley is out of gravel, but that's not true, he bought some material from Rambo, so it's not true when they say we are out of gravel and therefore this pit needs to be amongst homes.

Testimony in opposition to the appeal:

John Babcock, who owns the subject property, wanted to correct a statement he made at the previous hearing when he said the Copes already own the property where the crusher is

located. The Copes have plans to buy it when certain provisions are in place. Regarding the Nampa impact area, he protested plans at the time when they wanted to annex his property and he will oppose it again. Regarding the reclamation plan that was described as a 3-to-1 slope, he said as long as the Copes meet the requirements the Board approves as a reclamation he doesn't care whether the residents of Two Towers Subdivision like it or not, the Copes only have to please the County and himself. He testified that none of the wells on his property have been affected by the pit over the past 18 years. His irrigation well went dry when they lowered the water in the lake, which leads him to believe the lake is feeding this area. He spoke about a canal that leaks under the road and makes a swamp in the Wild Rose Subdivision. His property is zoned for farming and mining and he has a right to make a living from it. He said there is still a plan in place to have a campground as part of the reclamation plan but they are going to wait until the application is approved before they start to raise funds for structures that will be part of the campground. He said if the Copes have fulfilled all of the requirements imposed by the previous Board they are entitled to have this application approved, but if the permit is not approved he will immediately file a request for a regulatory taking analysis for loss of income on this property for over regulation of his property. He also said if the request is denied the County will be giving the Rambo operation a monopoly. Mr. Babcock responded to questions from Commissioner Van Beek.

JoAnn Butler said when the Copes came to her last spring regarding their plans for a gravel operation she looked at what they had done to date. Twice the P&Z Commission unanimously approved their operation, a different application then today because they have reduced the number of acres, because it met the criteria and standards of the County code and they noted that the Department of Lands has approved the reclamation plan. She said people are concerned about traffic, but the highway district has said there is not enough traffic from the operation to warrant a traffic impact study or to create any kind of issue other than saying trucks should travel eastbound when leaving the operation. People are concerned about growth, traffic, and new homes in the area, but it's not this operation's traffic, it's not what they are putting on the road. It is the influx of growth. Ms. Butler said the Board previously noted the actions the Copes could take to gain approval: make sure the sound levels for the nearest neighbors are met, mitigate for dust, show that property values haven't fallen; and they wanted to hear about traffic. The Copes submitted the noise studies they have done. The fact is if there is a crusher in the area, you might hear it; if there's a car in the area, you might hear it; if there's farm equipment in the area, you might hear it. The issue is whether sound is kept to a reasonable level and they have done that in a number of ways such as visual backup alarms versus automatic alarms. The reports show the Copes are within the rural noise level studies for this area. The property values have not gone down. This area is agriculturally zoned and gravel operations are allowed with a CUP. The Two Towers Subdivision was approved as a CUP, and it was only approved when the Board said they must have a statement on the plat that said you acknowledge you are in an agricultural zone and that there are agricultural operations and gravel pits in the area. The Copes have worked hard to be neighborly. They acknowledge it's been difficult to maintain the trees on the berm and they have submitted a landscape plan and since the January 7 hearing they have obtained a bid from Meridian Fence to get started with the work and to show a good faith effort in taking care of the berm. The Copes have never been cited by the County for a violation. Ms. Butler said she identified with the Copes the various things that

were raised by the neighbors and said it needs to be addressed upfront with their application. They have to comply with local, state and federal laws, rules and regulations; provide an annual report of what they're doing on site and what the communications have been with the County or state or federal agencies so we have it on record. Landscaping needs to be done even before they start any operation on the 12 acres and that language has been added to the conditions of approval. Regarding pit depth, they totally refute the trespassing drone that came onto the property took a depth measurement, it is not correct. The 30-50 feet people talk about were test wells that were dug, there was never a criteria to stay at 50 feet. They have never hit clay. The Board asked about phasing over time, it's noted on Page 4 where each step of the operation is identified. It means 8 years of gravelling the operation and 2 years of reclaiming. Even though the P&Z Commission has approved the applications as being in compliance, people have complained about the operation even though they are in an agricultural zone and there are inconveniences. They have worked hard to make sure this application provides the balance in the community. In this area there is gravel and if the Copes meet the conditions and criteria and the conditions of approval then yes, they should be allowed to continue for 10 years. Regarding the comments about the lack of trust, she said the Copes have complied with the conditions of approval, and they acknowledge the trees and they are working on the berm but that is one thing, it does not mean they are untrustworthy. Ms. Butler responded to questions from Commissioner Van Beek.

Paul Cope testified that the Cope Sand and Gravel Company is one of only two retail sand and gravel operators in Canyon County, the other one is Rambo Sand and Gravel. There are larger operations who do sell but they don't sell every product. He takes offense to the neighbors' statements that the Copes are unethical and dishonest because it's not true, they are a third-generation company and they take pride in their business. He spoke about the studies performed by MSHA and he reported that they performed an unannounced site visit on January 15, 2020, and no violations were noted. Mr. Cope spoke of the donations their company has made to the community demonstrating their desire to be good neighbors. They are in compliance with their permit, and they are seeking a simple gravel extraction so they can continue their operation. Mr. Cope responded to questions from the Board regarding the landscaping condition. He said they will complete the landscape berm that will include a vinyl fence, landscaping and rocks on both sides at an estimated cost of \$80,000.

Brett Cope testified they have been in business for 50 years and they have built a good name for themselves and they wouldn't have been in business this long if they weren't honest and good people. The Cope pit was in business before the Two Towers Subdivision was built by Mr. Lasher, who developed in an agricultural area and now the residents are opposing their gravel operation. He spoke about the drone trespassing onto his property and said their measurements were false. Mr. Cope said denying their CUP is denying small business owners a chance to stay competitive with the large corporations who have their own sources they save for themselves which will create a monopoly for projects. He said if the operation was farther away there would be even more traffic because contractors would need more trucks hauling to get their projects finished on time causing more wear on roads. Their retail business allows other contractors to stay in business without a monopoly with three or four large corporations controlling it all.

Dave Cockrum testified the existing reclamation plan is held by the Department of Lands, who is interested in water quality issues, mined land reclamation, and issues having to do with dust. The operation is bonded, not for 100% of the cost, but it's a good faith effort. He referenced the MHSA regulation book for mining. Several agencies work to make sure things run smoothly and that no one is hurt. He referred to regulations regarding employees working around dust. If there was a dust issue in the Cope pit they would be wearing respirators or respirators and oxygen if it was severe. How do we know when silicosis starts? It starts the first day you work in an operation where you're exposed to dust levels that exceed the standard. If a control plan is not in place for people who work in that crusher or in the pit and something happens then the Copes are liable for the damages and that's a serious and significant violation and the operation gets shut down. DEQ is another regulatory agency who categorically states if there is visible dust leaving the property they are in violation and they have to remediate it. You have MHSA working inside the pit; DEQ working outside the pit; and along with that the Department of Lands there could be something in the reclamation plan that is allowing dust to become a problem in the operation. In this case there has never been a dust violation nor any indication there is silicosis, or that the crushed rock that makes the kind of silica that everyone is talking about. MSHA has pages and pages of occupational noise exposure regulations. If there are violations the operation gets shut down until they remedy the situation. There isn't a permissible noise level, the EPA attempted to do it in the 1970s and said the recommended noise level for rural residential area is 70 decibels, but a lawnmower puts out 95 decibels and a car starting up puts out 85 decibels so there are too many variables and too many things that violate the idea. His noise meter which was purchased from Radio Shack has been calibrated at least six times over the last 10 years, the last time sitting next to an MSHA noise meter at an MSHA inspection. It typically is two decibels too high; it's pretty accurate and works well and is not affected by barometric pressure. He spoke about ground water samples and the well drillers reports that are filed with the Idaho Department of Water Resources. He's able to look at wells and get a general idea of the geology right away. In this case we're not looking at rock, it's unconsolidated material. Underneath is clay but the clay is not a clay stone or a rock – it's unconsolidated by very compacted clay that underlies the gravel all over the Boise valley. To get to consolidated material in this area you have to go down 300 feet. In comparison to gravel, clay is very impermeable. The clay sits anywhere from 70-100 feet below the natural ground surface in this area. He looked at as many wells as he could that were reasonable that had data that was reasonable that was useable and that clay confining layer sits under the gravel in all of them including the one at Wild Rose Subdivision. He said problems that have to do with bacteria are more than likely do to with individual septic tanks that are failing. Just because a gravel pit is located to the east doesn't mean it's to blame for everybody's problems. He said they have done the best they can do short of spending millions of dollars. Mr. Cockrum responded to questions from the Board.

Robert Parrish testified that his company buys aggregate from several pits around the valley and he produces some material himself that he resells across the country. The Cope pit services the valley. To have a local company provide a resource that builds driveways, commercial businesses, and homes is invaluable. In many places you cannot buy a yard of rock, you have to go to businesses that charge exorbitant prices because they own all the resource and those companies control the market and they dictate what happens and this

valley is getting dangerously close to being in that situation. Knife River and Sun Rock pretty much own everything and they produce rock for themselves, for their jobs – not for the smaller businesses and in a sense they dictate who can do business in the valley and if you don't have an account with them they won't sell to you. He spoke about the invaluable resource the Copes provide with the low cost material they provide to the community. He has a degree in agronomy (soils) and dust. He said silicosis is only caused by a certain size of dust. It is very small, between 1-2 microns and if it's smaller than that it goes through your system, if it's bigger than that it never enters your system. Regardless of farmers dust, dirt dust, or crusher dust, if it falls below that range or above that range it will not enter your lungs and cause silicosis. If the Copes produced dust like that they would be wearing air bags and MSHA would not allow them to operate. The one silica producing crushing pit in the valley – Unimin – and it does not have operations that produce dust that cause silicosis and they crush silica. You don't even have to wear a respirator when you go on that site.

During rebuttal Claudia Frent said we keep going back and forth on the pit. This side says we measured it at 95 feet, this side says it's only 52 feet. If you look at previous hearings, the Copes testified the pit depth was 70 feet, 80 feet, on average, but today they say it's 52 feet. She asked the County to measure the pit but she was told no and she wants to know whose job it is to make sure the community is protected. The appellants don't have anything personally against the Copes but they don't think the expansion request fits the area. There is plenty of land that is undeveloped and when they get close to mining everything she believes they will ask for another permit. On January 7th the Copes testified that another family is not interested in ever having residences on their property and she believes they will ask that family if they can mine gravel, if they can purchase land. It's good business for the Copes, but it is not good for the community or the residents. She spoke about how the gravel pit does impact property values. She believes the request should be denied because it is injurious to the community.

JoAnn Butler said people in this area are living in an agricultural zone and if this truly is changing perhaps a rezone of the area should be considered and people should work with the County accordingly but right now it's an agricultural zone.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close public comment. The Board took a recess at 12:45 p.m. and went back on the record at 12:55 p.m. The Board's deliberation was as follows:

Commissioner Van Beek said she finds merit in the idea that the intent and the neighborliness that needs to be demonstrated to coexist. Jaye Jaye Johnson's testimony spoke louder to her because she was definitive and she found her testimony more believable. Private property rights have to be evaluated on both sides, and the coexistence has to be mitigated by good neighbor relations in how things are laid out. The boundaries for defining it and what it will look like have not been established. Her position has not changed from the January 7 hearing, there were things over 18 years that could have been done and she disagrees with the attorney's position that the conditions in the CUP are the good faith effort to address concerns.

Commissioner Dale spoke about how familiar he is with the history of area and said when the Copes first found the property to be suitable for the extraction of gravel he was concerned it would destroy the lives on those in the Wild Rose Subdivision but it hasn't done that. He appreciated Jaye Jaye Johnson's testimony and passion but she did not bring any studies that were based on the area, or facts based on studies in the area. She gave her opinion based on her experience. When he listened to the testimony of a certified professional with specific knowledge and studies based on this application he has to consider it more than just opinion. He doesn't see that there has been any kind of factual connection made with what is happening in the gravel pit with the presence of sand in area wells. He doesn't believe anything has been shown that the Copes are unethical or untruthful. They have complied with the conditions as imposed in 2002. There have been no violations other than minor things with MHSA but nothing as far as health and safety. He appreciated Robert Parrish's testimony that the presence of dust doesn't mean it's silica dust.

Commissioner White said there has been no testimony about shutting down the gravel pit. When it came before a different Board they put some very strong sideboards on the requirement for them to do this and she likes that it was reduced from the original request of 23 acres to be done in 10 years. She would like a stipulation that says if there is a violation it will be tagged and they will be restricted from operation until that has addressed to the satisfaction of DSD. Zach Wesley said that might be an action that would be within the authority of one of the other agencies involved in managing this, but from a zoning perspective with what the County has under the state law to deal with there is a due process requirement for a hearing before the zoning could be revoked, even temporarily.

Commissioner Van Beek likes Commissioner White's proposal. She said the Copes have had 18 years to comply and they could have done things to help with mitigation, and if she were the applicant she would have wanted an independent third party to evaluate the data and provide feedback, maybe bring the two sides somewhere in the middle on the expert opinion that's been given. She is not able to overcome her concerns so she is going to side with the opposition in not granting an additional request when the terms of the original request were not fulfilled.

Commissioner White said the Board previously addressed the denial with required conditions and the applicants have met or exceeded those conditions. Commissioner Van Beek encouraged Commissioners Dale and White to include stronger language that would revoke the zoning. Commissioner White said if there is a violation we have the conditions and they have agreed to them and we have told them some of these things have to be accomplished before the start the new 12-acre piece. The depth of the operation shall not exceed 70 feet, and there are some things that need to be taken care of immediately. We can say if there's a violation of the conditions they will have to come back and explain that to the Board. Commissioner Dale said this is a separate application from the prior one, and this one is half the size and it includes a multiplicity of conditions that did not exist in that last application. Our laws allow observation of a CUP to be evaluated by staff and if there are conditions that are violated that can result in revocation of that CUP with due process and the Copes would end up back here to correct any kind of violation. It keeps surfacing that over 18 years they have had free rein, and not had any attention paid to the original CUP but

that's not the case. There have been no documents or proof brought to this hearing or previous hearings that said they violated the conditions of their original CUP. Does it look exactly like we had hoped? No. The trees died and it is not a park-like setting but that's not a violation of the CUP. This application has been carefully analyzed by staff and the P&Z Commission and they approved it. Further, there has been no evidence shown that the 15 conditions of approval were in error, they have been agreed to by Copes and they are designed to mitigate the potential impacts. They have said they will not go deeper than 70 feet. There is evidence on both sides that indicate the water conditions have changed over the last 60 years – is it attributable to the pit? He doesn't think so based on the hydrology of the area. He has not seen any evidence that says in the original CUP that the Copes committed that they'd never go deeper than 30 feet. They dug test wells 30-50 feet, but there were no restrictions on that. He doesn't argue that you can hear the crusher in the Two Towers Subdivision. Ms. Butler stated that in the original permitting of the Rivendale Subdivision there were agreements signed that anybody building in that subdivision had to sign an acknowledgment that they are building in an agricultural area with gravel operations and to expect inconvenience. That matters. This is 12 acres for 10 years with 15 very strict conditions of approval. Commissioner White said we will have to schedule a date to consider the findings of fact, conclusions of law and order to include the 16th condition that states if there is a violation of the conditions the Copes will come before the Board. Dan Lister said the zoning ordinance already has those requirements for revocation. Director Nilsson said in section 07-07-21 (7) of the zoning ordinance which deals with conditional use permits it states: *"If any person, including staff or a member of the commission files a written notice presenting sufficient evidence, as determined by the Director, that the conditions of the conditional use permit have been violated the presiding party that made the final decision shall set the matter for a public hearing noticed in accord with article 5."* If you want it relative to activity at that time, if that's something you wanted to be more specific on that section doesn't address that. There has to be a hearing. Commissioner White proposes that if there's a violation the operation will cease until the hearing is held and it's taken care of. Director Nilsson recommended that during the notification of the hearing the operations could pause, but the notification has a bright line when we would start with those written notices because the hearing might have to be 30 days or more out. Does the Board want to be specific to excavation, you might want them to water or maintain the landscaping so if you want it to be no excavation during that time it would be helpful to know and understand that a little more. Commissioner Dale said we just need to get the right wording to make sure it's legal and actionable. Ms. Butler said they would want due process because they don't want the operation shut down over a complaint without the Copes having the ability to prove they are not in violation. Commissioner White said everyone is entitled to due process. Commissioner Dale made a motion to deny the request of the appeal for the conditional use permit that was approved by the P&Z Commission, Case No. APL-CU2019-0019. Staff and Commissioner White said it denies the appeal. The motion was seconded by Commissioner White. The motion carried by a two-to-one vote, with Commissioner Van Beek voting against the motion. The Board will sign the findings of fact, conclusions of law and order on February 11, 2020 at 10:00 a.m. The hearing concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 30, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Uniforms 2 Gear in the amount of \$5,250.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 2009

The Board of Commissioners approved payment of County claims in the amount of \$1,646,261.98 for County payroll.

APPROVED CLAIMS ORDER NO. 1/31/20

The Board of Commissioners approved payment of County claims in the amount of \$325.00 for accounts payable.

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, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker, and Deputy Clerk Monica Reeves. The following cases do not meet the eligibility criteria for county assistance: 2020-234, 2020-310, 2020-415, 2020-307, 2020-406, 2020-309, 2020-281, 2020-302, 2020-308, and 2020-318. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to issue denials with a written decision within 30 days on the cases as read into the record. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-77 AND 2019-607

The Board met today at 9:04 a.m. to conduct a medical indigency hearing for Case Nos. 2019-77 and 2019-607. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell,

the applicant, Interpreter Mercedes Lupercio, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, Attorney Dylan Orton, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to approve both cases. The hearing concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1444

The Board met today at 9:24 a.m. to conduct a medical indigency hearing for Case No. 2019-1444. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, the applicant and her family members, Interpreter Mercedes Lupercio, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, Attorney Dylan Orton, and Deputy Clerk Monica Reeves. Deputy P.A. Dan Blocksom arrived at 9:53 a.m. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to approve Case No. 2019-1444. The hearing concluded at 9:54 a.m. The Board went back on the record at 9:55 a.m. for clarification on this case. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels and Deputy Clerk Monica Reeves. Further discussion was held, but no motions were made. The hearing concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-84

The Board met today at 10:07 a.m. to conduct a medical indigency hearing for Case No. 2020-84. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Attorney Mark Peterson, Michelle Davis from St. Luke's Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to continue Case No. 2020-84 to April 23, 2020. The hearing concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1463

The Board met today at 10:34 a.m. to conduct a medical indigency hearing for Case No. 2019-1463. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, the applicant and his girlfriend, Timothy Ryan from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and second

by Commissioner Dale, the Board voted unanimously to approve Case No. 2019-1463. The hearing concluded at 10:44 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 10:49 a.m. to conduct a medical indigency hearing for Case No. 2019-1002. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, the applicant, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to continue Case No. 2019-1002 to February 27, 2020. The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-1183 AND 2019-1185

The Board met today at 11:16 a.m. to conduct a medical indigency hearing for Case Nos. 2019-1183 and 2019-1185. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Indigent Services Director Yvonne Baker, Hearing Manager Kellie George, the applicant, Timothy Ryan from Saint Alphonsus Regional Medical Center, Attorney Bryan Nickels, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to continue Case Nos. 2019-1183 and 2019-1185 to July 16, 2020. The hearing concluded at 11:32 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 11:34 a.m. to conduct a medical indigency hearing for Case No. 2019-728. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels, Timothy Ryan from Saint Alphonsus Regional Medical Center, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to issue a final denial on Case No. 2019-728. The hearing concluded at 11:38 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 11:38 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 Monica Reeves. Neither the hospital nor the applicant appeared for the following cases: 2020-114, 2019-1415, 2019-1194, and 2019-

1464. Upon the motion of Commissioner Van Beek and second by Commissioner Dale, the Board voted unanimously to issue final denials with a written decision to be issued within 30 days on the cases as read into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue Case No. 2019-1412 to February 27, 2020. The meeting concluded at 11:39 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2020 TERM
CALDWELL, IDAHO JANUARY 31, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ESRI Developer Summit in the amount of \$1,275.00 for the IT Department
- Caldwell Glass in the amount of \$1,168.56 for the Facilities Department
- Boise Office Equipment in the amount of \$7,443.00 for the IT Department
- Right! Systems, Inc., in the amount of \$2,093.96 for the IT Department

BOARD OF EQUALIZATION - EQUALIZE OCCUPANCY PTR APPLICATION AND SCHEDULES

The Board of County Commissioners, sitting as a Board of Equalization, met today at 8:31 a.m. to equalize occupancy property tax reduction application and schedules. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. Assessor Stender and Joe Cox provided information on behalf of the Assessor's Office. The property tax reduction program used to be on homes that were on the annual assessment roll, but in 2019 the legislature added new language allowing people to sign up on occupancies when they move in mid-year and the value is prorated and they get a tax bill on the prorated value. This year we have 31 parcels, and 28 parcels qualify or will receive some benefit. The total schedule amount they could qualify for is a total of \$39,880, which is the maximum depending on the proration of the number of months. There are two programs: a VA program where if you are 100% service-recognized disabled you can qualify for \$1,320, and there is the regular program for those 65 and older and make less than \$31,000 they can qualify for \$1,320. A person can qualify

for both programs. The state reimburses the County for it, although they would like to see the counties cover their own costs associated with the PTR program. November tax bill included inserts about the program, they mail out applications to anyone who applied in the past or inquired since April 15 of last year. For 2018 they had 3600 applicants and in 2019 they had 4100 applicants and so far for 2020 they have mailed 4500 applications. Assessor Stender said no action is required, the Board recognizes the values have been equalized and this information will be sent to the state. (A copy of the Assessor's handout is included with this day's minute entry.) The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING JANUARY 31, 2020 AGENDA ITEMS

The Board met today at 9:02 a.m. for a legal staff update and to consider signing the January 31, 2020 agenda items. Present were: Commissioners Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Juvenile Center Deputy Administrator Sean Brown, and Deputy Clerk Monica Reeves. The items were considered as follows:

Considering signing Resolution Designating Surplus Personal Property with Nominal Value - Middleton Mayor Steve Rule requested surplus doors and Director Navarro identified some doors and frames (from the 1970's) that were left over from the courthouse remodel and were in storage and not being utilized. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution designating surplus personal property with nominal value. (See Resolution No. 20-017.)

Consider Signing Southwest Idaho Juvenile Detention Center MOA with Idaho Department of Corrections to Establish the Parameters of Housing a Juvenile Who Has Been Convicted as an Adult - The Idaho Department of Corrections will reimburse the County \$191 per day for holding a juvenile, who has been convicted as an adult, until he reaches 18 years of age. Traditionally with a blended sentence it means a minor who is convicted on an adult charge goes to the Idaho Department of Juvenile Corrections and goes through their programming but because of the nature of his crime the law doesn't allow for that traditional sentence so the Department of Corrections is contracting with the juvenile center to hold him until he is 18, which is August 26, 2020. Following questions from the Board and additional discussion, Commissioner Van Beek made a motion to sign the Southwest Idaho Juvenile Detention Center Memorandum of Understanding with the Idaho Department of Corrections to establish the parameters of housing a juvenile who has been convicted as an adult. The motion was seconded by Commissioner Dale and carried unanimously. (See Agreement No. 20-030.)

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING 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 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. Chief Civil Deputy P.A. Sam Laugheed and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:23 a.m. with no decision being called for in open session.

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

PUBLIC HEARING - APPEAL BY KENNETH SMART REGARDING AN ADDRESS CHANGE, CASE NO. RD2019-0028-APL

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of an appeal by Kenneth Smart regarding an address change, Case No. RD2019-0028-APL. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, Spillman GIS Manager Forrest Smith, GIS Technician Kyle McAllister, Ken Smart, Rojelio Nevarez, Heidi Nevarez, Francisco Odiaga, and Deputy Clerk Monica Reeves. Kenneth Smart is appealing the DSD Director's decision regarding the readdressing of his property, Parcel No. 37643, from 14167 Oasis Road to 29821 Chadwick Lane. The subject property is located approximately 1,050 feet south of Oasis Road and approximately 654 feet west of the southern terminus of Chadwick Lane, in Caldwell, Idaho. Director Nilsson gave the staff report. Oasis Road is along the county line and is managed by Gem County; it is a public road up until the subdivision boundary of Hill Ridge Estates which was recorded in 1974. Hill Ridge Road is along the northern boundary to the canal and Chadwick Lane, a private road, curves to the south at the end of Oasis Road. Ken Smart's property is not in the subdivision but he gets to his home via Chadwick Lane. From a planning perspective when dealing with street names, particularly private roads, DSD looks at any potential for new roads to pop up and intersect and in this case there really isn't any. This is about addressing and how emergency responders can get to the six lots and Mr. Smart's home. When the county renames a road it's when it changes direction. It should never have been named Hill Ridge Road. Usually when we have a continuation of a public road it's on the same alignment and there's a blue sign indicating it's switching to a private road at that point but as far as we know that was never done. As far as she knows that street name (Hill Ridge Road) has never been used and neither has Chadwick Lane. There seems to have been a "kerfuffle" where there was discussion 16 years ago and the Board decided to let sleeping dogs lie, with the caveat that with new ordinances the road name could change in the future. If the plat came in today, DSD would not have accepted Hill Ridge Road. They would have had a road users' maintenance agreement for Chadwick Lane and they would have addressed lots at that time so as permits came in that address would have been pre-determined and assigned. Today there are three homes, plus Mr. Smart's home, that are addressed to Oasis Road. It was almost like the street names on the plat never took hold for whatever reason but they are recorded street names so that is what we use when we assign addresses. This came to staff's

attention when a building permit was issued on the south side of Oasis Road and it was determined that it is not consistent with the ordinance and therefore it's not consistent with the 911 system. Director Nilsson said if people don't like Chadwick Lane and if there's remedy we can identify she doesn't want the process to get in the way of that. If we need to have a subsequent hearing to change street names on the plat that can happen too. Hill Ridge Road does not meet the ordinance, but that's not the fault of anyone here. There is an issue of additional signage that may be required and who will pay for that. There will also need to be a road users' maintenance agreement.

The following people testified in support of the appeal:

Kenneth Smart read into the record a letter he received from Tim Richards from Canyon Highway District. The public road ends at the cul-de-sac on Oasis Road, approximately 3650 feet east of El Paso Road. This portion of the roadway is maintained by the Gem County Road Department. From the cul-de-sac to the boundary of the Hill Ridge Estates Subdivision plat, approximately 980 feet, there is no public right-of-way or easement and this is currently a private road. From the mailboxes end of pavement to the beginning of the subdivision is private road which is owned by Steve Chadwick and Jackie Hansen. Within the Hill Ridge Estates Subdivision there are public rights-of-ways not maintained by the highway district and are currently being privately maintained. All the roads in the subdivision are public, but they are privately maintained. There are some errors in what this road is and what it is not. In the letter from DSD, it states the plat for Hill Ridge Estates is recorded on May 8, 1974 and includes a street name of Hill Ridge Road that runs along the north boundary of the subdivision and the name Chadwick Lane for a north/south road. According to Mr. Smart, Chadwick Lane does not run north and south, it runs directly southeast. The letter further states the official map of the Canyon Highway District system shows Oasis Road and the continuing eastern segment named Hill Ridge Road on the plat to connect the public highway under the jurisdiction of other local jurisdictions, in this case the road is under the jurisdiction of Gem County. Mr. Smart disputes that reference. He said the only part that's under Gem County is the paved section of road. It's a public road in the subdivision that is privately maintained. He said the letter states when the plat was approved no street signs for Hill Ridge Road or Chadwick Lane appear to have been installed. The current public road curves south from Oasis Road (actually curves south from Hill Ridge Road). Director Nilsson said DSD works closely with Canyon Highway District; highway districts in Idaho are required by state law to maintain an official map of their rights-of-way and the line work doesn't show Chadwick Lane which is why the county says it's a private road. She cannot account for Mr. Richards' email statement. Commissioner Van Beek asked if it will change anything if we can validate if it is a public road. Director Nilsson said the only thing it would change is we would not need a road users' maintenance agreement, but it doesn't affect the naming aspect. Mr. Smart continued reading from the letter from the Sheriff's Office which stated "Mr. Smart gains his access from Chadwick lane which is a private lane that intersects with Oasis Road", but according to Mr. Smart, that is not Oasis Road, it is Hill Ridge Road, albeit ignored it is platted as Hill Ridge Road. He said this is the second hearing on this issue and they had hoped it had been resolved because for the last 15 years nothing has changed, with the exception of one home being built. He feels the name change was done in a disrespectful manner and without any regard for his right to the appeal. He said the Canyon

County Addressing Ordinance requires all addresses be assigned based on the location of the structure in relation to the street it fronts *"or takes access from."* He questioned where those last four words came from. If they are part of the ordinance he feels DSD is using a double standard to apply the ordinance because if you look at the plat maps in the NW corner of the subdivision which fronts on Hill Ridge Road, there are two homes 14051 and 14049 – they front Hill Ridge Road and those two have not been asked to change their address. Since 1974 all of the addresses issued by DSD have been Oasis Road addresses. There has to be a reason why those other roads were ignored and Oasis Road addresses were issued. According to Mr. Smart the subdivision roads were never brought up to standards and the residents have spent thousands of dollars in gravel. Instead of making the residents change their addresses it makes more sense to make one simple change - change Chadwick Lane to Oasis Road. He spoke of the expense involved in notifying various entities of the change in addresses. He has a 15-year home business with hundreds of clients coast-to-coast which he based on his Oasis Road addresses. Collectively there are thousands of people and businesses that will require notification. There have been no facts presented that shows changing the address would improve anything. He asked the Board to do a site visit before a decision issued. Commissioner Van Beek asked Director Nilsson to talk about the process used in changing the road name. Director Nilsson said DSD sends a standard letter when assigning addresses or readdressing, and they give 30 days for the change to take effect. If that is not enough time they try to work with the residents and the post office on when that change can be effected.

Rojelio Nevarez, who has lived on Oasis Road for over 20 years said it will be a hardship if he has to change his address. In 2004 he and his neighbors received a letter about the address change and shortly thereafter they received a letter stating the Board had taken into consideration all historical and newly presented information and concluded it would be more appropriate to not change any address from Oasis Road to Chadwick Lane. Mr. Nevarez said nothing has changed since 2004 with the exception of someone adding a home to their property. Anytime the residents have needed emergency services they have been given a quick response with no issues with the address location. He is a gasoline tanker driver, with a CDL, who travels from state to state and he needs an extensive background check which can take weeks or months therefore impacting income for his family. They are a one-income family and cannot afford a delay in work.

Francisco Odiaga, who has lived on Oasis Road for quite some time, testified that he is opposed to the address change.

The following people testified in opposition to Mr. Smart's appeal:

Forrest Smith, who is an employee of the Canyon County Sheriff's Office, said when emergency services asks to change an address there is no disrespect intended. Canyon County is exploding in population and they are proposing this change because they are trying to apply a uniformed standard which lies in the ordinance that allows EMS a standard to know that when they have an address there will be an access from that road. There was an appeal in 2004 and the county left it alone, but now it's 2020 and in years from now someone else will see it's not consistent with the ordinance and we'll be here again. Mr. Smart's

property fronts Chadwick Lane, which is a platted subdivision and the two parcels to the north are not owned by him so there is no way he will have access from Oasis Road. Future development may happen and that is the standard in which they address by regardless if they live on Oasis Road or in a subdivision in the middle of a city. If your house does not front a street then when DSD makes their plat they always split it and whichever way they build that house fronting is the address they get. This is not a standard just applied to the residents of Chadwick Lane. No matter what we do here somebody's address is going to change. Chadwick Lane is the correct name because that is the platted subdivision. Letting it go again for another 16 years is not the solution. The solution is to change Mr. Smart's address to Chadwick Lane because that is the road his property fronts.

Kyle McAllister, who is an employee of the Canyon County Sheriff's Office, said formerly the parcel already had a Chadwick Lane address so if we change it back to Oasis Road that address would have to change. The numbers were already out of sequence and they were going in the opposite direction as the other part of Oasis Road so the numbers will need to change anyway in order to keep it consistent. He recommends the change be done now so that EMS responders can find it easily.

Commissioner Van Beek asked if Mr. Smart has any data on what the address change will cost him. Mr. Smart said he does not have that information, it's subjective. There is the potential for his business checks to get lost so that could be expensive. He disagrees with Forrest Smith's testimony that his property fronts Chadwick Lane. His property faces Oasis Road, not Chadwick Lane. Chadwick Lane runs south and east so all those numbers don't have to change; the only thing that has to change is the name of that road. Hill Ridge Road has been ignored forever, Chadwick Lane has been ignored for 46 years. Let's change it and make everybody's address correct, it solves the whole problem. He understands the intent is for EMS purposes but he doesn't think changing the address is going to shorten the time or distance. Mr. Smart suggests the county change the name to Oasis Road and then they will make sure everybody has their numbers at the entrance.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Dale asked about the possibility of naming it Oasis Road Extension. Director Nilsson said that would be a question for the Sheriff's Office. Commissioner Van Beek said it's more complicated than a number of address changes and there are questions she would like explored including the late exhibit from Tim Richards and information from the Sheriff's Office. There is inconvenience, but change is the constant – there is a dynamic happening in Canyon County that is enveloping many of the rural areas and people are going farther out and so in anticipation of what future growth looks like she finds support for the Sheriff's Office in wanting to have it follow a standard. She suggested there be a continuance to allow the applicant to provide a late exhibit regarding cost and to give the Board a chance to evaluate more information from emergency services and the highway district. Director Nilsson said she will clarify the status of Chadwick Lane with the Canyon Highway District. Commissioner Dale said we want things to line up for ease of location. Harvey Road going north turns into Sleepy Hollow, which eventually runs into the same alignment with Chadwick Lane, and there are anomalies like that throughout the county and cities and they need to be addressed for the life safety issues. He understands the hardship and this one deserves further discussion to come up with the

least interruptive process. Anything we do will require some process because there are some discrepancies. He proposes we gather more information from the Sheriff's office, DSD and the highway district. Commissioner Van Beek said Mr. Smart's point that a lane designation as a private road should also be included. Director Nilsson wants to work toward a solution that may not be optimal for everyone, but we start with the dispatch response and what would be needed and work from there. She doesn't want process to get in the way of a resolution that people can live with. We'll confirm with CHD, the issue of public vs private, and she will start with emergency response and see if we can explore some options there and with any conditions on the address and street names that would not allow any future addresses or other roads to come off here once she clarifies the status. Zach Wesley said based on what he's heard no one is happy with Chadwick Lane and that will require a change to the plat. Director Nilsson said when a street name in a platted subdivision is desired to be changed it does require a public hearing before the Board and then the follow up is an affidavit that is recorded by the county surveyor so that it's in public record that the name on the plat has been formally changed. She wants to coordinate with Gem County on this issue. DSD has a form and the residents can give their top three road name choices and then it's reviewed to make sure all ordinance requirements are met. They will try to work toward a solution, but it may not be optimal for everyone. If the road doesn't change we may still have an issue with house numbers. We are not just dealing with the street name, but the house numbers have to conform with the ordinance too. Commissioner Dale said the goal is to put this to bed so it doesn't resurface years from now. The present status quo will change, it has to be corrected to make it match the ordinance and we have to find out how to make that work. Director Nilsson is sympathetic to the testimony of Rogelio Nevarez because changing the address for those with a CDL is an extensive process, and in a previous case she gave them a year in recognition of the time requirement for licensing. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to February 27, 2020 at 2:00 p.m. The hearing concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JANUARY 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 9th day of June, 2020.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Pam White

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 3, 2020

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

LEGAL STAFF UPDATE AND CONSIDER SIGNING FEBRUARY 3, 2020 AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider signing the February 3, 2020 agenda items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, Lt. Ben Keyes, Facilities Director Paul Navarro, Fair Director Diana Sinner, Controller Zach Wagoner, Juvenile Detention Deputy Director Sean Brown, Field Training Coordinator Shawn Anderson, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider signing StreeTime Technologies Agreement for Services for Passpoint Equipment – Chief Dashiell gave a brief overview of the agreement which has been in place for several years, and has been reviewed by Dan Blocksom who provided some changes that were accepted by the company. It's for the eye scan equipment used in the jail for pre-trial and for SILD workers to determine if they are under the influence. This agreement reflects a name change and a slight reduction in our annual fee. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to sign the agreement with StreeTime Technologies. (Agreement No. 20-022.)

Consider Signing Southwest Idaho Juvenile Detention Center Contract with Idaho Department of Juvenile Corrections – This is a contract to hold the juveniles that are waiting for programs or for those in the observation and assessment program. Sean Brown gave a brief overview and responded to questions from the Board. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center Contract with the Idaho Department of Juvenile Corrections. (Agreement No. 20-021.)

Consider signing Agreement with Idaho Department of Parks and Recreation about Recreation Boating Safety Grant monies – Lt. Keyes reported this is a recurring grant in the amount of \$41,136, with the County's 50% match of \$20,568 which will be paid from the vessel account. The funds will be used for seasonal part-time help. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Chair to sign the agreement with the Idaho Department of

Parks and Recreation for boating safety grant monies. (See Agreement No. 20-023.) The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for December 2019 and quarterly report for October thru December 2019 in today's minutes.

MEETING WITH FAIR DIRECTOR AND FACILITIES DIRECTOR REGARDING A REVISED FUNDING REQUEST TO CALDWELL URBAN RENEWAL FOR THE FAIR EXPO PROJECT

The Board met today at 9:17 a.m. with the Fair Director and the Facilities Director regarding a revised funding request to the Caldwell Urban Renewal Agency for the Fair Expo Project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Fair Director Diana Sinner, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Navarro said they were contacted by the Caldwell URA to produce more information and they were directed to speak with city staff about widening our bridges and sidewalks, and to provide more information about the construction timelines and the funding plan for the project. In order to widen bridges and sidewalks to a 10-foot width it raised the County's requested amount from \$2.1M to \$2.4M. It was suggested that he may be asked to strike some items from the request so he and Director Sinner have identified some things they could live without. This is a \$6.6M project and the city has asked how much of the \$4.9M is in the URA request and so he and Director Sinner looked at the professional cost from the architect and there is \$700,000 in hard surface improvements (not related to the structure itself) that could be extracted from the \$4.9M. If you take the \$6.6M project and take out \$2.2 from the URA that leaves \$4.2M for the true building cost, from that we have \$2M in the bank, \$500,000 for our tiling project, the sale of the Prescott Lane property so now we are down a funding shortfall of \$2.2M. Because the donations have not yet been solidified and because they do not want to name the donors and put them on the spot, he has made mention of the potential donation of \$1.2M and that number is coming off the professional cost estimate so that drops the unfunded gap to \$1M. He was told by the Controller that they could use fund balance and there was talk about paying that loan back. He has drafted a narrative letter to the city which goes through the math, revised budget, and the construction timeline and he is seeking the Board's authorization to send it. Commissioner Dale asked where we will find the \$1M. Controller Wagoner said we have \$2M in the County fair fund. We maintain an appropriate level of fund balance in the general fund/current expense and there are some significant projects underway for capital projects, and if we were to pull \$1M from the general fund that could push fund balance to a level that's not as comfortable as we would like so we need to give consideration to replenishing or replacing it. Director Sinner spoke about how this building will generate revenue and she anticipates they will receive a lot of requests for use. Director Navarro estimates there will be savings of \$200,000 to \$300,000 by having his staff do electrical, drywall, carpentry, and painting work. Commissioner Dale asked if there is a mechanism to call it a loan from fund balance, or pay it from fund balance and have the Fair pay it back. Controller Wagoner said if the Board desires to go that direction from an

accounting standpoint they could make that work. Fair revenues were greatly noticeably higher last year than prior years and if the Fair fund generates more revenue they will need less property tax which could then go back to current expense. Commissioner White thanked Directors Navarro and Sinner for the remarkable job they are doing. Director Navarro said the request to the URA doesn't just benefit the Fair, it also benefits Gabiola Fields, Simplot Stadium and the Caldwell Night Rodeo, and it was suggested that if there are items we want to remove from our budget the city may be able to help with those shortfalls using impact fees. Sam Laugheed said the city wants assurances that what Director Navarro has referenced is coming from the Board. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize Director Navarro and Director Sinner to sign the letter to the City of Caldwell, a copy of which is on file with this day's minute entry. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR LEIGHTON LAKE ESTATES SUBDIVISION

The Board met today at 9:35am to consider the final plat for Leighton Lake Estates Subdivision; Case No. SD2019-0041. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerks Monica Reeves and Jamie Miller, applicant Trace Leighton. Jennifer Almeida reported the preliminary plat was approved on January 13, 2020, 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 and is ready for the Boards signature. Upon the motion of Commissioner Leslie Van Beek and the second by Commissioner Tom Dale the Board voted unanimously to sign the final plat for Leighton Lake Estates Subdivision; Case No. SD2019-0041. The meeting concluded at 9:37am. An audio recording is on file in the Commissioners' Office.

MEET WITH MIDDLETON MAYOR REGARDING VARIOUS IMPACT FEE PROPOSALS AND PROGRAMS

The Board met today at 10:00 a.m. for a meeting with the Mayor of Middleton regarding various impact fee proposals and programs. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Long Range Planner Kate Dahl, Middleton Mayor Steve Rule, Middleton City Clerk Becky Crofts, and Deputy Clerk Monica Reeves. Mayor Rule presented the Board with growth projections for the City of Middleton showing there are 2,740 building lots in some form of planning within the city limits, and another 2,000 outside the city limits. He is opposed to imposing impact fees for other taxing districts, such as fire districts and the Greater Middleton Parks and Recreation District, before we address impact fees for transportation, and he asked the Board to not approve those other impact fees until transportation is dealt with because it is the top priority for Middleton. Commissioner Dale said he doesn't disagree, and he said impact fees have to be collected at the point of building, you can't go back and collect them if you forgo them today.

Highway districts and fire districts are looking at what they need, they do not interact with each other. We are in a building bubble right now and if you miss that bubble you've missed it forever and so the fire districts want to collect fees as the bubble is going. He doesn't think the fees conflict with each other. Mayor Rule said he is not opposed to the other impact fees, but he wants to first get through the transportation study being done by Canyon Highway District because it will muddy the waters if there is a request for \$3,000- \$4,000 in impact fees and then the city says they need \$6,000 in transportation fees for the same area. (Commissioner Dale left at 10:27 a.m. to attend another meeting.) Director Nilsson said she will be working with COMPASS in the spring to allocate the 2050 forecast, and the Canyon County jurisdictions want to work together to make sure that growth gets assigned. The Board has formed an impact fee advisory committee and Zach Wagoner will serve as the impact fee administrator, and there are nine committee members and many of them are from the Middleton area; when Canyon Highway District met with the Board they were asked to nominate members because that impact fee committee will also be serving as the advisory committee eventually for Canyon Highway District. She said we have to adopt the CIP's, which is scheduled for February 20th, and then it will go to the Board, but first Zach Wesley from the Prosecutor's Office will develop the agreements and the ordinance. Each taxing district will have its own agreement and each fee is based on a very specific capital list of projects in the growth-related portion of that. If we don't do the fee for the fire district that would be \$1.5 million not collected for fire districts. She's understands Mayor Rule's point, but the question is if we don't do it the taxpayers will have to make up the difference. Commissioner White said because Middleton has its CIP, why could the city not become a part of that and start collecting the impact fees for transportation? Mayor Rule said it's more about being afraid that the impact fees will be too much and it could chase them out of Middleton's market. He's not against the other impact fees for fire and parks, but he believes transportation impact fees should be done first and then see what would be accepted by the market after that. We need to get everyone together and decide what the fees should be. His choice would have been to wait for Hiddleston study to be done and then do it all at once. Director Nilsson will work with Becky Crofts and prepare a document showing local comparisons of what jurisdictions are charging for impact fees. Mayor Rule would like more information on when the County's impact fee advisory committee will meet. Director Nilsson said she spoke to Zach Wagoner about getting a meeting now that the feasibility study is done. No Board action was taken, the meeting was held for discussion purposes only. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 4, 2020

PRESENT: Commissioner Pam White, Chair - out of office
Commissioner Tom Dale, Vice Chairman – IAC Conference
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 Lisa Sheehan.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 5, 2020

PRESENT: Commissioner Pam White, Chair - out of office
Commissioner Tom Dale, Vice Chairman – IAC Conference
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 6, 2020

PRESENT: Commissioner Pam White, Chair - out of office
Commissioner Tom Dale, Vice Chairman – IAC Conference
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 7, 2020

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

APPROVED CLAIMS ORDER NO. 2/10/20

The Board of Commissioners approved payment of County claims in the amount of \$9898.00, \$25,527.14, \$86,191.20, \$23,864.56, \$122,647.88, \$128,796.14, \$3404.34, \$363,805.60 and \$4796.01 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Canine Tactical Operations in the amount of \$1190.00 for the Sheriff's Office
- Utility Truck Equipment in the amount of \$4546.00 for the Fleet department
- Ace Hotel in the amount of \$1423.48 for the Information Technology department
- HP, Inc. in the amount of \$2146.00 for the Information Technology department
- Motorola Solutions in the amount of \$27,848.01 for the Juvenile Probation department
- Norbryhn Equipment in the amount of \$4455.00 for the Facilities department

LEGAL STAFF UPDATE AND CONSIDER FEBRUARY 7, 2020 ACTION ITEMS

The Board met today at 9:03 a.m. for a legal staff update and to consider the February 7, 2020 action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Elections Supervisor Haley Hicks, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 9:05 a.m. The items were considered as follows:

Consider signing resolution designating polling locations for the March 10, 2020 Election - Haley Hicks reported on the polling locations noting that this list should be the final one, unless an organization tells them they cannot use their facility. Staff is thankful the LDS churches have stepped up and allowed the County to use their locations. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution designating polling locations as articulated by Ms. Hicks for the March 10, 2020 Election. Clerk Yamamoto said this is not perfect but it is the best they have ever had. His biggest concern is with the Nampa Civic Center because when they have a night event scheduled on Election Day it's an issue, so we have worked out an arrangement where if they do have an event the civic center will cordon off parking for Election Day voting and the Clerk will provide a parking attendant. (See Resolution No. 20-010.) The Clerk gave an update on the election equipment and the testing that's occurred. They have over 1,000 pieces of equipment stored in the office. Hart is partnered with No Ink on poll pad stuff, part of that is due to changes with SOS office. He also reported on the recent IAC conference which he found to be well organized and most substantive conference he's attended as there was important information shared related to election issues, Medicaid expansion, and property tax reform. Discussion ensued regarding the potential impacts to counties.

Consider signing rural landscape and agricultural resources survey consultant services agreement with Stevens Historical Research Associates – Parks Director Nicki Schwend applied for a grant and was awarded \$13,000. The County went through an RFP process and received two proposals and the Board selected a contractor out of the two based on Director Schwend's recommendation. This is the contract with Stevens Historical Research Associates who put together a survey of agricultural and natural and historic resources in the County, historic ones, that will be compiled into a final report. The work is capped at the amount of the grant, which is \$13,000. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the rural landscape and agricultural resources survey consultant services agreement with Stevens Historical Research Associates. (See Agreement No. 20-024.)

Consider signing a resolution to make appointments to the County Historic Preservation Commission - The resolution appoints Bruce Poe to a two-year term, Zach Wesley to a one-year term, and Julie McCoy to a one-year term. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution making appointments to the Canyon County Historic Preservation Commission. (See Resolution No. 20-011.)

EXECUTIVE SESSION – DISCUSS A PERSONNEL MATTER; 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

At 9:34 a.m. Commissioner Dale made a motion to go into Executive Session pursuant to Idaho Code 74-206(1)(b), (d), (f), and (i) to discuss a personnel matter; 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 Van Beek. 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 Monica Reeves. Chief Dashiell arrived at 9:32 a.m. and left at 9:39 a.m. The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

The Board directed staff to schedule the official appointment of Sean Brown to serve as the Director of the Juvenile Detention Center. The meeting concluded at 9:42 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.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 10, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Commercial Electronics in the amount of \$42,675.85 for the Sheriff's Office
- Police Training Consultants in the amount of \$1,100.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 2/13/20

The Board of Commissioners approved payment of County claims in the amount of \$248.50 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerks Jenen Ross and Monica Reeves. Commissioner Pam White arrived at 8:34 a.m. The Board reviewed its upcoming schedule with staff. Due to the Board being invited to attend the legislative session during the morning of February 11, 2020 staff was directed to reschedule the meetings set for the morning of February 11th. There was discussion about the logistics for the upcoming reception following the City of Caldwell's tour of Pod 6 which is tentatively set for February 21st. 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 8:59 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, Sgt. Rob Whitney, Deputy P.A. Dan Blocksom (arrived at 9:04 a.m. and left at 9:05 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing contract with Commercial Electronics Corp. for HigherGround Voice Recording System: Chief Dashiell spoke about how a grant was awarded for the purchase of the equipment and that Mr. Blocksom was able to get the contract to a level everyone is comfortable with. The cost of the equipment is \$42,675 which is also the amount of the grant. The current equipment is at end-of-life and needs to be updated. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the contract with Commercial Electronics Corp. for HigherGround Voice Recording system (see agreement no. 20-025).

Consider signing a resolution appointing Scott Robinson to the Canyon County Mosquito Abatement District Board of Trustees: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing Scott Robinson to the Canyon County Mosquito Abatement District Board of Trustees (see resolution no. 20-012).

The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:32 a.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 and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following:

Budget and personnel: Currently her department is at 34% of budget, expenses are pretty low and everything is tracking as it should. She spoke about the PowerPlan training that recently took place and the budgeting process. She noted that some DAs have expressed wanting to meet with the Board prior to meeting with the Clerk and Controller as is currently done, however, she doesn't feel that's necessary for her and she is okay with how the process works. Dianna Dyas will be retiring at the end of the month although she may stay on temporarily to help with training. The position will be open for a week for internal candidates. She has spoken with Director Baumgart and Controller Wagoner to reclassify the position but they would like to do it as part of the budget process. This is the last position in DSD that needs revision. They also have a posting for the part-time code enforcement position. The vacant mechanical inspector position has been filled as well as the vacant planner position. She may look for a part-time temporary person for scanning catch-up.

Comprehensive Plan - surveys and open houses: Two surveys are out right now, one for agriculture and one for small town. So far about 100 responses have been received for agriculture and over 500 for small town. Director Nilsson gave a brief review of what they're seeing in the responses. Three open houses are coming up with the first one being tonight, and then this Thursday and next Thursday. Commissioner Dale suggested having one in the Melba area.

Planning & Zoning Commission: Last Thursday they requested a joint meeting with the Board to review the survey results and Director Nilsson prepared a spreadsheet to show comparison of P&Z decisions vs. Board decisions. She would like to do an evening meeting with food brought in. Commissioner Dale said he can't do Monday or Thursday evenings. Commissioner Van Beek thought a Tuesday evening would be good. The meeting will be planned for March or April after the surveys close.

Commissioner Van Beek asked what the reclassification of the Lead Admin Specialist looks like. Director Nilsson said she didn't know for sure but would need to work more with the Controller. There is a position in the Assessor's Office that works for what she needs so she may look into using that job description.

The meeting with Jeff Barnes and Tom Points regarding vehicle registration fees that was scheduled for tomorrow will be rescheduled due to lack of quorum. She will forward the PowerPoint presentation to the Board for review. She said an increased fee would be used for local road improvements.

A discussion was had regarding an email received about a potential code violation at Red Hawk Subdivision. Director Nilsson said code enforcement has been out there but not found any violations. In response to a question from Commissioner Van Beek, she said that she hasn't heard anything recently from Kim Yanecko but believes she has been working thru the state.

The meeting concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – TO CONSIDER THE PRELIMINARY APPROVAL OF THE APPEAL FILED BY WAT IDAHOPHAXAIYARAAM FOR A CONDITIONAL USE PERMIT

The Board met today at 10:02 a.m. to consider the preliminary approval of the appeal filed by Wat IdahoPhaxaiyaraam, Inc., for a conditional use permit to allow a church use on Parcel No. R22926. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Director Tricia Nilsson, DSD Planner Dan Lister, Attorney Laird Lucas, Architect Bruce Poe, other interested persons, and Deputy Clerk Monica Reeves. The

Board held hearings on December 12 and December 20, 2019 and the appeal was approved by a two-to-one vote with Commissioners White and Dale voting in favor and Commissioner Van Beek voting in opposition. Because the Board made a material change to the P&Z Commission's decision to deny, a subsequent hearing was held today. Dan Lister provided the Board with draft Findings of Fact, Conclusions of Law, Conditions of Approval, and Order (FCCO's) which demonstrated the testimony and decisions made at the underlying hearings. Most of the conditions of approval were recommended in the previous draft FCCO's, but staff did add one extra condition, Condition No. 13 which states: *During outdoor events, such as those scheduled for the religious holidays listed in Attachment B, all amplified sound shall cease at 6:00 p.m. After 6:00 p.m. noise generated by the event shall not exceed 65 decibels at the property line.* According to Mr. Lister the applicant is agreeable to the conditions. Commissioner Van Beek had questions regarding the decibel reading before 6:00 p.m., the apron, and the history of noncompliance associated with this use. Staff responded with how the issues will be addressed through conditions. Laird Lucas, the attorney representing the applicants in a pro bono capacity, noted that Architect Bruce Poe is also present in a pro bono capacity. The applicants have reviewed the conditions of approval and they agree to them. The temple wants to be good neighbors and they've heard the concerns about the sound. He said the 65 decibel limit, which is about the level of human speech, is pretty quiet at the property line, but the temple representatives said it won't be a problem. Any event they have on the weekend will be done by that time and they will turn down the sound during the events, they hope to have no further complaints. They accept all conditions although the concern is they don't quite understand the timing because 60 days after the CUP is approved they have to get the building permit, but what if the agencies take longer? In order to pave the access they will need the asphalt batch plants to be open and they don't typically open until April, depending on weather. There may be some issues with timing but they will do all they can to comply with the time limits but if there are things they cannot control they hope there will be some flexibility. Commissioner Dale asked staff about the timeline for obtaining permits. Director Nilsson said they have to get their building plans submitted and go through plan review and obtain a permit within 60 days and then inspections come after that. Bruce Poe testified there is a company they purchased an open air structure from and that company has their own structural engineers who will be involved in the process to make sure it's anchored properly. Mr. Poe will meet with their structural engineer and then he will submit the plan to the building department for review and then the permit will be issued. In response to further questions about timelines, Mr. Lister said they will need to get their permit and it will establish if there has to be a paved apron, and usually the paved apron needs to come in at the time of occupancy. As long as they get the permit and establish when they need to do it then staff can add it as condition of the building permit to make sure they do it before they get their final. There is no reason it cannot be done within 60 days. 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 conditions we asked for at the previous hearing have been added to this agreement and agreed to by the applicant. The primary concerns were traffic and noise complaints. The highway district said it's not a problem, however, the entrance/exit is a problem and the safety of that will be addressed through the apron. The conditions in the FCCO's address the noise issue and the applicant has demonstrated they are sensitive to that and they are aware that if the conditions are not met the permit can be revoked. Commissioner Van Beek sees the long

term effects as incompatible and she thinks the opponents raised good questions and were supported, in some measure, by the continued statement that the drinking water supply is temporary and at some point that will have to be addressed if there's growth in the area. The P&Z Commission voted unanimously to deny this request and that bears looking at, coupled with the statements by the neighbors and the noncompliance by the applicant. She believes the neighbors are negatively impacted in this case and even with the conditions outlined she is not able to overcome her concerns, therefore she will not approve it. Commissioner Dale made a motion to authorize the Board to approve the request by Wat Idahophaxaiyaraam, Inc., for a CUP, Case No. PH2016-51-APL, and to sign the FCCO's as provided by staff. 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. The hearing concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:33 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Southworth, Assistant Trial Court Administrator Benita Miller and Deputy Clerk Jenen Ross. Judge Southworth and Ms. Miller discussed the following items with the Board:

- Odyssey will be installing some upgrades in April and May so Raena Bull will be helping with some of that training.
- Judge Southworth gave a review of things he's been doing since he has been in this position.
- Discussion regarding how the Medicaid expansion is going to greatly reduce the cost of treatment for treatment court. About 60% of the participants in the treatment courts are eligible for the Medicaid expansion.
- Doug Tyler met with Director Navarro last week about benches on the 2nd floor courtrooms being remodeled.
- Commissioner Van Beek asked about cameras in the courtrooms. Judge Southworth said there was a big push at the administrative conference about courthouse security. Judge Orr thought she'd want a security camera in her courtroom but he's spoken with other judges and some would prefer not to have them.
- They are going to be requesting a new magistrate judge for FY2022. If a new judge is approved there would be some cost to the county for an in-court clerk and support costs. Commissioner Dale asked, with the addition of another magistrate, would that require another marshal? Judge Southworth said that would have to be assessed and Ms. Miller believes it would need to be assessed by the Chief Judicial Marshal in conjunction with Judge Southworth and Mr. Tyler. Commissioner White confirmed that every courtroom does have a panic button. Judge Southworth said they try to keep at least one marshal on the east and west end of every floor where there are

courtrooms. Commissioner Dale suggested having a light outside of the courtrooms for identifying purposes. Judge Southworth understands the Board is looking for a new Security Director and thinks maybe this is something that could be discussed with that person. Ms. Miller said that Deputy Judicial Marshal Wes Musser could come speak to the Board on some of the training he's had. Commissioner Van Beek thought that might be a really great idea to have Mr. Musser attend a meeting to talk more about response times and the network being spoken about so that there is some preparation. Commissioner Dale believes that training scenarios are valuable and need to be done on a regular basis. Commissioner Van Beek asked if there is a need for the marshals to be deputized by the Sheriff. Judge Southworth spoke about how some counties put the court marshals under the Sheriff's Office and some don't. He doesn't know about an actual need for it, he thinks they have authority in the courthouse to do arrests but he doesn't know about outside the courthouse that they really need authority for arrests and/or peace keeping authority. Commissioner Van Beek said she is trying to define where their role starts and stops. Her understanding is that the marshal's jurisdiction goes to the hallway and pursuit. Judge Southworth said their priority is safety in the courtroom and the participants. If someone were to take off from a courtroom and make it to the hallway or downstairs they aren't going to chase after them. Ms. Miller believes Mr. Musser could best speak to this particular subject. The judge and Ms. Miller think it would be beneficial if there was a meeting with Mr. Musser to make sure that if there isn't a written procedure that one should be developed. The Board agrees that it's a great idea to make sure a written procedure is in place. Commissioner Dale said there have been meetings with the courts and meetings with the Sheriff's Office but doesn't think there has been a meeting with the two groups together to really work thru the issues. He said there has been communication from the Sheriff's Office that the Sheriff doesn't want to deputize the marshals/bailiffs although Ms. Miller doesn't believe they are asking to be deputized. Commissioner Dale thinks it would be good to have everyone in the same room so everyone is talking about the same thing at the same time. Commissioner Van Beek would like to see a meeting with representatives from the court such as Mr. Tyler, Ms. Miller, Mr. Musser, among others – Commissioner Dale agrees so that ground rules can be set to keep it moving forward. Commissioner Van Beek spoke about how it would be helpful to get everyone on the same page and how the Board needs to know what that structure looks like for the new Security Director so that they're clear about the roles and expectations. Commissioner Dale spoke about how in order to make sure everything is uniform and equal everyone needs to be together when those discussions are being had. Judge Southworth said either way there needs to be a written policy as to what they should and shouldn't do. Commissioner Dale believes some of the issues could be resolved in executive session. Commissioners Dale and Van Beek both agree that it could clear up the misconceptions that have existed. Ms. Miller said she would work with the Commissioners' staff to coordinate a meeting to potentially invite the Sheriff to a meeting with the courts. Commissioner Van Beek

said there is a section that would be good to review, the bailiff/marshal section in the Triad report, if there are questions after reading that, that's what needs to be talked about.

- Judge Southworth and Ms. Miller feel they need to talk with the compensation committee regarding their administrative staff. Judge Southworth has instructed the administrative assistants to prepare job descriptions on everything they've done. He thinks their classification should probably be raised thru the compensation committee and it's something he'd like to do. He said they really don't have a voice on that committee. He would like to see them compensated in relation to the Prosecutors Office or the Public Defenders department as he feels they are somewhat below that. Ms. Miller said they did job descriptions some time ago but she doesn't know which one is being used. She doesn't know where they are in relation to the PA, PD or Clerk's salaries. These positions are hired, fired and managed under the courts. Ms. Miller said they just want to have a conversation to know where they are ranked at, what is their classification, what is their equal. Commissioner Van Beek suggested that Ms. Miller get a copy of the job description for an LSS in the PD's office to see how it lines up with what their admins are doing. They are considered county employees although the county doesn't hire or fire these employees which is part of the issue.
- Discussion was had regarding the importance of staff attorneys.

The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS EMPLOYEE EVALUATION SYSTEM

The Board met today at 3:01 p.m. to discuss the employee evaluation system. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Following brief comments the Board determined it should convene into Executive Session to discuss the content of the Survey Monkey results as follows:

EXECUTIVE SESSION – DISCUSS A PERSONNEL MATTER

Commissioner Van Beek made a motion to go into Executive Session at 3:02 p.m. pursuant to Idaho Code, Section 74-206(1) (b) to discuss a personnel matter. 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, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:52 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.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 11, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BODE Technology in the amount of \$1740.00 for the Sheriff's Office
- ADS in the amount of \$4249.35 for the Sheriff's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/7/20 for the Isaac wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/14/20 for the Dishon wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/20/20 for the Buffaloe wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/21/20 for the Smith wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/28/20 for the Perkins wedding.

MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER AN ACTION ITEM

The Board met today at 2:05 p.m. with the Parks Director 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, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Amendment No. 1 to the Canyon County Historic Preservation Support Award agreement No. 18-195: Mr. Wesley explained that the Caldwell Historical Society has requested a change to their project. They'd originally wanted to do 3 concrete pads but realized they really could only do 2 plus being able to provide the ADA accommodations. This agreement gives them a one year extension. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign amendment no. 1 to the Canyon County Historic Preservation Support Award agreement no. 18-195 (see agreement no. 20-026).

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

- New staff members update and staffing of the Interpretative Specialist for the spring field trips
- Fieldtrip workbook updates
- Bus scholarship recipients for spring 2020
- IT Staff retreat at Lake Lowell
- Idaho Department of Parks and Recreation Celebration Park East End RV Camping grant application: this is a \$440,000 reimbursement grant with a 5% (approx. \$25K) match
- Discussion regarding the necessity of cameras at Celebration Park, specifically cameras to capture license plates coming in and out of the park
- Canoe Science Camp \$10K grant award; they may look into charging a fee for the program this year
- Lake Lowell fishing dock rehabilitation done by an Eagle Scout group
- Another Eagle Scout project was done at the gun range in putting up a fence as required by the original CUP
- Lake Lowell Story Trail landscape reset; a PO for about \$4000 will be coming thru in order to put some fencing up
- Historic Preservation Commission grant workshop will be held tonight
- Archiving the Past for the Future workshops happening February 8, 15 and 22 which is a project from the Historic Preservation Commission
- William Nance Artifact donations have been received
- Director Schwend will be working with Director Rast for increased internet connection – currently they are using CenturyLink but they have no intention of expanding in that area. One of the greatest needs is cameras. Commissioner Dale indicated to Director Schwend that she doesn't necessarily need to wait for a Security Director to come on board, she can work directly with IT and Facilities. Commissioner

Van Beek spoke about previous conversations she'd had about integration of IT, Facilities and the Security department

- Dormitory update: floors, bathrooms, kitchen cabinets, countertops and appliances and water quality testing are all been done. Director Schwend spoke about how once the dorms are a known facility they could potentially pay for staff to manage them
- The Lake Lowell office remodel could be coming quickly and spoke about how her and staff will adapt
- A brief conversation was had about potential gravel operations in the area of Celebration Park. Director Schwend spoke about how historic preservation needs to be more integrated with DSD. Commissioners Dale and White suggested Ms. Schwend also work with legal

The meeting concluded at 3:18 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE SIGNING OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER AND CONDITIONS OF APPROVAL FOR DENIAL OF AN APPEAL FROM WILD ROSE LANE & TWO TOWERS SUBDIVISION HOMEOWNERS ASSOCIATION; CASE NO. APL-CU2019-0019 REGARDING THE COPE SAND AND GRAVEL REQUEST FOR A C.U.P.

The Board met today at 3:19 p.m. to continue the signing of the FCCOs for denial of an appeal from Wild Rose Lane & Two Towers Subdivision Homeowners Association; case no. APL-CU2019-0019 regarding the Cope Sand and Gravel request for a CUP. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. A discussion was had about an email that was received requesting the rescheduled date be changed due to scheduling conflicts of the representatives and neighbors. This meeting was scheduled for 10:00 a.m. today but was vacated due to a majority of the Board attending the legislative session this morning. After the discussion the consensus of a majority of the Board is to keep the meeting on February 13, 2020 at 1:30 p.m. as agendized. The meeting concluded at 3:29 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 12, 2020

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

No meetings were held today.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 13, 2020

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

APPROVED CLAIMS ORDER NO. 2010

The Board of Commissioners approved payment of County claims in the amount of \$1,739,167.20 for a County payroll.

APPROVED CLAIMS ORDER NO. 2/13/20

The Board of Commissioners approved payment of County claims in the amount of \$8313.50 for accounts payable.

APPROVED CLAIMS ORDER NO. 2/25/20

The Board of Commissioners approved payment of County claims in the amount of \$51,253.98, \$96,247.06, \$71,888.86 and \$32,133.60 and \$39,734.05 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ConvergeOne in the amount of \$23,882.03 for the Information Technology department
- Curtis Blue Line in the amount of \$4158.00 for the Sheriff's Office
- Grainger in the amount of \$3320.45 for the Facilities 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: 2020-0357, 2020-0320, 2020-0465, 2020-332, 2020-360, 2020-359, 2020-330, 2020-326, 2020-305, 2020-325, 2020-358, 2020-256, 2020-328, 2020-327 and 2020-291. 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 White made a motion to place case no. 2019-1446 into suspension. 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. 2020-1.

Commissioner Dale made a motion to continue case nos. 2020-61 and 2020-9 to March 12, 2020. 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.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-88

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2020-88. 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, Timothy Ryan for St. Alphonsus, Applicant and mother 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 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-61

The Board met today at 9:15 a.m. to conduct a medical indigency hearing for case no. 2020-61. 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, Applicant and her brother and Deputy Clerk Jenen Ross. Prior to testimony Commissioner Van Beek made an amended motion to rescind the earlier motion to continue this case to March 12, 2020 and to hear it today instead (see minutes to 'Consider Indigent Decisions'). The motion was seconded by Commissioner Dale and carried unanimously. At the conclusion of testimony Commissioner

Van Beek made a motion to continue the case March 12, 2020. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:36 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-70

The Board met today at 9:42 a.m. to conduct a medical indigency hearing for case no. 2020-70. 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, Timothy Ryan for St. Alphonsus, 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. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-2

The Board met today at 10:00 a.m. to conduct a medical indigency hearing for case no. 2020-2. 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, Timothy Ryan 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 approve the case. The hearing concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:08 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2019-1454, 2020-19 and 2020-104. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials for the cases as read into the record. The meeting concluded at 10:09 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 10:19 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 10:20 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 PA Zach Wesley, DSD Director Tricia Nilsson, Chief Deputy PA Sam Laugheed, Prosecutor Bryan Taylor and Deputy Clerk Jenen Ross. Mr. Taylor and Mr. Laugheed arrived at 10:25 a.m. and Mr. Wesley and Ms. Nilsson left at 11:08 a.m. The Executive Session concluded at 11:18 a.m. with no decision being called for in open session.

CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW, CONDITONS OF APPROVAL, AND ORDER IN THE MATTER OF THE APPEAL FILED BY ROBERT TURNER REPRESENTING THE WILD ROSE LANE HOA AND THE TWO TOWERS SUBDIVSION HOA, REGARDING THE C.UP. THAT WAS GRANTED TO COPE SAND AND GRAVEL, CASE NO. APL-CU2019-0019

The Board met today at 1:30 p.m. to consider the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order (FCCO's) in the matter of the appeal filed by Robert Turner representing the Wild Rose Subdivision HOA and the Two Towers Subdivision HOA, regarding the Conditional Use Permit (CUP) that was granted to Cope Sand and Gravel, Case No. APL-CU2019-0019. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Dan Lister, JoAnn Butler, Brett Cope, Paul Cope, Ed Wofford, Claudia Frent, Other interested citizens, and Deputy Clerk Monica Reeves. The appeal by Mr. Turner was denied on January 29, 2020 by a two-to-one vote with Commissioners White and Dale voting in favor and Commissioner Van Beek voting in opposition to the motion. The signing of the FCCO's was rescheduled for February 11, 2020 to allow time for staff to prepare the conditions, but because a quorum was not present on February 11th, the matter was continued to today, February 13, 2020. The Board reviewed the proposed conditions as follows:

Conditions **of** **Approval**

1. Applicant, Cope Sand and Gravel, shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the site and use.

2. Diesel fuel and petroleum products will be stored and handled in accordance with IDOT and Federal DOT, OSHA, DEQ, EPA, MSHA standards and as described in the Spill Prevention Plan developed for the site.
3. No toxic, hazardous materials, or explosives in violation of applicable laws will be stored on site or used in the operation of the site.
4. Vehicles entering or exiting the site will use the existing access from Lake Lowell Avenue on the existing Cope Sand & Gravel site. Access to the public highway system for truck trips leaving the existing Cope Sand & Gravel site will be limited to travelling eastbound on Lake Lowell Avenue. The Applicant, Cope Sand and Gravel, shall obtain an access permit from Canyon Highway District #4 prior to commencing the use.
5. Appropriate facilities shall be provided for the purpose of disposing of human generated waste water in accordance with Southwest District Health requirements.
6. Applicant, Cope Sand and Gravel, shall comply a Reclamation Plan as approved by the Idaho Department of Lands. The Applicant, Cope Sand and Gravel, shall provide Canyon County Development Services Department with copies of the approved Reclamation Plan and any required bonds prior to the commencement of operation on the site.
7. This conditional use permit shall terminate ten (10) years from the date of the issuance of these Findings of Fact, Conclusions of Law and Order signed by the Board of County Commissioners of Canyon County.
8. Normal day-to-day business hours for the gravel extraction on the site shall be Monday through Friday, 7:00 a.m. to 6:00 p.m., and Saturday from 7:00 a.m. to 1:00 p.m. Equipment maintenance and repair shall be done during these business hours, Monday through Friday.
9. The Applicant, Cope Sand and Gravel, shall control dust emissions on the site and comply with DEQ's best management practices (BMP) for dust control. Mister(s) will be installed over the extraction and loading areas to reduce dust. The Applicant shall take steps to remedy dust emissions such as watering the work areas until dust emissions can be prevented.
10. Noise emissions shall follow the regulations and standards of OSHA and/or MSHA. Motion sensor backup alarms will be used whenever safely possible to eliminate unnecessary noise.

11. Development shall not impede, disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way.
12. The Applicant, Cope Sand and Gravel, shall ensure the use will maintain a buffer from transmission towers and overhead transmission lines. The buffer shall be approved by Idaho Power prior to commencement of expansion.
13. A landscaped buffer shall be constructed along the perimeter of the existing Cope Sand and Gravel site along Lake Lowell Avenue and Midway Road consistent with the submitted Landscape Plan (Attachment C). The landscape buffer shall be installed prior to the commencement of mineral extraction on Parcel R33106. The landscape buffer shall be maintained in good condition.
14. Existing trees along Thacker Lateral shall be maintained as visual buffers from Lake Lowell Avenue.
15. The depth of the gravel operation shall not exceed 70 feet from the grade of the Proposed Facility after the removal of topsoil and overburden
16. The crusher on the existing Cope Sand & Gravel site (Parcel R33107010) shall not be located closer than 300 feet east of Parcel R33106. Crushing is prohibited on parcel R33106.
17. Applicant, Cope Sand and Gravel, shall provide an annual report to the County's Development Services Department summarizing the Applicant's efforts to maintain compliance with applicable federal and state laws and any interactions with such supervising agencies. In the report the Applicant shall describe any notice of violation of state or federal law from a supervising agency and Applicant's effort to remedy the alleged violation.
18. Mineral extraction on Parcel R33106 shall cease and desist upon notice of violation of these conditions pursuant to CCZO § 07-07-21, as amended. Mineral extraction may continue on Parcel R33106 pending the public hearing upon determination of the County's Development Services Director that the alleged violation has been remedied or that the violation does not impact health and safety.
19. This conditional use permit may not be transferred by the Applicant, Cope Sand and Gravel, to any other party.

Commissioner Van Beek asked if Condition #15, regarding the depth of the gravel pit, applies only to the new 12-acre parcel. Mr. Lister confirmed that it is only for the 12-acre parcel. Commissioner Van Beek asked if the Board will have the opportunity to hear any complaints or notice of violations. Director Nilsson said we would process it as required by the

ordinance for what the violation is. If it's related to this permit that's one thing versus anything else for the property, but if there was an egregious violation then there is a requirement to have a notice of revocation hearing. Commissioner Van Beek appreciates that the CUP is not transferrable (Condition #19). Commissioner White likes Conditions #13 and #14, noting that a landscape buffer shall be constructed along the perimeter along the existing site - Lake Lowell Avenue and Midway Road - consistent with the submitted landscape plan and that the landscape buffer shall be installed prior to the commencement of mineral extraction on Parcel R33106 and maintained in good condition. The existing trees along the Thacker Lateral shall be maintained as visual buffers from Lake Lowell Avenue. Commissioner Dale said we acknowledge that a sand and gravel operation creates some challenges and we're trying to mitigate those as much as possible so there can be co-existence and he believes Condition #12 is important because it states they shall ensure the use will maintain a buffer from transmission towers and overhead transmission lines, and it has to be approved by Idaho Power. At the hearing there were comments asking if there would be "teeth" in the ordinance and the CUP, and Condition #18 makes it very clear that upon notice of a violation that notice is from DSD, code enforcement, and it's noticed that all operations cease at that point until that violation is remedied. The landscaping plan in the previous CUP didn't say much about what's happening along Midway Road, it was focused on Lake Lowell Avenue but this talks about and the landscape plan we saw which includes an attractive landscape berm on both of those roadways. Commissioner Van Beek said the May 9, 2018, the decision predates her time in office, but she's read the information and notes that a lot of the pieces were in motion before she had any decision-making or input. The Board made suggestions at that time and applicants came back with a reduction in the size of the request, but there could be sequential applications should they maintain properties rights on that ground that could extend it to more than 30 years. She heard there was some objection to the way it was maintained and understanding there were no stringent requirements to do other than what was provided out there. Staff has done a good job and there's been good presentation on both sides. When we're talking about the comprehensive plan there are about half of those policies that could be argued in favor of the opposition. There is a reference to decision made by "*the Board*" but it's important to note that it's a majority of the Board. She appreciates the work that's been done - there are lot of good findings of fact, conclusions of law and order, but it's not going to be enough for her to overcome her previous decision. Commissioner White said regardless of whether it says a majority of the Board or a minority of the Board, when a decision is made by the Board it's a decision of the Board. Commissioner Dale said it's been a multi-year process and the people who have stood in opposition to this action have always been reasonable and brought forth really good ideas and we have tried to include those ideas and comments into the conditions of approval. He complimented the Copes and said this a far different application than what initially came before the Board a couple of years ago and it puts a lot of monetary obligation on them before they can extract gravel from the site. The landscape will be in place before they are allowed to take one scoop of gravel out of the new 10 acres. We will be watching this on behalf of the citizens to make sure these conditions are followed and we've got some teeth into this that we did not have when that agreement was made in 2002. He thinks we have a much better agreement here as far as protection for the residents. Commissioner Dale made a motion to sign the findings of fact, conclusions of law, conditions of approval and order. The motion was seconded by Commissioner White. Dan Lister said the landscaping

condition has an Attachment C and it will need to be attached to the FCCO's. Commissioner Dale said it's important to note there will be no crushing operations on this new ground and that is part of the agreement that the crusher remain where it's at. Commissioner Van Beek was opposed to the motion. The motion carried by a two-to-one split vote. The signed document is on file with this day's minutes. The meeting concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 14, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
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):

- Master Environmental in the amount of \$4560.00 for the Solid Waste department

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Gary Lee Brower.

APPROVED CLAIMS ORDER NO. 2/14/20

The Board of Commissioners approved payment of County claims in the amount of \$2,250,000.00 and \$27,178.27 for accounts payable.

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

The Board met today at 8:31 a.m. with the Director of Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. The Board was updated on the following items:

- Direct Rast spoke about a scanning report for 2017-2020 which provides an outline of the number of documents scanned for each office and how the cost equates. It also justifies how the scanning position has paid for itself as he indicated it would when

he requested the position. Currently scanning is being done for HR and Auditing. A copy of this report is on file with this day's minutes.

- IT has met with Elections regarding the new equipment. There is a secure wireless access point used for transmitting to the State; IT has segregated that access point so no other county traffic will be using the same access point as the poll pads/books. They will be tagging all the hard cases to add to the asset management system so there will be tracking of the equipment.
- IT will be writing an application that links the systems between DSD and the Assessor's Office so that when the Assessor's staff looks up a parcel, they will be able to see if there are any building permits attached.
- In regard to security they are considering moving to a pass-phase that is at least 15 characters and needs to be reset every 6 months vs. every 90 days with the current password system. Director Rast said this could be implemented immediately. He would like to attend an EO meeting to get thoughts from the other elected officials.
- Phase 2 of 6 of the Microsoft audit has been completed.
- Commissioner White asked if Director Schwend had reached out to ask about cameras at Celebration Park. Director Rast said he hadn't heard from her but would reach out to her; he also noted that he is going to be working with Superintendent Mondor about cameras at Weed and Pest but they can't do that until the fiber circuit is working out there.

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 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 Tom Dale, Deputy Clerks Monica Reeves and Jamie Miller left at 9:10 a.m., Chief Deputy PA Sam Laugheed, Deputy PA Brad Goodsell left at 9:13 a.m., Chief Deputy Treasurer Jennifer Mercado left at 9:13 a.m., Deputy Treasurer Tara Lehman left at 9:13 a.m., Facilities Director Paul Navarro left at 9:11 a.m., Assistant Facilities Director Rick Britton left at 9:11 a.m., HR Generalist Demi Etheridge arrived at 9:06 a.m. and left at 9:23 a.m., Assessor Brian Stender and Chief Deputy Assessor Joe Cox arrived at 9:06 a.m., Lt. Colonel Benjamin Cook left at 9:10 a.m. and Deputy Clerk Jenen Ross.

Prior to the start of the meeting with county attorneys and consideration of the action items Lt. Colonel Benjamin Cook recognized Commissioner Dale as an honorary Battalion Commander.

Consider signing resolution authorizing transfer of excess sale proceeds to parties in interest and to the State Treasurer pursuant to Idaho Code § 31-808: Mr. Goodsell explained this is the final step in the tax deed process. After the auction there were excess proceeds on one of the properties and two claims were made for the monies. This resolution will authorize payment of those claims and the remainder to be sent to the Idaho State Treasurer. At that point the previous owner can make a claim for the money. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the transfer of excess sale proceeds to parties in interest and to the State Treasurer pursuant to Idaho Code § 31-808 (see resolution no.20-013).

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

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
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):

- Johnstone Supply in the amount of \$3231.55 for the Facilities 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: Commissioners Pam White and Tom Dale, Deputy PA Dan Blocksom left at 9:05 a.m., Chief Deputy Assessor Jennifer Mercado left at 9:07 a.m., Director of Indigent Services Yvonne Baker left at 9:05 a.m., Deputy PA Zach Wesley arrived at 9:16 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing legal notice for Canoe Science Camp fee resolution: Mr. Blocksom explained the Parks department is planning to bring a resolution to the Board to set a nominal fee for the Canoe Science Camp but before that can be done a legal notice will need to be published. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the legal notice for Canoe Science Camp fee resolution.

Consider signing resolution authorizing the destruction of Indigent files/records: Ms. Baker said this is the annual resolution for destruction of records that have to be retained for 5 years so this is for the 2014 files. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the destruction of Indigent files/records (resolution no. 20-015).

Consider signing Treasurer's tax charge adjustments by PIN for January 2020: Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for January 2020.

Consider signing a resolution to transfer alcohol license to La Copa: Commissioner White made a motion to sign the resolution for transfer of alcohol license to La Copa. The motion was seconded by Commissioner Dale and carried unanimously (resolution no. 20-016).

The Board took a brief break at 9:09 a.m. and went back on the record at 9:16 a.m. to continue the legal staff update.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:01a.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 Dale made a motion to go into Executive Session at 9:16 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 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 PA Zach Wesley, and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:57 a.m. with no decision being called for in open session.

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

PUBLIC HEARING – PRELIMINARY PLAT AND FINAL PLAT FOR SLY FOX SUBDIVISION, CASE NO. SD2018-0022

The Board met today at 10:03 a.m. to consider a request by Briggs Engineering on behalf of Cindy Greco for a preliminary plat and final plat for Sly Fox Subdivision, Case No. SD2018-0022. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Dean Briggs, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. This is a one-lot subdivision that was rezoned in 2018 to a rural residential zone. The lot was created illegally after the creation of Red Fox Estates so to fix the issue they rezoned it to rural residential and the plat allows it to become a buildable lot. It is a 2.61 acre lot that has access of Red Fox Drive and will be served by individual well and septic. The applicant has installed gravity irrigation which as been approved by the irrigation district, and roadside and drainage swales were installed along the northeast property line. The project has met all requirements of the P&Z Commission. Dean Briggs was present to answer questions. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close testimony. Per Commissioner Dale's request, Dan Lister referred to Exhibit 6 which is a letter from a neighbor who is in opposition because they feel there is a code violation on the site, however, staff alerted the code enforcement officer and he performed a site review and did not find enough evidence to show it to be a public nuisance or violation. It looks like the property owner is abating some of the things; if anything is stored on the site, it will be gone by the time they develop it. 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 Sly Fox Subdivision, and to sign the findings of fact, conclusions of law and order. The hearing concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CANYON COUNTY AUDITOR TO RECEIVE THE FISCAL YEAR 2019 AUDIT REPORT FROM EIDE BAILLY

The Board met today at 2:03 p.m. with the Auditor's Office and Eide Bailly to receive the Fiscal Year 2019 audit report from Eide Bailly. Present were: Commissioners Pam White and Tom Dale,

Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Marina Mendoza, Auditing Supervisor Shawna Larson, and Jodi Daugherty, Morgan Browning, and Abbie Belthoff from Eide Bailly, and Deputy Clerk Monica Reeves. Morgan Browning reviewed the independent audit report and noted that their opinion is the financial statements are free of material misstatement. It's a clean opinion, it's the highest level of assurance you can receive in an audit. They evaluate internal controls and test implementation and design of those internal controls, and the other aspect is compliance. He is pleased to report they do not have any internal control findings as a result of their audit and we don't have any instances of non-compliance. No audit adjustments, no internal control findings, and no instances of non-compliance. It's a clean audit with no findings. Abbie Belthoff reviewed the financial statement highlights giving a high-level report on the status of the County as of September 30, 2019. Zach Wagoner and the team are constantly evaluating the impacts of the new financial standards that come from the Governmental Accounting Standards Board (GASB) and one standard that will have an impact on the CAFR and operations of the County next year is GASB Statement No. 84 related to fiduciary activities which affects these agency funds and what it requires is an analysis of the different funds to determine who really has control over those assets. We will see a couple changes in the statements next year as a result of that. Controller Wagoner said he is not certain how it will impact the County. It is merely money passing through our hands to other entities - the state, cities, and other taxing districts. These are not our assets, we have no claim on these monies, we are just trying to move it through accurately and timely. He hasn't done an in-depth analysis of it yet, but Eide Bailly will be able to assist. Mr. Browning said there will be some terminology and presentation changes. Controller Wagoner wants it clearly delineated that it is not our money, it's just passing through. Clerk Yamamoto said they look forward to the outside audit because Eide Bailly knows what they are doing and they are looking at other government agencies so it's comforting to know the County comes back with a good report. Mr. Browning summarized and said nothing came to their attention that there were material weaknesses or significant deficiencies in internal controls, and he noted that if they were actually going out and looking for those things their approach might be different and if things came to their attention, they would report it. Commissioner Dale said the Auditor's Office is the most well-organized financial department he has ever worked with. The meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 19, 2020

PRESENT: Commissioner Pam White, Chair – Southwest Idaho Ground Water Forum
 Commissioner Tom Dale, Vice Chairman – Legislative meeting
 Commissioner Leslie Van Beek – Southwest Idaho Ground Water Forum
 Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

FEBRUARY 2020 TERM
CALDWELL, IDAHO FEBRUARY 20, 2020

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

APPROVED CLAIMS ORDER NO. 2/20/20

The Board of Commissioners approved payment of County claims in the amount of \$1300.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 2/25/20

The Board of Commissioners approved payment of County claims in the amount of \$9351.51, \$35,243.11, \$68,291.68, \$6062.00 and \$54,235.86 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$63,011.00 for the Prosecutor's Office/Fleet department
- Mountain Home Auto Ranch in the amount of \$62,627.00 for the Solid Waste department/Fleet department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pantera Market 3 to be used 2/21/20 and 2/22/20 for a Valentine's Day dinner/dance.

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 Julianne Shaw.

MEETING TO 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 and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0364, 2020-0390, 2020-0303, 2020-0379, 2020-0356, 2020-0365, 2020-0378, 2020-0447, 2020-0380, 2020-0388, 2020-0362, 2020-0372, 2020-0491, 2020-0373 and 2020-0509. 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.

Director Baker presented a subordination agreement for case no. 2006-161. This is an approved case but the applicant is purchasing a home and the lender is requesting a subordination agreement of the county's lien. The county's indigent lien is always subordinate to the mortgage lien but the lender likes to have the document in place. Commissioner Van Beek made a motion to sign the subordination agreement. 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.

CONTINUATION OF PUBLIC HEARING - APPEAL BY TRENT WHITE FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 9:32 a.m. for a continuation of the hearing in the matter of the appeal by Trent White for a variance, Case No. ZV2019-0001. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Todd Lakey, Trent White and Tonya White arrived at 9:37 a.m., and Kristoffer Sperry and his clients, the Hansons, arrived at 9:38 a.m. Jennifer Almeida said she reached out to the applicant's representative in regards to today's hearing regarding the fact that Commissioner Dale is out of the office today. She submitted an exhibit from Todd Lakey which is a site plan that shows the location of the pool, shed, home and fence lines and it goes along with the recorded survey. Commissioner Van Beek said had the applicant gone through the proper steps and complied with the zoning ordinance and it would not have caused the hardship that's going to be put on the surrounding property owners. She disagrees that this is a hardship for the applicant. Todd Lakey said they were late to today's hearing because they were trying to find a resolution for this case and he requested a continuance so that all three Commissioners could be present. Kristoffer Sperry had a question about how the Board would proceed today in the absence of Commissioner Dale. Commissioner Van Beek said she came prepared for the hearing and would welcome testimony. Commissioner White prefers that a full Board be present and she hopes the matter will be resolved between the parties. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to March 5, 2020 at 10:00 a.m. The proceeding concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

MEETING REGARDING SURVEY MONKEY RESULTS ON BULLYING AND HARASSMENT

The Board met today at 11:05 a.m. for a meeting regarding Survey Monkey results on the bullying and harassment training that was held. Present were: Commissioners Pam White and Leslie Van Beek, HR Director Sue Baumgart, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The Board reviewed responses to the survey that was sent to the 300+ employees who participated in recent training on bullying and harassment. Of those who were sent a survey, 165 completed the survey; the three topics noted were: retaliation, confidentiality, and a lack of resolution, which are common when asking for feedback on this type of training. Discussion ensued about how the County's response should reiterate what the policies are and continue raising awareness. Commissioner Van Beek had specific questions about protections employees are afforded and what mitigating steps are being taken to get to the bottom of complaints. Director Baumgart spoke of the whistleblower and anti-retaliation policies that are in place. There was discussion about the difference in bad behavior versus unlawful behavior. Commissioner Van Beek had questions about what sort of follow-up is being done on gender bias issues, and she spoke of how she believes other elected officials may benefit by reviewing the employees' feedback. Director Baumgart sees no reason not to send the survey results to the elected officials who had had staff participate in the training (not all elected officials chose to have their employees participate in the training), but her only concern is confidentiality as it was an anonymous survey. There was discussion on the topic of *"What would make you feel more comfortable reporting a claim?"* Director Baumgart said HR tries to make people feel as comfortable as possible and they are very honest with how the process goes, and they start with talking about how they can resolve the conflict on their own and they go over the steps and the confidentiality process. She said a lot of times the employee will stop the process on their own. She also said there's not a lot she can offer if it's not an office under the Board, however, it depends on what the situation is, if there is severe harassment they may have to put someone on administrative leave. Each elected official makes their own decisions based on what they want to do. Commissioner Van Beek said we should strive for uniformity and then she asked legal for input. Deputy P.A. Mike Porter said he's heard two different issues: there are bad management practices such as a supervisor not giving feedback or not doing frequent evaluations, or not training well, and then there is the issue of unlawful conduct where an employer is discriminating based on gender, age, or any of those protected classes, that is illegal behavior. With regard to uniformity, every elected official must comply with the law. With regard to bad behavior, the HR Director can say that's not good practice, but she doesn't have any recourse. Absent consensus from the elected officials about adopting a certain rubric he doesn't know that there's a lot that can be done. Commissioner Van Beek referred to the Triad Report which includes a code of conduct which she believes would be beneficial to have and say this is what we aspire to. There should be a standard of conduct and professionalism and bad behavior should be looked down on. Mr. Porter doesn't see any reason why the Board, or an individual, couldn't put out a statement saying these are my values. As long as it's an aspirational statement and doesn't imply any enforcement mechanism or ability for the Board to tell the elected officials what to do. Commissioner Van

Beek would like to have a follow up discussion with Mr. Porter on that topic. She had questions on the volume of questions the HR department fields and how much they are handling in terms of reports of complaints. Director Baumgart estimates last year there were 10 incidents that rose to the level of investigation. Commissioner Van Beek wants to see data on the nature of the complaints and how they were resolved, the steps that were taken. Mr. Porter said the records exist, but we don't currently have a system for manipulating that information into reports. Commissioner Van Beek said perhaps IT could look into it because she wants to look at it from a risk management perspective. She wants to discuss the pros and cons of having a professional third-party evaluator evaluate the information and provide feedback to the County. Director Baumgart has no problem if the Board wants to bring in a third-party to do an audit for the Board's employees, but she's not sure how the other elected officials will respond. Commissioner Van Beek said we could say training has been completed and there is useful information contained in the answers and the elected officials are welcome to review the responses. Director Baumgart said her recommendation is to send an email to the participants in the training and include the harassment policy and the reporting and retaliation policy as well. Commissioner Van Beek wants to include something on a code of conduct, and she said it would be helpful to have a facts sheet for department administrators that includes the credit card policy. Commissioner White said that direction has not come from the Board. Commissioner Van Beek said there has been some interest expressed to help new directors coming on board, such as having a handbook to help with the expectations that they will have to put a budget together among other things. Mr. Porter said we can have discussions about that. The meeting concluded at 11:56 a.m. An audio recording is on file on the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 21, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Johnstone Supply in the amount of \$6500.00 for the Parks department
- Wall 2 Wall Flooring in the amount of \$4163.83 for the Parks department
- JB's Roofing in the amount of \$9213.00 for the Parks department
- BMC West in the amount of \$3749.60 for the Parks department
- Parma Post & Pole, Inc. in the amount of \$4250.00 for the Parks department
- Master Work Concrete in the amount of \$19,657.00 for the Parks department

MEETING WITH DIRECTOR OF FACILITIES TO DISCUSS LAKE LOWELL OFFICE REMODEL FOR THE PARKS DEPARTMENT

The Board met today at 8:31 a.m. with the Director of Facilities to discuss the Lake Lowell office remodel for the Parks department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Assistant Director of Facilities Rick Britton, Parks Director Nicki Schwend, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner and Deputy Clerk Jenen Ross.

Director Navarro said that Rick Bugatsch has designed a 504 sq. foot addition to the existing building. He provided an overview of how the building will be designed and what changes will be made to the current building to accommodate the addition. Director Navarro believes a lot of the work can be done by his staff; however they won't be able to do the excavation/foundation pouring, roof and stucco. Mr. Laugheed spoke about how he doesn't believe any of the work to be done by sublet vendors will exceed \$50,000 so as long as they have a public works contractor license there is an exemption that will allow the facilities staff to do their work without anything else. They have reached out the Hartwell Group for builder's risk insurance and the policy would cost approximately \$400. Director Navarro said permits would need to be pulled for building, electrical, heating & cooling. He has the tradesmen in-house to most of the other tasks such as electrical, data, drywall, carpet, flooring, doors, locks, paint and replace the heat pump and believes the work can be done in 8-9 weeks. \$120,000 was budgeted for the project but with the \$40,000 savings Director Schwend would like to build a mezzanine level in the Crossroads Museum to provide a library space for donated books; additionally it would provide an office space for an employee so the museum could be open regularly. The cost for this project is unknown at this time but they have reached out to Rick Bugatsch for a design; there would also need to be some engineering work as there are a lot of logistics for this project. Director Schwend also noted that her department has a tractor that is not used, and she would like to auction it in order to fund other projects. Director Schwend and Director Navarro confirmed there is no other use for the tractor in the county. Controller Wagoner asked about the cost of the temporary office space. Director Navarro clarified that they found a company that honored the NIPA contract and they were able to rent the unit for \$1200 vs. \$10,000 as originally thought. Ms. Schwend said that although the temporary facility is very small, they will coordinate to work remotely as needed. The Board believes these are good projects and should move forward. Director Navarro also noted that the dorms at the Celebration Park are now complete and they've received the certificate of occupancy. They are now working to get the bunkbeds in as well as some other small items to be completed.

At the conclusion of this portion of the meeting there was a request to go into executive session as follows:

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

A request was made to go into Executive Session to discuss a personnel matter, 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 8:56 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 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 9:42 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.

CAPITAL IMPROVEMENT PLAN MEETING

The Board met today at 9:57 a.m. with Elizabeth Conner regarding a Capital Improvement Plan (CIP). Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Elizabeth Conner with Conner Community Consulting, Director Tricia Nilsson, Facilities Director Paul Navarro, Controller Zach Wagoner, Ambulance District Director Michael Stowell, and Deputy Clerk Monica Reeves. Director Nilsson said today's conversation will be an exploration of a workshop we will schedule with the elected officials and department administrators to get buy-in on at least budgeting for FY2021 to start a process and get a consultant's help to develop a County CIP. Key people include the Controller, the planning department, and the facilities department to helping translate that into what we need to provide services to a growing population. Ms. Conner's background includes working with the Association of Idaho Cities, the Treasure Valley Partnership, the Department of Homeland Security, and contract management and construction management as well as experience with local governments. She's here to synthesize everybody's idea and create a common vocabulary amongst the elected officials and leaders and then hand it to the Board to decide who will do the hard data crunching. Director Nilsson said the next step will require a lot of interviews to capture the detail in one-on-one meetings. Commissioner Van Beek hopes Ms. Conner can help the County look at properties to expand the courthouse campus and perhaps the Controller could help on the depreciation schedule on the buildings and work release center (the tent structure) and determine if they are at the point in their life where we would benefit by the City of Caldwell helping us in that direction. Director Navarro said several years ago the city wanted us to consider applying for a zoning district – a government zone – and to have an idea of where we are going and how to fund it. Commissioner Dale said Carter Goble Lee prepared a master plan, a charette, and the administration building came about as part of that plan. Ms. Conner would like to review

that master plan. Director Nilsson said the main part of the meeting is getting everybody on the same page of what the Board wants to accomplish at a workshop:

- Provide growth statistics
- Define CIP
- Have elected officials define the value of a CIP to their responsibilities
- Measure consensus on budgeting in FY21 to move forward to develop a CIP

The timeline of the workshop will be 2 ½ hours. How does the Board envision its role in the workshop, are you going to absorb everything, or add comments? Commissioner Dale said we should put out a homework assignment prior to the workshop asking where they see their needs in 1, 3, 5 and 10 years. Director Nilsson said the actual preparation of the CIP will get to those details, she doesn't want them to spend a lot of time on their needs now because the objective is to get consensus that there is value in investing and preparing a detailed CIP. Commissioner Van Beek said the role of the facilitator would be to create a safe environment and lay the ground rules that allows people to speak without fear of retribution. Ms. Conner said she will have personal interactions to get to know everybody and she will do the groundwork. The Board wants to be a participant and it wants the elected officials and department heads to express their ideas after being given a framework structure and specific questions to have ready for the workshop. Commissioner Van Beek said there needs to be interaction with the Clerk and Controller because revenue identification and revenue stream are going to be critical. If we know what our revenue allocation is it becomes clearer to see where the needs are prioritized. Director Navarro said we need to know what the needs are for personnel and space. He also said the Courts have to be involved in the conversation because we have 20 courtrooms. Commissioner White said we all need to understand the meaning of what a CIP is. Commissioner Dale said the needs have to be identified early and they have to be based on data, growth figures, etc., and there has to be a priorities list and what can we fund. Ms. Conner will work with Director Nilsson more on the agenda and she will draft the timeline – the next step is getting one-on-one meetings with the directors. Director Nilsson doesn't want them to think they have to do too much homework; we want them to think about things so they are prepared with answers to those questions. It would be a good opportunity for the Controller to talk about capital planning and how we do things now because we have a good foundation to build on. We should ask them: What keeps them up at night in terms of documenting their needs? Do they need to understand how growth impacts their particular service? Do they need help cost estimating? Those are things she wants to know so that when we scope out a CIP all of their questions are answered. Commissioner White said we need to keep it in the right order and she wants Ms. Conner to start with the elected officials and then go to the department administrators. Commissioner Dale agrees. Ms. Conner said the elected officials will have a huge list of what keeps them up at night and she's found that when you give homework of 3-5 questions it keeps it more manageable. At this point it's getting our feet wet, getting people comfortable and understanding where we are going and keeping it confined to a couple of major questions so that when the official CIP company comes in, they can go off of that. Her goal is to get a Gantt chart and get it chunked out. It should be done by September but she's not doing the deep dive into this, it's more about bringing the issues to the top and having an ability to start from a uniformed level playing field where everyone understands. Controller

Wagoner asked what gets included in a CIP? Is there a threshold? Ms. Conner said she doesn't make that decision she is here to facilitate. The County will have to determine what is included in the CIP, which can be tough because there are so many competing needs and issues; the goal of the meeting is to have everybody recognize there are needs all around. There are some really neat opportunities to utilize systems that are like check boxes or fill out forms which is much easier than writing things out long form. Commissioner White likes the part about having people identify and categorize their urgent needs. It's important to define *urgent* and *important* because it varies by office/department. The meeting concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEPARTMENT ADMINISTRATORS TO DISCUSS BUDGET PROCESSES

The Board met today at 11:03 a.m. with Department Administrator to discuss budget processes. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fair Director Diana Sinner, HR Director Sue Baumgart, Facilities Director Paul Navarro, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano, Director of Juvenile Detention Steve Jett, Assistant Director of Juvenile Detention Sean Brown, Chief Public Defender Aaron Bazzoli, Parks Director Nicki Schwend, IT Director Greg Rast, PIO Joe Decker, Director of DSD Tricia Nilsson, Weed and Gopher Superintendent AJ Mondor, Fleet Director Mark Tolman, Controller Zach Wagoner, Ambulance District Director Michael Stowell and Deputy Clerk Jenen Ross.

Commissioner Dale said that as far as the budget goes, we're still waiting to hear from the legislature whether there will be a budget freeze. Although it is not anticipated that the bill will go thru, a cap amount between base and new construction is still being negotiated.

Commissioner Van Beek said that at the last meeting the department heads expressed that they would like to be able to present their requested budget to the Board in order to the bigger picture of the capital projects improvement plan. She believes there is a need as a group to be able to bounce ideas off each other.

Mr. Wagoner gave an overview of the budget process timeline stating that early April is when everyone will have the opportunity to work in PowerPlan to start their budgets, budget requests are due to the Clerk in mid-May which is when the Clerk and Controller will meet with department heads to discuss their requests. The Clerk's suggested budget is not presented to the Board until July or August and the meetings between the Board, Clerk, Controller and department heads prior to the suggested budget being presented is the time for department heads to explain their request to the Board. Commissioner Van Beek asked if there is a way for the Board to be incorporated into the process to hear department head requests firsthand. She also asked Mr. Wagoner to address the revenue side because she would like to see the identified revenues in order to know how to build the budget. Commissioner Van Beek also noted that in the last meeting there was conversation about not understanding the compensation plan and how that plays into building a budget. Director Navarro spoke about how there is a feeling amongst some of the directors that sometimes the requests are filtered by the Clerk and Controller prior to making it to the Commissioners. Director Rast concurred with Director Navarro and said that sometimes they sit with the

Clerk and Controller and when they talk about new positions those are removed from the budget before the request even makes it to the Board. Director Nilsson said she uses her monthly meetings with the Board to address the subject of budget needs for her department. She thought perhaps the questionnaire that they fill out for the Clerk and Controller could be shared with the Board during their budget presentation. Commissioner Van Beek wondered if it would eliminate the need for those questionnaires if everyone were together and hearing the information at the same time. She said that although she appreciates the budget book that was prepared last year, she didn't feel it was very conducive to the information she was looking for. Commissioner White said that in a previous work experience the finance director had a timeline with all the requests which allowed them to evaluate the request for the current year and an outline of what could be postponed to future years. She thinks all the department head requests should be taken into consideration and that the Board should see all of them. Director Breach said that one of the things he likes about the meetings with the Clerk and Controller is that they are a little more informal and they are able to work thru the minutia without the formal setting in front of the Board and on the public record. Commissioner Dale said the expertise that is provided by the Controller is really necessary to help winnow down the needs of all the departments. When he was at the City of Nampa the finance director would present everything that was requested but would then give their suggestion of what can be included and what may need to wait for a future year. Commissioner Dale thinks the Board should see everything the directors request and then what the Clerk thinks can be afforded; from that point the Board can make decisions and adjustments as necessary. The process does not need to be a vast departure from what is currently being done. Controller Wagoner said that he isn't trying to dictate any requests but trying to get a better feel for what is needed so that when they meet with Board, they can maximize that time. Director Nilsson finds the meetings with the Clerk and Controller are very valuable; she likes being challenged in her meeting and feels she should be able to defend what she's budgeted and what her revenue expectations are. Mr. Wagoner said he just completed a 4-month audit with Eide Bailly and spoke about the importance of having background information for every line item. Commissioner Dale spoke about how he doesn't have the background or knowledge to prepare a budget and that statutorily it is the Clerk's responsibility. He said he depends on the Clerk and Controller to bring something to the Board that has been created from the raw material provided by the different offices and departments. Discussion ensued regarding the importance of the essay questions and how those are the justification of expenditures and shows transparency. Director Breach thinks that directors could use their regular meetings as a time to have meaningful dialog with the Board and an opportunity to review what they plan to discuss with the Clerk and Controller.

Commissioner Van Beek spoke about how the PowerPlan training was beneficial to her and that she was able to pull the YTD and approved FY20 budget. In reviewing she wondered if there are areas of the budget that could be shored up.

Commissioner White said the needs need to stay in front of the decision makers. She wants the department heads to reiterate during their regular meeting what their needs are so that when a request comes it not a surprise and the Board will already be aware of the need. Commissioner Dale said there was a good meeting earlier today regarding the Capital Improvements Plan and how it's really going to take involvement from all the department

heads to have an idea of what they're looking at now, 3, 5, or 10 years from now. Director Nilsson gave a brief overview of the kind of input they'll be seeking from the Directors and let them know Elizabeth Conner, who will be assisting with the CIP, would be getting in touch with them.

Commissioner White asked about the Directors' Handbook which was discussed at the previous meeting. The Directors spoke about how it would be nice to have an on-boarding handbook/guideline for incoming Directors. Commissioner Dale suggested the Directors think about the things they wish they would have known as a new Director to be compiled into a handbook. Director Tolman and Director Schwend spoke about how it would also be good information for new Directors to understand how department budgets sometimes overlap and why.

The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 24, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Desert Sage Wall System in the amount of \$6100.00 for the Parks department
- Hanson Janitorial in the amount of \$12,884.00 for the Sheriff's Office

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 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 8:46 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A 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 and Leslie Van Beek, Fair

Director Diana Sinner, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing 2020 Canyon County Fair Carnival agreement with Paul Maurer Shows: Zach Wesley explained that the carnival contractor was changed several years ago thru the RFP process but last year the carnival that was selected can no longer provide the service during our specific fair week. In order to find a new carnival last year a direct solicitation was done, and three responses were received. Director Sinner said that last year this contractor did not have availability during fair week but they did do a site visit during the fair and since they did the North Idaho State Fair she did a site visit there. Ms. Sinner said she is very excited to be working with this contractor as they seem to have an attitude of partnership which she said has not happened in the past. In the past the fair has taken a hands-off approach which has worked but maybe hasn't served the fair the best. She said that the North Idaho State Fair has a carnival similar to Canyon County and last year their carnival revenue doubled with this contractor whereas Canyon County remained the same. Mr. Wesley said this is a specific contract for the carnival but is similar to what has been used in the past and provided a brief review of some of the contract details. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2020 Canyon County Fair Carnival agreement with Paul Maurer Shows (see agreement no. 20-027). The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING

The Board met today at 9:34 a.m. for an elected officials' meeting which took place in the public meeting room of the administration building. Present were: Commissioners Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Assessor Brian Stender, and Deputy Clerk Monica Reeves. The Coroner and Prosecutor both reported their offices are busy. There was a recent homicide/suicide in Caldwell that the critical incident task force is investigating. Chief Dashiell reported the Sheriff's Office is waiting to see what Caldwell Planning and Zoning will do with the permit for Pod 6. Commissioner Van Beek said the Board has plans to schedule a tour of Pod 6 and reception for Caldwell officials. Assessor Stender said the appraisers are winding down their five-year reappraisal programs and establishing values for 2020. Residential properties will see an additional increase again. His office is with the PTR program and accepting homeowner exemption applications. There was discussion about HB 409 regarding a budget freeze. Even with a freeze, residential tax bills will increase and that is something the legislature needs to figure out. There's been no introduction about a homeowner exemption increase bill but if it does go in there will be a percentage of people who will see an even higher increase. At the county level there has been talk of a property tax value freeze where residential property owners won't see an increase; their tax bills should be about the same as last year. The Assessor would set values based on the characteristics used for 2019 assessments and roll those forward into 2020, but there is a lot of concern of what happens in year 2 of that program because it will be a vicious climb out of it. It would force everybody to make a commitment to make some changes that would help residential property owners. Clerk Yamamoto said

the property value freeze is not a fix-all but it makes more sense than a budget freeze. He spoke of how Representative Moyle wants to do away with new construction, which is critical to the counties who experience a lot of growth. The idea is that one way or the other they will freeze taxes and within that year they will figure something out. He said the Governor did not like the idea of a value freeze because of the concern of what would happen in the second year. The Clerk said it's the same with year 2 of a budget freeze. We need a property tax overhaul because it's out of whack and it started with the homeowner exemption which was a gigantic tax shift, now with what values are doing a 70%/30% split with 70% on residential. He said the state talks about how they are making a 2% cut, but they don't talk about the 12% increase they already took and yet they are telling the local governments that we are the problem. They are looking at an interim committee and Clerk Yamamoto has requested to be on it. Treasurer Lloyd spoke about the introduction of HB 518 which is a bill that suggests putting all bond information on the tax bill. The Treasurers Association fought this four years ago because adding that information, assuming they could even get it, will cause the tax bill to be much larger and increase postage. The information is already available on the Treasurers websites if someone wants to review the bond information. Commissioner Van Beek asked if there are any cost estimates on Pod 6 for the operational side of things. Chief Dashiell said they will have to run the numbers. They had hoped the day shift would run with three employees and two at night, but after a testing scenario they realized they cannot do that. He spoke of staffing issues and said the Sheriff will be proposing additional staff. Assessor Stender asked if the Sheriff's Association has introduced the administrative fee bill to properly fund driver's license. Chief Dashiell said the only thing he's seen on the fee share was authorizing a \$5 card fee to go to the department of corrections because they're going to start doing ID card issues for the inmates coming out of the state system, and it would also give the opportunity that if the state goes to a private vendor they would be able to keep that fee. He anticipates the Sheriff's Office place two more employees and workstations at DMV. He and Assessor Stender spoke of the issues their respective employees have had with the state software program. Although there had been talk of having a second DMV location for auto license, Assessor Stender said he does not have the funds in his budget for that. Clerk Yamamoto said one of things they are looking at is the possibility of sales tax on services, but he has no interest in that unless it goes to 100% property tax relief. He spoke of issues with economic fluctuation and how a discussion property tax is critical because property tax makes up all the difference of any shortfalls and taxes are already too high and they are going up. He reported that early voting starts today. The election poll pods are not working and that is causing a problem and they are hopeful the state will get them working. Treasurer Lloyd voiced her concerns with the tax commission site as far as support issue. The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board was scheduled to conduct a public hearing today at 2:30 p.m. in the matter of a request by Troost Family Trust for a comprehensive plan map amendment and rezone, Case Nos. OR2019-0002 & RZ2019-0004. Present were: Commissioner Leslie Van Beek, DSD

Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. There is no quorum today so the matter is being continued to Friday, February 28, 2020 at 10:00 a.m. The proceeding concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 25, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
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 Ashley Kip.

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

The Board met today at 9:00 a.m. for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell left at 9:10 a.m., Lt. Harold Patchett left at 9:10 a.m., Chief Juvenile Probation Officer Elda Catalano, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing renewal application for miscellaneous professional liability insurance: Mike Porter said this done yearly for the insurance provider in order to get a handle on the county's needs to set premiums. The only change is that since we've gone with an independent contractor for medical care it should reduce the cost to the county. Chief Dashiell and Lt. Patchett reviewed some of the questions in regard to patient encounters and tests carried out. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the renewal application for miscellaneous professional liability (see agreement no. 20-028).

Consider signing Canyon County Juvenile Probation memorandum of understanding with Idaho Department of Health & Welfare for Partner Data Access Portal users: Ms. Catalano said over 70% of kids on probation are on Medicaid and with expansion it would include more. In order to better manage this they would like the Department of Health and Welfare to give them access to the database to track and determine eligibility. Commissioner Van Beek asked about IT involvement and Ms. Catalano said she would follow up with Director Rast. Upon the motion of Commissioner Van Beek and second by Commissioner

White the Board voted unanimously to sign the Canyon County Juvenile Probation MOU with Idaho Department of Health & Welfare for Partner Data Access Portal (see agreement no. 20-029).

As part of the legal staff update there was a brief discussion regarding email exchanges about a policy manual.

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

PUBLIC HEARING – APPEAL BY DAN WOODRUFF OF THE DECISION WHICH GRANTED A CUP TO GRANITE EXCAVATION, CASE NO. CU2019-0007-APL

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Dan Woodruff of the P&Z Commission's decision to grant a Conditional Use Permit (CUP) to Granite Excavation, Inc., Case No. CU2019-0007-APL. The CUP will allow a long-term (30 year) mineral extraction use which includes rip-rap excavation and mineral (45 acres of a 127-acre parcel), sand and gravel mining and operation (135 acres of 153 acres), crushing, stockpiling and transportation. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Dan Woodruff, Kim Woodruff, Mark Olson, William Nance, Bob Bearden, Mark McDonough, Harold Nevill, Diana Stanford, David Lemaster, Valerie Block, Nicki Schwend, Randy Fox, Steve Givens, Nadine Givens, Travis Mitchell, Carolyn Smith, Renita Ineck, John Ineck, Laura Coontz, Juli McCoy, Iris Hart, Mary Brinker, Jason Muller, Mike Brinker, Michael Verderugge, Renate Bearden, Max Svaty, Zach VerHagen, Scott VerHagen, James Coontz, Gladys Muller, Dave Hoch, Gaylon Griffin, Micaelia Jones, Gary Whittemore, Russ Vawter, Valerie Block, Carolyn Connelly, Robert Ingersoll, Terri Mitchell, Debra Clover, Gannel Beth, Tom Driscoll, Brian Bradford, Michael VerHagen, Melissa Bradford, Kenneth Baird, Connie Judd, Roberta Whittemore, Edward Dickman, Kristi Givens, Teresa Muller, Peggy Hoffman, David Hoffman, Joshua Leonard, Josh Davis, Dusty Hibbard, Scott Nicholson, Dave Cockrum, Jeff Conner, other interested persons, and Deputy Clerk Monica Reeves.

In a letter dated February 24, 2020 from Attorney Joshua Leonard there was a request to defer the hearing to a different date to allow time for the review of the applicant's archaeological assessment, which will be completed by the end of this week, and also the Snake River Canyon Scenic Byway Corridor Management Plan. The Board decided to open the hearing, take testimony, and at the end of the hearing will determine if a continuance is warranted.

Dan Lister gave the oral staff report. Dan Woodruff is appealing the decision of the P&Z Commission made on December 19, 2019 regarding a mineral extraction CUP for Granite Excavation. The appeal is based on significant impacts that the neighbors and the appellant believe the use will have including, traffic concerns and geological hazards because of the

talus slopes that hover around the road north of Map Rock Road, which is a scenic byway. It's a historic resource, and the property is close to known petroglyphs and the appellant finds this is inconsistent with the natural resource provisions of the comprehensive plan as well as the wildlife resource components. The P&Z Commission approved the CUP with 20 conditions of approval. The application included a riprap of extraction of about 45 acres along the talus slopes. It's three parcels long and would extract large basalt, riprap, and boulders, the depth would be no deeper than five feet. There would be staging areas with associated traffic and it will be a two-phased operation. Additionally, a 135-acre portion would also be used for a sand and gravel operation. The approximate depth would be 30 feet; gravel would be used mostly for residential construction for Granite Excavation. It would have associated roads, access, scales, office, staging area, stockpile areas, and a crusher. The future land use map designates this area as agricultural. The soils are moderate to least suited, however, it has been used for a very long time for row crop farm ground. The closest gravel pit is five miles away and belongs to the Nampa Highway District on Highway 45. There are wells in the area that identify nitrates are in the water but nothing that exceeds DEQ's threshold. The comprehensive plan encourages beautification along transportation corridors and scenic byways. The applicant has provided setbacks off the road, however, even with these setbacks the operation will be highly visible from Map Rock Road. An opposition letter was received from Harold Nevill, who serves on the Board of Directors of the Snake River Canyon Scenic Byway, because the use is incompatible with the scenic area. There are key sites identified within the byway corridor plan, one of which is on Pump Road and the operation would be near that location and it would impact that view. It is also close to the Map Rock petroglyphs. The P&Z Commission provided a condition that would require reclamation at 20-acre intervals to hopefully reduce or minimize the visual impacts to the area, however, there are concerns that even reclamation at 20-acre increments would still cause a visual inconsistency. The next impact is archaeological resources – during the P&Z Commission hearing staff recommended a continuance until a survey could be done. The comprehensive plan shows goals and policies that protect and identify cultural, recreational, historical and archaeological landmarks throughout the county. Staff received a letter from the Canyon County Historic Preservation Commission (HPC) which strongly opposes this request. If the request is approved the HPC recommends a professional archaeological survey and assessment be undertaken before any extraction use. The letter from the scenic byway board expressed the same concerns and they requested that the College of Western Idaho's (CWI) Anthropology Department review this because they have maps of the area they have surveyed for petroglyphs. The P&Z Commission approved Condition No. 18 which would allow a survey to come in prior to any commencement of use and any mitigation measures required in that survey would have to be upheld by the applicant. Staff received 13 letters of opposition and one petition noting the following concerns: incompatible use of an industrial commercial use along a scenic natural resource corridor; complaints that Map Rock Road is too windy and not wide enough and so truck travel would potentially degrade that road with no mechanism for them to fix the road; noise generated from the trucks; Givens Hot Springs has a historic campsite with hot springs and they are concerned about the amount of noise that will be generated from the pit and trucks; and concerns that the

P&Z Commission's conditions are unenforceable. The letters of oppositions from neighbors expressed the need for a traffic impact study; there are concerns about dust and air quality; concerns of the impacts to the scenic views along the byway, and the historic and natural resources. The Upper Snake River Tribes Foundation submitted a letter expressing opposition that this use would significantly impact the cultural resources of the area and on the property. Based on testimony presented in letters, staff is recommending the appeal be upheld and the CUP be denied. Commissioner Van Beek asked about the allocated resources for mitigation in the area, and information regarding air quality. Director Nilsson said it's speculative. In other cases we have required annual traffic counts to make sure they are under the threshold. Dan Lister said DEQ emphasized that the applicant would have to get the appropriate permits for dust management and for the crusher operation as well as provide information regarding water contamination. It would be a condition of approval prior to commencement of use that they provide information to DEQ and get the appropriate permits for that use.

Testimony in support of Dan Woodruff's Appeal was as follows:

Dan Woodruff lives on Map Rock Road up the river from the proposed mine and he sees firsthand the recreation that takes place in this area. He worked for 30 years for the BLM as a fire ecologist and a rangelands management specialist. There has been an increased use with the enhancements and the improvements that have been made by the Fish and Game facilities along Map Rock Road. Over the past two years millions of dollars have been spent in habitat and improvement along the island and multiple recreation sites downstream. These uses would be negatively impacted should long term mineral extraction be allowed. The staff reports states why the proposed 30-year mineral extraction is not consistent with the multiple goals and policies of the comprehensive plan. The CUP is inconsistent with the area and should be denied. There is potential for significant impacts to the scenic byway; historical resources, both cultural and natural; flood plain; traffic access; and the safety of tourists due to the narrow and windy road. 7.9 miles from the proposed site there is another riprap mine that is currently in operation. He visited the site and observed the rocks being processed and loaded for transportation. He could see there is no rehab options for the slopes where the rocks were taken due to the steepness of slope and the soils located beneath the mined material. He has been involved professionally in rangeland restoration for over 30 years and can say with confidence these soils will not be stable for decades, if ever, and will be a breeding ground for noxious weeds. He gave a review of the comprehensive plan goals and policies:

Goal No. 1 – Preservation of recreational, historical, archaeological and architectural landmark areas. Many of the Fish and Game recreation sites and the skyline itself would be negatively impacted by the proposed project.

Goal No. 3 - Preservation and protection of cultural resources. Allowing gravel trucks to travel on Map Rock Road in no way assists in enhancing or protecting sites as significant as Map Rock itself.

Policy No. 3 - Recognize special areas and encourage land use patterns in and around that to promote integrity and purpose. The allowance of the pit and associated trucking will not promote the special integrity and purpose.

Policy No. 7 - Encourage beautification along transportation corridors and scenic byways. This is a scenic byway and it's obvious a gravel pit and the impact upon canyon lands does not achieve this goal.

The mining of the riprap of the canyon rim is a non-mitigatable impact on all these policies and goals and once they are done there is no way to beautify or stabilize these areas. Following his testimony Mr. Woodruff responded to questions from the Board.

Mark Olson gave testimony regarding the sacred burial grounds in the area and spoke of how the petroglyphs are memorials and testimonies to the people who lived and died there. He believes the proposed use will result in cultural and generational trauma.

William Nance testified about his experience as an operating engineer working primarily on crushing operations, and as an archaeologist who's worked on construction projects as an archaeological monitor. He has also served on Canyon County's Historic Preservation Commission and worked in the engineering department for the Idaho Transportation Department. His concerns with this project include the fact that it's surrounded by areas designated as significant for both wildlife and cultural resource values. It is also on the Snake River Waterway Trail, the Deer Flat National Wildlife Refuge Area, the Guffey Black Butte Archaeological Area, and the Birds of Prey, although it's not necessarily adjacent to this project. The area serves as a wildlife wintering area. Crushing plants are noisy, dusty, dirty, have lights at night, run in the day and at night, and are industrial plants that have one purpose to turn out a crushed product. No amount of mitigation will take care of backup alarms, crushing, dumping into trucks, which will be reflected in the canyon walls for miles. He testified there are identified cultural materials within the project site because he has personally recorded them.

Bob Bearden lives in the Map Rock area and spoke of the P&Z Commission decision which resulted in a two-to-three vote. The project will generate 10 trips a day, which is 10 trips per pit which is 10 out and 10 in for a total of 40 trips, but the road is not designed for that much traffic. Mr. Bearden believes the hearing on this matter should have been held during the summer when the area sees more use and more people would have known about the hearing, not just the residents.

Mark McDonough lives on Map Rock Road and his family has lived in the area since prior to 1962, and he offered testimony regarding the property values in the area which range from \$88,000 (for a bare lot) and from over \$250,000 to \$531,400 for homes. People have invested a substantial amount into their homes and he thinks they would feel deflated by the idea of living that close to a mining operation. He said Map Rock Road is the only way in and the only way out as far as the existing residences as a practical matter.

Harold Nevill has been associated with the Snake River Canyon Scenic Byway since its inception and he is currently the Vice President of the Board. There has been testimony about the Native American cultural history in this area which is significant and irreplaceable, but also right across the river from the site is one of the 23 former ferry locations. There is plenty of petroglyphic research and identification that could be leaned on in this area if we wanted to take the time to have a survey done. The College of Western Idaho has sent students out there for years and they have worked their way down the river so there is already evidence of existing petroglyphs in this area that have to be considered. He said they should have been involved in this process when it was the P&Z Commission, but they were not aware of the hearing, and if they had been involved they could have given good information that would have resulted in a different decision. This use is contrary to the comprehensive plan's goals regarding special areas, sites, and recreation. In his letter dated February 9, 2020, it states, in part, *"The CUP application from Granite Excavation, Inc., and the accompanying comprehensive plan compliance discussion does not discuss the Canyon County 2020 Comprehensive Plan Section 10, special areas, sites, and recreation yet that section is clearly germane to this development and should have been discussed. The developer should certify after consultation with anthropological experts that no culturally sensitive petroglyphs are on the property. In addition, the developers should at least answer how the proposed mineral extraction adheres to the following section 10 goals and policies. Goal No. 3 states to assist in identifying, preserving, enhancing and protecting those cultural resources that are important to the people of Canyon County. Goal No. 4 states encourage, enhance, and celebrate Canyon County's ethnic and cultural diversity and heritage. Policy No. 3 states recognizes special areas in the county and encourage land use patterns in and around them that promote their integrity and purpose, and Policy No. 5 states encourage the rehabilitation and retention of existing historic structures in Canyon County. The Byway Board believes that there is no more incompatible land use in a culturally sensitive area than mineral extraction. We urge you not to act in a short-sighted manner in this issue, the consequences may never be overcome. Please deny this request."*

Diana Stanford lives on Deer Flat Road near Highway 45 and in the last year she's had trouble getting out of her driveway on the weekends due to the traffic flow, and she's concerned that adding more gravel trucks in the area will make it worse. She is concerned about the impacts development has on the agricultural area. Ms. Stanford said Map Rock is a beautiful area and the scenic part of it should not be destroyed by this project which is not conducive to the area.

David Lemaster represents the 50 homeowners in the Sunrise Sky Park on the other side of the river, across from Givens Hot Springs. They just learned of this hearing a week ago and he said it would have been nice to know earlier. The residents strongly oppose the development of an open pit mining operation for the following reasons: environmental impacts and the impact to the water table and sedimentation. He is a wildlife biologist who worked for the Alaska Department of Fish and Game and the US Forest Service on wildlife issues and he has concerns about the impacts to wildlife the proposed use will cause. The Snake River corridor is incredibly rich with wildlife, especially birds migrating back and

forth. The residents are also concerned about the sound impact because the cliff face is a sound board that echoes and the mining operation will drastically affect the entire region with the sound. Another concern is the reduction of property values.

Valerie Block submitted a petition in opposition this project. She is a recreational user of the area and said the petition represents 35 other people who are also recreational users of the area who are opposed to open pit mining. She camps in the area, runs in the area, does rock hounding, and she motorcycles in the area.

Nicki Schwend is the Director of Canyon County Parks, Cultural, and Natural Resources Department, and she also serves on the County's Historic Preservation Commission. In 2016 the parks department changed its name to Canyon County Parks, Cultural, and Natural Resources Department to better reflect what they do. They are stewards of two very important cultural resource sites, one of which is Celebration Park which is part of an archaeological district. There are only two of those designations in the State of Idaho and it's very important to have the distinction because it means there are enough archaeological sites in the whole area that it gets a district status. The park is upstream from the subject property. The other resource is Map Rock. The County owns a parcel where Map Rock, which is arguably one of Idaho's most famous petroglyph rocks, is sitting. It sits 10 feet off the road and gets pelted by a lot of gravel and has a lot of issues. If that were to be done today a road would have never been allowed to go in that close to an archaeological resource like that. The information from the archaeological surveys done by the College of Western Idaho is housed in the parks department because it was done through a grant through the HPC. There is some confusion about how far that information goes. It was only done on the Canyon County parcel and the Fish and Game Map Rock access parcel. It did not go onto private property. It's the goal of the HPC to be more involved in the comprehensive plan and have things like this highlighted. The whole Snake River Corridor is tremendous layering of the most amazing resources out there from the geology which is natural to the scenic byways to the animals that go through it. It's on the Pacific Coast Flyway for the birds. Cultural resources do not stop based on arbitrary boundaries and that is something to keep in mind for the whole corridor. We are stewards of these resources that are sacred sites, sacred in ways we cannot even comprehend for Tribes and that needs to be taken into consideration. Even if an archaeological report says they didn't find anything in a survey, a survey only uses what's on the surface layer to give insights so they might not find petroglyphs but it doesn't mean that under that top 18 inches of agricultural destruction that there aren't amazing sites underneath so that always needs to be considered. Givens Hot Springs across the road is one site in Idaho that has pit houses (prehistoric structures) and that is significant to an archaeologist. There are cultural, recreational, and natural resources through that whole area that need to be considered. Director Schwend spoke of her background which includes and undergraduate and graduate degree in archaeology. She did archaeological excavations at Celebration Park. Part of what the historic preservation plan has guided us on doing is moving towards creating an internal database for Canyon County that highlights those areas but that haven't got to that point before this case came up. They are actively working with DSD on how to integrate it so that from an archaeological perspective they can put some

stipulations that even though it's a private property issue the Tribes should be contacted. In this case it was a private company and private property so Tribes don't technically have to be notified but they should be because this is their history, their ancestral land and their sacred areas. Doing a survey over archaeological land is not a true survey as if we were surveying undisturbed land because you won't see what's below those 18 inches. The existence of pit houses at Givens Hot Springs is significant because it hasn't been proven anywhere else in Idaho. There could be more under the agricultural land but right now they are "time capsules" in there because only the top 18 inches is being disturbed. She is opposed to this project because of the recreational corridor and a natural and cultural resource corridor for historic preservation. Director Schwend also spoke of the Idaho Oregon Snake River Water Trail, which was an organization established 10 years ago with a National Parks Service grant to promote the water trail that goes from Huntington, Oregon to Glenns, Ferry, Idaho. Historic preservation-wise they are working towards integrating those for the preservation plan into these types of things so we can be alerted to these cases much sooner and lend some input on who else should be consulted, such as the Tribes. It's part of a much larger area that needs to be thought of in its totality and not chunked out for these little purposes. It needs to have a 50,000 foot view. She spoke of the educational component of this area for school-age children who learn about the Tribes' ancestral ties to this area. Director Schwend said we need to house things appropriately internally and have maps that make much generalized areas so that along the Snake River there is a corridor where any proposal that goes in automatically alerts the HPC and maybe Tribes so they can weigh in because they are areas that are high potential for these resources. They would create some maps and some stipulations such as if it's over 50 years old it should be kicked to the HPC so we can see if it's a National Register site. If they can gather information it could be that the district is expanded beyond the Guffey Butte/Black Butte area.

Randy Fox gave testimony on behalf of the Idaho Conservation League which normally deals with public lands issues but when a threat to natural and cultural resources rears up in communities sometimes they step forward and this is one of those times. They have grave concerns with this proposed project concerning wildlife, noise mitigation, dust, human health, and cultural resources. He hopes the Board will take this opportunity to explore additional avenues for preservation of petroglyphs and work with the landowners, and local preservation and archaeology societies, as well as the state historic preservation office to explore additional methods of preservation and conservation such as Director Schwend laid out.

Steve Givens testified that his family came to the valley in 1854 in Middleton and another part of his family settled the Givens Hot Springs in 1879. He spoke about the discoveries of mastodon ivory, dinosaurs, and the sacred burial grounds. There will be so much noise and confusion with a gravel pit that nobody will enjoy his side of the river and the subsequent impact on his business and those residents living in the area. He spoke about the Givens Man who died in the canyon at Hardtrigger Creek, and authorities determined the remains were from 1300 years ago. His remains were turned over to the Tribe. It is unknown how many other people are up there.

Nadine Givens submitted a photo she said is used to advertise the beauty of the area. She is concerned about the following negative impacts the project would have on the environment, history, archaeology, road safety, tourism, acoustics, and quality of life. She referred to the Snake River Canyon Scenic Byway information noting that it spans more than 50 miles. To drive the byway is to share in the same visual experience the early pioneers observed when they arrived. Today's rich agricultural lands and the vibrant cities found along the byway are the legacy passed down by those early pioneers. Ms. Givens is also concerned about the impact to Native American history. The Shoshone and Paiute Indian Tribes have a known establishment in this area for more than 5,000 years.

Travis Mitchell lives on Map Rock Road and he gave testimony regarding public safety. He is a retired law enforcement officer and he keeps an eye on traffic and one of the observations he's made is there are a lot of people who take recreational drives; many are seniors citizens who go for a drive to get out of the house and they drive slowly to take in the sites and adding heavy truck traffic in that scenario you are looking at serious problems. It's a scenic byway and we need to be very careful about what we allow to go in because this is an area that needs to be preserved and protected.

Carolyn Smith, who is from Fort Hall, testified that anything along the Snake River is very significant and unfortunately many of the areas their People once occupied are no longer available, they're already in private ownership. She is the cultural resources coordinator for the Shoshone Bannock Tribes in Fort Hall, which is on the southeastern portion of the state. She spoke of the various Tribes who came from this area and how important Map Rock is to the tribes. There are talus pits and burial grounds in the area and she questions how many pit houses have been destroyed because people didn't know what they were. Her family is from this area and they come back every year for an event in June called the Return to Boise Valley and they return to talk about stories, history and family relationships. Some of the people who were removed from this area were removed from their families and separated and taken to different reservations and they are learning who those family relations are. Map Rock and Celebration Park are just two areas that are preserved and protected. There are so many other areas that have been destroyed and for those who own property along the Snake River they need to know there is something there so please protect it.

Testimony in opposition to Dan Woodruff's appeal was as follows:

Attorney Joshua Leonard, who represents Granite Excavation, clarified that the proposed operation is not 30 years of continuous onsite open pit mining, rather it will be as needed for area projects. Initially, one of those projects will be a reclamation project on the Snake River adjacent to the site performed by Idaho Power. If material for that site doesn't come from the proposed location it will come from outside of the area which means more trucks carrying heavy material, covering more ground, spending more time on public roads. The proposed site would have mining operations occur in 20-acre phases and each phase would be reclaimed prior to starting the next phase. The applicant must comply with all conditions of approval, laws, regulations, ordinances, standards related to environmental issues. Compliance with these will mitigate against the impacts that are feared by the opponents. In

December the P&Z Commission relied on staff's recommendation of approval of the December 19, 2019 staff report and they approved the application. The only new item of information in the staff report is the Snake River Canyon Scenic Byway Corridor Management Plan. Almost everything heard today was repeated from the P&Z Commission hearing and there is no basis to overturn that decision. The management plan is not approved by ordinance, it's not governing law, it cannot be considered in making the decision today. The reason there are standards is so you don't have subjective decisions that need to be objective to preserve the applicant's procedural due process rights and substantive due process rights. He received a copy of the management plan yesterday and hasn't had a chance to read the entire 120 pages. It's not on the county's website nor is it referenced in the comprehensive plan. It appears this management plan was the primary driving force between the complete reversal in staff's recommendation. The staff report in December was to approve the use. The existence of the scenic byway didn't just arise, it existed at the time the staff report was made to the P&Z Commission. Very few actual facts and evidence support the appeal, it is key that no agencies have objected to this use. A lot of fear has been stirred up and that's understandable. Not all of the details of the specific plan that's in place by Granite Excavation have been considered, for example, there has been a lot of testimony about truck traffic. There will be less than two truck trips per hour at its peak and this won't be running at its peak 24/7. Although the operating hours are 7 a.m. to 7 p.m., trucks may not run after 5 p.m. on weekdays, after noon on Saturdays or at all on Sundays. There is already significant agricultural traffic and hauling on that road. He referred the Board to the December staff report recommending approval and the P&Z Commission's approval and conditions of approval as those documents list all the ways that staff and the Commission felt this proposed use complied with the comprehensive plan. The use also complies with the zoning ordinance. Both the general standards that are applicable to all CUPs and the specific use considerations that are applicable to this particular use. In its appeal the appellant only challenged three of the eight general CUP standards and didn't challenge any of the specific use considerations. He asked the Board to review the letter he just provided that contains probative evidence that will allow the Board to make a decision in this case. There is no basis to overturn the P&Z Commission's approval. This use is allowed in this zone, subject to the conditions continued in the CUP, with that said if the Board chooses to reverse the decision they ask the Board to reconsider and instead impose conditions on the proposed use that would mitigate concerns about the proposed use. In response to questions from Commissioner White, Mr. Leonard said Idaho Power is not the biggest reason for the requested permit, but it is the initial reason. The site will only run according to the need for material for other projects in the area. Commissioner White said given the magnitude of the request it makes no sense that it will be on an as-needed basis. Mr. Leonard said the benefit to that is they are not stockpiling or doing it in anticipation or advance of need, they are only doing it in response to need and if the need doesn't arise in this area then the need doesn't arise. He cautioned against comments that say they are digging into this historic area; people should wait for the archaeological report. Also, pay close attention to the exact wording of the considerations in the zoning ordinance, it doesn't say that it will damage this property, it asks if it will damage or negatively affect other property in the area. This property belongs

to a private citizen and he has a private property right and the consideration the Board is required to look at is whether it's injurious to other property in the immediate area. *Immediate* is a key word – does that mean along the Snake River Canyon, or just around the pit itself. He believes it's the immediate area, the very area in which this is happening. The landowner owns a significant amount of property in that area. The operation that occurs on this property will not be injurious to other property in the area. It may be injurious to other uses, but that's not the standard in the code. Commissioner Van Beek asked if he has a cost analysis of what it would take, and she asked for clarification on daily truck trips. Mr. Leonard said it's outside of the purview of the Board to consider the private cost analysis. He said refusing to allow this to go forward impinges on Mr. Nicholson's private property right. This is an allowed use in this zone subject to conditions and if the Board votes to overturn the approval then there is a problem with the comprehensive plan. He referred the Board to his letter and said there is a lot of basis for concern about staff's reversal of their recommendation especially because the P&Z Commission relied on the earlier report that recommended approval based on a lot of those same policies and goals that they now claim this violates.

Josh Davis, owns Granite Excavation, and he testified they would be the operators of this pit, if approved. They are based out of Boise and Cascade and currently operate five gravel pits. They are very familiar with gravel operations and even more familiar with the multiple agencies that oversee crushing operations, the health and safety of employees that work in the crushing operations, and the environmental restrictions and enforcements applicable to gravel extraction. Annually they probably receive no less than four to five visits from the Mining and Safety Health Administration assessing the compliance of their operations to ensure the safety of employees. They continually maintain compliance with EPA and DEQ, all of whom have done inspections on their sites and have ensured they are following the laws. There were several discussions about mechanically removing rocks off the face, but that is not the intent of the operation. The rocks have fallen off the face, as noted in the photo by staff. The operations plan spells out that they will remove the topsoil, the rocks from the ground, and lay the topsoil back over it. Their machines can only reach 15-20 feet. It's not the intent to disturb the face of those slopes, they're going to extract the rocks then reclaim it with the topsoil that's already on site and seed it. The end goal is reclamation of the ponds. There is already a pond on this site. There are currently three gravel pits on Map Rock Road, one of them is adjacent and was located on the landowner's property and that the gravel was extracted to improve, widen, and pave Map Rock Road. Their goal is to enhance these farm fields and make them beautiful ponds as they've done along the Boise River in Emmett and along the Payette River in Valley County. Sand and gravel only reside along rivers primarily, and in doing that dewatering has to be taken into consideration. It goes through settling ponds and then it's dispersed back into the site. They cannot discharge off the site into any waterways. They agreed to construct the ponds in a much smaller manner so there wouldn't be a large hole. They will mine the hole, and slope the banks back to a minimal slope, put topsoil on it and seed it and establish growth before moving on to the next one in an effort to maintain an aesthetically pleasing site from Map Rock Road. The end goal is to have ponds and so the reclamation only takes place along the perimeters of the newly constructed ponds.

Dusty Hibbard gave testimony regarding the safety of the public concerning trucks on the roads and how drivers have to abide by the laws. Granite Excavation goes above and beyond, they have tracking systems on their trucks that track harsh stops and speed. He disputes the comment that this area cannot be reclaimed. They built four hillside projects in one year and every one of them had steep slopes which had to be top-soiled and seeded. The Department of Lands will do a walk-through and they will ensure that it will be reclaimed. In response to Commissioner Van Beek's question about truck length and whether they plan to use flaggers, Mr. Hibbard said 90% of what they do is with a 32-foot long end dump, and they meet ITD and local highway standards for what they can haul. We have 100 truckloads on Highway 55 every week, it is up to the qualified drivers to do their job.

Scott Nicholson lives on Ferry Road and he owns the subject property which has been in his family for five generations. The farmland will not be disturbed; the property has some great gravel bars that run through it. A lot of the reclamation will be brought back in with fill dirt and re-farmed as it is today. He has one gravel pit that's been used since before he was born and it was turned into a pond a few years ago and trees were planted. There was a huge gravel pit on his property that was used to pave Map Rock Road, which used to be a dirt road, but there's been no mention of that gravel pit today. When this project is done the farm fields will be in much better shape and the wildlife will have a better place than they do today. He will make sure the reclamation goes beyond what the state mandates. He currently farms silage corn, grains, and alfalfa, and he has leased some of his property to a family that raised mint. Two fields were very productive, and one field was not as productive. The riprap is not on any of the farm ground, it's on dry ground that is above the farm fields and it's too rocky to farm. It will be reclaimed as it is now, dry land. Mr. Nicholson will maintain the ownership of the land.

Dave Cockrum testified that this is a 30-year proposal and the hours of operation will be 7 a.m. to 7 p.m. Monday through Saturday. The plan is to take an excavator and pick up the rocks, take them down to a flat area, size sort it, let it sit, and haul it out. It's not like a retail operation. As an example, they may get a bid for 3,000 yards and they will haul that out and then maybe it won't be used again for 10 years, or maybe it will be used once a year. It's not an everyday retail operation. It's project specific, as needed. If Granite Excavation gets a bid for gravel or riprap they will only make enough material to supply that job and maybe a little bit more in case something comes up. With riprap it will just be an excavator and a couple of trucks and it will go on for a month and then it will be quiet. It depends on how many projects they have. It will be transported out of the site, coming from the north down to Map Rock and then east or west. Originally they talked about a larger number of trucks but when Granite looked at how far this is from where their projects are there is only a limited number of vehicles that they can get up and back in a day and that's where the numbers that were reduced came from. They are not proposing any blasting of mining from the cliffs. This will be a contractor-furnished source for Idaho Transportation Department projects and in order to have that you have to have a reclamation plan approved, a CUP approved, and you have to run it through the State Historical Preservation Office (SHPO) and an archaeological study has to be completed. In the event it's passed by the SHPO's office, there are very stringent

requirements in the event you run into something that's an archaeological, or historical you have to immediately cease operations. An archaeologist has to be contacted right away, and you have to move away a distance and leave that area alone and that's over and above an archaeological study that begins the whole operation. On the riprap there might be something discovered that wasn't known before and then it's an immediate shutdown until an archeologist looks at it. The same is true with gravel when you start to dig down into the gravel below the farming zone they could run into something and an immediate shut down is required. There are times when you have to leave that area permanently. It's not like they propose to quietly mine and not tell anybody if they run into something. There is a project person who has to certify to ITD what's going on and in addition, the crushing company has to know what they are dealing with. There is a set procedure and they have no intention of doing any harm to any artifacts or burial sites. Mr. Cockrum said it'd be a good idea for Granite Excavation to consult with an archaeologist to know what some of those things are so that crushing/mining staff can be trained to know what they are looking for.

Jeff Conner from Idaho Power gave testimony on how Idaho Power intends to use the gravel. In 2019 they received a water quality certification for the Hells Canyon Complex and one of the requirements is implementing the Snake River Stewardship Program which is a water shed wide restoration program on tributaries and the Snake River to improve river conditions with the intent of improving water quality conditions. They look for areas that are shallow and wide and have a lot of aquatic growth and they go in and narrow those areas and deepen the channel and get the water flowing through at a higher velocity, build flood plains and vegetate those flood plains with native vegetation. They did a trial project in 2016 called Bayha and it was successful. For one product they need specific gravels, river rock gravels, to line the newly constructed channels. They worked with the adjacent landowner and mined his gravels and screened them and brought them to the site which kept the trucks off the road. They have identified two sites on the Nicholson property where they can do the same thing. One of the restoration projects is adjacent to the river, called Rippee Island. They will screen those gravels to potentially line some of the river channel. The other one they would use for the dam material when in construction and when the dam is removed they would bring the material back. How long would it take to get the gravel out of this area? With Bayha they started in July and were done in November, and this project would be one year with the same type restriction. There is another project upriver, Ware Island, where somewhere over the next 20 years they would potentially do that one. They are looking for projects that have gravel sources right next to the river because they want to keep truck traffic off the road.

Rebuttal was offered by Dan Woodruff who spoke of the importance of keeping in mind the comprehensive plan, previous resolutions and recommendations made by government agencies and private citizens. It's important to remember how unique this area is. When he visited the riprap mine located eight miles down the road they were using the excavators to pick rocks off the hill and he cannot imagine this one being done differently. It's non-mitigatable. If you follow the plan and recommendations you will find the appeal has merit and the excavation project shouldn't be allowed.

Commissioner White said the Board has received new information and is waiting on additional information that needs to be reviewed. Deputy PA Zach Wesley said the proposal would be to leave the hearing open to give the Board the opportunity to review the materials that have been presented that it hasn't had time to review yet and then there is one additional piece of evidence that is intended to be offered and that's the archaeological survey, and so the Board would consider that when it came in and then continue the hearing to another date. He asked if the Board would take additional testimony regarding the archaeological survey. Commissioner White said yes because that would be new information and the Board may have additional questions regarding it. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to March 9, 2020 at 9:00 a.m. Only new information will be taken on March 9th. The hearing concluded at 4:30 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 26, 2020

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

No meetings were held today.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$5101.00 for the Information Technology department

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 27, 2020

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

APPROVED CLAIMS ORDER NO. 2011

The Board of Commissioners approved payment of County claims in the amount of \$1,660,621.11 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Global Assets, Inc. in the amount of \$1768.68 for the Sheriff's Office
- Omni Explosives in the amount of \$1050.00 for the Sheriff's Office
- BOE in the amount of \$12,875.00 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 3/7/20 for the Hess wedding.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 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 and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0399, 2020-0413, 2020-0385, 2020-0389, 2020-0422, 2020-0420, 2020-0421 and 2020-0416. 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. The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:48 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 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 approval with written decision within 30 days on case no. 2019-1002.

Commissioner Dale made a motion to issue final approvals with written decisions within 30 days on case nos. 2019-1099 and 2019-409. 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.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-112

The Board met today at 9:00 a.m. to conduct a medical indigency hearing for case no. 2020-112. Present were: Commissioners Pam White, 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 continue the case to April 23, 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. 2020-195

The Board met today at 9:29 a.m. to conduct a medical indigency hearing for case no. 2020-195. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Andrew Lacayo for West Valley Medical Center, 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 March 26, 2020. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-3

The Board met today at 9:42 a.m. to conduct a medical indigency hearing for case no. 2020-3. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan with 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 continue the case to April 23, 2020. The hearing concluded at 9:50 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-87

The Board met today at 9:52 a.m. to conduct a medical indigency hearing for case no. 2020-87. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, 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 March 26, 2020. The hearing concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:58 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 and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on the following cases: 2020-119, 2020-68, 2020-12 and 2020-6. Commissioner Dale made a motion to issue final denials on the cases as read into the record. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:59 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 10:07 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek (Commissioner Dale left at 11:35 a.m.), Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro (left at 10:45 a.m.) and Deputy Clerk Jenen Ross.

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

Note for the record: As properly noticed the Board met today at 10:07 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 10:08 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) regarding personnel matters concerning named personnel, records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, 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, Facilities Director Paul Navarro (left at 10:45 a.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:25 a.m. and no votes were taken.

At the conclusion of the executive session a discussion was had about employee sponsored events that are either for fundraising or just gatherings such as cookie sales, holiday

bake/tree sales and chili cook-off events and where the line is between being an in-house event and a county sponsored event. The meeting concluded at 11:45 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST BY KENNETH SMART FOR AN APPEAL FOR AN ADDRESS CHANGE; CASE NO. RD2019-0028-APL

The Board met today at 2:02 p.m. to continue the public hearing to consider a request by Kenneth Smart of an appeal for an address change. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson explained that since the last hearing the Sheriff's Office staff and DSD have met with the neighbors but DSD needs more time to determine the status of the right-of-way access on Oasis. She has been in communication with Gem County, but she needs some additional time to collect the necessary information. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to reschedule the hearing to March 24, 2020 at 10:00 a.m. The meeting concluded at 2:05 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH HUMAN RESOURCES DIRECTOR TO DISCUSS SUPERVISOR TRAINING PROPOSALS

The Board met today at 3:02 p.m. with the Human Resources Director to discuss supervisor training proposals. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. In response to a question from Commissioner Van Beek, Director Baumgart said to her knowledge neither the Board nor the PAs office had ever been evaluated. Ms. Baumgart said it was discussed several month ago to provide supervisor training as a form of succession planning. She received quotes from several different firms and met with four consulting firms. In order to get the results being looked for she thinks the best way to do that would be to have 3 different 2-hour sessions over a 6-week period. Commissioner White would like to see the supervisors receive a certificate at completion and wondered if the course could be used as continuing education credit. Ms. Baumgart said it could be used as continuing education credits and that she can request there be certificates upon completion. Commissioner Van Beek expressed concern about exposure to the county if a supervisor who is untrained is providing a review to an employee. Director Baumgart said that all the reviews are filtered thru HR so they are being reviewed; HR also meets with all the Directors for performance evaluation training and how to give feedback throughout the year. Commissioner Dale said he is in support of any additional training and feels the liability portion comes in when an employee needs to be terminated and proper performance evaluations have not been completed. Employees need to be regularly evaluated and positive and negative behaviors and performances need to be

documented. Commissioner Van Beek really likes the proposal by HR Precision and feels they could bring a new perspective. Commissioner White feels most comfortable with Price and Associates and has heard good things about the training from the DAs. Commissioner Dale thinks perhaps you stick with Price and Associates and maybe reevaluate in a couple of years to see if the training needs to be refreshed. Discussion ensued regarding the different types of personality assessments that are done by each firm, whether it would be more beneficial to stay with Price and Associates (training being used by the DAs) or by going with a new firm, and the possibility of going with a new firm but only having the supervisors attend and not the DAs. Director Baumgart feels it would be beneficial for DAs to also attend the training. At the conclusion of the discussion it was decided that Director Baumgart would put the two options, Price and Associates and HR Precision, out to the Department Administrators to get their feelings on which firm they'd like to go with. The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2020 TERM

CALDWELL, IDAHO FEBRUARY 28, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – 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):

- Corwin Ford in the amount of \$34,875.00 for the Fleet department/Juvenile Probation department
- Quality Trailer Sales in the amount of \$2000 for the Fleet department/ Juvenile Probation department
- BOE in the amount of \$1148.00 for the Information Technology department
- HP, Inc. in the amount of \$6246.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$53,235.96, \$265,108.43 and \$125,186.31 for accounts payable.

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, Prosecutor Bryan Taylor left at 9:09 a.m., Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Prosecution Services Term agreement Canyon County Prosecuting Attorney and City of Parma: Prosecutor Taylor explained that his office provides prosecution services to every municipality in the county. The Mayor of Parma requested an updated contract so that current signatures could be obtained. There were no changes to the contract. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Prosecution Services term agreement between Canyon County Prosecution Attorney and the City of Parma (see agreement no. 20-031).

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 9:10 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 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 9:42 a.m. with no decision being called for in open session.

Consider signing a resolution to transfer alcohol license to Rite Aid #5409: Commissioner Van Beek made a motion to sign the resolution transferring an alcohol license to Rite Aid #5409. The motion was seconded by Commissioner White and carried unanimously (see resolution no. 20-018).

The meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:00 a.m. for the public hearing to consider a request by Troost Family Trust for a comprehensive plan map amendment and rezone, Case Nos. OR2019-0002 & RZ2019-0004. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Jennifer Almeida, Deputy P.A. Zach Wesley, Greg Bullock, TJ Wellard, Sheena Wellard, Zane Laufenberg, Rich Hellwege, Darryl Ford, Sheila Ford, and Deputy Clerk Monica Reeves. Today's hearing was rescheduled from February 24, 2020. Due to unexpected

events in the Commissioners' Office, and because of the applicant's request to have a full Board present today's hearing will be continued to a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the hearing to March 6, 2020 at 1:30 p.m. The proceeding concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF FEBRUARY 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 9th day of June, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Tom Dale
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 2, 2020

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

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$20,848.39 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 Michael S. Brown (Sean Brown).

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom left at 9:12 a.m., Facilities Director Paul Navarro left at 9:26 a.m., Parks Director Nicki Schwend left at 9:08 a.m., Parks Planner Laura Barbour left at 9:08 a.m., EOM Christine Wendelsdorf left at 9:13 a.m., Chief Juvenile Probation Officer Elda Catalano, IPT reporter Rachel Spacek and Deputy Clerk Jenen Ross. The action items were considered as follows:

Take public comment regarding a proposed participation fee and consider signing a resolution to set a participation fee for the Canoe Science Camp operated by the Canyon County Parks Department: Director Schwend gave a background on the camp stating last year was the first year and no fee was charged but if often left no-shows without time to fill the spots with kids from the waiting list. This year they would like to charge a nominal fee to hopefully curb the issue. Additionally, the camp does take a fair amount of Ms. Barbour's time. No one appeared today nor were any public comments received. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to close public comment. Mr. Blocksom said the fee will be administered by Nampa Parks and Rec with the City of Nampa but the contract is still being worked thru and will come before the Board at a later time. Commissioner Van Beek made a motion to sign the

resolution to set a participation fee for the Canoe Science Camp operated by the Canyon County Parks Department (see resolution no. 20-019).

Consider signing communications use lease renewal for French John Hill-North with Canyon County Sheriff's Office and Bureau of Land Management: Chief Dashiell said this is the renewal for a radio tower site in Owyhee County on a zero dollar lease that allows Canyon County to use the property. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the communication use lease renewal for French John Hill-North with Canyon County Sheriff's Office and Bureau of Land Management (see agreement no. 20-032).

Consider signing application for amendment for Pod 6 SUP: Mr. Laugheed gave a brief overview stating this is in consequence of conversations between Director Navarro and Captain Ward with city and P&Z officials over the past few weeks to amend the guiding special use permit to remove some of the conditions that may be erroneous. It is Mr. Laugheed's understanding that it was best to amend the SUP and ask for a special meeting. Director Navarro said he heard from Jerome Mapp with the City of Caldwell and this amendment will put the county on the P&Z calendar for June 9th unless a special use permit/meeting is granted. Sheriff Donahue feels this is a good move and is in support of it. He said that the building is ready to occupy although there is still some training to be done. A neighborhood meeting will be held on March 23rd. At the request of Commissioner Van Beek, Sheriff Donahue spoke about the reason the amendment is being requested. He explained it comes down to a disagreement/confusion about the exterior fence and slats. There are slats in the fence that block the view into the rec yard, but his understanding is that Mr. Mapp would like slats along the rest of fencing. Sheriff Donahue does not want these additional slats as he feels it's a security matter. His deputies need to be able to see from the roadway if there happens to an inmate between the building and the fence. In comparison to the juvenile detention center and the tent facility the only slats are on the rec yard. Additionally, where 12th and Chicago come together, it's called the visual triangle, and cars need to be able to see which would be hindered by slats in the fence. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the application for amendment for Pod 6 SUP. A copy of the application and letter are on file with this day's minutes.

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 9:27 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 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, Chief Juvenile Probation Officer Elda Catalano 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.

MEETING TO APPOINT SEAN BROWN AS DIRECTOR OF JUVENILE DETENTION CENTER

The Board met today at 9:42 a.m. to appoint Sean Brown as the Director of the Juvenile Detention Center. Present were: Commissioners Pam White and Leslie Van Beek, Assistant Director of Juvenile Detention Sean Brown, HR Director Sue Baumgart, Chief Juvenile Probation Officer Elda Catalano, TCA Doug Tyler, Former Director Steve Jett, Juvenile Detention Field Training Coordinator Shawn Anderson, Kim Duegan with AAFV, Amber and Debbie Brown (wife and mother of Sean Brown) and Deputy Clerk Jenen Ross. Commissioner White read a brief statement from the offer letter to Mr. Brown and allowed him a moment to read and sign the letter. Commissioner Van Beek then made a motion to appoint Sean Brown as the Director of Juvenile Detention. The motion was seconded by Commissioner White and carried unanimously. Previous Director Jett offered his comments on the appointment and Mr. Brown spoke of his goals for the department. The meeting concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 3, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
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 Sonda Boyum and Kathleen Frost.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hart Intercivic in the amount of \$48,000.00 for the elections 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, Controller Zach Wagoner, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton and Deputy Clerk Jenen Ross. Mr. Wagoner has requested a remodel to add a workspace in the Records' office. Mr. Navarro believes he has a hole in his schedule and the project can be started next Monday with Board approval. Mr. Wagoner provided an explanation of the request indicating the increased activity. Although they have an empty workspace it is not a conducive workspace and he would like to change the layout in order to better serve customers. Director Navarro reviewed what would need to be done and noted that a lot of the materials can be repurposed. The work would be done March 9th – 20th and the Records' office would be able to continue operations. In response to a question from Commissioner Van Beek, Controller Wagoner said that no fulltime personnel were added to the Recording office in FY2020. Currently there is an open Administrative Specialist position which they may repurpose for more help in the Recording office. Controller Wagoner answered questions from Commissioner Van Beek about costs and revenues vs. projected revenues. The Board consensus is to move forward with the remodel. Director Navarro and Mr. Britton updated the Board on the following items: the sidewalk remodel on 11th Street is happening now and hope to be finished by Friday. The Lake Lowell building permit has been issued and they hope to have the project started in the next two weeks. There is a meeting regarding the fair building on Friday. The design documents are about 50% complete but there are some FEMA floodplain issues that will need to be addressed. Director Navarro spoke about how he would like to change direction somewhat in the way he conducts annual reviews; he would like to use more of one-on-one coaching. He would like to do twice a year reviews and asking his supervisors to do quarterly reviews. He plans to spend time in each of his areas working side-by-side in order to start a dialog with employees. The Board request an org chart of the Facilities department and supports the new direction of reviews. 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 DISCUSS 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. Mike Porter left at 9:11 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell left at 9:18 a.m., Facilities Director Paul Navarro left at 9:23 a.m., Assistant Facilities Director Rick Britton left at 9:23 a.m., Fair Director Diana Sinner left at 9:23 a.m., Controller

Zach Wagoner left at 9:23 a.m., Elections Supervisor Haley Hicks left at 9:11 a.m., Elections Technician Kylie Marks left at 9:11 a.m., Landfill Director David Loper left at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Meeting to discuss invoice for Verity Build Software from Hart InterCivic: Mr. Porter explained this is part of the on-going project with Hart InterCivic which is the equipment for the creation of ballots. Mr. Wagoner said March will be the first election with Hart and so far they've received good feedback on the equipment. Now that they've had one experience with Hart creating the ballots the elections office feels they are now able to create them in-house. In the old system you'd have to print lots of ballots in anticipation of voters but with the Hart system ballots are printed on demand and over time it will be a cost savings in paper and printing. Additionally, purchasing the software will save money in not having to pay Hart to create the ballots. The \$40K is a one-time cost and then there is an annual contract fee of approximately \$8K. Commissioner Van Beek feels she would need to look more closely at this and needs some additional information. Mr. Wagoner said this expenditure is included in what was budgeted for in elections equipment and in total they are under budget for the whole project. Mr. Porter explained that no motion is necessary since the Board already budgeted for this, it is under \$50K and because it was considered in the sole source the Board can just sign the invoice. Mr. Wagoner also presented a PO for Board consideration.

Consider signing a resolution of the Canyon County Board of Commissioners classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution (see resolution no. 20-022).

Consider signing resolution authorizing exchange of County property between Solid Waste Enterprise Fund and the County Parks and Recreation Fund: Mr. Wagoner said he has had multiple conversations with Director Schwend about this and it was included as part of the FY2020 budget. Additionally, he met with Ms. Schwend a couple weeks ago to let her know it was time to move forward with this exchange. There was \$50K included in the Parks budget specifically for this exchange. Commissioner Van Beek said she spoke with Ms. Schwend this morning and confirmed that she has spoken with Controller Wagoner, however she was not aware there was an action item for consideration this morning. Commissioner Van Beek objects to this moving forward without Director Schwend being present. Commissioner Van Beek asked if part of the enterprise fund will be given to Parks for clean-up of this property should it ever be necessary as Parks does not have the budget available for such a thing if the gun range were to close. Commissioner White said its Canyon County property and it's the county's responsibility no matter which department it's located under. Commissioner Dale added that enterprise funds have to be used for enterprise activities so it would be a stretch to use them for clean-up of the gun range. Mr. Goodsell said it's really just an accounting transaction that needs to move forward because Director Loper is looking to get a new CUP to expand the landfill and the gun range is not part of this.

Commissioner White made a motion to sign the resolution authorizing the exchange of county property between the Solid Waste Enterprise fund and the County Parks and Recreation fund. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-023).

Consider signing Canyon County solicitation of interest for an owner's representative for the Fair Expo Building Project: Director Navarro said this is a project that will probably require a “boots on the ground” type person to help manage as he, nor does he believe, Director Sinner will have the time to manage this project. The owner’s representative will be paid with URA funds and they have reached out to a couple of firms in the area who gave approximate bids of about \$100K. Director Navarro gave a review of the tasks an owner’s rep will be responsible for coordinating. Zach Wesley said a notice will run in the Press Tribune as well as be posted on the website and sent out others identified by Director Navarro. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County solicitation of interest for an owner’s representative for the Fair Expo Building Project.

Consider signing resolutions for new alcohol licenses to Pantera Market #4 and Shi Sushi Spirits: Commissioner Dale made a motion to sign the resolutions. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution nos. 20-020 and 20-021.

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 White made a motion to go into Executive Session at 9:28 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding record 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, Deputy P.A. Zach Wesley 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.

File in minutes reports of the Canyon County Treasurer for January 2020

PUBLIC HEARING – REQUEST BY JONATHAN LEE FOR A COMPREHENSIVE PLAN AMENDMENT AND REZONE, CASE NO. OR2019-0011 & RZ2019-0036

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Jonathan Lee for a comprehensive plan amendment and rezone, Case Nos. OR2019-0011 and RZ2019-0036. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Planner Dan Lister, Keri Smith-Sigman, Ben Hitchcock, Jonathan Lee, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a comprehensive plan map amendment from Agricultural to Residential, and a rezone from Agricultural to Rural Residential. The applicant is proposing to split the property into three parcels between the original owner and two other owners to create lots that are greater than 5 acres. The parcel was created in 1990 through a land division and was originally 20 acres that were adjusted off. The property is located within the Nampa impact area and there is an agreement that says after the first division you have to plat, unless you meet certain exemptions, and in this case if they create lots that are greater than five acres they are exempt from that subdivision requirement. The area will remain agricultural; however, the City of Nampa wants the area to be medium-density residential. Soils are considered to be best to moderately suited. Due to configuration and the assumption it will medium-density residential in the future, the farm ground will be inconsistent with the area. When city services get closer there will be more houses and it will be a residential growth area. The property is within a nitrate priority area; there are issues but it is below DEQ requirements, however, the applicant is encouraged to look into a treatment system. According to Mr. Lister, most agencies did not oppose the request. The highway district wanted a shared access which has been proposed; city services are one-quarter mile away and would require the crossing of the canal which is not feasible at this time. The Idaho Department of Water Resources opposes this request and requires a study be done because it is an "A" flood zone. The rezone does not trigger the base flood elevation study, the end goal is not to create a subdivision; the study will come at the time of development. The P&Z Commission and staff have both recommended approval of the comprehensive plan map amendment and rezone. Following his report, Mr. Lister responded to questions from Commissioner Van Beek. Keri Smith-Sigman testified on behalf of the applicant. She represents the Dancers, the Lees, and the Hitchcocks. The main source of contention with the case is the flood study. The property is in a Zone A which would comply with Section 3 of Section 7-10(a)-11 from the adopted ordinance. For a Zone A when we do not have a base flood elevation the only time studies are required is with subdivision proposals. The applicants fully intend to move forward with the three 5-acre parcels, they will not be applying for a subdivision within the next year or two. A base flood elevation study is not required; however, the flood plain administrator can require one be given at the time of development or they can require the structure be elevated two feet above the highest adjacent grade of the structure. The cost of a study ranges from \$15,000 to \$25,000 and in this case, it will be the high end because the area is an unmapped Zone A for miles and they would have to tie back in to the nearest portion for where development is available. By having 5-acre parcels there will be a lot of space for water to be captured on site and not cause additional flooding concerns downstream. There is nowhere that would require a flood study at the time of building permit, but they would have to apply for a development permit and they could be required to have that base flood elevation determined for the structure but not the study for the entire property. This request

does not meet the definition of a subdivision. A base flood elevation study is different from establishing a base flood elevation. The applicant will have to comply with one of those but they don't have to do a study. Mr. Lister said the code states the proposal has to have base flood elevation data, and the County's flood plain administrator has attributed that to a study requirement, so at the time of building permit they will have to get a flood plain development permit and work with the flood plain administrator and if she decides a study is required that is within her purview, if not, perhaps it could be a letter of map amendment showing the base flood elevation for that structure, or developing it over two feet above the highest adjacent grade, however, our current interpretation is they have to do study. Commissioner Van Beek and Commissioner Dale asked questions of Ms. Smith-Sigman. 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 comprehensive plan map amendment and rezone. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution, and the findings of fact, conclusions of law, and order, as well as the ordinance (See Resolution No. 20-024 and Ordinance No. 20-006). The hearing concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPLICATION FOR CANCELLATION OF PROPERTY TAXES FOR GARY AND SANDRA HAZEN

The Board met today at 1:32 p.m. to consider the application for cancellation of property taxes pursuant to Idaho Code, Section 63-711 for Gary and Sandra Hazen. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Gary and Sandra Hazen, and Deputy Clerk Monica Reeves. Treasurer Lloyd said the Hazens experienced a casualty loss (a house fire in July of 2019) and it occurred after the date of assessment appeal. The Assessor has made an adjustment to their 2020 assessed value. The application is for the 2019 taxes and the value associated with that timeframe is \$168,500 with the total taxes being \$2,679.12. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to grant the cancellation amount of \$2,679.12 for the time period of July through December 2019. Per the Hazens' request the amount will be credited toward their tax bill. The meeting concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 4, 2020

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

No meetings were held today.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 5, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
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 Bailey Allen.

APPROVED CLAIMS ORDER NO. 3/4/20

The Board of Commissioners approved payment of County claims in the amount of \$650.00 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 and Tom Dale, 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: 2020-0458, 2020-0427, 2020-0425, 2020-0423, 2020-0392, 2020-0456, 2020-0468, 2020-0433 and 2020-0426. 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 White and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a written approval within 30 days on case no. 2020-430.

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 OPEN BIDS FOR SPRING 2020 JUVENILE DETENTION CENTER AND GYMNASIUM RE-ROOFING PROJECT

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to open bids for the Spring 2020 Juvenile Detention Center and Gymnasium Re-roofing Project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro left at 9:07 a.m., Assistant Director of Facilities Rick Britton left at 9:07 a.m., Representatives from Weathertight Roofing and JB's Roofing left at 9:07 a.m. and Deputy Clerk Jenen Ross.

Open bids for spring 2020 Juvenile Detention Center and Gymnasium Re-Roofing Project: Mr. Laugheed noted for the record that any objections were due to the Board by March 2, 2020 and no objections were received. Bids were due today by 8:30 a.m. and the following were received:

Weathertight Roofing
Received March 4, 2020 at 8:13 a.m.
Bid amount: \$78,312

JB's Roofing
Received March 4, 2020 at 3:18 p.m.
Bid amount: \$74,236

Upton Elite
Received March 5, 2020 at 7:33 a.m.
Bid amount: \$78,660

Director Navarro believes all three bids should be comparable as there was a mandatory walk thru. He will evaluate each bid and then come to the Board with his suggestion. The budgeted amount for this project is \$80K.

Commissioner Dale gave a review of the legislative committee meeting he recently attended.

The meeting concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – APPEAL BY TRENT WHITE FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 10:00 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 PA Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Attorney Todd Lakey, Trent White, Tonya White, Attorney Kristoffer Sperry, Gordon Hansen, Diane Hansen, and Deputy Clerk Monica Reeves. The applicant is requesting approval of a variance of the 20-foot rear setback to accommodate the pool that's been conducted 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 permit, if required. Jennifer Almeida gave a status update. The initial hearing was held on November 12, 2019 and was continued to December 12, 2019 to allow time for a survey to be completed in an effort to identify the north property line and to find a workable solution between the Whites and the Hansens. The hearing was subsequently continued to January 13, 2020, January 14, 2020, and February 20, 2020. On February 20, 2020 the Board continued the hearing to a date when all three Commissioners could be present, and a new date of March 5, 2020 was set. Since that time a record of survey has been completed. The applicant's representative has indicated the pool cover is 50.25 inches south of the property line, setbacks are measured from the property line to the structure and a result of the recent survey, staff has amended the proposed findings of fact, conclusions of law and order to reflect the 20-foot setback be reduced to four feet now that the property boundary has been surveyed. Todd Lakey testified on behalf of his clients, Trent and Tonya White, who have submitted evidence as to why the pool needed to be in this location based on specifics of the site. The Hansens home is located 225 yards from property line and it's surrounded by mature landscape. There is no impact to the six acres of alfalfa between the pool and the Hansens home. Before the survey was complete, Mr. Hansen had installed fence posts and the parties agreed to cut off three inches, but the Hansens later changed their minds. According to Mr. Lakey, the P&Z Commission wanted to approve the request but they couldn't come to agreement on potential conditions. A survey was done which has confirmed that everything is within the Whites property. The northwest fence post is 14 inches inside the Whites property and the northeast fence post is 2-3 inches inside the Whites property. He said they tried to reach an agreement with the Hansens, but in the end they were not able to do so. Mr. Lakey said they can only do so much without impacting the integrity of the pool. They talked about cutting a foot off the cement walkway around the pool. They could not reach an agreement on the portable shed near the pool which is surrounded by concrete and contains the filtration system for the pool. They can keep the piping at least two feet away from property line, but piping is not any different than sprinkler pipe that runs along property boundaries. If they are required to remove the shed it would necessitate an elbow in the piping which would make it ineffective. Neither the shed, piping, or cement walkway are subject to setbacks. The Whites are asking for a three-foot setback from the edge of the pool and the cover to make sure they are compliant, and they are willing to cut off a foot of the walkway and rebuild the fence. Following his testimony, Mr. Lakey responded to questions from Commissioners Van Beek and Dale. Trent White testified that the pool and the pool cover are within his property boundary, and he acknowledged that he wrongfully did not obtain a building permit. He stated he intends to fence the property on boundary. Kristoffer Sperry, who represents the Hansens, testified that the Whites carry the burden of proof to show an undue hardship exists because of the characteristics of the land, and that a variance is not in conflict with public interest. While they do cite general reasons (trees, landscaping and the septic) they failed to show whether it is undue hardship. There is no evidence of an actual hardship. It is a recreational use and it wasn't necessary. Allowing the variance legitimizes the construction of structures that are in clear violation of county ordinances and therefore in conflict with the public interest. The survey does not list all edges of the pool it says the southeast corner appears behind the line but it does not say whether the northwest corner

is on the property. The only thing it shows is that the pool is within the required variance. The concrete walkway is part of the pool and without it the pool would not be structurally sound. The shed is no longer portable, it's a structure. The base of the shed is in concrete and that's why it's no longer portable and it should comply with the setback. Mr. Sperry said the Whites have not carried their burden of proof or shown any undue hardship. They want to keep their pool in direct conflict with ordinances; there are policy reasons for setbacks and they are necessary. Commissioner Van Beek asked if there has been a willingness to sell a portion of the land. Mr. Sperry said the selling or transferring property was not addressed. Commissioner Van Beek had additional questions of Mr. Sperry regarding the Worley case law that involved a variance. Gordon Hansen testified that the P&Z Commission's action was not proper in that it had to come before the Board of Commission. He spoke of how he believes Trent White has encroached on his property and he referred to disputes the two of them have had in regards to property maintenance. During rebuttal, Mr. Lakey referred to a recent case law involving a variance request where the Supreme Court said those opposed have to show how the variance is harming them. The Whites have demonstrated there has been no substantial injury to the Hansens and they have demonstrated why the pool needs to be in this location due to characteristics of the site. The cement pad and walkway do not require a building permit. The edge of the pool is six feet from property line, and the Hansens were involved and talking about it and they didn't have any problem with the edge of the pool. They raised concerns later about the property line and where the cement walkway would go. The portable shed is still portable, it's simply surrounded by concrete and moving it would damage the integrity of the pool. If the Board is inclined to require them to cut off a foot of the walkway they will although they don't see much benefit in that. They are seeking approval of the variance of three feet from the edge of the pool and that the portable shed not be included in that. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale appreciates the survey was done to verify property lines and he said it's unfortunate there has not been an amicable agreement. Good information was presented today that was not available at previous hearings. He appreciates willingness to cut off a foot of the pool, but he sees no benefit to that. The shed does not need to be moved, it's 96 square feet and is not within the 200 square foot requirement to have a building permit. There are no setbacks for sidewalks, they can be right on the property line. A building permit should have been pulled for the pool but there are no separate requirements in the code addressing swimming pools and that's something we should define in the future. A pool is different than an above-ground structure and he does not see where the pool infringes on the Hansens use of their property. It is not in conflict with public interest nor has there been a substantial injury to the Hansens. He is in favor of the appeal for a variance. Commissioner Van Beek said she makes decisions based on policy, not on emotion. The injury comes down to which side of the fence you're on. A true hardship has to do with the layout of the ground and the pool could have been turned east to west without impacting the sewage system so it eliminates any need for a variance. It doesn't meet the definition of a hardship. After a review of the relevant goals and policies and case law she said the evidence falls in favor of the Hansens and she does not support granting a variance to the Whites. Commissioner White said there has been a recent case law and we have testimony that nothing encroached on the Hansen property. The County does not have separate setbacks for pools, and if the property line setbacks cannot be met a variance has to be met first. The Whites did not seek

permission, but everything is on their property. She believes the injury has come in the feelings and emotions between the two parties. The Whites completed a survey and have agreed to the four-foot setback. She is having a problem seeing where the Hansens were damaged in their land ownership or ability to farm. This has been an expensive lesson for the Whites, and a learning case for the county in that we are seeing a weakness in our policy. Commissioner Van Beek said there has been a loss because Mr. Hansen uses farm equipment on his 6-acre hay operation and he needs that setback. Until zoning is changed or the ordinance is changed there is still a strong argument for policy and it has to be looked at from both sides. Commissioner Dale said the fence determines how far that farm equipment can go, and no evidence has been shown that a property right is being taken away. He doesn't see how the pool structure infringes on the way to irrigate the Hansens' land. The most recent case law supports this variance. We are following policies; if setbacks cannot be met, a variance must be approved. Commissioner White encouraged both parties to not let a swimming pool come between their friendship. She is in favor of granting the variance. Commissioner Dale made a motion to approve the variance application with conditions of approval. He is not going to require them to cut off a foot of the cement walkway. Ms. Almeida said she amended one of the proposed condition regarding the timeframe on installing the wrought iron pool fence. They have until June 5, 2020 to complete that fence. Commissioner Dale said he will include that in his motion. 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 with Commissioner Van Beek casting the dissenting vote. Staff will prepare revised findings of fact and conclusions of law based on the Board's deliberation today and will be considered on March 18, 2020 at 9:00 a.m. The hearing concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

PRESENTATION BY JEFF BARNES & TOM POINTS REGARDING 2020 CANYON COUNTY VEHICLE REGISTRATION FEE INCREASE PROPOSAL (INFORMATIONAL ONLY)

The Board met today at 2:00 p.m. for an informational presentation by Jeff Barnes and Tom Points regarding the 2020 Canyon County Vehicle Registration Fee Increase Proposal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Nampa Public Works Director Tom Points, Nampa Deputy Public Works Director Jeff Barnes, Assessor Brian Stender, Deputy P.A. Dan Blocksom, DSD Director Tricia Nilsson, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Rachel Spacek from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. In response to input from citizens, the City of Nampa is proposing a countywide vehicle registration fee of \$25 to help address the transportation funding shortfall. Idaho Code allows a county to impose a vehicle registration fee and it was proposed that it be a 70% split for highway districts or 30% for cities unless agencies come up with a different idea to split it. After discussions they learned the highway districts are amenable to a 50/50 split with the cities. A PowerPoint presentation was given, a copy of which is on file with this day's minute entry. Highlights were as follows:

Partnership between all 13 highway jurisdictions (4 highway districts; and the cities of Notus, Parma, Wilder, Greenleaf, Middleton, Caldwell, Nampa Melba and Star)

Why a registration fee increase?

- Roads are deteriorating
- It's attainable
- Equitable – users of the roads pay for the increase
- A way for growth to pay for growth

What Have We Heard?

- Focus on maintenance, safety, and safe routes to schools
- Present clear, unified message with special recognizable projects
- Start early
- Concerns over tax increases and levy rates
- Alternative property tax increases

Survey Response to Registration Fees

Memorandum of Understanding (MOU)

- Must be signed by all 13 highway jurisdictions
- \$25 increase, approx. \$4.4M annually to Canyon County
- Distribution according to MOU
- Minimum \$40,000 per year (*to smaller cities*)
- November 2020 election

Estimated Annual Funding Distribution

- Highway District Subtotal \$2,192,052
- City Subtotal \$2,192,052

Next Steps

- Councils and Commissions sign final MOT
- Signed MOU to Canyon County Commissioners to place on the November 2020 ballot
- Begin public education process

A roundtable discussion ensued. The city is hoping to have answer soon from the County because they would like to place this issue on the November ballot. The Board will review the information, including the MOU. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 6, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Business Interiors of Idaho in the amount of \$3154.56 for the court clerks
- Business Interiors of Idaho in the amount of \$2311.20 for the court clerks

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pantera Market 3 to be used 3/6/20 and 3/7/20 for Latino Days.

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

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Fair Director Diana Sinner left at 9:03 a.m., Facilities Director Paul Navarro, Director of SWDH Nikki Zogg, EOM Christine Wendelsdorf, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020 Canyon County Fair Entertainment Agreements with National Entertainment Group - Richard Barker, Reptile Adventurers and Tyler Messina, Norma Lopez aka Pansy the Clown, Hispanic Folkloric Dancers of Idaho and Brad Ebert, The Raptor Project, LLC, Extreme Raptors Show, and Jonathan Wood, Dueling Pianos and Jason Buckalew, Billie Madison aka Bubbie the Clown: Director Sinner gave a brief description of each entertainer's act and Mr. Wesley said these are the regular contracts that contain all the standard conditions. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2020 Canyon County Fair Entertainment agreements. See agreement nos. 20-033 thru 20-039.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:04 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 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, Assessor Brian Stender, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Director of SWDH Nikki Zogg, EOM Christine Wendelsdorf, HR Director Sue Baumgart 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.

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

The Board met today at 1:31 p.m. to consider 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, Deputy PA Zach Wesley, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, TJ Wellard, Sheena Wellard, Greg Bullock, Jeannette Bullock, Bill Werhane, Sheila Ford, Daniel Brady, Ryan Tuttle, Michael Davenport, Rich Hellwege, Darryl Ford, Paul Townsend, Jay Sharbono, and Deputy Clerk Monica Reeves. The first hearing was held on December 11, 2019 and was continued to January 6, 2020 where Commissioners Pam White and Tom Dale voted in favor of the request. Commissioner Van Beek was opposed to the motion to approve. Because the Board's decision differed from the P&Z Commission's recommendation a second public hearing was required and is being held today.

Jennifer Almeida addressed the late exhibits that were submitted and briefly reviewed the staff report. The subject property is approximately 36.72 acres and is currently zoned agriculture. The future land use is also agriculture. The P&Z Commission recommended denial of the request on September 19, 2019 and on January 6, 2020 the Board of Commissioners voted to approve the request and because that was a material change from the P&Z Commission's recommendation a second public hearing is being held pursuant to Idaho Code. Seven platted subdivisions exist within one mile of the subject property and the average lot size is 1.18 acres. The subdivisions adjacent to the property, Sunnyslope No. 1

and No. 2, were recorded in 1948 and 1949, and were created prior to zoning regulations in the County. The remaining subdivisions were also created prior to zoning regulations within the exception of Pear Lane Estates which was platted in 2007 and Newby Subdivision which was platted in 2018. The predominate zoning district within one mile is agriculture. There is commercial zoning located south of the subject property which dates back to 1985 and serves as the Sunnyslope Market, a store and gas station. There is a conditional rezone to rural residential located approx. 1,337 feet south of the subject property which allowed for the residential lot and one agricultural-only parcel that was platted as Newby Subdivision. COMPASS indicates the household forecast for this area shows an increase of 22 households by the year 2040. COMPASS noted the proposal exceeds current growth forecasts for the area noting transportation and infrastructure may not be able to support the new transportation demands. The applicant has proposed individual septic and wells for the project. The subject property is located within a nitrate priority area. There are several wells within the immediate vicinity that have tested high in nitrates. The property currently has frontage on Apricot Lane and Sunnyslope Road. Golden Gate Highway District stated the residential portion of the development would be below the threshold that would require a traffic impact study; however, they were more concerned with the C-2 zoning which has the potential to generate significant traffic at full buildout and as a result the district will require a traffic impact study for the commercial portion of the development. ITD noted that the development should, if possible, take access from local roads. If the development wishes to take access to the state highway system and there are local accesses available the applicant must prove the need for highway access through a traffic impact study. Staff has found the request does not meet the standards of review for a comprehensive plan map amendment and rezone.

Commissioner Van Beek said subsequent to our last hearing there was information received regarding the American Viticultural Area, which is a designated wine and grape growing region encompassing this area. She submitted a copy of the definition of a viticultural (Exhibit No. 38), which she said ties back to the relevance of Exhibit No. 33 and No. 35 and the establishment of the area in 2007.

Greg Bullock read a prepared statement as follows: In November of 2018, Greg Troost, the Troost Family Living Trust, purchased a dairy farm of approximately 320 acres from Dorsey Farms and 280 of those acres are located on Lowell Road, approx. one mile to the west of this location. This 38-acre parcel was a part of that acquisition but it's separated by over a mile and a half from the rest of that dairy and farming operation. Since then Mr. Troost has cleared 40 acres of the original Dorsey Dairy and put in a large center pivot and is planning to grow hay there for his dairy operation. It seems this location would be ideal to provide affordable housing and agricultural employee housing that's needed throughout the county. Of all the land he owns in the county this was the most viable parcel given the existing 111 lots around it, the commercial on the corner, the highway, and the site owned by the LDS church. They held a neighborhood meeting last summer and 6-8 people showed up, they had questions but one no opposed it that night. There was no opposition at the P&Z Commission hearing. At the first hearing in front of the Board, no one testified in opposition – the only

opposition came from Commissioner Van Beek up to that point. There was a request for a continuance on that hearing to provide additional information on the project and they convened two weeks later. At that time the Board voted 2 to 1 in favor of the request. The findings of fact and conclusions of law and order (FCO's) were not available for signature at that time but Mr. Bullock was told they would be completed and signed within 2 weeks. At the end of those two weeks he received an email from DSD that the County's legal counsel was requiring an additional hearing on the basis that there is a change in material fact. Their understanding of a material fact is that the Board went against the recommendation of P&Z Commission. That raised a lot of questions, so he spoke with former County employees who said it's not necessary to conduct another hearing today; it's out of procedure and the Board has the final authorization and the FCO's should have been signed. He said there have been other instances where the Board went against the P&Z Commission's recommendation and an additional hearing was not held. He contacted legal counsel who said it's almost unheard of, it's not been a practice or a standard protocol. There's been no material change and the fact the Board went against the P&Z Commission does not initiate a material change. On the advice of legal counsel Mr. Bullock requested the Board vacate the hearing and sign the FCO's from the previous hearing in January. He finds it very strange that after zero opposition to all the hearings we now have several letters in opposition and eight people prepared to testify in opposition and there is now additional material in opposition from a Commissioner, which he finds surprising. The facts remain, nothing has changed from the time they had approval. At the previous hearing Commissioner Van Beek wanted to enter an exhibit that referenced the Snake River viticultural region. The designation granted in 2007 is an economic development, it's for tourism and it's really nothing more than saying Idaho is unique in that it can grow a unique wine. It does not have any land use restrictions. Affordable housing is needed in the County. On February 22, 2020 the Idaho Press-Tribune had an article that in the previous 12 months we have had an increase in housing prices of \$32,000 in a 12-month period which is an 18% increase. Let's say the Snake River/Sunnyslope becomes a great vineyard area, where are you going to put the employees? They cannot afford \$400,000 homes in the county on an acre overlooking the area. Commissioner White asked if it's low income housing or affordable housing. Mr. Bullock said it is affordable housing, not low-income housing. They are looking at 23 one-acre lots. Mr. Troost lives in Parma and has farms all over the County, and he has 280 acres on Lowell Road which is one mile away, and it's not practical to think his employees for his dairy location in Parma are going to live in this area. He is not moving his dairy employees in Parma to this location. He has a lot of other farm operations in this area where his employees need a place to live. In response to questions from Commissioner White, Mr. Bullock testified that the lots will have outbuildings but there will not be any commercial use, they are not establishing a business or doing mechanic work. They are manufactured homes that will be permanent fixtures on a foundation. They qualify for rural residential financing. They will be able to sell a home on a one-acre for \$220,000 or less. Commissioner White said if there are going to be outbuildings, she wants them behind a fence, and for there to be paved driveways and she would like streetlights, and she said the landscaping needs to go to the edge of the street. The subdivision will be behind the commercial portion so could there be a vinyl fence to give

a backdrop for the commercial area. Mr. Bullock said he has no problem with those proposals. He has had a discussion with the neighbor who will be impacted the most by the commercial development and they've already talked about a privacy fence.

TJ Wellard testified he's been involved in hearings where the Board approved cases that were recommended for denial by the P&Z Commission and second hearings were not held. He disagrees that a second is necessary, but he understands the Board's desire to follow its legal advice. This is not standard practice. He stands by his previous testimony at the underlying hearings.

Bill Werhane offered neutral testimony. He lives close the subject property and he walks the orchards every morning and sees the people working the orchards and he said they deserve a place to call home. In the last five years he's noticed there are burned-out/unlivable buildings in the Sunnyslope area and he'd liked to see them brought up to standards where they could be used before starting another project. He is opposed to Commissioner White's suggestion for streetlights because he likes the night skies. The area has elevated arsenic levels and it's treated at the well head so there are ways to do it without having individual wells and septic systems. Having one system that would treat it would be better on the land.

Commissioner Van Beek asked if Mr. Werhane was referring to blighted subdivisions in the area. Director Nilsson said over the years this has been a hot spot for code enforcement activity and they have worked on those properties to the point they are seeing more reinvestment in some of the lots and they have been pleased that the code enforcement efforts have resulted in more upkeep of the properties. She cannot speak to the burned-out buildings other than the county has not adopted a dangerous building provision so we're not able to require teardown of the structures but there have been debris piles and other things that have been cleaned up. It's not 100%, but it's much better than it has been. It has been an area that has needed some clean up and that's been happening. Commissioner Van Beek asked for clarification on the necessity of having a second hearing due to the material change being made. Zach Wesley said this is not that unusual of a process. The unusual thing about this circumstance is we didn't catch it until after the first hearing had concluded and we usually note at the end of a hearing that a second hearing will be held. The particular law we're talking about is Idaho Code 67-6509(b) and this is a provision of the law that is recycled a lot in the local use and planning act and it talks about the adoption amendment and repeal of the plan and spells out the process for all of your zoning decisions under the law, and so all the processes point back to this one section. The particular language is at the end of 67-6509(b) and it says: *"Following consideration by the governing board, if the governing board makes a material change in the recommendation where alternative options contained in the recommendation by the commission concerning adoption, amendment, or repeal of the plan, further notice and hearing shall be provided before the governing board adopts, amends, or repeals the plan."* In this case we do have a comprehensive plan map update so that language is on point. If the Board makes a decision that differs from the P&Z Commission's recommendations it has been our practice that the Board holds a second

hearing and there is case law that supports that. We don't always catch it, and sometimes we have missed one or two but it's been a regular practice.

The following people testified in opposition to the request:

Rich Hellwege has lived in the area since 1980 and he farms and raises cattle on his land and the he is opposed to this request based on the proposed number of wells. The water level has dropped and he's pumping sand in his well. There is a new subdivision nearby with 17 homes with individual wells and septic. Good water is found at 80-90 feet but there's not a lot of it and if you go below that you will get into sulfur water. Those who live in \$500,000 homes have an osmosis system because of the sulfur water. A few years ago, Williamson Fruit Ranch started a winery just past the subject property and they wanted to do a fruit stand along with it but they were denied because of additional cars coming onto the highway. He has the following concerns: traffic conditions in the area are dangerous; farmland needs to be protected; and complaints from residents about farming practices. The Sunnyslope area is in the Snake River Valley AVA (American Viticultural Area), which is a designated wine grape-growing region, and it's known for great fruit and great wine and that AVA designation will bring more money for winemakers. He's opposed to commercial being done on the front of the property. He said a person in the audience today purchased the existing store and has invested thousands of dollars in it and now a Chevron station may go on the property which would put this person out of business.

Sheila Ford testified that a lot has been said about the need for a new jail and we haven't solved the problem to plan for future increased population and yet people want to build more subdivisions. Let's figure out how to plan for future needs without having existing homeowners pay for the needs of the new residents before we fill up the valley with new subdivisions.

Darryl Ford lives on Frost Road and he has a beautiful view. They moved from the Mojave Desert in California to raise their kids in Idaho and they want to stay in a rural area. He had to purchase a new digital pump for his well because the old one was blowing fuses. His water tastes good, but his neighbor's water is white and it smells bad. The nitrates are high in the area and he's concerned they will go up and they won't be able to use the water and will have to pipe water in and pipe the sewage out and the residents will have to pay for it. He supports the rural lifestyle and wants to keep things open. He has horses and if his well goes down and agriculture goes away there is nothing to feed that aquifer and he won't be able to feed and water his horses.

Paul Townsend testified that he is opposed to development because of the degrading of the community as more people come in. He is against urbanization.

Greg Bullock offered rebuttal comments. He said SWDH will govern wells and septic systems and determine what's allowable, and he noted that the highway district is not opposed to this development. He said the right to farm act is in place to protect agriculture, and the proposed development will not impact any of the orchard activity.

Commissioner White asked if the project will have government subsidized low-income housing. Mr. Bullock said this is not low-income government subsidized housing, and if he needs to put a deed restriction on it, he will. Commissioner Van Beek asked if the project will be restricted to a manufactured homes. Mr. Bullock said it comes down to the size of the home, if someone wants a 900 square foot home would we be able to restrict that? They are targeting \$190,000 to \$240,000 final purchase price, which is considered affordable housing. He said the properties surrounding it would not allow any developer to build anything of substantial cost and expect someone to pay that and live there because of the surrounding neighborhood. Commissioner Van Beek said some of those are blighted areas and she spoke of concerns of the potential that it could attract issues of drugs and domestic violence. Mr. Bullock said just because someone is not affluent does not mean they have a higher degree of an immoral life. Commissioner Dale said there are a number of innovative approaches to housing, including the modular homes, which are more economical. His understanding is that the intent is to provide affordable housing for people who want to work in agriculture. Commissioner White asked if an investor is going to build the homes for rental properties. Mr. Bullock said no, that is not the intention.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. The motion and second were withdrawn to allow another person to testify.

Michael Devenport questioned the Board's decision to go against the P&Z Commission's recommendation in this case. He spoke about the need for road improvements in Canyon County and the dangerous traffic conditions in the Sunnyslope area. He is not in favor of adding more houses to this area.

Jay Sharbono lives on Sunnyslope Road and he owns the gas station located at Highway 55 and Apricot Lane and he is worried about access and traffic on Apricot Road. He spent his retirement on that property and he fears the proposed development will stop access to his gas pumps. He spoke about the water situation in the area. He just had a new pump put it in and it was 40 feet deeper than the old one. He is concerned about the impact additional wells and septic systems will have on the existing water and ground water.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White said if someone can afford to purchase their own home, she is in favor of them doing so and she supports having affordable homes for farmworkers. She noted that SWDH will have to weigh in on the wells and septic system proposal. Director Nilsson said if a condition that would help would be to have a completed nutrient pathogen study prior to submitting the subdivision plat and the result of that study will determine the number of lots. It's better to have that done before you spend money on the plat. Mr. Bullock said they have to come back with a plat and a study but that's determined in the future. Jennifer Almeida said this is not a conditional rezone so placing conditions at this point would be difficult without a development agreement. Commissioner Van Beek said we need to follow the guidelines of the comprehensive plan which support denial of this application. Once development starts in an area it catapults

growth forward in an area that is inconsistent with the comprehensive plan. New development should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished. Locating homes in this area is going to impact the orchards. Williamson Farms has a statement of opposition to this based on traffic issues, the need for road improvements. The gas station owner will be impacted. The highway district is concerned about the structural capacity of the roadway and the calculation of proportionate cost share to do that. This area is a designated corridor and should be protected. There is a blighted area out there that would eventually, hopefully, be able to be repurposed or upgraded and it should be used for existing agricultural operations and designated for rural use. There is cause to pause and look at what we don't do, but also what we have the power to do and that is to direct growth. She doesn't find a basis for approving this housing project in the Snake River Valley Wine Region. If at some point there is to be development out there it should highlight the agricultural corridor by having well thought out, well developed homes in that region. Commissioner White said it's a matter of interpretation of the comprehensive plan goals which include supporting agricultural industries and related agricultural activities and this proposal will provide housing for the workers in that area. She spoke about the need to balance the rights of both the farmer who sold the land and the farmer who purchased the land. Commissioner Dale said there are things that can be done to mitigate concerns. Growth is a natural thing that happens, and the alternative to growth is stagnation and that's not something he wants to see. He recognizes that growth can bring its own challenges when it occurs too fast. He has lobbied for 20 years for additional highway funding and he encouraged people to speak to their legislators about adequate funding for highways. He does not believe this proposal will affect orchards or vineyards if this residential use and the commercial use come. There is housing already in the area, and although it's a little rundown according to staff it's being addressed. He thinks it's a good concept to provide affordable housing and he's still in favor of the request. Commissioner Van Beek said we could follow a model of infill first. Transportation needs are a shortfall every year, but to sprawl into the rural areas only increases the need for transportation funding and so let's not spread dollars thinner where infrastructure cannot support the traffic on the corridor. Commissioner Dale started to make a motion to approve the request, but Deputy P.A. Zach Wesley said we'll need a continuance for the development agreement and the Board needs to deliberate and provide some direction on what the conditions will be. Mr. Bullock questioned why that couldn't be done during the preliminary plat stage, but he was informed it is standard process for the Board to have a hearing on a development agreement. Commissioner White outlined the proposed conditions: the applicant shall complete a nutrient pathogen study; the affordable housing component shall be in substantial compliance as presented in the concept plan; there shall be privacy fencing behind the commercial use; driveways shall be cement or asphalt; landscaping shall be to the street; any repair work shall be behind the fence; and there shall be two caliber of trees per lot. It was noted that the requirement for a nutrient pathogen study will only be necessary if SWDH requires one. Commissioner Van Beek raised concerns about the potential for soils contamination if residents are allowed to service equipment on their property. Commissioner Dale noted that state law prohibits contaminating soil, and as far as staging

equipment we're talking about parking a truck, not commercial equipment. These are individual home lots and they are not to be commercially used and that should be stated in the development agreement or in the CC&R's. It was noted that home occupations and home businesses as currently provided for in the ordinance are still applicable to this project. Director Nilsson said she will try to get as close as possible to the requirement for providing landscaping to the street, but it will depend on what the plat would show for the roads. The highway district controls the right-of-way and the road surface is within that. Commissioner White said the applicant understands what her intent is. The requirement for two trees will be addressed through the CC&R's to show it's provided for. Director Nilsson said she is unclear about how to ensure the homes are affordable, she doesn't have a condition for that. Commissioner White said it shall be in substantial compliance with what the applicant shows in concept plan. Commissioner Dale made a motion to approve the request for a comprehensive plan map amendment and rezone for Troost Family Trust subject to the approval of the development agreement for the rezone. 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 work with the applicant on a draft development agreement which will be noticed for a hearing. The applicant will have to apply and pay the fee for that and then another noticed hearing will be held by the Board. Mr. Ford asked if he could submit the documents he referred to in his testimony, but the request was denied because the hearing was closed. The hearing concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 9, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$6150.00 for the Information Technology department
- HP, Inc. in the amount of \$10,752.00 for the Information Technology department
- BOE in the amount of \$1520.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 3/2/20

The Board of Commissioners approved payment of County claims in the amount of \$128,321.43 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$4635.09, \$174,895.64, \$78,788.69, \$146,965.24 and \$157,123.00 for accounts payable.

PUBLIC HEARING – APPEAL BY DAN WOODRUFF OF THE DECISION WHICH GRANTED A CUP TO GRANITE EXCAVATION, CASE NO. CU2019-0007-APL

The Board met today at 9:04 a.m. to conduct a continued hearing in the matter of an appeal by Dan Woodruff of the P&Z Commission's decision which granted a Conditional Use Permit (CUP) to Granite Excavation, Case No. CU2019-0007APL. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Dan Woodruff, Kim Woodruff, Laura Coontz, James Coontz, Rob Bearden, Renate Bearden, Diana Stanford, Alexis Malcomb, Karen Jimmy, Representatives of the Upper Snake River Tribes, Carolyn Connelly, Robert Ingersoll, Ronald Sam, Mark Olson, Terri Mitchell, Harold Nevill, Colleen Buchanan, Antoinette Cavanaugh, Norm Cavanaugh, Arnold Thomas, Nadine Givens, Steve Givens, Gary Whittemore, Juli McCoy, Nichole Schwend, Nekane McGarvie, Micaela Jones, Treyvlin Jones, Travis Mitchell, Chris Shaver, Dale Gray, Attorney Joshua Leonard, Josh Davis, Dusty Hibbard, Scott Nicholson, Dave Cockrum, other interested persons, and Deputy Clerk Monica Reeves.

Today's hearing was continued from February 25, 2020 to allow for an archaeological assessment to be submitted and to review new information. Dan Lister reviewed the late exhibits that were submitted. Attorney Joshua Leonard requested certain exhibits be stricken but the Board decided all exhibits would be entered into the record.

Testimony in support of Dan Woodruff's appeal was as follows:

Dan Woodruff testified that his house is within walking distance of the proposed gravel pit and he has walked to scores of different burial sites located in the canyon. It's a beautiful and scenic area and it's important to keep it that way it is.

Rob Bearden submitted pictures of a private pit that's been on Map Rock Road for 30 years and he said the pictures show the land does not repair itself. He is concerned that the proposal will set a precedent for all agricultural property along the area to have gravel pits on scenic river corridors. He said Idaho Power was okay with taking the dirt out of areas close by to avoid trucks on the highway, but that doesn't make sense. The only people who will benefit are the farmer and the gravel company at the expense of the surrounding homeowners and recreationists.

Mark Olson testified about the Native American heritage and his concern that the culture will be further decimated if the gravel pit is allowed on this sacred ground.

Colleen Buchanan moved to Map Rock Road in 2001 and she spoke of the recreationists who utilize the area and her concern about bicyclists encountering truck traffic on the road. A couple of years ago a heavy rainstorm resulted in catastrophic damage to the area which took out the road to her property which is concerning given that there is only one way in and one way out.

Robert Ingersoll testified about similar mining operations in Minnesota and California that destruction that occurred on those lands. He also spoke of a local Jeep club that utilizes the Map Rock area.

Antoinette Cavanaugh, who is a teacher from Duck Valley, gave testimony regarding the history of the Boise Valley and how it continues to be the original homelands of the Tribal group known collectively as the People of the Boise Valley which includes the Bannock, Shoshone, Paiute, Nez Perce, Umatilla and Walla Walla Tribes, to name a few. In 1864 Idaho's Governor negotiated the Boise Valley Treaty between the United States and those Tribes and it stated the original people needed to move 30 miles on either side of the river, away from the river. In 1866 the Governor negotiated the Bruneau Valley Treaty which was, in part, between the U.S. and the leaders of the Shoshone Tribes. Both treaties were left unratified by Congress and as a result the land issue has never been resolved. After silver and gold were discovered in the Boise Valley area, the original Boise Valley inhabitants were forcibly relocated to five different reservations in Idaho, Nevada, and Oregon and they currently exist today which are located hundreds of miles from the Boise Valley. The land of the Boise Valley and the Bruneau Valley continues to be unseeded for the aforementioned treaties were never ratified by Congress regardless of forced removal of the Indigenous people that took place. In 1974, her uncle and other Shoshone representatives were assembled in council in Boise and they urged the Idaho Congressional delegation to take necessary action to correct this longstanding issue where it remained unresolved. There was the Dan case before the United Nations committee on the elimination of racial discrimination, and in that case Carrie and Mary Dan, sisters and traditional Western Shoshone elders, filed a complaint maintaining that the United States had violated, and continues to violate, their basic human rights by attempting to take their traditional Western Shoshone land through discriminatory means. The committee issued its report in March of 2006 finding that the United States' attempt to remove the Dan sisters from their ancestral lands violated their basic human rights to property, equality before the law, and to fair trial. The committee recommended that the U.S. provide the petitioners with an effective remedy for the infringement of Western Shoshone property rights over ancestral lands and that the United States review its laws to ensure that Indigenous peoples property rights are determined in accordance with recognized human rights standards. The Inter-American Commission also said that all governments must honor the unique relationship between Indigenous people and their

traditional resources and lands. This relationship warrants special measures of protection which must be part of a legal system of all countries for indigenous human rights to be protected. In keeping with the recommendation of the United Nations Committee on the Elimination of Racial Discrimination, Ms. Cavanaugh, whose ancestors come from the Boise Valley, urged the Board to engage in meaningful dialogue with the representatives of the Tribes of the Boise Valley People to determine further action regarding the preservation of Map Rock and all other possible existing protected items.

Ronald Sam is a member of the descendants of the Boise Valley People. He testified that the Paiute Tribes lived along the Snake River in this area and he would hate to have a gravel company disturb this sacred area which includes burial sites and petroglyphs. He also has concern about how the mining could affect the water, wildlife and the people of the area.

Harold Neville testified on behalf of the Snake River Scenic Byway committee which is opposed to the development. The committee wants to have more signage in the area so people can have an interpretation of the original inhabitants.

Norm Cavanaugh lives on the Duck Valley reserve in Owyhee, Nevada and he is an elder and an educator with experience in public work. He has taught many classes on language, culture, and recorded many elders in terms of their stories. Petroglyphs tell a story of the people who travelled through this area many years ago. For years elders taught them not to share our story because the Europeans will only take – they will not give. Some may think those rocks are simple rocks or gravel waiting to be dug up and converted into something else but for the Native people they are our history. It is important for this area to remain intact so the cultural stories can be shared with the young people and so that elders can interpret the stories of what's on the rocks.

Arnold Thomas is from Owyhee, Nevada he spoke on behalf of the Shoshone Paiute Tribe which is opposed to this project. He is an elected councilman for the Shoshone Paiute Tribes of Duck Valley, he is also an ordained Holy One chaplain, pastor, and counsellor and his profession is social work. The Shoshone Paiute Tribes of Duck Valley are original Tribal people of the region and they oppose the Granite Excavation project. There are federal laws that pertain to disturbance of the lands, this sacred site of Map Rock, and they want a complete archaeological study of this land with their professionals which includes elders such as Norm Cavanaugh and other Tribal members. Mother earth has been disturbed and it's of great concern to the Tribes and it should be concerning to everyone. The great law of peace adheres to all human beings and rational decisions should be made to have a policy of impact to say no to future mining.

Steve Givens referred to pictures he submitted noting that he sees the face of the cliff every day and he has seen how many times the earth has been disturbed but no efforts have been made to rejuvenate it. Map Rock is located across from his property; there used to be dozens of petroglyphs but they are gone now and that affects him. He takes care of the lawns and

grounds and he sees the remains the Indians have left. Mr. Givens said this gravel project needs a grading plan and it needs to be monitored along with the rock crusher. He said if the Board grants a 30-year permission slip to crush rocks 12 hours a day, six days a week they residents will never have any peace.

Parks Director Nichole Schwend gave a review of the archaeologic assessment that was submitted. She said as an archaeologist one of the biggest things to get across is that sites like these whether they are petroglyphs or talus pits or below ground archaeological sites, get one shot to exist and once they are disturbed/destroyed it's gone. She said there are gaps in the archaeologic record and oftentimes it's because it is private land and cannot be studied, or because it's been picked through. There is a lot of misunderstanding about when archaeological assessments have to happen and when projects have to stop, and unfortunately if there's not federal money involved and unless you put stipulations on the CUP, they can plow through whatever they want which is her main concern. She provided in her assessment report a map that shows how many archaeological sites are along the river. The area is a flat lush landscape where they could camp anywhere and therefore that whole area has extreme potential for archaeological sites. She referenced the draft report that was provided and noted there are number of things that are wrong. Part of the report wasn't even for this project, it was very thorough in its history but very lacking in its prehistory; it didn't reference Map Rock, the Guffey Butte Black Butte Archaeological District, or some of the major resources out there. It didn't give a complete clear picture and her recommendation is if this CUP goes through, unless there are stipulations about how they have to go forward with archaeological monitoring or following state historical standards they don't have to do anything more than provide the report they've already provided. All they have done so far is identify that they have some sites that are National Register eligible and there could be more and they have fulfilled the requests. Without additional stipulations there is nothing that prevents them from going through and destroying things. Director Schwend responded to additional questions from Commissioner Van Beek and there was further discussion about the responsibility of reporting archaeological finds including having a third-party trained archaeologist on site to identify cultural materials.

Karen Jimmy is a member of the Shoshone Paiute Tribe and she found out about this hearing through a Facebook post. She said there is a gathering that's held here called The Return of the Boise Valley People and she's attended it for several years. Map Rock Road is a sacred site and she has taken family members to the area and they have prayed and made offerings on the site. Her ancestors lived along the Snake River and endured the hardships in order for her to be here so this is something that is near and dear to her heart and she wants the area to be intact for her people.

Neutral testimony was offered as follows:

Chris Shaver from the Idaho State Historical Society testified that he is a compliance archaeologist whose role is to see reports that come in and evaluate projects and assess their

effects. In early November he started getting phone calls about this project, including a call from Dave Cockrum from Geodysey who asked him to look into whether he could talk to the Canyon County Historic Preservation Commission and have them waive the conditional use permit for an archaeological survey. He explained there is no federal nexus; he does not have the right to review the document for archaeological purpose under section 106. Mr. Shaver said at the February 25 hearing Mr. Cockrum stated that Chris Shaver's office would have the right to review any documents, but that is not the case. Unless there is a federal nexus, funding, or permit, Mr. Shaver has no rights to read the document. When he says he is neutral as a member of the state historic preservation office he doesn't have any say on whether he likes a project or not. He has to go through the process to make sure the applicant/agency/developer goes through the processes to get to the point where they mitigated, minimized, or avoided archaeological resources. He was given the documentation and it acknowledges that at this point there is no reason for the state historic preservation office to be doing any type of assessment of effect. Whatever the Board decides on it will not be with his reading or approval.

Dale Gray, who is the President of Frontier Historical Consultants (FHC) based in Grand View, Idaho, gave testimony about the report FHC completed. He said Bill Statham is the senior archaeologist but he had a family tragedy and could not be here today. One of the comments was that FHC does not appear in the SHPO's (State Historic Preservation Office) database for consultants qualified to do this work. He said that online database is like the yellow pages, it's a convenience for contractors to find people who are qualified. The real gate resides in file cabinets where consultants present their credentials and are then filed away. Mr. Gray's credentials are from 1993 and Bill Statham's credential predate the system. Bill Statham has a master's degree in anthropology and a BA in archaeology and he has worked with all of the greats in Idaho archaeology for over 40 years. Mr. Gray has a master's degree in history and he has been doing cultural resource work since 1990, before that he was the museum director in Owyhee County. Their field worker, David Barklow, has a bachelor's degree in Anthropology and he served on the Givens Dig in 1990. They were hired for this project as an independent contractor by the gravel company but he is neither for nor against the gravel pit. He has conducted 142 gravel pits studies in his career and all but two have been in Idaho, most in Ada and Canyon Counties. He is familiar with the corridor and he holds Map Rock sacred. They went to the site expecting to find a lot of items but was shocked they didn't find anything when they went across the farmland. It has been leveled and they are no artifacts in areas that have land leveled. When they looked at the property they realized the material had been taken away from the upper pastures and moved down toward the river, which explains why they weren't finding anything because they have been excavating sterile material from the upper fields and placing it on whatever is below. With land levelling the fields get churned and anything in that area gets mixed up. They surveyed the lower area then moved on to the hillside fully expecting to find petroglyphs, but all they found were two initials carved on top of the boulder, but they did find the talus pits. The mere presence is information and that's why they recommended they be avoided and potentially added to a district. All of the land that is now being farmed is not an original surface, it is not pristine

so the experience of going through that valley you're looking at a historic farmland. They looked for the historic Bernard's Ferry Road but it's gone, it was land levelled in the 1920's as were a lot of other things. Idaho Power recently completed a study just north of the project where they did excavations looking for prehistoric subsurface materials and they found nothing. Mr. Gray has a master's degree in history with 30 years of archaeological background and some classroom work but he is not a master's level archaeologist. He took the report as far as he could and then it went to Bill Statham, the master's level archaeologist and he would have fixed the points that were referenced by Director Schwend. He said they never do the abstract or conclusion until they're done and he apologized for the inadequacies in the report. The missing context is also part of that because when it comes to sensitive context like this he is not qualified to write that, but Mr. Statham is, but he didn't have time to do it because tragedy struck his family. There was discussion about what happens when artifacts are disturbed or destroyed, they lose all potential to evaluate the area in context. He said Mr. Statham made a recommendation that if evidence of a prehistoric site is found work should stop. The industry standard is work stops in the immediate vicinity of the project area and it is cordoned off. There was discussion about the credentials of those who are qualified to monitor sites. They do not recommend that every inch be monitored because there is really no reason to monitor the upper fields if they're being excavated because they've already been excavated in the 1920's. Anything that was found that was up there was excavated away when they did land levelling. However, in the lower areas from the farm house to the middle of the field there is a good potential we might find evidence of prehistoric villages and that area should be monitored when they take the soil off. They had a historian and a trained archaeologist on the survey and the whole report was going to a master's level archaeologist before it went out. Mr. Gray said he will not be influenced by someone suggesting what his findings should be. He asked that the map Director Schwend submitted not be on the public record because he doesn't want there to be a looter's guide to an archaeological site.

Testimony in opposition to the appeal was as follows:

Attorney Joshua Leonard apologized for his letter requesting the exhibits to be stricken from the record. He said he submitted the letter due to a misunderstanding about the scope of what the Board would be considering today but he now understands the scope is pretty open. He asked staff to determine if there is anything culturally sensitive or could be considered a looter's guide and asked that it be redacted from the record whether it's in the report or any of the submitted documents. Dan Lister said Director Schwend submitted a redacted version. Mr. Leonard said Granite Excavation voluntarily submitted the draft cultural assessment report. It is not a completed report. They intended to have the archaeologist here who performed that service but a tragedy occurred this weekend and Mr. Statham wasn't able to be here today. He asked the Board to impose a condition of approval requiring the applicant develop and implement an inadvertent discovery plan and adhere to that. The plan should include a requirement to notify, if they will accept notification, the state historic preservation office and the archaeologist who performed the study. Mr. Gray has trained

operators in recognizing cultural and historic items and treating them with care and would welcome a condition requiring training to occur for operators on this site. With regard to the Snake River Scenic Byway Corridor Management Plan, he said Commissioner Van Beek quoted it as saying it puts the onus of protecting byways on the decision makers, but that is directly contradictory to law. There is no onus placed on the decision makers by that document. That document was approved by resolution but that does not make it law. That makes it appreciated. It cannot be relied upon in denying the CUP request in this case. Instead you must rely on the zoning code and the application's compliance with the comprehensive plan. The irony of opposing the proposed use on the basis that a paved road that cuts right through this area is not lost on him, because the materials used to pave that road came from other parts of Mr. Nicholson's property in exactly the type of operation we're talking about here. The Snake River Canyon Byway Corporation did not oppose the enlargement or relocation of Map Rock Road, which was far greater in terms of potential damage to sites or items of potential cultural or historic significance. The proposed use is a very limited defined area that exists on private property. Staff's recommendation of approval to the P&Z Commission included several bases for why this should be approved. The only two changes that have happened since then are 1) the professional survey (draft copy) which found no items and found the likelihood of finding any items to be extremely low, and 2) the Snake River Canyon Scenic Byway Management Plan which cannot be considered. There has been no error alleged by the opponents with regard to the P&Z Commission's decision. They have not pointed to anything that didn't get considered by them that can be relied upon as law in making a decision. All of the opponents' comments, except those related to the professional survey that didn't find anything and the Snake River Canyon Scenic Byway Management Plan, was considered by the P&Z Commission in making its decision to approve the CUP. He appreciated the pictures submitted by Steve Givens, however, that's not anything that's being proposed here. The operation will not be cutting swaths up the talus slopes. This is a quasi-judicial function the Board is performing, it's not a political function or a popularity contest. They are to sit as unbiased judges. If the application meets the requirements of the zoning ordinance and complies with the comprehensive plan you must approve it even if you don't like the proposed use.

Josh Davis testified there's a substantial amount of testimony focused around what may or may not be present in this area and it's very important to distinguish that these items of significant impact may or may not be present. In an effort to be good stewards of the land they agreed at the P&Z Commission level to conduct an archaeological assessment of the property to determine what may or may not be present. They hired an independent third-party expert to conduct this analysis and there were no significant findings of cultural or historical items in this area. There are four talus pits that were recorded and also included was the recommendation about staying a certain distance away and not impacting them. Idaho Power did a significant study on the adjacent property resulting in very similar findings. Whether it's a construction of a new home, a driveway, or a subdivision every one of these impacts are ground disturbance and he doubts any of those projects required an archaeological assessment. They volunteered to do one to help determine what was on the

property. They are good stewards of the land and respect what's there and they are willing to put a plan together and bring in experts if there was a finding. Regarding concerns of truck traffic, the Idaho Power project is going to occur and it will generate in excess of 7,000 truckloads of material brought to the site, whether it comes from Granite's source or another source. What makes them competitive is having materials available closest to the project. It's a competitive advantage having numerous gravel sources in various areas to minimize the amount of haul to the project. In response to Commissioner White's questions about how to control runoff, Mr. Davis said they hire an engineer on projects that exceed one acre in size of ground disturbance to put together a storm water pollution and prevention plan and they do an analysis of if erosion were to take place where would the water flow and they list best management practices. Experts advise them on how to properly mitigate. Mr. Davis said the proposed timeline for the project is 30 years and they will do retail sales of the material.

Dusty Hibbard testified they are not allowed to dump water in the Snake River or other bodies of water. He explained how the dewatering system will work. During the crushing period they will dig to the bottom of the cut, set a dewatering pump and start dewatering. With the best management practices they will build separate settling ponds and that's where the silt will dissipate. They are working with Mr. Nicholson for using the water to irrigate his fields. At no point will the water, without very stringent permitting, be able to be dumped into the Snake River. The water has to stay on site.

Scott Nicholson, the landowner who lives on Ferry Road in Melba, said Idaho Power approached him as the landowner. He knew about the project above his property and he knew they were interested in this project and a few more. Idaho Power likes to work with local landowners to prevent truck traffic coming in because it takes so much material to do the projects. He knows nothing about extracting gravel but he does know Josh Davis personally and he knows he does very good work. The cost process is very expensive so they decided to do it for 30 years. The building is very low in that area and there will not be that much material which is why they have agreed to no more than 10 trips per day. For the Idaho Power project they would do 7,000 trips with the gravel that would never leave his property (for this one project.) There are over 35 projects on Idaho Power's board to make the river run faster. He estimates there will be 168,000 yards for the first project, and so if this request is denied that would result in a lot of trips down Map Rock Road and damage to the county roads. Idaho Power's project is scheduled for this year and they will proceed regardless of what gravel company does it.

Dave Cockrum reviewed the letter they submitted regarding requirements from ITD for state and federally funded projects. They have to have a CUP and the owner's permission in order to operate, an approved reclamation plan and a cultural resource clearance and environmental protection standards stipulation specifications. The contractor is responsible for damage or injury to property due to acts, omissions, neglect, or misconduct during work performance or due to defective work on materials. They have to comply with all local, state, federal, environmental and cultural resource laws, regulations and

ordinances. Work that is out of compliance immediately ceases noncompliance activities and takes corrective action, which talks about inadvertent discovery of cultural resources. They have to cease all work within 50 feet in all directions and call an archaeologist. If human remains are discovered they cease all work within 150 feet in all directions, notify the ITD engineer and cultural resource representative, photograph the area, do not disturb additional ground, do not move or cause the human remains to change position, etc. Granite Excavation will operate under the same set of rules no matter whether it's a state funded or a federally funded or a privately funded project. Idaho Power has the same regulations to follow and Granite would be under that wing as well. There are three gravel operations on the far west end of Map Rock Road that are historic. There's one on Nicholson's property and a cinder operation at the corner of Highway 45 and Map Rock Road that provided gravel for the road before it was a scenic byway. All scenic byways in Idaho have gravel operations associated with them. There is simply no way to do maintenance on scenic byways, highways, or interstate projects without gravel material sources. To import it from another area would mean the taxes would have to rise to pay the difference. There is a compatibility issue that has been brought out that he doesn't think exists. They are proposing to mine 10 acres, reclaim 10 acres and move on. On the gravel site it will be inactive more than is active and so it could fall into a use that would be compatible or not objectionable to the people who live there and also to the scenic byway guidelines. In response to questions from the Board, Mr. Cockrum spoke about the project phases. The bond is for the initial 15 acres. There are 135 acres that are proposed to be mined but it's mined in phases. The first phase is 15 acres, mined, reclaimed and moved to the next one. Each phase would have its own bond. The crusher will come in on a contract basis; they are asking for two phases up to four months out of the year but it would likely be less than that because of the amount of gravel they're going to use. They would mine, crush, then mobilize out of the area and they would haul the gravel out to a project. They like to crush just enough rock for the projects they know about and projects they might get. They would do enough for a year, haul the gravel away and then the crusher might come back in a year or six months. If they didn't get any projects it would just sit. It's not a day-to-day retail type operation. The riprap operation would be trucks only hauling riprap, they wouldn't be crossing back and forth. Riprap excavation will not happen near the talus pits because there is no reason to get anywhere near known archaeology sites. If a new archaeological site is found an archaeologist needs to look at it and make sure everybody is in the loop. They need a plan and they need to follow it.

Rebuttal testimony was offered by Dan Woodruff. Staff's recommendation was to accept the appeal and deny the request. He would rather have one season of trucks come by his place versus 30 years of truck trips. We don't have a lot of facts on what the Idaho Power projects are.

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 recess at 11:28 a.m. and went back on the record at 11:35 a.m. The Board's deliberation was as follows:

Commissioner Van Beek said this is one of the most well prepared comprehensive staff reports that has come across her desk. It's well organized and has cited all the reasons to uphold the appeal to deny the CUP. Staff has cited traffic issues with the scenic byway, and the historic resources, the wildlife resources, the incompatible land use, truck traffic, dust and water impacts, impacts to the scenic byway, historic resources, and the natural resources. They have agency comments from a number of people who are in strong opposition including the Snake River Canyon Scenic Byway Committee. The Tribal Council urges an assessment be done; a report has been submitted but there are so many mistakes in the report it impugns the validity of the report; it's inclusive and parts are not relevant to this decision. The credibility of Director Nicki Schwend's testimony outweighs any of the other objections. Commissioner Van Beek objects to the testimony that Chris Shaver provided where he indicated Dave Cockrum asked him to waive the requirements for that site; it undermines and impugns Mr. Cockrum's testimony and his credentials. Given the history of the Native American culture that's been presented that this is a sacred area of worship it should be protected and we should not allow this corridor to be decimated by a mining operation and she believes the appeal should be upheld the CUP should be denied. Commissioner White said Idaho Power is coming and it doesn't matter who the gravel company is. There will be 7,000 truckloads and none of them would leave the Nicholson property, but she has to look at the compatibility issue. Granite Excavation has five gravel pits so they know what they're doing and there is integrity with what they are doing. She appreciates the fact that this is an opportunity for Mr. Nicholson to get back everything out of his land that he's poured into it, but it comes at the expense of so many different walks of life. This is a sacred historical area. It's also a recreational area used for bicycling, horseback riding, and camping. It's an issue of compatibility for her.

Commissioner Dale said there is one overarching concern he has not been able to overcome and that is that this is a culturally rich historical area that has been recognized and is worthy of preservation. That being said there are also property rights that accrue to a private property owner that must be acknowledged. An important issue to consider when considering the cultural aspect is that the piece of property that's been described for gravel operation is not pristine, it's not intact, it's been worked for many years and it's not ever going to go back to the way it was before the farmers came. As has been testified on a piece of property that's been land levelled like that there is a small possibility there will be significant archaeological discoveries made on that property. If there are they are not going to be part of the story of that area because the context has been lost and context tells the story. He appreciates what Idaho Power is trying to do to the river and the efforts to restore the flow of that river are admirable and he hopes they are successful with it. He appreciates the fact that Idaho Power approached Mr. Nicholson to use his gravel, but he is not in favor of the application the way it is today. The gravel area on the farm ground is never going back to pristine condition. In his opinion the area that's been identified for riprap is fairly untouched and there's much more potential for archaeological discoveries there that still remain. It's an area that deserves more protection than a field that's been levelled for many

years. He proposes as a future application that we see an application that restricts the use of the gravel to the Idaho Power projects and allows Idaho Power to work out a deal with the landowner and the gravel company to use that gravel. He thinks we'd see far less impact on this entire area if the gravel comes from nearby sources right there along the river. That's what happened with the project last year and he would like to see it continue. He would like to see another application that would define how Idaho Power could access gravel along there and not be disturbing potential archaeological sites that are on the other side of Map Rock where the riprap is. He is not talking about just one project. Idaho Power has a lot of them and as they are looking at this river there are areas that need to be worked on and they are going to have need for more than just one project. This will have to be a new application because the present application is not going to pass muster today. He likes to give a way forward and the way forward is mine gravel from your ground for the Idaho Power project. It sounds like they're going to need a lot gravel for that and he'd rather it come from close sites to the river than travelling throughout the county to get there.

Commissioner Dale made a motion to approve the appeal. Commissioner Van Beek seconded the motion with the stipulation that we deny the conditional use permit as provided in the draft findings of fact, conclusions of law and order. The motion carried unanimously. The findings of fact, conclusions of law, and order will be signed on March 30, 2020 at 9:00 a.m. The hearing concluded at 12:00 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TCA TO DISCUSS GENERAL ISSUES

The Board met today at 1:32 p.m. with the Administrative District Judge and TCA to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Southworth is not feeling well today and will not be attending. Commissioner Dale said he's heard that the monitors out front are hard to understand, and that security has some suggestions that might make things easier. Mr. Tyler said his only concern is the work it could create for IT but he will talk with Judge Southworth and security about what they experience. Commissioner Van Beek asked if Mr. Tyler could bring to his next meeting statistics showing escapes and such. He said he will have Wes Musser, the Chief Marshal, attend next month. They have submitted their final budget request to the state for FY2022 and based on the numbers they are asking for 2 Magistrate Judges and 1 District Judge. Workload numbers are at the top but if they were to get the judges requested it would put the Magistrate caseload right at the state average and just above for District. Final decisions from the state should be received by the end of the summer and at that point Judge Southworth would ask the Board for a letter of support because the additional judges will require more support staff. Mr. Tyler recently met with Director Navarro about refreshing the courtrooms on the second floor and a plan has been drafted. He will also be speaking with Director Rast and Controller Wagoner about the renovations.

The court facilities fund will be used to pay for the refurbishing. The Domestic Violence court stakeholders recently met to explore what that court will look like and hope to have a better idea in the next couple of months. The courts have been exploring using Zoom software for hearings although the logistics and rules of using remote conferencing is still being explored. The meeting concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 10, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – 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):

- Caxton in the amount of \$1799.94 for the Prosecuting Attorney's Office
- Dell Marketing LLP in the amount of \$1698.01 for the Sheriff's Office
- Bob Barker in the amount of \$6679.15 for the Sheriff's Office

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

The Board met today at 8:31 a.m. with the Director of IT to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of IT Greg Rast and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following:

At the request of Commissioner White, Director Rast reached out to Director Schwend about cameras at Celebration Park. In the next week or two he will meet up with her to do a walk-thru to evaluate the cameras and alarm system. He will also talk with her about display monitors for classroom overflow. Commissioner Van Beek asked about integration of a camera system in relation to the Triad report and an eventual Security Director. Director Rast said that there is a not enough bandwidth to be able to feed cameras back to the courthouse.

Director Rast believes that there is a void in the county for Microsoft Office training and thinks there may be a lot of savings in offering in-house training. He may look offering this twice a week all year long with an online scheduling tool. Commissioner Van Beek is very much in favor of the training and would like to attend. The Board is okay with the training moving forward.

There is a move in the public sector to move to .gov email addresses due to more security measures that are in place. This is an easy transition and only requires a signed letter from the Board and \$400 a year. The transition could be done over an extended period of time. Commissioner Van Beek is in favor of the change and Director Rast believes it may be a good discussion for an EO meeting. The other item he'd like to discuss is moving from a password to a passphrase.

Deloitte will be onsite tomorrow onsite for the Microsoft audit. Director Rast believes we are in compliance now, but they do go back 60 days and he's not entirely sure what that looks like. Once Deloitte completes their audit, they will provide it to Microsoft who has the final say; the entire process should be complete by March 30th. Director Rast spoke about the email archiving system he would like to include in his FY21 budget and potential new employee as an email administrator.

The fiber that was cut at DMV is in the process of being repaired. The problem is that the fiber was never registered with Digline which is why the expense is 100% on the county due to our failure. Now that he is aware of this error, Director Rast is going thru all the fiber to make sure it's all registered.

The meeting concluded at 9:00 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 and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell left at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving award of officer's badge and duty weapon to Lt. Ben Keyes: Chief Dashiell said that Lt. Keyes has been with the county for 38 years and will retire later this month. There will be a small in-house ceremony before he leaves and then he will be invited to the summer ceremony.

Consider signing a resolution approving award of officer's badge and duty weapon to Deputy Eric Miller: Chief Dashiell said Deputy Miller had 25 years with the agency and will also be invited to the summer retirement ceremony.

Commissioner Van Beek made a motion to sign the resolutions approving award of officer's badge and duty weapon to Lt. Keyes and Deputy Miller. The motion was seconded by Commissioner White and carried unanimously. See resolution nos. 20-025 and 20-026.

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 9:07 a.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 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, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:35 a.m. with no decision being called for in open session.

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

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

The Board met today at 9:37 a.m. with the Human Resources Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following: The new admin/front desk person started Monday. A meeting will be held tomorrow for the Directors to give them a better understanding of the compensation plan. Director Baumgart sent an email to all the Directors regarding the supervisor training and the general feedback was to stay with the Ron Price training. Ms. Lisk at Price and Associates has indicated that a certificate can be issued upon completion of the training. Several availability dates have been provided by Price and Associates so Ms. Baumgart will work to coordinate the dates with the supervisors and directors. Director Baumgart has been reviewing the Security Director resumes and at the request of Commissioner Van Beek spoke about her review process. Ideally, responses would be to

applicants within a month of the job posting closing. The meeting concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTION APPLICATIONS

The Board met today at 10:02 a.m. with the Assessor's Office to consider various new and renewing property tax exemption applications. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Helena Thompson and Deputy Clerk Jenen Ross. The exemption applications were considered as follows:

50-2014

04591000 0 - Urban Renewal Agency of The City of Caldwell

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

63-602E

31537000 0 - Nampa Christian School Inc.

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

63-602E

00851000 0 - College of Idaho Inc.

03820000 0 - College of Idaho Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to reinstate the exemptions.

63-602E

13241000 – JDLA Properties LLC

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

63-602B

04513102 0 - Church of God Inc.

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

05061000 0 - Heritage Holiness Chapel Inc.

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

19438000 0 - ID Dist. United Pentecostal Church Inc.

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

05176000 0 - CP Reformed Church Inc.

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

21150000 0 - Buddhist Society of Idaho

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption on the house and one acre.

67274100 0 - Christ The King Community Church International

The Board requested the Assessor's Office tour the facility and bring more information back for a decision at a later time.

32595000 - First Church of the Nazarene

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

75396000 0 - Church of God of Prophecy

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

63-602C

30505204 0 - Idaho Fish and Wildlife Foundation Inc.

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

63-602W

32759101 0 - Elevation 2500 Partners LLC

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

50-2014

13415011 0 - Nampa Development Corp

13415000 0 - Nampa Development Corp

13335000 0 - Nampa Development Corporation

13333000 0 - Nampa Development Corporation

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

63-602C

35091000 0 Advocates Against Family Violence Inc

13286000 0	American Legion Joseph H Murray Post 18
36736000 0	Arena Valley Park Assoc Inc
31312000 0	Boise Rescue Mission Inc
31328011 0	Boise Rescue Mission Inc
31304000 0	Boise Rescue Mission Inc
31305000 0	Boise Rescue Mission Inc
31328012 0	Boise Rescue Mission Inc
16835000 0	Boise Rescue Mission Inc
16862000 0	Breaking Chains Academy of Development
01114000 0	Caldwell Elks Home Assn
01113000 0	Caldwell Elks Home Assn Inc
04735000 0	Caldwell Model Railroad Club & Historical Society Inc
35141010 0	Caldwell Odd Fellow Lodge No 10
64941025 0	Canyon County Community Clinic
04770000 0	Canyon County Historical Society Inc
05087000 0	Canyon County Pet Haven Inc
16046000 0	Canyon County Pet Haven Inc
61111022 0	Community Council (DBA)
02530501D0	Community Council of Idaho Inc
02530502 0	Community Council of Idaho Inc
02530505 0	Community Council of Idaho Inc
27333105 0	Corp Of Presiding Bishop of Jesus Christ of LDS
27333106 0	Corp Of Presiding Bishop of Jesus Christ of LDS
64941254 0	Deseret Industries
14820000 0	Fleet Reserve Assoc Branch 382
14822000 0	Fleet Reserve Assoc Branch 382
61111007 0	Goodwill
61111004 0	Grace Place (The)
01801000 0	Grand Lodge of ID IOOF Inc
11805000 0	Hands of Hope Northwest Inc
11805010 0	Hands of Hope Northwest Inc
11805010A0	Hands of Hope Northwest Inc
67340100 0	Hispanic Cultural Center of Idaho
05779000 0	Idaho Chap Peo
29196000 0	Idaho Fish and Wildlife Foundation Inc
61111027 0	Idaho Youth Ranch
61111026 0	Idaho Youth Ranch
61111024 0	Idaho Youth Ranch
61111015 0	Idaho Youth Ranch
37785000 0	Idaho Youth Ranch Inc
37781011 0	Idaho Youth Ranch Inc
01147501 0	Idaho Youth Ranch Inc
01147500 0	Idaho Youth Ranch Inc
00855000 0	Lambda-Chi Chapter of Kappa Sigma House Corporation
15957000 0	Lifeline Crisis Pregnancy Center Inc
15954000 0	Lifeline Crisis Pregnancy Center Inc

11905200 0 Lifeways Inc
 35790115 0 Lifeways Inc
 01788000 0 Linc Living Independence Network Corp
 33612000 0 Lizard Butte Easter Sunrise
 31060011C1 Love Inc Of Treasure Valley
 08640000 0 Nampa Aerie #2103 FOE
 08670000 0 Nampa Aerie No 2103 FOE
 08237000 0 Nampa Lodge #1389 BPOE
 14442000 0 Nampa Valley Grange #131
 31139000 0 Pacific Press Publishing Assoc
 36402000 0 Pleasant Ridge Grange #135
 13576000 0 Salvation Army
 32548178 0 Salvation Army
 04887000 0 Salvation Army The
 13704000 0 Salvation Army The
 15988584 0 Salvation Army The
 67336800 0 Shep Rock Foundation
 19896000 0 V F W Post 11065
 67120114 0 Warhawk Air Museum Inc
 67120113 0 Warhawk Air Museum Inc
 67120154 0 Warhawk Air Museum Inc
 67120000 0 Warhawk Air Museum Inc
 67371501 0 Warhawk Air Museum Inc
 67371500 0 Warhawk Air Museum Inc
 67120154a0 Warhawk Air Museum Inc
 35865012 0 Witco Inc
 35865011 0 Witco Inc
 35865010 0 Witco Inc
 32109010b0 Witco Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 76 PINs as noted above.

63-602E

02287000 0 Building Hope Chicago Street Llc
 32121000 0 Building Hope Iowa Avenue Llc
 17885010 0 Building Hope Main Street Llc
 36822011 0 Canyon Owyhee School Service Agency
 31539000 0 Christian Schools Foundation Of Nampa Idaho Inc
 07311000 0 College of Idaho
 07314000 0 College of Idaho
 00841000 0 College of Idaho Inc
 00843000 0 College of Idaho Inc
 00842000 0 College of Idaho Inc
 00845000 0 College of Idaho Inc
 03956000 0 College of Idaho Inc
 03958000 0 College of Idaho Inc

03955000 0 College of Idaho Inc
 07216000 0 College of Idaho-Campus
 11504000 0 Evan Luth Zions Cong Of The
 76062000 0 Greenleaf Friends Academy
 36241010 0 Greenleaf Friends Church
 35723012 0 Heritage Community Charter School Inc
 13034012 0 Idaho Arts Charter School
 08891000 0 Idaho Arts Charter School
 08991000 0 Idaho Arts Charter School
 08890000 0 Idaho Arts Charter School
 08631000 0 Idaho Arts Charter School
 08900000 0 Idaho Arts Charter School
 08901000 0 Idaho Arts Charter School
 13034013A0 Idaho Arts Charter School
 13034011A0 Idaho Arts Charter School Inc
 32716000 0 Idaho Conference of Seventh Day Adventists Inc
 32717010 0 Idaho Conference of Seventh Day Adventists Inc
 00925000 0 Idaho Conference of Seventh Day Adventists@@
 29454010A0 Legacy Public Charter School Inc
 29567011 0 Liberty Charter School Inc
 31537010 0 Nampa Christian Sch Inc
 31535010 0 Nampa Christian Schools
 31533000 0 Nampa Christian Schools
 31448010 0 Nampa Christian Schools Inc
 11189000 0 Northwest Nazarene University Foundation Inc
 11194013 0 Northwest Nazarene University Inc
 11194014 0 Northwest Nazarene University Inc
 11633000 0 Northwest Nazarene University Inc
 13025112 0 Northwest Nazarene University Inc
 11194000 0 Northwest Nazarene University Inc
 11188000 0 Northwest Nazarene University Inc
 11246000 0 Northwest Nazarene University Inc
 11201000 0 Northwest Nazarene University Inc
 30498011 0 RCG-Nampa LLC
 35287105 0 Thomas Jefferson Charter School Inc
 61111011 0 Treasure Valley Community College
 29567011A0 Victory Charter School Inc
 34320000 0 Vision Charter School Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 51 PINs as noted above.

63-602B

04865000 0 Antioch Miss Baptist Ch
 12798000 0 Apostolic Assembly of Faith in Jesus Christ Inc
 01143000 0 Apostolic Assembly of The Faith in Christ Jesus

01136000 0 Apostolic Assembly of The Faith in Christ Jesus
08807000 0 Apostolic Way Inc
28615014 0 Assemblies of God S ID Dist.
02016000 0 Assembly of God Ch Central Latin American Dist. Council
02653000 0 Assembly of God Ch of Ca
02657000 0 Assembly of God Ch of Ca
29233000 0 Bethel Ch Of the Nazarene
70230000 0 Bible Missionary Church of Greenleaf Idaho Inc
36165000 0 Bible Missionary Church of Greenleaf Inc
13441000 0 Bible Pentecostal Church Inc
13443000 0 Bible Pentecostal Church Inc
13439000 0 Bible Pentecostal Church Inc
01342000 0 Boone Memorial Presbyterian Church Inc
01353000 0 Boone Memorial Presbyterian Church Inc
01354000 0 Boone Memorial Presbyterian Church of Caldwell Idaho Inc
01341000 0 Boone Memorial Presbyterian Church of Caldwell Idaho Inc
17048000 0 Bowmont Ch Of the Brethren
17047000 0 Bowmont Ch Of the Brethren
35746000 0 Caldwell Free Methodist Church Inc
01772000 0 Calvary Chapel Caldwell Inc
19936000 0 Calvary Holiness Church Inc
04657000 0 Calvary Temple Inc
04656000 0 Calvary Temple Inc
17607033 0 Canyon County Church of Christ Inc
33946000 0 Canyon Springs Christian Church Inc
33945000 0 Canyon Springs Christian Church Inc
32510010 0 Centennial Baptist Ch Inc
02119000 0 Ch Of God of Prophecy
05096000 0 Ch of God of Prophecy Regional Office Inc
12514000 0 Ch of the Nazarene
12158000 0 Ch of the Nazarene
08575000 0 Ch of the Nazarene
08833000 0 Ch of the Nazarene
08573000 0 Ch of the Nazarene N Na Inc
32003000 0 Christian Faith Center Assembly of God Inc
35797000 0 Christian Faith Center Assembly of God Inc
35666000 0 Church of Christ Cald. Inc
19191000 0 Church of Christ of Parma Idaho Inc
20007000 0 Church of God
02157000 0 Church of God of Caldwell Inc
31478010 0 Church of God of Prophecy
17042000 0 Church of The Brethren
31440010a0 Church of The Brethren Inc
15502000 0 Church of The Living God Inc
11205000 0 College Ch of the Naz Inc
11200000 0 College Ch of the Nazarene

11204000 0	College Ch of the Nazarene
10993000 0	College Church of The Nazarene Inc
34324000 0	Corp of Pres Bis of the Church of Jesus Christ of LDS
25279000 0	Corp of Pres Bis of the Church of Jesus Christ of LDS
29411100 0	Corp of Presiding Bishop
29179000 0	Corp of Presiding Bishop
14926000 0	Corp of Presiding Bishop
34443011a0	Corp of Presiding Bishop Church of Jesus Christ of LDS
25279010 0	Corp of Presiding Bishop of
32900101 0	Corp of Presiding Bishop of
33400010 0	Corp of Presiding Bishop of Jesus Christ of LDS
33388000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33472000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33409000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33483000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33408000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33401000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33395010 0	Corp of Presiding Bishop of Jesus Christ of LDS
31065000 0	Corp of Presiding Bishop of Jesus Christ of LDS
34349100 0	Corp of Presiding Bishop of Jesus Christ of LDS
24709010 0	Corp of Presiding Bishop of Jesus Christ of LDS
30666011 0	Corp of Presiding Bishop of Jesus Christ of LDS
32041010 0	Corp of Presiding Bishop of Jesus Christ of LDS
23934019 0	Corp of Presiding Bishop of Jesus Christ of LDS
29336013a0	Corp of Presiding Bishop of Jesus Christ of LDS
04100010a0	Corp of Presiding Bishop of Jesus Christ of LDS
32400000 0	Corp of Presiding Bishop of Jesus Christ of LDS
32558010 0	Corp of Presiding Bishop of Jesus Christ of LDS
25279011 0	Corp of Presiding Bishop of Jesus Christ of LDS
34513011 0	Corp of Presiding Bishop of Jesus Christ of LDS
32566010 0	Corp of Presiding Bishop of Jesus Christ of LDS
16195000 0	Corp of Presiding Bishop of Jesus Christ of LDS
29729000 0	Corp of Presiding Bishop of Jesus Christ of LDS
04152000 0	Corp of Presiding Bishop of Jesus Christ of LDS
20155000 0	Corp of Presiding Bishop of Jesus Christ of LDS
00632000 0	Corp of Presiding Bishop of Jesus Christ of LDS
20157000 0	Corp of Presiding Bishop of Jesus Christ of LDS
00631000 0	Corp of Presiding Bishop of Jesus Christ of LDS
14096000 0	Corp of Presiding Bishop of Jesus Christ of LDS
38686011a0	Corp of Presiding Bishop of Jesus Christ of LDS
19148000 0	Corp of Presiding Bishop of Jesus Christ of LDS
33912000 0	Corp of Presiding Bishop of Jesus Christ of LDS
08988000 0	Corp of Presiding Bishop of Jesus Christ of LDS
16101000 0	Corp of Presiding Bishop of Jesus Christ of LDS
28688000 0	Corp of Presiding Bishop of Jesus Christ of LDS
01369000 0	Corp of Presiding Bishop of Jesus Christ of LDS

01368000 0 Corp of Presiding Bishop of Jesus Christ of LDS
01367000 0 Corp of Presiding Bishop of Jesus Christ of LDS
01379000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33945011 0 Corp of Presiding Bishop of Jesus Christ of LDS
34366201 0 Corp of Presiding Bishop of The Church of Jesus Christ Of Latter
32419253 0 Corp of Presiding Bishop-Church of Jesus Christ Of LDS
34356011 0 Corp of the Presiding Bishop of The Ch of Jesus Christ Of LDS
74415000 0 Crossroads Assembly of God
31793395 0 Crossroads Community Church
31793394 0 Crossroads Community Church Inc
31793399 0 Crossroads Community Church Inc
10954000 0 Evangelical Lutheran Zion Ch of Na
35080000 0 Evergreen Heights
03686000 0 Faith Evan Luth Ch of Cald
03684000 0 Faith Evan Luth Ch of Cald
30381000 0 Fellowship Baptist Church Inc
06161000 0 First Baptist Ch-Ca
18469000 0 First Baptist Church of Middleton
17769000 0 First Baptist Church of Middleton
17779000 0 First Baptist Church of Middleton
18857000 0 First Baptist Church of Notus Inc
38996000 0 First Baptist Church of Roswell
32596000 0 First Ch of the Nazarene
15436000 0 First Christian Ch
15441000 0 First Christian Ch-Na
15439000 0 First Christian Ch-Na
15437000 0 First Christian Ch-Na
27439000 0 First Christian Church of Caldwell DBA Caldwell Christian Church
27440000 0 First Christian Church of Caldwell DBA Caldwell Christian Church
07347000 0 First Church of Christ Scientist
13817000 0 First Church of The Nazarene
09845000 0 First Church of The Nazarene
13891000 0 First Church of The Nazarene
32007000 0 First Congregational Church United Church of Christ Nampa Inc @@
35436000 0 First Friends Church of Caldwell Inc
35389000 0 First Methodist Ch of Cald
35391000 0 First Methodist Ch of Cald
00485000 0 First Methodist Ch of Cald
19935000 0 First Methodist Epis Ch Wilder
18987000 0 First Presbyterian Ch
32186010 0 First Romanian Church Inc
24563000 0 First Southern Baptist Church of Caldwell Inc
29230010 0 First United Methodist Ch
78392000 0 First United Methodist Church
31971000 0 First United Presbyterian
31968000 0 First United Presbyterian

32918000 0	Followers of Christ
32923000 0	Followers of Christ Inc
34174000 0	Franklin Community Ch Inc
37021000 0	Free Holiness Church
37012000 0	Free Holiness Church
33158000 0	Free Methodist Church of North America
29261011 0	General Assembly and Church of The First Born Inc
19928000 0	Golden Gate Baptist Ch
08588000 0	Good News Community Church Inc
32001010a0	Grace Bible Church Inc
35616000 0	Grace Evangelical Lutheran
14656000 0	Grace Tabernacle Inc
11134000 0	Greater Life Church Inc
11133000 0	Greater Life Church Inc
28875000 0	Greenhurst Bible Church Inc
36242000 0	Greenleaf Friends Ch
36241000 0	Greenleaf Friends Ch
36264000 0	Greenleaf Friends Church
36263010 0	Greenleaf Friends Church
31454000 0	Harvest Life Ministries Inc
33715011 0	Homedale Church of Nazarene
17902114 0	Idaho Conference of Seventh Day Adventists
04001000 0	Idaho Conference of Seventh Day Adventists
24428010 0	Idaho Conference of Seventh Day Adventists Inc
05032000 0	Idaho Conference of Seventh Day Adventists Inc
19940000 0	Iglesia Evangelica Mexicana De Wilder Inc
13490010 0	Involve Church Inc
05799000 0	Jehovahs Witnesses Caldwell Idaho Inc Central Congregation
01112011 0	Jehovahs Witnesses Inc N Caldwell Congregation
26438000 0	Jehovahs Witnesses Inc Nampa East Congregation
26436000 0	Jehovahs Witnesses Nampa East Congregation
15216010 0	Jehovahs Witnesses Nampa Id Inc Lake Lowell Congregation
76061000 0	Karcher Church of The Nazarene Inc
31408000 0	Karcher Church of The Nazarene Inc
25266000 0	La Iglesia De Dios Inc
29578012 0	Lake Shore Dr Baptist Church Nampa
32096000 0	Lakeview Bible Church Inc
15234000 0	Lutheran Brethren Ch Na Inc
31355010 0	Maranatha Romanian Church of God No 10953
17544000 0	Melba Friends Church Limited
17537000 0	Melba Friends Church Ltd
16034010 0	Mennonite Church
32135000 0	Messiah Evangelical
73481000 0	Messiah Lutheran Church
17993000 0	Methodist Church
18689000 0	Middleton Ch of Naz Inc

30895000 0 Midland Congregation of Jehovahs Witnesses Nampa Id Inc
 27472000 0 Midway Bible Missionary Ch
 11081000 0 Nampa 1st Southern Bapt Ch
 16765000 0 Nampa Ch of Christ
 13034011 0 Nampa First Assembly of God of The City of Nampa Idaho Inc
 14950550 0 Nampa First Church of The Nazarene
 16270500 0 New Covenant Baptist Church
 13530000 0 New Direction Inc
 13570000 0 New Direction Inc
 32097010 0 New Hope Baptist Church Inc
 00087000 0 New Life Bible Fellowship Inc
 07275000 0 Northwest Latin Conference of The International Pentecostal Holiness Church
 02815545 0 NW District Bible Missionary Church
 34536000 0 Oregon Trail Ch Of God Inc
 19192000 0 Parma Ch of the Nazarene
 19367000 0 Parma Miss Baptist Ch
 02709000 0 Protestant Episc Ch Of Id
 19565000 0 Revival Center Ch Inc
 31460000 0 Rock of The Christian And Missionary Alliance Inc
 61111002 0 Salt & Light Catholic Radio
 35252000 0 Salt and Light Radio Inc
 37691000 0 Sandhollow First Baptist
 09492010a0 Southern Idaho Corp of Seventh Day Adventists
 09492010 0 Southern Idaho Corp of Seventh Day Adventists
 09491000 0 Southern Idaho Corp of Seventh Day Adventists
 25909000 0 Southern Idaho Corp of Seventh Day Adventists
 38837117 0 Southern Idaho Corp of Seventh Day Adventists
 38837011a0 Southern Idaho Corp of Seventh Day Adventists
 15216000 0 Southern Idaho District Council of the Assemblies of God
 29542011a1 Southside Blvd Methodist
 29527000 0 Southside Blvd Methodist
 15459000 0 Sovereign Grace Fellowship of Nampa Inc
 02033000 0 Spanish Assemblies of God Church Rosa De Saron
 39122000 0 Sterry Memorial Presbyterian Church Inc
 39089010 0 Sterry Memorial Presbyterian Church Inc
 39123000 0 Sterry Memorial Presbyterian Church Inc
 32273000 0 Sunnyridge Assembly of God
 09006000 0 The Church of The Rock Inc
 09013000 0 The Church of The Rock Inc
 73546000 0 The Way Assembly of God Inc
 03685000 0 Treasure Valley Christian
 03683000 0 Treasure Valley Christian
 03678010 0 Treasure Valley Christian
 02759000 0 Treasure Valley Christian Center Inc
 01414000 0 Treasure Valley Christian Center Inc
 01413000 0 Treasure Valley Christian Center Inc

31999000 0 Trinity Evangelical Luth Ch
33003011a0 United Reform Church of Nampa
35133000 0 Valley Pentecostal Church Inc
22926000 0 Wat Idahophoxaiyaraam Inc
17999000 0 Way Assembly of God Inc
16040000 0 Wesleyan Holiness Ch of Na
78097000 0 Wesleyan Holiness Church
14990002 0 West Valley Baptist Church Inc
37097000 0 Wilder Assem of God Ch
04945000 0 Word of Truth Fellowship Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 243 PINs as noted above.

Copies of the exemption forms can be found on the Commissioners (O:) drive saved as file titled 'Tax exemptions 03.10.20'. The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 11, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman - 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):

- Skyline Silversmiths, LLC in the amount of \$6179.00 for the Fair

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$11,204.25, \$6475.91 for accounts payable.

APPROVED CLAIMS ORDER NO. 2012

The Board of Commissioners approved payment of County claims in the amount of \$1,741,100.43 for a County payroll.

RESCHEDULE PUBLIC HEARING – REQUEST BY HFC, LLP, FOR A CONDITIONAL REZONE, DEVELOPMENT AGREEMENT, CASE NO. RZ2019-0031

The Board met today at 10:01 a.m. to go on the record regarding the request by HFC, LLP, for a conditional rezone and development agreement for Case No. RZ2019-0031. Present were: Commissioners Pam White and Leslie Van Beek, Jim Decime, and Deputy Clerk Monica Reeves. There was a request to reschedule the hearing to a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reschedule the hearing to April 16, 2020 at 10:00 a.m. Jim Decime advised that he did not receive a hearing notice for this case. Staff will contact DSD and forward Mr. Decime's contact information to their office. The proceeding concluded at 10:04 a.m. An audio recording is on file in the Commissioner's Office.

LEGAL STAFF UPDATE

The Board met today at 10:10 a.m. for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Commissioner Van Beek wanted to discuss a tort claim that was filed by a former employee, and Mr. Blocksom advised that Sam Laugheed would be available to discuss it tomorrow. The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 12, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – 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 Deborah Ellis, John Brett Calhoun, Jessica Sweeney, Javier Guizar, Tim Syreen, Terry Srodawa, Megan Thomas, Keana Wininger and Brenda Stone.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Interstate Electric Supply in the amount of \$2990.29 for the Facilities department

- Cloverdale Nursery in the amount of \$7898.40 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Plaza Garibaldi to be used 3/21/20 for a wedding.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0479, 2020-0475, 2020-0486, 2020-0467, 2020-0363, 2020-0482, 2020-0361, 2020-0457 and 2020-0477. 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.

Commissioner Van Beek made a motion to issue final approval with written decisions within 30 days on case nos. 2020-113, 2020-61, 2020-117 and 2020-149. 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. 2020-154 and 2020-9 to April 9, 2020.

The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1344

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2019-1344. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Bryan Nickels for St. Alphonsus, Timothy Ryan for St. Alphonsus, 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 deny the case. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1321

The Board met today at 9:36 a.m. to conduct a medical indigency hearing for case no. 2019-1321. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Applicant and cousin, 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 9, 2020. The hearing concluded at 9:44 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-145

The Board met today at 9:51 a.m. to conduct a medical indigency hearing for case no. 2020-145. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, 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 the case. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:08 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 case nos. 2020-238 and 2020-170. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final denials on the cases as read into the record. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:12 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. Brad Goodsell left at 10:28 a.m., Solid Waste Director David Loper left at 10:28 a.m., Chief Deputy P.A. Sam Laugheed arrived at 10:18 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing resolution approving and adopting updates to Pickles Butte Operation and Maintenance Manual: Mr. Goodsell said a legal notice was signed letting the public know about the updates to the manual and to submit any comments to Southwest District Health. At the completion of the review period SWDH sent a letter approving the manual and this resolution is to formally adopt the manual. At the request of Commissioner Van Beek Mr. Loper spoke about the revisions to the manual. He said the main revisions are

implementation of the new tarp cover, the ability to recycle clean sheetrock, acceptance of tire shreds from Total Disposal and Recycling to be buried and the method and methodology of controlling contaminated soil along with a couple other small items. Providing there are no other changes the manual will not have to be re-done for another 3 years.

In response to a question from Commissioner Van Beek, Director Loper spoke briefly about the water right permit.

Commissioner White made a motion to sign the resolution approving and adopting updates to the Pickles Butte Operation and Maintenance Manual. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-027).

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 10:12 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 10:30 a.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 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 10:48 a.m. with no decision being called for in open session.

The meeting concluded at 10:49 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 13, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – 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):

- AATronics in the amount of \$1067.50 for the Information Technology department

- Carousel Industries in the amount of \$36,970.64 for the Information Technology department

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, HR Director Sue Baumgart, CCAD Director Michael Stowell, Chief Juvenile Probation Officer Elda Catalano left at 9:03 a.m., Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Chief Deputy Treasurer Jennifer Mercado left at 9:05 a.m., SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing United Way of Treasurer Valley agreement to supply fiscal sponsorship to Canyon County Juvenile Probation Department for truancy prevention month "Kicking Truancy" community event: Ms. Catalano explained her department has been hosting this event for the past 5 years and for those years the United Way has served as the fiscal agent. She said that no money is actually touched by the county and all donations and purchases are done thru the United Way. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with the United Way to supply fiscal sponsorship to Canyon County Juvenile Probation Department for truancy prevention month "Kicking Truancy" community event (see agreement no. 20-040).

The Board entered into executive session at approximately 9:03 a.m. but it was brought to their attention that there was another action item to be considered. They briefly went back on the record at 9:04 a.m. to consider the following action item:

Consider signing Treasurer's tax charge adjustments by PIN for February 2020: Commissioner Van Beek asked Ms. Mercado about one account number and the difference between the 2018 and 2019 adjustments to which she explained is due to the way they were processed. 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 February 2020. A copy of the report is on file with this day's minutes.

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 9:00 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, Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, HR Director Sue Baumgart, CCAD Director Michael Stowell, Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:02 a.m.

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

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 16, 2020

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 ORDER

The Board approved the following purchase order(s):

- EWSCO Caldwell Branch 15 in the amount of \$1190.00 for the Juvenile Detention 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 Nicholas Edwards.

APPROVED CLAIMS ORDER NO. 3/16/20

The Board of Commissioners approved payment of County claims in the amount of \$25,730.47 and \$207,873.64 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/25/20

The Board of Commissioners approved payment of County claims in the amount of \$108,698.14 for accounts payable.

APPROVED SEPTEMBER 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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 OCTOBER 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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 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 AN ACTION ITEM

The Board met today at 9:03 a.m. with county attorneys for a legal staff update. Mr. Laugheed noted for the record that the other agenda items scheduled for today would be rescheduled to a later date. There was then a request to go into executive session as follows:

EXECUTIVE SESSION – 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 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Dale left the meeting at 9:45 a.m. and participated by phone, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Civil Deputy P.A. Sam Laugheed, Chief Criminal Deputy P.A. Chris Topmiller, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Emergency Manager Kristine Wendelsdorf, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, HR Director Sue Baumgart, IT Director Greg Rast, Controller Zach Wagoner, Director of Misdemeanor Probation Jeff Breach, Fleet Director Mark Tolman, DSD Director Tricia Nilsson, Chief Juvenile Probation Officer Elda Catalano, Director of Juvenile Detention Sean Brown, Public Defender Aaron Bazzoli, County Agent Jerry Neufeld, TCA Doug Tyler, Assistant TCA Benita Miller, Judge George Southworth, Judge Davis VanderVelde, Canyon County Ambulance District Director Michael Stowell, Director of Southwest District Health Nikki Zogg, Mayor of Middleton Steve Rule, Chief Deputy Sheriff Steve Rhodes, Caldwell Fire Chief Mark Wendelsdorf, Nampa Fire Chief Kirk Carpenter, Mayor of Nampa Debbie Kling, Caldwell Mayor Garrett Nancolas participated by phone, Nampa Police Chief Joe Huff, Emergency Manager for the City of Nampa, Emergency Manager for the City of Star, City of Melba Mayor Cory Dickard, Representatives for the City of Greenleaf and Deputy Clerk Jenen Ross. Not all participants were present for the entire session. The meeting was broken into several groups including Elected Officials, Department administrators and representatives from county municipalities. The Executive Session concluded at 11:55 a.m. After the meeting concluded there was a unilateral decision made by acting Chairman Dale to sign the emergency declaration and for the joint press release to be issued.

MEETING TO RESCHEDULE THE PUBLIC HEARING OF A REQUEST BY JAMES & SYLVIA BLAKE TO MODIFY A DEVELOPMENT AGREEMENT; CASE NO. DA2020-0001

Commissioner Van Beek went on the record at 1:32 p.m. to reschedule the public hearing of a request by James & Sylvia Blake to modify a development agreement, case no. DA2020-

0001 to March 30, 2020 at 1:30 p.m. The meeting concluded at 1:33 p.m. An audio recording in on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 17, 2020

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

No meetings were held this day.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 18, 2020

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

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 4/18/20 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 4/19/20 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$6030.00 for the Information Technology department
- Boise Office Equipment in the amount of \$15,617.00 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 Kenny Chase.

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 and Leslie Van Beek, Commissioner Dale participated by phone, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, PIO Joe Decker left at 9:17 a.m. rejoined at 9:37 a.m., IT Director Greg Rast left at 9:17 a.m., Planner Jennifer Almeida arrived at 9:19 a.m. and left at 9:37 a.m. and Deputy Clerk Jenen Ross.

Mr. Laugheed spoke about how he would like to see this time allotted regularly for the Board of Commissioners to address county business and the 1:30 meeting to be left for county officials to discuss COVID-19 updates and related issues. Mr. Decker explained that the public meeting room is set up for the 1:30 COVID-19 update meeting and wondered if it would be possible to close it to all other outside meetings for the time being. Mr. Laugheed believes direction from the Board to Director Navarro to close the meeting room should be sufficient. In the meeting yesterday there was no objection from the other Elected Officials of this action. It was unanimous amongst the Board to close the meeting room until further notice.

Director Rast said his department is receiving a lot of calls to the help desk about people wanting to work from home. He would like to have the DAs prioritize staff as to who can work from, in what capacity and what the need is as the county doesn't have the equipment or manpower for everyone to work from home. He is not comfortable with employees using personal computers to work from home due to too many logistics and safety concerns. In the future he would recommend that EOs and DAs have a pool of equipment available for situations like this. Commissioner Van Beek spoke about how she would like to see equipment usage needs be vetted thru IT and that she has concerns about things being purchased outside of the budget. Director Rast will draft the communication he'd like to send to the DAs for Board review and approval.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:19 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 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 and Leslie Van Beek, Tom Dale via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:37 a.m.

At the conclusion of the executive session the following items were discussed:

Consider signing findings of fact, conclusions of law & order for the appeal by Trent White for a variance; Case No. ZV2019-0001: Commissioner White made a motion to sign the findings of fact, conclusions of law & order for the appeal by Trent White for a variance; Case no. ZV2019-0001. The motion was seconded by Commissioner Dale. The motion carried in a 2-to-1 vote with Commissioner Van Beek voting in opposition.

Mr. Decker said he received a message from Kevin Miller at KBOI wondering if someone would like to be on the radio to discuss COVID-19 and the county response. Mr. Laugheed believes this would be a good discussion item for the elected officials' meeting this afternoon. Commissioner Van Beek made a motion to continue this meeting to 1:30 this afternoon. The motion was seconded by Commissioner White and carried unanimously.

This portion of the meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:30 p.m. for a continuation of the meeting with county attorneys for a legal staff update. A request was made to go into executive session as follows:

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 1:30 p.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, Commissioner Tom Dale participated via teleconference beginning at 1:33 p.m., Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Clerk Chris Yamamoto left at 2:53 p.m., Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Emergency Manager Christine Wendelsdorf arrived at 1:50 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:55 p.m. with no decision being called for in open session.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 19, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Down Right Drilling and Pump Inc. in the amount of \$2300.00 for the Solid Waste department

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 do not meet the eligibility criteria for county assistance: 2020-0492, 2020-0505, 2020-0391, 2020-0480, 2020-0493, 2020-0506, 2020-0508, 2020-0488, 2020-0487, 2020-610 and 2020-0587. 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. *After the meeting Director Baker notified Board staff that case no. 2020-0391 should not have been included as an initial denial. This will be addressed in the legal staff update at 9:00 a.m.*

Commissioner Van Beek made a motion to approve case no. 2020-0568 for cremation. 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.

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, Commissioner Tom Dale participated via teleconference, Sheriff Kieran Donahue, PIO Joe Decker, Emergency Manager Christine Wendelsdorf, Rachel Spacek for the Idaho Press and Deputy Clerk Jenen Ross. The action items was considered as follows:

Consider extension of and ratification of the March 16, 2020 Local Disaster Emergency Declaration *COVID-19*: Commissioner White noted that on Monday the 16th it was decided that a 7-day emergency declaration would be issued and then meet today to extend it for another 30-days. Commissioner Dale believes this emergency situation is going to last much longer than the 7 days and thinks it's very appropriate at this time to ratify the March 16, 2020 Local Disaster Emergency Declaration and extent it to 30 days. The motion was seconded by Commissioner Van Beek. Mr. Decker added that when he communicated with the media they indicated that the 7-day declaration could be extended for a 30-day period by full motion of the Board. This declaration will expire 30 days from today which will be April 18th. An additional meeting will be scheduled sometime in the week prior to expiration to extend the declaration if necessary. Sheriff Donahue said he concurs with the approach being taken by the Board. He believes we are just at the beginning of this and thinks 30 days is appropriate but we may find it needs to be extended after the 30 days. The motion carried in a unanimous vote. Commissioner Dale authorized the use of his signature stamp on the declaration and authorized the use of his signature stamp on any future documents he votes on while he is participating via teleconference.

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

Note for the record: As properly noticed the Board met today at 9:10 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 9:10 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 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 and Leslie Van Beek, Commissioner Dale participated via teleconference, Sheriff Kieran Donahue, Emergency Manager

Christine Wendelsdorf and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

The Board went back on the record at 9:53 a.m. to make a correction to an earlier indigent decision and to continue the legal staff update.

Director Baker contacted Board staff after the meeting to consider indigent decisions stating that case no. 2020-0391 should not have been included in the initial denials at this time.

Commissioner Van Beek made a motion to remove the case from denial and reinstate it to pending status. The motion was seconded by Commissioner White and carried unanimously.

Commissioner White made a motion to continue the legal staff update to 1:30 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:34 p.m. for a continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek
Commissioner Dale participated via conference call, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Assessor Brian Stender participated via conference call, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, Director of Southwest District Health Nikki Zogg, Caldwell Mayor Garrett Nancolas, Nampa Mayor Debbie Kling, City of Nampa Communications Manager Amy Bowman, Melba Mayor Cory Dickard, Greenleaf Mayor Brad Holton, Heidi Novich from the Idaho Office of Emergency Management (IOEM) and Deputy Clerk Jenen Ross.

Sheriff Donahue spoke about a letter that was signed by the Board and Sheriff this morning and delivered to the City of Caldwell regarding Pod 6 and that command staff will make the decision on the best use of the facility at this time – it may not necessarily be females only.

A discussion was had about the importance of the confidentiality of executive sessions and how an executive session among the elected officials is a time for everyone to speak freely without fear of repercussions.

Sheriff Donahue said that for now the SILD program is on hold. Additionally, the work release program is being modified. The Sheriff's Office has been working with the Prosecutor's Office and judges to come up with solutions in limiting exposure.

Commissioner Dale said that he received a call from Mayor Nancolas just a bit ago and the temporary Certificate of Occupancy for Pod 6 has been approved and Mr. Britton is on his way to pick it up.

At approximately 2:00 p.m. Mayors, city and health department representatives joined the meeting. The following topics were discussed:

Ms. Wendelsdorf spoke about an email that was forward to everyone regarding a reimbursement that came from Governor Little. She reiterated that each city is responsible for the expenses upfront before they can be reimbursed. All expenses need to be tracked and then turned into the county. If there are any agencies that need PPE, she asked that all requests be forwarded to her and she can get it routed in order to hopefully get that equipment. She will also be forwarding an email from IOEM regarding reimbursable labor costs. Michael Stowell has been designated as her delegate for the Ada County meetings; he will participate in those meetings and pass the information to Ms. Wendelsdorf who will in turn relay it out to city officials. She will forward any meeting invites for this meeting to the city officials and indicated they are welcome to participate, however, those meetings may conflict with this meeting.

Mr. Decker said he is trying to keep up with the various closures and impacts to the public on the county website. The motor vehicle side of the DMV is closed to the public, but the office remains staffed; passports are no longer being issued unless it's an emergency situation. Yesterday a question was received about a hotline being set up as some other agencies have done but since county offices are still staffed there really hasn't been a need. He has been working with the language access office to get some of the notifications translated into Spanish to assist the Latino community; the county website is already set up to toggle between English and Spanish.

Sheriff Donahue said that some modifications have been made at the driver's license office – they are working to accommodate those in need of the commercial driver's license as ITD did not exempt this license as they did with other licenses. They have set up a tiered system at the door where they are only allowing in 4-8 people at a time. The Sheriff's Office is also mandated to do sex offender registry which is also done at driver's license, so those people are also being accommodated.

Prosecutor Taylor said he's been in contact with Chiefs of Police in each city in an effort to keep up with the orders of the Supreme Court. Canyon County courts are coming to a slowdown, the two primary court proceedings that are taking place right now are in-custody arraignments, so those individuals that were arrested within the last few days, as well as those that are currently in custody and have constitutional hearings. All trials that they've seen on the calendar have been pushed back to at least April 10th or until the Supreme Court instructs otherwise.

Sheriff Donahue spoke about how the county has essential services that cannot shut down, court being one of those. He said they are in constant communication with the Director of the Idaho Department of Corrections looking at how inmates from the prison are transported or not transported for court – they are also working on ways to streamline and at the same time continue to protect people's rights.

Ms. Zogg said the demand on their organization has increased exponentially over the last few days, so they are expanding from a pretty narrow incident command structure to a broader 6 county area command. A point person in each county has been identified to work directly with Ms. Zogg on policy level, higher level decision making, and then a liaison PIO and health/safety officer as well as legal counsel to help guide any decisions of that group and help streamline communications. They are also in the process of discontinuing non-essential services and shifting staff time and resources into this event. They anticipate an increase in monitoring so although there are no confirmed cases in the district at this time they do have contact of cases in other places in Idaho as well as repatriated persons and people coming from cruise ships that are still under quarantine being monitored. They have a responsibility to monitor each of those individuals for 14 days so they are moving staff around to those areas to help support that. They have a call center set up which has been primarily run by volunteers, however, many of those volunteers are in the vulnerable class and have chosen to stay home. Last week there was discussion about setting up a testing site at the facility in Caldwell and the logistics of that. In the meantime, Saltzer Medical in Nampa opened a testing site so SWDH reached out to them in an order to not duplicate efforts and asked if there was a way to partner. Saltzer indicated that they would love to have additional support, so they are looking at the critical staffing they have on site now in order to add an additional lane to the testing at Saltzer Medical. If additional sites in the Valley are needed, they are hoping they can learn from what is being done at the Saltzer location. They are taking a lot of requests for PPE and working to elevate them thru their channels. Most medical equipment is coming thru the EOM to the health districts and then up thru the state. There is a strategic stockpile that has been received and they are waiting to receive guidance this afternoon on how to request the supplies and then they will be notified of the prioritization tiers and how they fit into that. They are fielding a lot of calls from schools, local businesses and government looking for guidance and support on different things they are facing.

Treasurer Lloyd said that on the financial side she had an inquiry from one of the major taxing services asking if the June 20th deadline was going to be extended. At this time, she has said the answer is no. They have also had multiple inquiries from buyers concerned that they may not be able to make their payments. She looked at where we're at county-wise and at this time we are over 50% collected. She wanted everyone to be aware, these are things that could potentially impact funding or disbursements that happen in July.

Commissioner White asked about the shortage in blood supplies. Ms. Zogg said she has heard something similar but doesn't know the specifics.

Clerk Yamamomo said this has impacted elections; there has been some talk about delaying the May primary by one month. They can consolidate election polling places and are looking to have an all out push for absentee voting. There will still be an election day however they don't have a polling place at this time. Mr. Yamamoto asked Mayor Nancolas and Mayor Kling if there is possibly of using the O'Connor Fieldhouse and the Nampa Civic Center. Mayor Nancolas said that something could be worked out to use the O'Connor Fieldhouse as one of the consolidated election sites. Currently it is closed for events, but the city would work with the county for an election. Mayor Nancolas feels the number of people allowed in at one time could be limited and there is plenty of room to allow for social distancing. He said the city will do anything they can to help and will make it available at no charge to the county. Mayor Kling said this was talked about some time ago and believes there are still some details to be worked out. She suggested that a more detailed conversation take place with Andrew Luther with Spectra as they are the company that manages the Civic Center but that the city is open to continuing those discussions. Clerk Yamamoto said they are considering full use of the facility since they are looking at only 2 locations for the entire county. There has not yet been a final determination on early voting but at this point he is considering no early voting in Canyon County but more promotion of absentee voting as both early voting and election day voting will present their own issues. While the Clerk was speaking with the Mayors, Sheriff Donahue spoke with Commissioners White and Van Beek who both agree that the county Facilities team may be utilized to help with cleaning of both facilities. Commissioner Dale concurred with this decision.

Sheriff Donahue said they are in constant contact with all the Chiefs of Police throughout the county and had a good meeting the other day. All law enforcement is on the same page in trying to limit the calls that are minor. They are using discretion and social distancing to the best of their ability. In all jurisdictions they are continuing to respond to in-progress calls. Mayor Nancolas spoke of his appreciation of the communication and the response of everyone including Ms. Zogg and Ms. Wendelsdorf. He let everyone know that the City is willing to help the County wherever possible.

Mayor Kling echoed Mayor Nancolas sentiments. The City of Nampa has engaged their Emergency Incident Management Team. The decision has been made to close the Civic Center and the Idaho Center thru April 15th and will be extended as necessary. She has had discussions about the closure of restaurants and supports the Governor's decision in not mandating that. She is going to watch what the City of Boise does and if they do act how that will go.

Sheriff Donahue thinks it's extremely important for business to do what they can to stay open. He said there have been many conversations about keeping this machine running in

order to prevent financial collapse of this country. He noted that the Commissioners extended the emergency declaration for another 30 days this morning. The Coroner is keeping in contact with the Sheriff and has a protocol in place. She is continuing to work closely with first responders and keeping them informed of unattended deaths or other situations they encounter.

Mayor Dickard said they received an email from their lawyer suggesting that they come up with a Board of Health for the City of Melba and wondered if this is something SWDH can help with. Ms. Zogg said SWDH serves all citizens within the county and asked the City of Melba to reach out to them to answer any questions. She said they do all the licensing for the food establishments and currently the recommendation has been not to close and encouraging them to adopt practices to keep both employees and patrons safe. Although there may be community spread in Blaine County there hasn't been in Canyon County and it is relatively safe.

Mayor Holton said they have some major land use cases coming and trying to work thru those while also complying with public meeting laws and social distancing recommendations. Mr. Decker said that he recently received an email from the Governor's office regarding open meeting laws, noting that what he briefly read he believes that only one member of the governing body has to be present and the others may teleconference or videoconference in. Mayor Holton said the only problem they have with that is that they are an older community and not necessarily as tech-savvy; they generally like to appear in person or submit testimony by letter. He will keep the county informed of how they decided to handle the situation.

Ms. Novich spoke to Commissioner White's earlier question about a blood shortage saying there was a press release from the Governor on the 19th regarding the need for blood. She spoke about the Small Business Administration low interest rate loans that can go out to businesses and individuals and that they are trying to obtain enough applications to get the declaration. There have been some misunderstandings and rumors that if a business shuts down completely vs. partially, they will be more eligible for an SBA loan or any FEMA assistance that may come along in the future. She clarified that this is not what eligibility is based on, it is based on the economics and what's been lost. If FEMA were to find out a business closed for the economic loss, they may be hesitant to help that business. She suggested the best thing to do is to track everything and as they move along and get closer to recovery, they will be able to give more information about what is eligible on both the State and Federal sides. She said the State Office of Emergency Management and the State Health and Welfare Office have combined and will be located at the Idaho Office of Emergency Management in an effort to streamline. As a state, requisitions are being put in thru FEMA and the Department of Health and Human Services to try locating PPE. Mayor Kling said she was on a call with the White House yesterday and heard that they have put in big orders for PPE and will be distributing them to the states. She feels that whoever is

working with the State find out what we can access and when. They also said that the food supply chain is in good shape nationally, we have a very stable food supply chain but there has just been a run on items at local stores.

Prosecutor Taylor said he just received the administrative order of who can and cannot come into the courthouse and will have Mr. Decker forward it to all the elected officials.

Sheriff Donahue and Ms. Wendelsdorf said the ICS form 214 will be used to track expenses for reimbursement and reminded everyone to hang on to everything to be turned into Ms. Wendelsdorf at the end.

Sheriff Donahue expressed his concern for senior citizens in getting into the stores and the availability of products. Mayor Nancolas said his understanding is that stores are taking this into their own hands and setting special hours for seniors along with limiting purchase quantities. Ms. Novich said that at the state level they have a person assigned to mass care along with a public/private partnership person who are working these kinds of issues along with schools providing meals and some of the logistical questions of the rural communities. Mr. Decker offered the county's NextDoor account if any of the cities need help getting out mass messaging.

A brief discussion was had about an email from the IAC sent to Clerks and Commissioners about a Telehealth Taskforce.

Sheriff Donahue made a motion to adjourn the meeting. The motion was seconded by Clerk Yamamoto and carried unanimously. The meeting concluded at 3:02 p.m. An audio recording is available in the Commissioners' Office.

MEETING TO REQUEST AMENDMENT TO THE AGENDA – CANVASSING ELECTION RESULTS

The Board met today at 3:41 p.m. at the request of the Prosecutor's Office to consider amending the agenda for a meeting this afternoon. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Mike Porter said there has been a lot going on this week and something has slipped through the cracks which requires attention. A primary election was held last week and the statute requires that canvassing be done in seven days, and today is day seven. The canvassing was calendared for tomorrow. Staff in the Elections Office is prepared to do the canvassing today and so he would like the Board to put that matter on its agenda for today at 4:00 p.m. No one has asked to be notified of changes to the Board's agenda. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to amend the meeting today at 4:00 p.m. in order to meet the requirements for canvassing the primary election. The Board's agenda will be updated to reflect the additional meeting at 4:00 p.m. The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

AGENDA AMENDMENT: CANVASS MARCH 10, 2020 ELECTION RESULTS

The Board met today at 4:03 p.m. to canvass the March 10, 2020 election results. Present were: Commissioners Pam White and Leslie Van Beek, Haley Hicks and Kylie Marks from the Elections Office, and Deputy Clerk Monica Reeves. The Board reviewed the information submitted by the Elections Office. The signed documentation 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.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 20, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$105,330.00 for the Fleet 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 and Leslie Van Beek, Commissioner Tom Dale via teleconference, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Kate Dahl, Planner Dan Lister left at 9:06 a.m., TJ Wellard left at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing final plat for Linfield Estates Subdivision; Case No. SD2019-0049: Staff provided an email summary and said that all requirements have been met and that the final plat is ready to be signed. Commissioner White made a motion to sign the final plat for Linfield Estates Subdivision, case no. SD2019-0049. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing Canyon County's Memorandum of Understanding with Wilder for Rural Community Planning: Zach Wesley explained this was born from the county's desire to assist the smaller communities with some planning and believes it will be a benefit to the stakeholders. There is a cap in the number hours and an 'out' if it is not financially beneficial to either the county or the city. Ms. Dahl gave a brief overview of the scope of what the City of Wilder is looking for with this MOU. Upon the motion of Commissioner Van Beek and

second by Commissioner Dale the Board voted unanimously to sign the MOU with Wilder for Rural Community Planning (see agreement no. 20-041).

A brief discussion ensued regarding changing the dates of the impact fee meetings. There was Board consensus to change the meeting dates which Director Nilsson will work on.

Commissioner Dale made a motion to continue the legal staff update to 1:30 this afternoon. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:36 p.m. for the continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale via teleconference, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, Prosecutor Bryan Taylor via teleconference, Sheriff Kieran Donahue, Assessor Brian Stender and Deputy Clerk Jenen Ross. The following items were discussed:

Ms. Wendelsdorf said that Caldwell Fire had a possible exposure today. They contacted SWDH and are taking appropriate measures. College of Idaho has evacuated most of the dorms except for international students although they have been consolidated into a couple of dorms and one dorm building has been kept open if it's needed for quarantine. She is continuing to receive requests for PPE.

Mr. Decker notified everyone that the Ada County Courthouse had been evacuated earlier today due to a possible exposure. The Landfill is no longer accepting cash payments. The Records' office will begin issuing marriage licenses to Canyon County residents only.

Clerk Yamamoto said that elections are still kind of up in the air; the May election may be moved to June. Commissioner Dale asked if the moving of elections is a legislative decision or if it's something the Governor can decide. Mr. Yamamoto's understanding is that the Attorney General is looking into the emergency powers of the Governor.

Coroner Crawford said she is awaiting the results of a test done yesterday.

Treasurer Lloyd has questions about what to do if/when an employee tests positive to mitigate the exposure to other employees. Ms. Wendelsdorf spoke about the things that can be done in preventing the spread of the virus. Commissioner White asked what to do if there is someone with a compromised immune system. Ms. Wendelsdorf said that really comes down to the decision of each elected official. Sheriff Donahue said he believes there is probably a meeting coming between the elected officials as to what to do but for now if they

have someone in their office with a compromised immune system they are asking that those people work from home if they can. Ms. Lloyd spoke about employees with compromised systems and having to adjust work duties and how that falls into another issue with HR. Commissioner Van Beek said that the HR department sent out an email this morning to Board employees that there would be a pay line noted as 'COVID-19' and that the details could be worked out later. She feels that the Board's directors are doing a good job of managing and reporting back to the Board on how they are handling things. Sheriff Donahue said the financial and payroll aspects need to be addressed further and asked for everyone's input on the subject. Prosecutor Taylor spoke about how the federal government is adapting on the fly with regards to different accommodations – the number one being that we have to keep a workforce for the economy component. He feels that in the interim employees can just be told that their job duties are being changed, they have the ability as elected officials to do that. He does agree that there needs to be a unified approach on how to handle the situation. Commissioner Dale concurs with Prosecutor Taylor and believes they have a really good outline laid out by Director Baumgart. Clerk Yamamoto agrees there needs to be a conversation about the "at risk" employee. His initial thoughts are that those people that are at home whether they are sick or sent home should be using sick and vacation time. If we do anything where people are paid to stay home he thinks the county might be starting something they wish they hadn't started. Sheriff Donahue reiterated Mr. Taylor's point in that we need to see what the federal government is doing as it's changing rapidly. Commissioner Van Beek provided support for Clerk Yamamoto's statement saying that everyone is having to sacrifice, the taxpayers are having to sacrifice and she thinks that is a reasonable expectation. Mr. Taylor said that with Blaine County now becoming a community spread area it's likely that there will be an order issued forcing people to stay home. Sheriff Donahue expects that there will be mandates handed down by the government which will take the conversations out of the hands of elected officials. Commissioner Van Beek made a motion to continue to Monday, March 23rd for legal staff to discuss the financial portion of this. Sheriff Donahue submitted a request to modify the motion that we are going to take up the discussion regarding wages and salaries for our workforce following the 9:00 legal update. Commissioner Van Beek supported that modification. Bryan Tyler said that due to the legal nuances he hopes that legal will be up and ready by 9:00 in the morning to have that conversation with what transpires over the weekend. Commissioner Van Beek withdrew the motion and made a new motion that we continue the discussion for the financial portion of this to the 1:30 meeting on Monday, March 23rd. The motion was seconded by Clerk Yamamoto. The Sheriff reiterated the motion stating that Commissioner Van Beek made a motion to postpone this discussion until the 1:30 meeting on Monday the 23rd and that it was seconded by Clerk Yamamoto and confirmed that the Clerk is fine with the postponement word being included in the motion. There was no further discussion and the motion carried in a unanimous vote.

Assessor Stender said that his portion of the DMV office is still closed to walk-in traffic although they are still open to phone calls and online/mail-in renewals. PTR applications are

still being accepted in his office on the second floor of the admin building. There has been a move in the filing of federal income tax from April 15th to July 15th so people are asking if that will move the deadline for the homeowners' exemption.

Sheriff Donahue said he and Captain Ward did a tour with Nikki Zogg of the current jail facility. Some of the constraints are a little bit concerning if someone were to come in off the street showing symptoms. Ms. Zogg had some concerns about some of the narrow space in the in-take area. They spoke with the medical provider and they have made some adjustments to their protocol and may do a quick assessment of people while still in the patrol vehicle outside before they come in. They also showed her some problem areas within the facility and the one reverse airflow room if an individual is showing symptoms but not diagnosed. They would most likely be able to isolate one person in that room until test results came back. Ms. Zogg was also shown Pod 6 which she was very impressed with. The Sheriff, Chief Deputy and the Captain made a decision yesterday to hold it in reserve for the "what-if" situations, possibly some isolation rooms for the jail, or possibly even isolation rooms for the county. He has also been working with the Prosecutor's Office and ADJ, this morning Judge Southworth issued an administrative order to suspend the work release program. There are about 40 males who have been sentenced for work-release and the concern is that there is a transient population going outside of the jail to work every day and then coming back and potentially exposing other inmates in the facility. They are all now being processed and will be removed from the jail under the judge's order. That unit will be left empty for the next couple of days and a deep cleaning will be done over the weekend and then a couple days later. They will then move the male inmate workers from the 1948 section where there is terrible ventilation to the work release pod and look at moving the female population into Pod 3 with the rest of the females to isolate the 1948 portion. There are normally about five work release members who go out to the landfill every day but Director Loper has been notified that they will not be coming back out.

Sheriff Donahue made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 23, 2020

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

APPROVED CLAIMS ORDER NO. 3/25/20

The Board of Commissioners approved payment of County claims in the amount of \$74,009.81, \$12,511.96, \$53,412.65, \$102,137.46, \$415,653.47, \$52,633.97, \$60,189.93, \$31,221.45, \$154,708.21 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:37 a.m. for an office staff meeting. Present were: Commissioner Leslie Van Beek, Commissioner Tom Dale by phone and Deputy Clerks Jamie Miller and Jenen Ross. 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 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioner Van Beek, Commissioner Tom Dale by phone, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike porter, Facilities Director Paul Navarro left at 9:07 a.m., PIO Joe Decker, Deputy P.A. Zach Wesley arrived at 9:04 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Amendment No. 1 to Canyon County agreement with Cole Architects 19-127: Director Navarro said that the original contract had a not-to-exceed amount of \$2.1M which was the money from the sale of the Hwy 20/26 property and tilling monies that had been set aside; the A&E fees were commensurate with that size of project. The project has changed in size and scope and is now a \$4.9M building so the A&E fees need to be increased to match that scope of work. The contract would move from approximately \$140K to \$350K, Mr. Navarro said the standard is 7% so this fee is in line. Mr. Wesley said the contract follows the original terms of the agreement, the only real changes are to the scope of work and thus to the total contract price. There are no work orders allowed and contractors are not allowed to dictate changes to the project; changes require a mutually executed agreement. Director Navarro anticipates receiving final design sets by the end of June or early July and expects they could break ground in August. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign amendment no. 1 to Canyon County agreement with Cole Architects 19-127 (see agreement no. 20-042).

A discussion was had about an MOU with the DOJ that is scheduled for consideration tomorrow. Commissioner Van Beek has not had a chance to review the document yet and it was decided attorney-client communication would continue via email so that everyone is able to receive the same information. Mr. Porter said that the MOU lays out how elections will be handled for the next 3 years so there is a lot of onus on the Clerk and his elections staff in regard to voting, finding proper locations and making sure that those locations are as ADA compliant as possible. Commissioner Dale said he would like to hear from the Clerk who is invited to tomorrow's meeting.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the meeting to 1:30 today. This portion of the meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:35 p.m. for the continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale via teleconference, Sheriff Kieran Donahue, Clerk Chris Yamamoto, Assessor Brian Stender, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, Notus Mayor Porterfield via teleconference left at 2:30 p.m., Director of SWDH Nikki Zogg arrived at 1:40 p.m. and Deputy Clerk Jenen Ross.

The following topics were discussed regarding the COVID-19 virus:

Sheriff Donahue said that there was an exposure at a Middleton middle school by a teacher from Ada County who is currently in the hospital. The Sheriff reached out to Mayor Rule and SWDH is working with the school district as to how many people were exposed. Mayor Rule said he is going to shut down the skate park in an effort to reduce exposure. Ms. Zogg said everyone in the school that had exposure has been contacted and are under daily monitoring. In response to a question by Treasurer Lloyd, Ms. Zogg reviewed some of the early symptoms which include a fever of greater than 100.4, cough and shortness of breath. She also said that some people have reported loss of smell or taste so those could be early signs. Mr. Laugheed noted the success of the coordinated effort between the school district, the City of Middleton and SWDH and how this should be an example of how the county should run all issues on this topic thru Ms. Wendelsdorf. Clerk Yamamoto said that a child of one of his employees was exposed so that employee is at home but conversations are taking place as to when they'll return.

Ms. Wendelsdorf said she is trying to keep track of the employees on quarantine. In response to a question from Mr. Decker Ms. Zogg reviewed the differences between self-isolation which by CDS guidance would indicate that a person is sick and isolating themselves, self-quarantine which is that you are not being legally required to stay home and that you are not sick but isolating yourself because you had an exposure, and self-monitoring which kind of goes along with self-quarantine because you've had exposure you're also asked to self-monitor for symptoms of illness.

Sheriff Donahue spoke about a Misdemeanor Probation employee who was exposed at POST academy and is now hospitalized, however, they had limited exposure to other county employees. This particular employee is married to an employee in the Public Defender's

office and a memo was sent to employees in that office. Sheriff Donahue and Ms. Wendelsdorf cautioned against department administrators sending emails to employees which could contain sensitive information and to make sure correspondence is run thru Ms. Wendelsdorf, additionally she said she would be the one to make contact with Facilities about making sure a space is properly cleaned if there is concern of exposure.

Sheriff Donahue spoke about an email that went out this weekend asking all department administrators to identify all essential tasks and plan for continued provision. Ms. Wendelsdorf has requested that those plans be forwarded to her and then she will provide them to the Board for review. Mr. Laugheed spoke about how even though all the plans are being routed thru Ms. Wendelsdorf and Mr. Decker for review it will be important for the plans to come back thru the Board for final approval. They will then be sent back to Ms. Wendelsdorf and forwarded to the other elected officials as a courtesy notification.

Nikki Zogg said that there are currently 5 confirmed cases in Canyon County. Three are men who recently travelled to communities with known community spread and two women which SWDH is still investigating how they contracted the virus.

An email is being composed to Department Administrators and Elected Officials asking them to limit their employees' visits to HR when they feel they have symptoms of the virus. Instead they should be directed to their healthcare provider or the SWDH hotline. Mr. Decker and Ms. Wendelsdorf are also working on an email to update employees and hope to have something together by the end of the day.

Ms. Zogg spoke about how she has asked each county she works with to appoint one point person she can have direct contact with; for Canyon County Sheriff Donahue will be that person. She also said that SWDH has some expired PPE but it will still be beneficial and they are having discussions on the best way to distribute. Eugene Smith, who is retired from Boise PD and has expertise at responding to national events, has been brought on to help consult on some of the infrastructure and provide support going forward.

Commissioner Van Beek spoke about an email that was received from Kendra Kenyon of Ada County regarding a multi-agency coordinated effort conference call. Ms. Wendelsdorf said that Michael Stowell with the Canyon County Ambulance District is the Canyon County representative for this meeting. Sheriff Donahue said he has no intention of joining the meeting as every county is doing things just a little different and he really just wants to focus on the response by Canyon County. Mr. Decker said he believes Ada County is holding two meetings a week, one is the multi-agency coordination team and the other is a multi-agency policy briefing meeting. The multi-agency coordination (MAC) is the 'boots on the ground' and the policy briefing is the meeting the elected officials are being invited to so that they can get the information on what the MAC is doing. He indicated that some elected officials

have started interjecting into the MAC meeting which is not what they need. They are trying to get things worked out and will brief the elected officials later in the week.

Clerk Yamamoto spoke about compensation for employees during this crisis and the Families First Coronavirus Response Act (FFCRA) and how the decision may be out of the hands of county officials although he would like to see everything tracked. Mr. Laugheed said he sent to everyone the Department of Labor guidelines which is really informal, but he expects that a more comprehensive interpretation should be coming in April. The summary is pretty clear about the federal response and what the county obligation is going to be. The part that provides 80 hours of paid sick time when an employee is quarantined reads as follows: pursuant to federal, state or local government order or advice of a healthcare provider..." the local government order, the way legal has interpreted, is that each of the elected officials, with their independent authority is acting with the force of government if you ask an employee to stay home. If an elected official tells an employee to stay home because they meet the criteria laid out by SWDH he believes the employee will qualify under the FMLA for the paid leave. The Sheriff said he agrees with the Clerk and would also like to see everything tracked. The Clerk explained more saying that if someone is staying home due to the coronavirus, we may want to track that for various reasons and he will speak more with HR and legal to make sure that the tracking doesn't cause any problems. Mr. Laugheed said that his understanding of the FFCRA is that it applies to government agencies and all employers who have under 500 employees. The portion that addresses 50 employees is particularly relevant when it has to do with the FMLA that's available only if the employee has a child who is not able to go to school due to being closed in relation to coronavirus. It appears that there is exigency that they can identify an employee as critical to the business and they would be exempted from these requirements. He thinks the notation in ADP doesn't just need to say 'coronavirus' but specifically if it's personal to the employee because they are in quarantine or if it's due to them providing care to someone in their household who has the virus or related to care due to the schools being closed. He suggested these might be the points that should be started with in terms of the internal record keeping.

Prosecutor Taylor believes that is probably going back to the recommendation by auditing because ultimately, it's coming into ADP and creating a systematic approach for all the offices and departments of how that needs to be tracked. Clerk Yamamoto said that the tracking is necessary as there could be some reimbursement or programs and we're going to need documentation as to what happened. Treasurer Lloyd thought that perhaps a doctor's note should be provided if a person is needing to be out due to having a compromised system. Mr. Laugheed said some employees can be identified without the help of a healthcare provider just based on what is known about the employee and their history. Sheriff Donahue feels it's just going to have to be evaluated on a case-by-case basis and reasonable common sense. He instructed his Chief Deputy that employees will be paid; the budget has been set and no new money is being requested to pay people and nothing about this virus is the employees fault, it's the right thing to do and no one can afford to lose all these people. Clerk

Yamamoto spoke about how this is a double edge sword and that on one hand you have a private sector business that has had to close their dining room but we're taking that restaurant owner's money, property tax, and we're paying county employees to stay home when that business isn't able to do the same.

Ms. Wendelsdorf reminded everyone that if a department generates overtime to be sure keep track of that as we are still under an emergency declaration so all of that can potentially be reimbursed by the state.

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

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 24, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1514.68 for the Information Technology department
- SHI in the amount of \$8780.10 for the Information Technology department

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: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale via teleconference, Clerk Chris Yamamoto left at 9:29 a.m., Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Elections Supervisor Haley Hicks, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a Memorandum of Understanding between the United States and the Canyon County Clerk regarding the accessibility of polling places: Mr. Porter addressed questions posed by Commissioner Van Beek via email yesterday afternoon. Clerk Yamamoto said that in Idaho both Ada and Canyon County were surveyed with 35 polling places in Canyon County being looked at but only one passing. He said the reason they've held off so long with this MOU was to get as many good ADA compliant precincts as possible. Once this MOU is signed every precinct has to be brought to the DOJ for approval. Clerk Yamamoto

noted for the record that they make accommodations for all voters regardless of what their ADA requirements are. Commissioner Dale made a motion to sign the MOU between the United States and the Canyon County Clerk regarding the accessibility of polling places. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 20-043).

Discussion ensued regarding the department head meeting scheduled for March 30th. Director Baumgart believes it would be a good idea to cancel the meeting or hold it via teleconference in order to not have all the department heads in the same room together. An email will be sent to the DAs asking for their feedback on the originally scheduled agenda items. Another meeting will be scheduled for mid to late April.

Commissioner Dale made a motion to continue the legal staff update to 1:30 today. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE PUBLIC HEARING REGARDING THE REQUEST BY KENNETH SMART FOR APPEAL OF AN ADDRESS CHANGE

Commissioner Van Beek went on the record at 10:00 a.m. to continue the public hearing regarding the request by Kenneth Smart for appeal of an address change. It was noted for the record that the hearing has been rescheduled to April 17, 2020 at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:35 p.m. for the continuation of the meeting county attorneys for a legal staff update. Present were: Commissioner Leslie Van Beek, Commissioner Tom Dale via teleconference, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Assessor Brian Stender, Emergency Operations Manager Christine Wendelsdorf, PIO Joe Decker and Deputy Clerk Jenen Ross. The following topics were discussed:

Ms. Wendelsdorf said she is still collecting plans for each department and office. Once she has reviewed them, she will forward to the Commissioners. In response to Commissioner Van Beek's question, the only Board department she's missing is the Public Defender. Ms. Wendelsdorf has been in contact with Mr. Bazzoli who is concerned that if an employee was infected the entire office would have exposure and wondered if the whole office would need to be evacuated. She explained that it would be up to him to come up with a plan as she does not know the operations of his office. Sheriff Donahue said this is something everyone has

probably been concerned about and a good example is what happened at Misdemeanor Probation. In that case they had to backtrack to see how much contact they had at the office and it was worked back from there. Sheriff Donahue said that if it is determined that an employee was infected he doesn't know that immediately evacuating the office would be the right course of action. He would probably contact SWDH for guidance and follow the guidelines of the CDC. Ms. Zogg said there really is no need for an emergency evacuation. We know how the virus works and where it can live in certain environments so it's important to know timeframes of exposures and which employees had close contact. Ms. Wendelsdorf also suggested that it's a really good idea to contact SWDH if there has been a possible exposure and they can provide the necessary guidance. Sheriff Donahue said they had a possible exposure at the jail last night but in being able to work the situation backwards they were able to determine it was probably a knee-jerk reaction but were able to follow the protocol they had in place and resolve the situation. Sheriff Donahue made the record clear that they do not have any known cases in the jail at this time.

Mr. Decker said that a couple of department heads stopped by his office to see if there was any more information available regarding the employees who tested positive that was brought to light in the email sent to employees last night. People are concerned about that person being in their building or having possible contact with that person. Mr. Decker let everyone know that if they'd had possible exposure SWDH would be in contact with them. Ms. Wendelsdorf reiterated that the persons name nor department should be disclosed. Mr. Decker said that he was on a call with Ada County earlier and Central District Health has indicated that community spread is happening and plan to make some kind of announcement later today. Ms. Zogg said that the spread is in Ada County although they are not sure of where the exposure happened. Mr. Decker's understanding is that the Boise Mayor may take more extreme measures such as a mandatory shelter in place order.

Ms. Zogg said that even if we do have some community spread it is still just minimal and that the 7 district health directors are meeting by conference call regularly. Some of the other directors have been receiving a lot of pressure to do more which creates a lot concern and challenge as you have a lot of people who want a complete lock down which could be devastating to the economy especially if we're in this for another 12-18 months. They are trying to manage the event carefully in order to mitigate the damage and work collaboratively to find the best approach with legal authority and enforcement. At the end of yesterday's meeting they recognized the amount of community concern and the need to work on their messaging. They are also contacting their hospital executives to find out their rating of how the health districts are handling this. Depending on what they learn they may need to take steps to further enforce the social distancing measures. If the hospitals feel they are doing okay they will continue with the messaging as it is. They will speak at the end of day to discuss what they learned and the way they want to move forward. Ms. Zogg said in speaking with the public health district director from Twin Falls, which includes Blaine County who does have the shelter in place order, they are finding that people are leaving that

county and going to other counties to socialize which is causing concern for the other health directors. This comes back to the enforcement piece and this may be one of the unintended consequences of trying to do something to slow the disease. She thinks this is something that needs to be considered among the cities within the county and needs to be considered when making any kind of decisions around legal authority. As of today, there are a total of 6 cases in the county. In response to Sheriff Donahue, Ms. Zogg spoke about comments that've been heard about hospitals being in charge of public health because the health districts aren't reacting the way people want them to react and they want someone else to fix or take charge of the issue. She feels that some of those comments is what is putting additional pressure on elected officials and those that want stronger restrictions are maybe louder than others.

Clerk Yamamoto said if a lockdown worked, he might be if it if it were for an acceptable period of time. He spoke about the severe lockdown in China but that was different than we'll see in the US as they are a police state. How are you going to enforce a lockdown and should there even be one? He might be inclined to go there if it worked, however, he doesn't think there is an acceptable amount of times that is going to work. He thinks it needs to stop being talked about because, short of police state, where are we going to go with it. He thinks this just needs to run its course and we have to educate and get people to do what they can. Right here in the county he wants to see consistency; he has employees that are watching other offices and departments and as time goes on it is going to become more and more of an issue. He wonders how we keep our doors open as he's a hard-liner for keeping the doors open, although, it will be kept to essential items only. This meeting daily is taking time from his day that he really doesn't have. He would really like to talk about the consistency and keeping the county operating in a reasonable fashion.

Sheriff Donahue suggested limiting the meeting schedule. There are essential services that have to be provided, there are some offices that can still provide those services from home such as the PAs Office. His office is not an office that can work from home so his office will remain open. He is unsure how to deal with the employees who feel it is unfair that some offices are closed and/or working from home. Each office is different, and the determination is up to each elected official. Clerk Yamamoto said there are other areas to look at as models if this continues, which he believes it will, he feels that employees will move on from the county.

Commissioner Van Beek asked Ms. Zogg what the mortality rate of the virus is. Ms. Zogg said the best data available shows it's about 1% which is slightly higher than influenza. She believes the issue with this virus is that we don't have any herd immunity. With influenza most of us carry a certain amount of immunity from year to year. The healthcare system is not designed for this kind of surge which is the reason we need to flatten the curve. In speaking with the hospitals, they are concerned about being able to provide services and concerned for the safety of their staff which is hard when you can't find PPE. What she is hearing from the public health experts who are studying this is 12-18 months before there is a herd immunity built up; so while it would ideal if we had the ability to control this

outbreak to the extent that we can would be to have small clusters of disease that happen within the community and not to have everyone get sick at once.

Sheriff Donahue spoke about an email sent by Ms. Zogg earlier today referencing the hospital information and that right now the hospitals are not overwhelmed. As of this morning West Valley didn't have anyone on a ventilator and St. Luke's had just a couple. St. Luke's did say they have about 3500 tests pending which is a little bit concerning even though the positive test rates are really low. Clerk Yamamoto believes employees need to ask themselves how much risk am I taking to provide my public service and patriotic duty. How many people are getting sick and what is the extent of that? How much risk am I putting forward? Sheriff Donahue asked Ms. Zogg to review her earlier email to see if it or part of it could be sent to employees to calm fears. Commissioner Dale said that while we need to encourage people to do things to avoid contracting this virus people need to be made aware of the other side in that the recovery rate is very, very high. At the request of Sheriff Donahue, Ms. Wendelsdorf will create a memo to go out to employees highlighting the recovery statistics and Ms. Zogg said her staff is putting together an FAQ which she will forward to Mr. Decker and can be shared with employees.

Sheriff Donahue spoke about Eugene Smith and how the county will be able to utilize him to provide guidance to the county under the personal services contract he has in place with SWDH.

It was decided by everyone that these meetings can now take place on just Mondays and Thursdays unless there is some kind of emergency meeting that needs to be called.

Treasurer Lloyd suggested that if this get more out of control offices could possibly go to a 4 day work week.

Sheriff Donahue made a motion to adjourn the meeting and Commissioner Van Beek confirmed the motion.

The meeting concluded at 2:24 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 25, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HUB Industrial Supply in the amount of \$1022.50 for the Solid Waste department

APPROVED CLAIMS ORDER NO. 3/27/20

The Board of Commissioners approved payment of County claims in the amount of \$58,329.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 2013

The Board of Commissioners approved payment of County claims in the amount of \$1,647,603.38 for a County payroll.

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 9:07 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 9:09 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, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale participated via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, EOM Christine Wendelsdorf, PIO Joe Decker and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:06 a.m. with no decision being called for in open session.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 4:08 p.m. for an elected officials' emergency meeting regarding COVID-19 in response to the extreme emergency order issued today by Governor Brad Little. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Coroner Jennifer Crawford,

and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. Due to Governor Little's statewide order to shelter in place an emergency meeting was convened because the provision of essential government services could be compromised without immediate discussion. No media have requested updates. Commissioner Van Beek made a motion to amend the agenda for an emergency meeting regarding COVID-19. The motion was seconded by Commissioner White. A roll call vote was taken with Commissioners White and Van Beek voting in favor to have an emergency meeting; the motion carried unanimously. The following topics were discussed:

Sheriff Donahue and Chief Dashiell reported they have been meeting with staff about how the order will impact the office. Modifications have been made to staffing levels and other protocols; there will be modified hours for the driver's license office with specific hours on Tuesdays and Thursdays for CDL renewals as well as the sex offender renewals; they have modified administrative staff with rotating schedules; the part-time front door security personnel will be relieved by fulltime court staff and some pre-trial or civil staff in order to have door security; changes have been made to the work release program where inmates have been released on a stay on sentence; the SILD program has been suspended for 60 days; there will be a status quo on operations. They've been in contact with Ada County on contingent plans for staffing between the two jails if either runs into major issues and perhaps sharing staff members back and forth.

Commissioner Van Beek said Parks Director Nicki Schwend has reported overwhelming numbers of people at Celebration Park and is concerned for traffic and so she is seeking Board direction on whether she can close the park restrooms tonight. She also wants to know if Celebration Park will remain open. Following comments, it was decided to close the restrooms. The Sheriff said law enforcement will educate citizens and try to get groups to disband, however, if people are breaking the law, such as theft, there will be arrests. The Sheriff will meet with the chiefs of police tomorrow for further discussion.

Prosecutor Taylor needs to see the Governor's order as to what is deemed essential. Joe Decker said it would be close to what happened in Blaine County where we ensure the continued operation of government agencies for the health, safety, and welfare of the public. Sheriff Donahue said we'll need to know what authorities are doing with the national wildlife refuge at Lake Lowell because this is typically the time CCSO staff sets up docks but he is not certain they'll be doing that given the order issued by the Governor.

Commissioner Van Beek asked if the administration building can be locked for social distancing while staff continues to work. Prosecutor Taylor said perhaps it could be streamlined where people are only coming to the first floor on certain days of the week to limit foot traffic. The Treasurer has a drop box and she could lock the office and people would have the ability to call, it's not like there aren't other avenues available to make payments. Assessor Stender has a table and staff are screening people who are coming to the Assessor's Office. The property tax reduction program deadline was pushed to June 15 and those who are bringing in applications are severely at risk and we want them to stay home. He wants to shut the office to customers coming in and through the media tell people to stay home and mail their forms. Prosecutor Taylor said the order is clear, if it's deemed nonessential you are still processing so the government entity component is still working but you're changing the process. Commissioner Van Beek suggested there be a drop box

outside the building with a note and staff can collect the mail. Joe Decker said perhaps the Recorder, Assessor, and Treasurer could set up tables in the courthouse and close the administration building. Prosecutor Taylor said the administration building is not the courthouse, it does not have to stay open. Clerk Yamamoto wants some time to think about it, he then asked if there are any confirmed cases of COVID-19 in the courthouse or in the administration building. The Sheriff said there are no cases in either buildings, however, we have a situation at another location and it's a sensitive case that should be discussed in executive session. There was a rumor that the jail had a COVID-19 case but that is not true. Commissioner White said the Board's staff is capable of working from home and the Commissioners have cleared the calendar for Thursday and Friday and all of next week. Hearings will be rescheduled. She is not coming to the office because she is in the high-risk group. The Board's department administrators will be in contact about the skeleton crews that will be working in their respective offices. Commissioner Van Beek said the land use hearings have been cleared through next week but she is asking for direction on what to do with hearings that are scheduled further out and should we move everything for that 21-day period. Prosecutor Taylor said based on the Governor's emergency order the Board should postpone everything beyond that 21-day mark. Commissioner Van Beek said some cities want to retain jurisdiction on whether they hold P&Z hearings and she questioned what that would look like if cities are meeting but the County isn't. Prosecutor Taylor said we are trying our best to comply with what the Governor has ordered.

Sheriff Donahue said they will close public access to the crime lab for the time being unless there is an emergency. Some staff will be onsite. There are no changes to the patrol division, although he expects they will become busier. Prosecutor Taylor reported they are already seeing an increase in domestic violence cases.

Clerk Yamamoto said he and the Assessor and Treasurer will meet and let the Board know what they plan to do with their office operations. He said there are two other entities in the building that are under the Board and he recommended the group go into executive session for that matter only.

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

At 4:42 p.m. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code 74-206(1)(d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, and Deputy Clerk Monica Reeves. Commissioner Tom Dale joined the session at 4:58 p.m. via conference call. The Executive Session concluded at 5:17 p.m. with no decision being called for in open session.

The next meeting of the elected officials will take place tomorrow, March 26th at 1:30 p.m. An audio recording of the open portion of this meeting is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 26, 2020

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

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:35 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Nicki Zogg, SWDH Director, Eugene Smith, Incident Consultant for SWDH, Legal Secretary Jody Hedges (via conference call), and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows:

Sheriff Donahue reported that he and SWDH have worked with the public defender and things are progressing quickly to get the information SWEDH needs to address the matter discussed yesterday in executive session.

Sheriff Donahue and Prosecutor Taylor attended a police chief meeting and reported all law enforcement agencies are doing the same thing in terms of enforcement by education and using great discretion in bringing people to jail or not bringing people to jail, using cite and release, etc. There was a rumor that law enforcement is conducting vehicle stops and checking for travel papers but that is not true, it's not happening in Canyon County. With the Governor's order yesterday the Sheriff has made the decision to close driver's license. (The DMV side is already closed. On Tuesdays and Thursdays from 9 a.m. to noon staff will be there to accommodate CDL's and sex offender registrations, which are considered essential functions. They have suspended concealed weapons issuances because it is not an essential service at this time. He received an email from the Dept. of Homeland Security that President Trump has suspended the REAL ID (Star Card) until October 2021. The action will help driver's license departments throughout the state. The parks director is requesting extra patrols at Celebration Park since they anticipate people still attempting to camp out there. The Sheriff said they will do what they can and there is a patrol car in the area to address emergency calls but he doesn't have the manpower to staff somebody at the park.

Commissioner Van Beek said the Commissioners' Office has been working with the EOM to get protocol for COVID-19 for all department administrators. There is a request by the misdemeanor probation director to close the office doors to the public and operate via teleconference with those who need those services. Prosecutor Taylor said doesn't see any reason they could not close the office to the public and do appointments only and conduct business telephonically, and perhaps the juvenile probation office should do the same thing. Commissioner White said that is fine with her.

Treasurer Lloyd said she, Assessor Stender and Clerk Yamamoto met this morning to discuss how their offices will proceed forward and they are hoping to have a decision by the end of day or first thing in the morning. Once plans are determined they will go into effect on Monday. Assessor Stender is reworking things in his office. Clerk Yamamoto said they are working with the PIO to change signage and get the message out via the website and the media. He asked if there is a known COVID-19 case in the administration building. Sheriff Donahue said late yesterday he received information from SWDH about a confirmed case in the public defender's office, but the employee has not been on site for 10 days. Director Zogg said SWDH received information from the lab yesterday afternoon and they were trying to contact the person to obtain information about symptom onset date, and exposure risk to others. Clerk Yamamoto said when we have preliminary information we need to know immediately. Sheriff Donahue said there are privacy issues involved and we have to follow the SWDH's protocol on these matters so that we don't violate the person's privacy rights. Director Zogg gave the example that SWDH puts out information to their employees about the expectation that they are not to be at work when they are sick. If they become sick or someone at their house becomes sick or tests positive for COVID-19 they are to report that to SWDH so they can protect workforce. There are protocols the County can put into place, if it hasn't already, to help protect the workforce and until you have time for SWDH to do their job, which is to get lab confirmation which sometimes its delayed especially with the way testing is working, and SWDH contacts the person which is not always easy to do. It could take a while for us to determine where a person works and who could be exposed in the workplace. If the employer can put practices into place on their end that will really help to protect coworkers in the organization. Joe Decker doesn't think that information had been confirmed or verified to the EOM when this group discussed it yesterday. Clerk Yamamoto said sooner or later we are all exposed in one way or another, but this situation created an issue with a person thinking they were getting the run around and it added to an already panicked situation. He understands protocols, but he wonders about this circumstance. Prosecutor Taylor spoke of the importance of following the guidelines and protocols and said we have to be careful of creating pandemonium off of rumors and gossip. We cannot shut down government because of coughs and sneezes.

Director Zogg reported there are 123 confirmed cases in the state; we have 14 confirmed cases in our district, 13 in Canyon County and 1 in Payette County. Canyon County has reported its first death, a 70-yr old woman. There are three other reported deaths in the state.

Treasurer Lloyd said she finds it difficult to shut down to the public, however, we need the public to do what they were told by the Governor. She will likely be closing her office to the public on certain days because we need to support what the Governor has ordered whether we feel its right or wrong but unfortunately society will not do what they are asked so this is a way for us to help them follow the order.

Brian Stender said he is thinking along the same lines as the Treasurer because his staff can do most everything via mail, fax, and email at the moment. The only thing they cannot do is manufactured home title transfers because it starts with paying taxes, so he will reserve one day a week in the morning to open to the public to do those transactions for the next three weeks. He plans to close public access to the office so they can maintain enough people to facilitate the process of getting assessment notices out the door.

Zach Wagoner said it's important to move money in a timely manner and that includes paying employees and vendors. In the past our accounts payable process has been a physical claim board with tremendous amounts of paper and so they have asked for electronic invoices and claims, which he will send electronically to the Board for approval to cut checks. They will scan claims into a PDF file so the Commissioners can each scroll through them claim by claim and when he receives two approvals they will cut checks. Commissioner White thinks that's a good idea.

At 2:02 p.m. the following local Mayors joined the meeting via conference call: Greenleaf Mayor Brad Holton; Melba Mayor Cory Dickard; Nampa Mayor Debbie Kling; Middleton Mayor Steve Rule; and Caldwell Mayor Garret Nancolas, as well as Doug Waterman, an attorney from the City of Caldwell.

Nicki Zogg reported for the Mayors that there are 14 confirmed cases in the health district; 13 in Canyon County and 1 in Payette County. Canyon County has had its first death, with a total of 4 deaths reported in the state. SWDH's call center has been open M-F from 8-5, they were open last weekend and will likely see shorter days this weekend. They have confirmed community spread in Canyon County, it's still in the minimal to moderate level, and there are at least 2 cases where they haven't been able to confirm where they were exposed to COVID-19. They have had situations occur in the last two days, one outside Canyon County where they were considering quarantining a home because of a child custody issue, and COVID-19 being confirmed in that household with other members having symptoms consistent with COVID-19. Today they considered a report for examination to try to get information out of a confirmed case, but they were able to resolve without having to take legal action so that's a good thing. There have been statewide conversations about what the Governor's order covers and there have been concerns around golf courses and parks. Mayor Kling asked for information regarding golf courses and parks. Director Zogg said the concerns around golf courses are that they are getting conflicted information so she was hoping to get confirmation from the Governor's office because they've already asked legal counsel twice and they are going back for a third time. What she is hearing is people are convening to play golf and although the restaurants are closed there is concern about gathering and whether they are violating the Governor's order because is a golf course an essential service and should it be open. She's asked the Governor's office and they said it's fine if they can clean the golf cart and do social distancing. She's asked for clarification based on input she's received from elected officials but she hasn't received that third legal opinion; however, that doesn't mean municipalities couldn't take their own actions. There are some inconsistencies with parks and playgrounds where some have closed and some remain open. Closing one park causes groups to go to another park and it creates an issue where people congregate in certain area. Mayor Kling said the Nampa parks remain open with the instruction for social distancing and they have decided to leave the restrooms open because that creates other issues with people using bushes. Director Zogg said she's heard a lot of cities are choosing

to close the public restrooms, but she doesn't have a recommendation one or the other because there is a risk either way. If she hears guidance on it she will let Mayor Kling know. Sheriff Donahue introduced Eugene Smith who is a retired captain with the Boise Police Department and is highly trained in large scale incident command. He has worked all over the nation and he will be retained on site through a personal services contract with SWDH. Joe Decker reported that he is trying to get all information from various County offices/departments and consolidated on one page. The statewide stay-at-home order is on the website along with the document from the State of Idaho that lays out the essential services. There is one banner with COVID-19 information related to the County and the statewide order. He's trying to get one comprehensive list to post on social media. He will have the information translated in Spanish.

Sheriff Donahue informed the Mayors that the driver's license office is closed; DMV has been closed to the public but they are still working and he has closed down his side of the operations based on the Governor's order but they still have critical functions to perform so they have arranged times starting next week on Tuesdays and Thursdays to do CDL's and sex offender registry at the complex. President Trump issued an order that the Real ID/Star card requirements set for October have now been postponed for one more year.

Mayor Dickard asked about having the Sheriff's presence in Melba to enforce the Governor's order with bars and restaurants, most of which are complying, but there's one establishment still serving and they posted online they are serving drinks to go. Prosecutor Taylor said it is a misdemeanor offense to not comply with the Governor's order and our preference is to enforce by education – meeting with restaurant and bar owners – and try to do this together as a community. We want to keep businesses going if we can and keep employees paid but be mindful of social distancing and shutting down the dining component and still offering takeout. It's an educational component versus a strict enforcement mechanism and that's how he will be guiding our law enforcement partners. Mayor Dickard asked a police officer could educate the businesses. Sheriff Donahue said they will send someone out there to take care of it today. There may be occasions with people taking a hard stance to not go along with the order so that may take more stringent conversation but are hoping to use the example by educating people. They will still respond to emergency calls or situations that need immediate police presence.

Mayor Rule had a question pertaining to the paying the salaries of the part-time employees at Middleton Library now that it's closed. Prosecutor Taylor suggested he consult with the city's legal counsel about that question. He also suggested Mayor Rule review the *Families First Coronavirus Response Act* that was promulgated by Congress which expands the FMLA processes and procedures. The ultimate goal is if you can keep them employed that's going to be the preference, there are a lot of protections for employees. Mayor Nancolas offered to have Caldwell's HR director provide the layman's versions of that act to Mayor Rule and his clerk.

Clerk Yamamoto said most of what the Clerk's organization does is essential therefore his offices are for the most part open although they have curtailed some services. Many people are coming to the Recorder's Office for marriage licenses.

Assessor Stender said his office is a bit behind in getting the preliminary new construction numbers to city staff but they are working to provide that data. The office is currently open and they have a table to screen people. PTR and homeowner exemption forms can be obtained online; PTR applications have also been mailed out. Forms can be printed and

mailed/faxed to the office. The Assessor's Office will be looking at closing the office for most of the time.

Treasurer Lloyd said they will continue to collect property tax and will limit their public interaction. Payments can be made online or through the mail. Staff will be available Monday through Friday from 8-5, but they will limit public exposure to certain hours but it's not been determined yet. Taxing districts will still get their monthly checks.

Commissioner Van Beek reported the Board has cleared its land use hearing schedule and the P&Z Commission has also rescheduled their hearings as well. Because we were unable to navigate around social distancing and limiting the potential number of people who could attend those hearing (in some cases 60-70 people have attended) under the guidance of legal counsel they decided to reschedule the hearings for late April and May.

Director Zogg and Eugene Smith left at 2:30 p.m. to attend another meeting.

Sheriff Donahue said last Friday the ADJ Southworth issued an administrative order which helped alleviate pressure at the jail. The SILD program has been suspended for a minimum of 60 days to limit foot traffic from outside sources coming into the facility. He has also suspended the work release program for 60 days because of the heavy traffic in/out of the facility. They will clean that unit and move male inmates from the 1948 jail and into that particular pod, and move females from the 1948 jail to the unit just because our numbers are lower. Mayor Nancolas helped push through the temporary occupancy permit for Pod 6 and we have made the decision to hold that facility in reserve for isolation, if needed. He's had his commanders stand up protocols with medical providers and others and although it may not be ideal, they are as prepared as they can be right now with SWDH and notification to hospitals that if something happens in the jail that will be a large lift and they are ready to face it.

Commissioner Van Beek said she was contacted by realtors, developers, and builders with concern that DSD has shut down. DSD is operational and they are still issuing permits. Construction was deemed essential and it's important that it move forward.

Prosecutor Taylor said there are rumors that get spread and if the mayors have any questions they should email the County's elected officials to inquire. He heard a rumor that travel permits were being issued but he has no idea where that came from.

EOM Christine Wendelsdorf said she had been in contact with SWDH regarding PPE and they have some masks available so she will make arrangements to have that picked up. She's been working with fire and EMS agencies to get it distributed through Canyon County Paramedics in order to keep track of what we are getting in and giving out and how fast we are going through it. She has been going through the department protocols and been in regular contact with the state and they are letting her know about placing orders for PPE and how we can get more supplies we need.

Prosecutor Taylor gave an overview of the Supreme Court order for the court system and how it's operating. On March 23rd Supreme Court amended its previous order of March 16 and the basic synopsis is that all court proceedings that are not deemed essential are shut down. The public is limited of who can come into courthouses, criminal defendants should be the only other person in the courtroom, courts are allowing more telephonic hearings and all jury trials have been suspended until April 30. The only type of court proceedings requiring law enforcement officers to be present are in-custody preliminary hearings, those who are still in the jail that have a preliminary hearing. Sheriff Donahue said the Sheriff's

Office is working closely with the PA and the Courts, specifically the ADJ every day. They are able to limit some transports to the courtroom by utilizing telephone and video capabilities. Mayor Kling advised that the Association of Idaho Cities has a call into governor for a call at 2:45 p.m. The Mayors ended their call at 2:42 p.m., and which time the County's elected officials' meeting resumed.

Treasurer Lloyd asked if employees will be able to accumulate sick and vacation hours if they are not working. Prosecutor Taylor said if someone is too scared to come to work that might be a different question, but when an office sends an employee home, he doesn't see any way around the accrual. The federal act is an expanded class of FMLA so if you're solely sending someone home this doesn't apply. If they are being impacted by COVID-19 it would equate to the common FMLA and employees are still protected. Now that there has been community spread, Treasurer Lloyd asked if she is obligated to send employees home if they are high risk or have a compromised immune system. Prosecutor Taylor said she is not necessarily obligated but it's a best practice to do so for the health and wellbeing of the employees. The state order doesn't dictate how we are to manage and deal with employment issues. Zach Wagoner asked if an employee has a balance of sick hours couldn't they use those sick hours to ensure a full compensation? Prosecutor Taylor there could be equality issues associated with that, for example, if Employee "A" has 6 weeks of sick hours and Employee "B" has zero hours, and both are sent home, and Employee "A" has to burn through their sick hours, but Employee "B" doesn't and yet they both get paid. He said for now we should input COVID-19 as the reason and we'll figure it out as we go; there are a lot of what-ifs and we are still trying to process it. The Clerk had questions about an employee who stays homes and keeps their sick time while still accumulating sick hours. Prosecutor Taylor believes that is how the federal act is being contemplated. If you are putting them on FMLA because of COVID-19 you have that ability, you are quarantining them by staying home then implement the FMLA process, the same FMLA rules and regulations would apply. Then you're burning through sick time and everything else to that effect if you want. Clerk Yamamoto asked if there is a distinction between quarantine and a layoff, in that given what's going on in certain sectors we don't need the help because there's nothing to do. Prosecutor Taylor said laying off is a completely different aspect. If you're going to start laying off personnel and giving up positions that's a whole other ball game. The Clerk clarified that he is not looking to layoff employees, he's just asking the question in case there isn't enough work to do right now and employees may be told to go home. Prosecutor Taylor said if you want them to go home and not accrue sick time or vacation time and perks/benefits are taken away because we don't need them right now, his immediate instinct is that's not a good practice, versus telling someone we no longer need their services. The Prosecutor's Office needs more time to look into it; there is no legal support at this time other than the review of the proposed act. Joe Decker said the state put something out where if an employee is sent home they will be given 80 hours but once they come back to work rather than accruing hours it will go back to compensate the sick hours that were given to them. Prosecutor Taylor will have more information to provide on this topic at the next EO's meeting. Sheriff Donahue is concerned if employees feel we are not treating them the best we possibly can in terms of protecting them from a financial standpoint then we will see losses in terms of employees. Clerk Yamamoto said he doesn't disagree, but there are businesses that have had to close so what makes us more special than them? We have to be careful in how we proceed and he doesn't want to hear any complaints from anybody. County employees are going to be taken care of

and getting a paycheck while some who are paying taxes are going to lose everything. Sheriff Donahue said we have a world pandemic and you continue to turn that coin over - it's a tough situation but we have to maintain essential services and he too feels badly about people losing jobs.

Prosecutor Taylor said this time is forcing people to reflect on what is crucial and what is not crucial, and for the upcoming budget process his advocacy is we freeze employee salaries, likely cutting positions, but at the same time the employees are counting on their elected officials to protect them just like any other business would do. He's hoping to get through 21 days before we make draconian decisions. Clerk Yamamoto again stated he has no intention of laying off employees, he is just trying to figure out how to send people home versus a quarantine. There is a significant difference between the two. Regarding the comments to freeze salaries, Sheriff Donahue said it depends on what other agencies do because they are competing for the same manpower and we cannot afford to lose what we have. Joe Decker said some Boise restaurants requested the mayor order them to be shut down due to the civic action in unemployment where they automatically qualify for unemployment and collect their check until that civic action is lifted and they resume their jobs as opposed to having to prove they applied for two jobs a week and all the cumbersome paperwork. He asked if something like that would cover County employees if it came to that? Prosecutor Taylor said doesn't want to jump into making draconian decisions - we have to slow down and have time to process the information. Zach Wagoner said that's a significant reason behind the \$2.2 trillion stimulus package, the government has put restrictions on private business to help ease that burden. Joe Decker said with the loans to small businesses the federal government will pay those loans back IF the businesses retain 80% or 90% of their employees. Prosecutor Taylor said which then goes back to why we are taking a very liberal approach on this order; we want the businesses to survive and stay open.

There was discussion between Zach Wagoner and Commissioners Van Beek and White regarding the scheduling of indigent decisions. It was decided the matters will be scheduled for Board review on Monday, March 30th at 1:00 p.m. Treasurer Lloyd asked if the Commissioner's Office has been shut down, and whether it's considered an essential service. Commissioner White said the Board has cleared the calendar and rescheduled some public hearings to later in April and May. On Monday the Board will consider a final plat because it's been determined there will very few people in attendance at the meeting and with construction being an essential service the Board wanted to keep it moving. It's more problematic for the land use public hearings because there is no way to limit potential large numbers of people attending those hearings at this current point in time. In response to Treasurer Lloyd's question, Prosecutor Taylor said the Governor's proclamation changes the whole dynamics of boards of county commissioners. They can do almost all of their work away from the County because the open meeting laws have been lifted for them to conduct business. Most of their functions would not fall in to the essential category of the proclamation other than running and maintaining all of the essential functions of the departments. This is a crucial time for the Board to be engaged with its departments. The next meeting of the elected officials will be Tuesday and Thursday of next week at 1:30 p.m. Assessor Stender made a motion to adjourn the meeting. The motion was seconded by Sheriff Donahue. The meeting concluded at 3:12 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 27, 2020

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

No meetings were held this day.

APPROVED CLAIMS ORDER NO. 3/27/20

The Board of Commissioners approved payment of County claims in the amount of \$3,204,559.79 for accounts payable.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 30, 2020

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

APPROVED CLAIMS ORDER NO. 3/31/20

The Board of Commissioners approved payment of County claims in the amount of \$42,407.28 for accounts payable.

CONSIDER FINAL PLAT FOR TAPESTRY SUBDIVISION

The Board met today at 1:04 p.m. to consider the final plat for Tapestry Subdivision. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White, via conference call, DSD Director Tricia Nilsson, Jay Walker, and Deputy Clerk Monica Reeves. Director Nilsson reported that the Board approved the preliminary plat on October 3, 2018; it has been reviewed by the county surveyor and they have approved the construction drawings and found all requirements have been met. The Mylar has been approved by SWDH as well as Canyon Highway District No. 4. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the final plat for Tapestry Subdivision, Case No. SD2019-0047. Mr. Walker will obtain the signature of the County Treasurer. The meeting concluded at 1:07 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT DECISIONS AND INDIGENT MATTERS

The Board met today at 1:07 p.m. to consider indigent decisions and indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White, via conference call, Indigent Services Director Yvonne Baker, Indigent Hearing Specialist Kellie George, and Deputy Clerk Monica Reeves. Director Baker presented liens and releases of lien for signature which were signed by the Board. Per the Clerk's statement of findings regarding the initial decisions from March 26, 2020 and April 2, 2020, the following cases do not meet the eligibility criteria for County assistance: Case Nos. 2020-627, 2020-453, 2020-616, 2020-586, 2020-524, 2020-424, 2020-515, 2020-612, 2020-391, 2020-533, 2020-525, 2020-535, 2020-537, 2020-534, 2020-532, 2020-538, 2020-540, 2020-513 and 2020-539. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue denials with a written decision in 30 days on the cases read into the record. According to Ms. Baker, Case No. 2020-451 does meet the eligibility criteria. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve that case with a written decision in 30 days. Kellie George reported that the following cases were withdrawn by the appealing hospital and staff is asking the Board to issue final denials in the next 30 days on Case Nos. 2020-87, 2019-1303, and 2020-264. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue final denial on the three cases as per the Clerk's findings with a written decision in 30 days. Ms. George asked the Board to continue the following cases to April 23, 2020: Case Nos. 2020-259, 2020-283, 2020-131, and 2020-159. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue continuances on the four cases as per the Clerk's findings and recommendation. Ms. George asked the Board to continue the following cases to May 21, 2020: Case Nos. 2020-285, 2020-246, 2020-262 and 2020-195. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue continuances for the four cases to May 21, 2020 as presented. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue Case No. 2020-610 to April 23, 2020. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the following cases to May 7, 2020: Case Nos. 2020-241, 2020-118, 2020-310, 2020-301, 2020-302, 2020-284, and 2020-306. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the following cases to June 11: Case Nos. 2020-294, 2020-233, 2020-263, 2020-281, 2020-154, and 2020-9. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue final approvals in the next 30 days for Case Nos. 2020-247, 2020-360 and 2019-1321. The meeting concluded at 1:13 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 31, 2020

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

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:35 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Nicki Zogg, SWDH Director, Eugene Smith, Incident Consultant for SWDH, Legal Secretary Jody Hedges (via conference call), and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows:

Sheriff Donahue reported that he and SWDH have worked with the public defender and things are progressing quickly to get the information SWDH needs to address the matter discussed yesterday in executive session.

Sheriff Donahue and Prosecutor Taylor attended a police chief meeting and reported all law enforcement agencies are doing the same thing in terms of enforcement by education and using great discretion in bringing people to jail or not bringing people to jail, using cite and release, etc. There was a rumor that law enforcement is conducting vehicle stops and checking for travel papers but that is not true, it's not happening in Canyon County. With the Governor's order yesterday the Sheriff has made the decision to close driver's license. The DMV side is already closed. On Tuesdays and Thursdays from 9 a.m. to noon staff will be there to accommodate CDL's and sex offender registrations, which are considered essential functions. They have suspended concealed weapons issuances because it is not an essential service at this time. He received an email from the Dept. of Homeland Security that President Trump has suspended the REAL ID (Star Card) until October 2021. The action will help driver's license departments throughout the state. The parks director is requesting extra patrols at Celebration Park since they anticipate people still attempting to camp out there. The Sheriff said they will do what they can and there is a patrol car in the area to address emergency calls but he doesn't have the manpower to staff somebody at the park.

Commissioner Van Beek said the Commissioners' Office has been working with the EOM to get protocol for COVID-19 for all department administrators. There is a request by the misdemeanor probation director to close the office doors to the public and operate via teleconference with those who need those services. Prosecutor Taylor said he doesn't see any reason they could not close the office to the public and do appointments only and

conduct business telephonically, and perhaps the juvenile probation office should do the same thing. Commissioner White said that is fine with her.

Treasurer Lloyd said she, Assessor Stender and Clerk Yamamoto met this morning to discuss how their offices will proceed forward and they are hoping to have a decision by the end of day or first thing in the morning. Once plans are determined they will go into effect on Monday. Assessor Stender is reworking things in his office. Clerk Yamamoto said they are working with the PIO to change signage and get the message out via the website and the media. He asked if there is a known COVID-19 case in the administration building. Sheriff Donahue said late yesterday he received information from SWDH about a confirmed case in the public defender's office, but the employee has not been on site for 10 days. Director Zogg said SWDH received information from the lab yesterday afternoon and they were trying to contact the person to obtain information about symptom onset date, and exposure risk to others. Clerk Yamamoto said when we have preliminary information we need to know immediately. Sheriff Donahue said there are privacy issues involved and we have to follow the SWDH's protocol on these matters so that we don't violate the person's privacy rights. Director Zogg gave the example that SWDH puts out information to their employees about the expectation that they are not to be at work when they are sick. If they become sick or someone at their house becomes sick or tests positive for COVID-19 they are to report that to SWDH so they can protect the workforce. There are protocols the County can put into place, if it hasn't already, to help protect the workforce and until you have time for SWDH to do their job, which is to get lab confirmation which sometimes it's delayed especially with the way testing is working, and SWDH contacts the person which is not always easy to do. It could take a while for us to determine where a person works and who could be exposed in the workplace. If the employer can put practices into place on their end that will really help to protect coworkers in the organization. Joe Decker doesn't think that information had been confirmed or verified to the EOM when this group discussed it yesterday. Clerk Yamamoto said sooner or later we are all exposed in one way or another, but this situation created an issue with a person thinking they were getting the run around and it added to an already panicked situation. He understands protocols, but he wonders about this circumstance. Prosecutor Taylor spoke of the importance of following the guidelines and protocols and said we have to be careful of creating pandemonium off of rumors and gossip. We cannot shut down government because of coughs and sneezes.

Director Zogg reported there are 123 confirmed cases in the state; we have 14 confirmed cases in our district, 13 in Canyon County and 1 in Payette County. Canyon County has reported its first death, a 70-yr old woman. There are three other reported deaths in the state.

Treasurer Lloyd said she finds it difficult to shut down to the public, however, we need the public to do what they were told by the Governor. She will likely be closing her office to the public on certain days because we need to support what the Governor has ordered whether we feel its right or wrong but unfortunately society will not do what they are asked so this is a way for us to help them follow the order.

Brian Stender said he is thinking along the same lines as the Treasurer because his staff can do most everything via mail, fax, and email at the moment. The only thing they cannot do is manufactured home title transfers because it starts with paying taxes, so he will reserve one day a week in the morning to open to the public to do those transactions for the next three

weeks. He plans to close public access to the office so they can maintain enough people to facilitate the process of getting assessment notices out the door.

Zach Wagoner said it's important to move money in a timely manner and that includes paying employees and vendors. In the past our accounts payable process has been a physical claim board with tremendous amounts of paper and so they have asked for electronic invoices and claims, which he will send electronically to the Board for approval to cut checks. They will scan claims into a PDF file so the Commissioners can each scroll through them claim by claim and when he receives two approvals they will cut checks. Commissioner White thinks that's a good idea.

At 2:02 p.m. the following local Mayors joined the meeting via conference call: Greenleaf Mayor Brad Holton; Melba Mayor Cory Dickard; Nampa Mayor Debbie Kling; Middleton Mayor Steve Rule; and Caldwell Mayor Garret Nancolas, as well as Doug Waterman, an attorney from the City of Caldwell.

Nicki Zogg reported for the Mayors that there are 14 confirmed cases in the health district; 13 in Canyon County and 1 in Payette County. Canyon County has had its first death, with a total of 4 deaths reported in the state. SWDH's call center has been open M-F from 8-5, they were open last weekend and will likely see shorter days this weekend. They have confirmed community spread in Canyon County, it's still in the minimal to moderate level, and there are at least 2 cases where they haven't been able to confirm where they were exposed to COVID-19. They have had situations occur in the last two days, one outside Canyon County where they were considering quarantining a home because of a child custody issue, and COVID-19 being confirmed in that household with other members having symptoms consistent with COVID-19. Today they considered a report for examination to try to get information out of a confirmed case, but they were able to resolve without having to take legal action so that's a good thing. There have been statewide conversations about what the Governor's order covers and there have been concerns around golf courses and parks. Mayor Kling asked for information regarding golf courses and parks. Director Zogg said the concerns around golf courses are that they are getting conflicted information so she was hoping to get confirmation from the Governor's office because they've already asked legal counsel twice and they are going back for a third time. What she is hearing is people are convening to play golf and although the restaurants are closed there is concern about gathering and whether they are violating the Governor's order because is a golf course an essential service and should it be open. She's asked the Governor's office and they said it's fine if they can clean the golf cart and do social distancing. She's asked for clarification based on input she's received from elected officials but she hasn't received that third legal opinion; however, that doesn't mean municipalities couldn't take their own actions. There are some inconsistencies with parks and playgrounds where some have closed and some remain open. Closing one park causes groups to go to another park and it creates an issue where people congregate in a certain area. Mayor Kling said the Nampa parks remain open with the instruction for social distancing and they have decided to leave the restrooms open because that creates other issues with people using bushes. Director Zogg said she's heard a lot of cities are choosing to close the public restrooms, but she doesn't have a recommendation one or the other because there is a risk either way. If she hears guidance on it she will let Mayor Kling know. Sheriff Donahue introduced Eugene Smith who is a retired captain with the Boise Police Department and is highly trained in large scale incident command. He has worked all over the nation and he will be retained on site through a personal services contract with SWDH.

Joe Decker reported that he is trying to get all information from various County offices/departments and consolidated on one page. The statewide stay-at-home order is on the website along with the document from the State of Idaho that lays out the essential services. There is one banner with COVID-19 information related to the County and the statewide order. He's trying to get one comprehensive list to post on social media. He will have the information translated in Spanish.

Sheriff Donahue informed the Mayors that the driver's license office is closed; DMV has been closed to the public but they are still working and he has closed down his side of the operations based on the Governor's order but they still have critical functions to perform so they have arranged times starting next week on Tuesdays and Thursdays to do CDL's and sex offender registry at the complex. President Trump issued an order that the Real ID/Star card requirements set for October have now been postponed for one more year.

Mayor Dickard asked about having the Sheriff's presence in Melba to enforce the Governor's order with bars and restaurants, most of which are complying, but there's one establishment still serving and they posted online they are serving drinks to go. Prosecutor Taylor said it is a misdemeanor offense to not comply with the Governor's order and our preference is to enforce by education – meeting with restaurant and bar owners – and try to do this together as a community. We want to keep businesses going if we can and keep employees paid but be mindful of social distancing and shutting down the dining component and still offering takeout. It's an educational component versus a strict enforcement mechanism and that's how he will be guiding our law enforcement partners. Mayor Dickard asked if a police officer could educate the businesses. Sheriff Donahue said they will send someone out there to take care of it today. There may be occasions with people taking a hard stance to not go along with the order so that may take more stringent conversation but are hoping to use the example by educating people. They will still respond to emergency calls or situations that need immediate police presence.

Mayor Rule had a question pertaining to the paying the salaries of the part-time employees at Middleton Library now that it's closed. Prosecutor Taylor suggested he consult with the city's legal counsel about that question. He also suggested Mayor Rule review the *Families First Coronavirus Response Act* that was promulgated by Congress which expands the FMLA processes and procedures. The ultimate goal is if you can keep them employed that's going to be the preference, there are a lot of protections for employees. Mayor Nancolas offered to have Caldwell's HR director provide the layman's versions of that act to Mayor Rule and his clerk.

Clerk Yamamoto said most of what the Clerk's organization does is essential therefore his offices are for the most part open although they have curtailed some services. Many people are coming to the Recorder's Office for marriage licenses.

Assessor Stender said his office is a bit behind in getting the preliminary new construction numbers to city staff but they are working to provide that data. The office is currently open and they have a table to screen people. PTR and homeowner exemption forms can be obtained online; PTR applications have also been mailed out. Forms can be printed and mailed/faxed to the office. The Assessor's Office will be looking at closing the office for most of the time.

Treasurer Lloyd said they will continue to collect property tax and will limit their public interaction. Payments can be made online or through the mail. Staff will be available Monday

through Friday from 8-5, but they will limit public exposure to certain hours but it's not been determined yet. Taxing districts will still get their monthly checks.

Commissioner Van Beek reported the Board has cleared its land use hearing schedule and the P&Z Commission has also rescheduled their hearings as well. Because we were unable to navigate around social distancing and limiting the potential number of people who could attend those hearings (in some cases 60-70 people have attended) under the guidance of legal counsel they decided to reschedule the hearings for late April and May.

Director Zogg and Eugene Smith left at 2:30 p.m. to attend another meeting.

Sheriff Donahue said last Friday ADJ Southworth issued an administrative order which helped alleviate pressure at the jail. The SILD program has been suspended for a minimum of 60 days to limit foot traffic from outside sources coming into the facility. He has also suspended the work release program for 60 days because of the heavy traffic in/out of the facility. They will clean that unit and move male inmates from the 1948 jail and into that particular pod, and move females from the 1948 jail to the unit just because our numbers are lower. Mayor Nancolas helped push through the temporary occupancy permit for Pod 6 and we have made the decision to hold that facility in reserve for isolation, if needed. He's had his commanders stand up protocols with medical providers and others and although it may not be ideal, they are as prepared as they can be right now with SWDH and notification to hospitals that if something happens in the jail that will be a large lift and they are ready to face it.

Commissioner Van Beek said she was contacted by realtors, developers, and builders with concern that DSD has shut down. DSD is operational and they are still issuing permits. Construction was deemed essential and it's important that it move forward.

Prosecutor Taylor said there are rumors that get spread and if the mayors have any questions they should email the County's elected officials to inquire. He heard a rumor that travel permits were being issued but he has no idea where that came from.

EOM Christine Wendelsdorf said she had been in contact with SWDH regarding PPE and they have some masks available so she will make arrangements to have that picked up. She's been working with fire and EMS agencies to get it distributed through Canyon County Paramedics in order to keep track of what we are getting in and giving out and how fast we are going through it. She has been going through the department protocols and been in regular contact with the state and they are letting her know about placing orders for PPE and how we can get more supplies we need.

Prosecutor Taylor gave an overview of the Supreme Court order for the court system and how it's operating. On March 23rd the Supreme Court amended its previous order of March 16 and the basic synopsis is that all court proceedings that are not deemed essential are shut down. The public is limited of who can come into courthouses, criminal defendants should be the only other person in the courtroom, courts are allowing more telephonic hearings and all jury trials have been suspended until April 30. The only type of court proceedings requiring law enforcement officers to be present are in-custody preliminary hearings, those who are still in the jail that have a preliminary hearing. Sheriff Donahue said the Sheriff's Office is working closely with the PA and the Courts, specifically the ADJ every day. They are able to limit some transports to the courtroom by utilizing telephone and video capabilities. Mayor Kling advised that the Association of Idaho Cities has a call into the governor for a call at 2:45 p.m. The Mayors ended their call at 2:42 p.m., at which time the County's elected officials' meeting resumed.

Treasurer Lloyd asked if employees will be able to accumulate sick and vacation hours if they are not working. Prosecutor Taylor said if someone is too scared to come to work that might be a different question, but when an office sends an employee home, he doesn't see any way around the accrual. The federal act is an expanded class of FMLA so if you're solely sending someone home this doesn't apply. If they are being impacted by COVID-19 it would equate to the common FMLA and employees are still protected. Now that there has been community spread, Treasurer Lloyd asked if she is obligated to send employees home if they are high risk or have a compromised immune system. Prosecutor Taylor said she is not necessarily obligated but it's a best practice to do so for the health and wellbeing of the employees. The state order doesn't dictate how we are to manage and deal with employment issues. Zach Wagoner asked if an employee has a balance of sick hours couldn't they use those sick hours to ensure a full compensation? Prosecutor Taylor there could be equality issues associated with that, for example, if Employee "A" has 6 weeks of sick hours and Employee "B" has zero hours, and both are sent home, and Employee "A" has to burn through their sick hours, but Employee "B" doesn't and yet they both get paid. He said for now we should input COVID-19 as the reason and we'll figure it out as we go; there are a lot of what-ifs and we are still trying to process it. The Clerk had questions about an employee who stays homes and keeps their sick time while still accumulating sick hours. Prosecutor Taylor believes that is how the federal act is being contemplated. If you are putting them on FMLA because of COVID-19 you have that ability, you are quarantining them by staying home then implement the FMLA process, the same FMLA rules and regulations would apply. Then you're burning through sick time and everything else to that effect if you want. Clerk Yamamoto asked if there is a distinction between quarantine and a layoff, in that given what's going on in certain sectors we don't need the help because there's nothing to do. Prosecutor Taylor said laying off is a completely different aspect. If you're going to start laying off personnel and giving up positions that's a whole other ball game. The Clerk clarified that he is not looking to layoff employees, he's just asking the question in case there isn't enough work to do right now and employees may be told to go home. Prosecutor Taylor said if you want them to go home and not accrue sick time or vacation time and perks/benefits are taken away because we don't need them right now, his immediate instinct is that's not a good practice, versus telling someone we no longer need their services. The Prosecutor's Office needs more time to look into it; there is no legal support at this time other than the review of the proposed act. Joe Decker said the state put something out where if an employee is sent home they will be given 80 hours but once they come back to work rather than accruing hours it will go back to compensate the sick hours that were given to them. Prosecutor Taylor will have more information to provide on this topic at the next EO's meeting. Sheriff Donahue is concerned if employees feel we are not treating them the best we possibly can in terms of protecting them from a financial standpoint then we will see losses in terms of employees. Clerk Yamamoto said he doesn't disagree, but there are businesses that have had to close so what makes us more special than them? We have to be careful in how we proceed and he doesn't want to hear any complaints from anybody. County employees are going to be taken care of and getting a paycheck while some who are paying taxes are going to lose everything. Sheriff Donahue said we have a world pandemic and you continue to turn that coin over - it's a tough situation but we have to maintain essential services and he too feels badly about people losing jobs.

Prosecutor Taylor said this time is forcing people to reflect on what is crucial and what is not crucial, and for the upcoming budget process his advocacy is we freeze employee salaries, likely cutting positions, but at the same time the employees are counting on their elected officials to protect them just like any other business would do. He's hoping to get through 21 days before we make draconian decisions. Clerk Yamamoto again stated he has no intention of laying off employees, he is just trying to figure out how to send people home versus a quarantine. There is a significant difference between the two. Regarding the comments to freeze salaries, Sheriff Donahue said it depends on what other agencies do because they are competing for the same manpower and we cannot afford to lose what we have. Joe Decker said some Boise restaurants requested the mayor order them to be shut down due to the civic action in unemployment where they automatically qualify for unemployment and collect their check until that civic action is lifted and they resume their jobs as opposed to having to prove they applied for two jobs a week and all the cumbersome paperwork. He asked if something like that would cover County employees if it came to that? Prosecutor Taylor said he doesn't want to jump into making draconian decisions – we have to slow down and have time to process the information. Zach Wagoner said that's a significant reason behind the \$2.2 trillion stimulus package, the government has put restrictions on private business to help ease that burden. Joe Decker said with the loans to small businesses the federal government will pay those loans back IF the businesses retain 80% or 90% of their employees. Prosecutor Taylor said which then goes back to why we are taking a very liberal approach on this order; we want the businesses to survive and stay open.

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THE MINUTES OF THE FISCAL TERM OF MARCH 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 25th day of June, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Tom Dale
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 1, 2020

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

APPROVED CLAIMS ORDER NO. 4/10/20

The Board of Commissioners approved payment of County claims in the amount of \$3,673.91 and \$209,644.55 for accounts payable.

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 2, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Salt Lake Wholesale Sports in the amount of \$37,887.88 for the Sheriff's Office

ELECTED OFFICIALS EMERGENCY MEETING RE: COVID-19 EMERGENCY

The Board met today at 1:30 p.m. for an elected officials' emergency meeting regarding COVID-19. In attendance were: EOM Christine Wendelsdorf, Treasurer Tracie Lloyd, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, and Deputy Clerk Monica Reeves. Those present via conference call were Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Commissioner Tom Dale, Commissioner Leslie Van Beek, Commissioner Pam White, Assessor Brian Stender, Coroner Jennifer Crawford, Director Nikki Zogg from Southwest District Health. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. Christine Wendelsdorf reported that the EOC (Emergency Operations Center) was stood up today and they have identified priorities and potential problems which they will work to address. They have identified personnel although they are not filling every

position at this time; Caldwell Fire Chief Brad Trosky will serve as planning chief, Steve Donahue from Caldwell Fire will serve as the logistics chief; Joe Decker will handle communication; Lily Heiser from CCSO will work on supplies; and Controller Zach Wagoner will work on the finance portion. The team members are currently working out of their respective offices but as they get closer to the surge, they will probably be at the EOC. She's spoken to Coroner Crawford to get a more streamlined effect for notifying SWDH on COVID-19 related deaths. Director Zogg reported that as of this morning there are 68 confirmed cases in Canyon County and 2 deaths. They are working with partners and talking about mass fatalities, jails, civil unrest, and forecasting what the top issues will be in the coming weeks. They issued four orders for isolation and report for examination in Canyon County for people who have not responded to attempts to contact them to complete investigations and identify close contacts. The last shipment of the strategic national stockpile has either arrived or is on its way. We won't be getting anymore supplies or PPE through the strategic national stockpile, but we will be able to make requests and those will come from county emergency managers through SWDH to the Idaho Office of Emergency Management. The call centers are receiving calls about people not following the Governor's order so Director Zogg will reach out to the cities on their processes so that SWDH can better inform the public when they call. They have been working with Nampa Fire and Canyon County to map confirmed cases to do heat maps so they have ideas of where there is confirmed community spread. They received the first set of maps yesterday, and she's hoping to get a legend on the map and make sure it says it's for official use. The Office for Civil Rights under the Federal Health and Human Services has loosened HIPPA restrictions so they can share that information with first responders and correctional institutions. The state has been working with local universities on doing modeling for what we can anticipate for case numbers, hospitalizations, ICU admissions, ventilator use, and death. The modeling is coming together and will be presented to the Governor. Sheriff Donahue said the County's mapping services staff are assisting in the efforts by giving a general idea of the address, not the exact address, as a heads up that emergency responders are getting called to a red zone where there are protective gear requirements. The PA's Office has coordinated to have the Sheriff's Office serve four orders to those who are not complying with the guidelines. Commissioner Van Beek asked if the position for law enforcement has changed on doing anything for people who do not shelter in place. Sheriff Donahue said it hasn't changed but they need more direction from the Governor, but even then he would have to consult with the Prosecutor about what would be required and how to help facilitate that. They will follow the law. Sam Laugheed asked how the orders were received and are there any thoughts on what public education, if any, we need to do. Sheriff Donahue said the indication was it went smooth with no problems and he heard they were compliant and accepting of what was going on. Director Zogg said at least one person called this morning and staff was appreciative of getting that information for the investigation. Regarding education, she will have to think about that because SWDH doesn't broadcast their authority. There was a restaurant who was operating with indoor seating so she sent staff to talk to them and they complied with the request. Commissioner Dale said Ada County Commissioner Lacchiondo made a request for Sheriff Donahue to speak to a multi-agency group tomorrow. Sheriff Donahue will reach out to the Ada County Sheriff about it. He reported they are working legal and SWDH to tighten up the jail in the case of a positive COVID-19 test and the possibility of using Pod 6 for isolation. It's evolutionary but they've made some progress over the last 36 hours. He has been in communication with the Department of Corrections and the Parole

Commission and they are working on having a good system in place for how to expedite things. Commissioner Van Beek had questions about mass casualty numbers on mortality and the projected peak for COVID-19. Director Zogg said that modeling is being done by universities, it's not official yet. There are three scenarios – one indicates a peak by September and 7,000 hospitalizations and 1,300 ICU admissions and a need for 521 ventilators and roughly 2,000 deaths but she doesn't know what assumptions are going into that or what the other scenarios look like. She's hoping to have the modeling report for distribution tomorrow or next week. Area Mayors joined via conference call at 2:00 p.m.: Melba Mayor Cory Dickard, Caldwell Mayor Garret Nancolas, Nampa Mayor Debbie Kling, and Greenleaf Mayor Brad Holton. They were advised that Canyon County has stood up its EOC with the primary people being identified who are currently working remotely. Director Zogg reported there have been 68 confirmed cases and 2 deaths in Canyon County; the state website is not reflecting an accurate number on deaths so they are working to resolve that. They have a point of contact from each county they are working with in the district and that policy group is working with her on some priorities they are trying to plan for the next 30 days and beyond around mass care, mass fatality, jail planning, and potential civil unrest. Yesterday they issued their first order for isolation and report for examination for people in Canyon County who were not responding to attempts to contact to complete their investigations to try to identify how they were exposed to COVID-19 and who they may have come into contact with. They learned late yesterday that the second shipment and last shipment of strategic national stockpile will be coming to Idaho to be dispersed; there is no more material that will be delivered through that stockpile so any needs at the local level will be elevated up to the Idaho Office of Emergency Management to work on procurement. Call centers have been getting a lot of calls about enforcement and what to do about people not following the Governor's order so they have been working to address those concerns. She will reach out to cities to learn more about how they can better handle those calls and get those people to the right offices to answer those questions. There was a complaint about a restaurant that was still doing inside dining so SWDH staff addressed it and the business is now complying. They have been working with Nampa Fire and Canyon County GIS staff to map COVID-19 cases. The intent is to provide the information to first responders and correctional staff to have a better understanding of where there might be hot spots so that as they are responding to calls they can have that information to appropriately protect themselves in those communities. The Department of Health and Welfare and local universities are working on predictive models for what we can expect the impact of COVID-19 to be in Idaho. She saw the first versions today, but they haven't shared the whole document, but when it's shared with the Governor then it will be available for local uses and planning for hospitalizations, ICU, ventilators, and deaths. Mayor Kling had questions about addressing restaurants on staff handling cash/cards and food in the to-go lanes. Director Zogg said that is a great project for her staff to work on. They have talked about education to restaurants as they are adapting their service and they could do some education/monitoring of it. Mayor Kling said Nampa has four officers who are making sure there is compliance in restaurants and stores and she asked if there are guidelines they can distribute. Director Zogg said there is a one-page flier the Governor put out, she will review it and make sure it has enough information and perhaps work on something specific. Sheriff Donahue reported on the efforts to shore up protocols in the jail on how to deal with a positive COVID-19 case when it comes their way. They are working closely with SWDH and following CDC recommendations as well as working with the medical

provider. They are at the point of making some final decisions in the next 48 hours on how to incorporate Pod 6 and what it will be used for and how it will be used. They are getting assistance from Department of Corrections and the Parole Commission in trying to find new ways to expedite getting some of people out of jails, and both entities are working closely to try to get movement. IDOC is doing a quarantine of people coming into the RDU, which is where they are first taken in and processed. They are trying to get some of the people in our facilities who are already sentenced to prison, by getting our numbers down more here which lessens the opportunity for transmission of the virus. Mayor Nancolas reported the City of Caldwell has concerns with the vendors that have food carts/trailers because there is no way to monitor social distancing and/or if they are using gloves so the city has revoked licenses for roadside vendors for the time being because people were congregating at the walkup windows. He has much respect for Director Zogg and he supports what SWDH is doing and the rules that have been put in place. He spoke about a video of support he has posted on social media. Mayor Kling said the City of Nampa is not issuing any peddlers' licenses for people to go door to door. They will also post information stating that yard sales won't be allowed until further notice. Mayor Nancolas agreed and said Caldwell will put a post in place as well. Mayor Kling asked if there are any indigent funds available for housing for the homeless. Clerk Yamamoto advised that Canyon County does not offer housing assistance funds, it is for medical only. Sheriff Donahue said Reverend Bill Roscoe is taking steps to keep shelters open and people safe with less exposure. Mayor Dickard said a Sheriff's officer visited with restaurant and bar owners, and the bar that he was concerned with has now complied once the officer stopped by; however there is now an issue with the grocery store because it seems to be the place for famers to meet for coffee. City officials have spoken to the grocery store and hopefully it will be fixed. Sheriff Donahue expressed his appreciation to first responders and medical professionals as they are taking the brunt of this and they have been remarkable in their diligence and holding the line. We fear the hospitals are going to get overrun but we have made some inquiries about mobile hospitals, and it's our understanding that the military mobile hospitals have been loaned to other states. Mayor Kling has heard the hospitals have good capacity and no shortage of ventilators, but that could be different today. There are two big box facilities in Nampa - Macy's and Kmart – that could be used by St. Luke's and St. Al's and the city is happy to reach out and see what the feasibility of those are. She recognizes that when FEMA comes in they will do a lot of that. Mayor Nancolas said the City of Caldwell has spoken with West Valley Medical Center as well as the YMCA and school districts about that, but the hospitals need something as close as possible to their premises. There are 2-3 schools nearby with gymnasiums that could potentially be used. They also have an event center that could be used but there were some concerns about the amount of work it would take to clean and sterilize it. Joe Decker reported on the election process update. It will be by mail only – they are not opening any polling places on Election Day. An absentee ballot has to be postmarked by 8 p.m. on Election Day so that will change when results are reported. Zach Wagoner said they had an outstanding conversation yesterday with K & H Election Services who provide absentee services on behalf of Ada County and they are very familiar with election processes and needs and the Clerk is hoping to enter into a contract with them to assist with mail out and getting absentee ballots. Sheriff Donahue asked if the Secretary of State's Office has been able to resolve the issues with their computer program. Mr. Decker said they had the frontend set up where you can put your name and address and driver's license ID, and the last four of the SSN, and pick your ballot but what happens with that

data is still unknown so that's the backend of whether that information will be stored appropriately and provided to the appropriate Clerk's Office in order to get the ballots request forms out. There was a report Tuesday that the state's website crashed due to an overload of people requesting absentee ballots. The main thing to know is it's a two-part process; you have to submit an absentee ballot request form in order to get your absentee ballot to fill out and return to the Clerk's Office. Controller Wagoner said the Clerk's Office is communicating as professionally as it can with the state to make sure technology-wise we are able to handle these needs. Communication will be sent to each registered voter. If they receive 75,000 absentee ballots, they may need a facility to count those ballots. Mayor Nancolas said the offer still stands if the County needs to use the O'Connor event center, or any other city facility that may help. Commissioner Van Beek said at Tuesday's meeting there was a need for communication that requests for PPE were followed through the EOM. Ms. Wendelsdorf said it's important for first responders to contact her regarding requests for PPE because she is working with SWDH for tracking purposes. Mayor Nancolas left the meeting at 2:42 p.m. Mayor Kling asked if there something different in place with the EOC that the Mayors should be aware of. Ms. Wendelsdorf said there is nothing different, she and Joe Decker had been working together on communication and at the time there wasn't a need for it, but now they have it and they have filled a few of the positions. There are a couple of fire department deputy chiefs, and Controller Wagoner is handling the finances and Joe Decker is handling the communication, and she is handling incident command and operations. Sheriff Donahue said nothing has changed and as we prepare for the surge in cases we can start expanding it. At 2:45 p.m. the call with the Mayors ended and the elected officials' meeting resumed. Present via conference call were Commissioners Pam White, Leslie Van Beek, and Tom Dale, Sheriff Donahue, Assessor Brian Stender, Prosecutor Bryan Taylor, and Coroner Jennifer Crawford; and those who attended the meeting in person were: Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, PIO Joe Decker, EOM Christine Wendelsdorf, and Deputy Clerk Monica Reeves. Sam Laugheed reported on a public records request. He has received feedback from everybody and there were no concerns expressed about releasing what we have, but there were some questions about redactions that were based on infrastructure and personnel. Sheriff Donahue appreciates the reactions. Commissioner White asked if the map that shows the COVID hot spots will be protected information. Mr. Laugheed said that would be for SWDH, it would fall under the critical infrastructure act and releasing a heat map would certainly bear on public safety and health and so we wouldn't want it to go out from the County. There were questions about FMLA and the FFCRA, and as long as we keep names out of it, we can answer some questions but there is a lot of information that's still being reviewed. Commissioner Van Beek had questions about the Act and about paying employees who are sent home because of a reduced workload. Mr. Laugheed said one of the things he's recommended is to try to find ways to avoid having to figure out what the Act says and the easiest way to do that is to find work for people to do even if it's working training programs, compiling protocols, documenting step-by-step instructions on how to do certain tasks. Controller Wagoner said they are working with ADP to establish pay codes related to FFCRA, and those codes are specific to matters directly related to COVID-19, either it's impacted the employee individually or someone they have responsibility for. Commissioner Van Beek said the effective date is April 1st, but there were some employees that went home before that and she wants to know if the County has a plan for managing that. Mr. Laugheed said the

recommendation is we try to avoid any hard and fast rules yet because the interpretation and guidance is still evolving. People are technically only subject to the Act prior to April 1st and he had understood the elected officials to have a consensus that if people are out because of COVID-19 they are writing "COVID" and getting paid. The idea that we have some who are able to work remotely, but having a hard time hitting 8 hours each day because they aren't physically seeing customers. If they are home and working they need to find ways to fill the time. Supervisors need to check on work product before employees are asked to track time. Clerk Yamamoto said Controller Wagoner has been working diligently on this and it gets really complex because there's quite a bit to it and it goes into some areas he doesn't want to speak to on the record. There will be three unique scenario situations with three unique pay codes and there are six qualifying reasons related to those pay codes. They will finalize it and then it will go to PA and then everybody will see a finished product. Clerk Yamamoto reported that when he stepped out of the meeting earlier, he was speaking to the Ada County Clerk regarding election issues they are working through such as methods for the blind to be able to vote. The next meeting will take place on Tuesday, April 7th at 1:30 p.m. Upon the motion of Tracie Lloyd and the second by Joe Decker the meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 3, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Oracle America, Inc., in the amount of \$4,000.00 for the Information Technology Department
- BOE in the amount of \$4,004.00 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 4/10/20

The Board of Commissioners approved payment of County claims in the amount of \$210,733.82 for accounts payable.

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 6, 2020

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

APPROVED CLAIMS ORDER NO. 4/6/20

The Board of Commissioners approved payment of County claims in the amount of \$240.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/10/20

The Board of Commissioners approved payment of County claims in the amount of \$66,936.22, \$6,134.95 and \$10,104.56 for accounts payable.

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 7, 2020

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

APPROVED CLAIMS ORDER NO. 2014

The Board of Commissioners approved payment of County claims in the amount of \$1,705,769.61 for a County payroll.

APPROVED CLAIMS ORDER NO. 4/10/20

The Board of Commissioners approved payment of County claims in the amount of \$154,492.61 for accounts payable.

INDIGENT DECISIONS

The Board met today at 1:02 p.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White via conference call, Indigent Services Director Yvonne Baker, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. There was discussion about the process to notarize liens for the indigent department. Director Baker advised the Board regarding Case No. 2020-616, an application for cremation assistance that was previously denied by the Board. Upon reconsideration it was appealed and additional information was provided; the applicant is indigent and does meet all eligibility criteria for approval. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve Case No. 2020-616 for cremation with a written decision in 30 days. There was discussion regarding some subpoena requests from hospitals and it was determined that the Board would hold off signing the subpoenas to allow the Prosecutor's Office to review some procedural technical issues in regards to whether the hearings will be conducted telephonically or via WebEx. It's likely the upcoming medical indigency hearings will be postponed to a later date. The meeting concluded at 1:16 p.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING RE-ROOFING CONTRACT FOR THE JUVENILE DETENTION CENTER GYMNASIUM PROJECT

The Board met today at 1:16 p.m. for a legal staff update and to consider signing the re-roofing contract for the juvenile detention center gymnasium project with JB's Roofing, Inc. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White via conference call, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. Sam Laugheed reviewed the contract noting the amount is \$74,236 which was the low bid, and the start date will be within 90-110 business days and will be completed within six working weeks. There is no legal reason not to move forward with the contract. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the contract with JB's Roofing, Inc. (See Agreement No. 20-044.) As part of the legal staff update, Mr. Laugheed advised that Deputy P.A. Zach Wesley sent an email to the Board regarding a request for reconsideration that was received on a land use matter. Mr. Laugheed asked if the Board wants to conduct interviews of the Fair expo consultants via Skye or video chat, or whether it wants Director Sinner and Director Navarro to make a recommendation on which candidate to select. Commissioner Dale said the directors are going to be the ones working with the consultant so it needs to be someone they feel confident of and he places significance on their final recommendation. Commissioner Van Beek advised that Director Mondor thanked her for the essential services authorization letter the Board signed for weed control staff. There was a brief discussion about when the land use hearing schedule will resume. Commissioner Dale doesn't see that happening within the week as he expects the Governor's stay-at-home order will be extended. There will be a discussion with DSD Director Tricia Nilsson to see how far we can get on the technology side. Commissioner Van Beek said the department administrators need to work on their handbook and present a first draft to HR for review. Commissioner Dale said we need to work on it as a Board and it can be addressed

on Thursday. The meeting concluded at 1:28 p.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:32 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioner Tom Dale, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, EOM Christine Wendelsdorf, Coroner Jennifer Crawford, Assessor Brian Stender and Deputy Clerk Monica Reeves. Those present via conference call were: Prosecutor Bryan Taylor, Commissioner Leslie Van Beek, Treasurer Tracie Lloyd, Commissioner Pam White, Sheriff Donahue, and SWDH Director Nikki Zogg. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows: Christine Wendelsdorf reported she is attending SWDH operation planning meetings and been working with Coroner Crawford on some plans. She is trying to find out how the new PPE ordering is going to work now that it's done through FEMA. She's worked on getting masks for patrol officers and deputies and has been working on ways to sanitize so the N95 masks last longer. The EOC had its first staff meeting on Monday and they are continuing to outline what their priorities are as a County. Sheriff Donahue said he needs to speak with legal about issues he and Director Zogg are working on. Ms. Wendelsdorf is working on shoring up space for the Coroner's Office, and there will be possible modification to the MOU with Owyhee County. They continue to shore up protocols throughout the County to be prepared. Commissioner Van Beek asked if someone who's testified positive can be re-infected with the virus. Director Zogg said they don't know that yet, based on past experience there is a short period at least where they have immunity and couldn't be immediately re-infected, but to the extent of how long that immunity lasts it hasn't been determined yet. There are 104 confirmed cases and 3 deaths in Canyon County. At least one happened a week or two ago, took a while to get it counted. They are continuing to work on communication with partners and the community. The majority of calls they are getting are about testing or complaints about people not following the Governor's order. There have been complaints about food handling practices so health district staff have been doing a lot of education, sending out inspectors to provide education and working on educating those who are following up on complaints. The Idaho Office of Emergency Management is making some changes on how the procurement works as officials have been overwhelmed by the amount of requests for supplies and materials so they are trying to consolidate how those requests are handled. An area field officer will be provided to health districts. Commissioner White asked about the apex in Idaho in terms of the modeling and mapping that's been done. Director Zogg said she has not seen anything but she an update from public health director and they are now second guessing whether they will share that information publicly due to concerns about how it might be received and used. With the last update they anticipated our peak of cases by late August, however other models indicate it might be sooner, perhaps late April. What's interesting is we have seen a slight decrease in the number of positive cases being reported over the last couple days which coincides with the Governor's order. Tommy Ahlquist has been working on an initiative called "Crush the Curve" to promote or facilitate the testing of 3,000 – 4,000 Idahoans a day, but there are still no resources or lab capacity to

accommodate that so she is hoping the initiative will be delayed or shifted in how they carry out that message. The health districts' concern is the false hope for testing when it's not available yet, creating a lot of anxiety and fallout for those in healthcare to deal with. Good news is that Saint Al's is currently at level 1 of 5 levels in their surge capacity planning. They are using less than 80% of their available bed space which hinges on continuing to flatten the curve as much as we can. A question was asked if Canyon County would support a burn ban while this is going on for those who have asthma and respiratory issues that's often exacerbated by smoke in the air. She confirmed with DEQ that a burn ban was already in effect. Sheriff Donahue said their protocols are continuing to be modified slightly, and they are following CDC guidelines and have received assistance from the Prosecutor's Office. If they have inmates who are symptomatic they may use the temporary isolation area in booking, but mostly likely they will be moved over to Pod 6 if they are showing two or more symptoms and they will be monitored by our medical provider in the jail. They are going to see if doctors can see inmates inside Pod 6 if it gets to that level of requiring doctor's care that way it will prevent hospital beds being used and would help prevent new cases from being introduced inside the hospital setting. Plans are not set in stone, they just had conversations over the weekend. They are looking at Pod 6 as an isolation unit for inmates who become symptomatic and up to the point of possible transport if their health requires it. They are still trying to lower numbers in the jail. They have implemented a telephonic sharing process with the parole commission which should expedite the removal of some state inmates from our facility. There are those who are here in state custody, then those who have been brought back who are awaiting hearings. If the parole commission were to determine someone could be released then they would start that paperwork and an order would be issued for us to release the inmate. If the parole commission determines the person is to be sent to prison those orders will be driven by the state to have the inmates transferred out. Sheriff Donahue said there have been reports that the jail is not providing soap to inmates but that is false, additional soaps and dispensers are being used. Temperature checks are being done on 12 hour shifts for staff and inmates. There is a protocol for patrol officers who are making contact and they are carrying PPE in their cars. Arrest numbers have been down, although they are doing cite and release things, and summons are being issued for different crimes. As always law enforcement is responding to crimes in progress and arrests are being made when appropriate. They are seeing spikes in domestic violence cases. Commissioner Dale said the Board is working on protocols to try to take care of the medical indigency hearings and appeals that will pile up if we can't get those taken care of, and they are working with IT to try to figure out some way to accomplish public hearings where people can comment without being present in the room. Commissioner Van Beek asked for an update on telehealth where HR was working in tandem with the Auditor's Office. Controller Wagoner said communication has been provided to the health insurance board of trustees to see if they are in support of that change. There should be a recommendation from the trustees this afternoon. Sheriff Donahue asked if there has been clarification from the Secretary of State's Office on whether absentee ballots will be sent to all registered voters. Clerk Yamamoto said there will be a mailer that goes out to all registered voters to let them know what's going on but to receive a ballot there has to be a request because this is a primary election and we have to know which ballot to send. Prosecutor Taylor said they are seeing a drastic decrease in the number of criminal cases coming in but there has been no guidance on what happens when the flood hits. The majority of his staff are working from home and complying with the Governor's order. Assessor

Stender said his staff are split up in teams working different shifts. Treasurer Lloyd said her employees are also working split shifts. Emails and phone calls are high. She is working with the credit card vendor to see about different alternatives for getting cheaper rates for e-checks. The vendor cannot lower his fee because the card companies don't want to lower their rates. Clerk Yamamoto reported that he's been having trouble with his outgoing emails for the past week so he will contact IT. Commissioner Dale said there's likely nothing that can be done about it because we have an unprecedented number of people who are working from home and using the internet as their sole point of contact. Upon the motion of Sheriff Donahue and the second by Joe Decker the meeting adjourned at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 8, 2020

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

No meetings were conducted this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 9, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$1,800.00 for the Information Technology Department
- North American Dust Control in the amount of \$8,256.00 for the Solid Waste Department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for ItalianToGo, LLC dba ItalianToGo, Co. (See resolution no. 20-028.)

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

The Board met today at 1:02 p.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, Controller Zach Wagoner, Deputy P.A. Mike Porter, Elections Supervisor Haley Hicks (who left at 1:09 p.m.), Chief Public Defender Aaron Bazzoli joined by phone at 1:11 p.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing an agreement with K&H Integrated Print Solutions for absentee voting: K&H Integrated will be handling all aspects of the absentee ballot mailings. Mr. Porter explained that there are two options for execution of this agreement. The Board is able to do this without any further procurement process due to this being an urgent situation and that this kind of agreement is exactly what was intended by the statute. There are two options: there can either be a contract that the Board and K&H signs that would lay out all the terms and agreements between the parties, however, this approach takes time and time is of the essence in this situation. The alternative is essentially a robust signature page which lays out all the reasons the County is able to do this and the need to do it this way. Clerk Yamamoto said K&H is ready to go as soon as the agreement is signed and the elections office approves the proofs. Commissioner Dale read into the record an email from Commissioner White approving of the agreement and authorizing the use of her signature stamp. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the agreement with K&H Integrated Print Solutions for absentee voting (see agreement no. 20-045).

Consider signing independent contractor agreements for Public Defender Conflict Counsel with Kevin Shupperd and Rondee Blessing: Mr. Porter said these are the same basic contracts that have been signed by others previously and Mr. Bazzoli said that these two attorneys are able to do child protection cases. 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 Kevin Shupperd and Rondee Blessing (see agreement nos. 20-046 and 20-047). During the previous action item Commissioner Dale read into the record an email from Commissioner White expressing her approval of these contracts and authorizing the use of her signature stamp.

A brief discussion ensued regarding the owner's agent for the fair building and whether the Board would like to conduct interviews or delegate that authority to Director Sinner and Director Navarro. Commissioners Dale and Van Beek said they would like to have Directors Sinner and Navarro meet with the Board to discuss further.

The meeting concluded at 1:16 p.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:32 p.m. for an Elected Officials' meeting to discuss COVID-19 updates. Present were: Commissioner Tom Dale, Commissioner Leslie Van Beek via teleconference, Assessor Brian Stender, Coroner Jennifer Crawford, Emergency Operations Manager Christine Wendelsdorf, PIO Joe Decker, Controller Zach Wagoner, SWDH Director Nikki Zogg, Sheriff Kieran Donahue, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor via teleconference, Mayor Nancolas, Mayor Kling, Mayor Dickard and City Clerk Lee Belt joined via teleconference at 2:04 p.m., Other concerned citizens and Deputy Clerk Jenen Ross. The following updates were provided:

Ms. Wendelsdorf said she is continuing to work with SWDH on their command meetings which Ms. Zogg will address later. The policy group that is in place is going to be looking into housing and the food banks as they've seen a rise in need for services. As for housing, they aren't sure if it's due to unemployment and inability to pay rent, but they are continuing to look at that. She has been working with both Coroner Crawford and Ms. Zogg to get some plans in place. IOEM has been working with SWDH and the emergency managers and they have now assigned an AFO (Area Field Officer) to the health department. They are trying to do a more regional response vs. each agency putting in requests and different ways they are going to route requests. Right now, it looks like emergency managers may have a larger role with the health departments in that. She said we are still doing well on PPE. Ms. Zogg said there are 121 cases in Canyon County; there are 3 confirmed deaths with a fourth being investigated. As Ms. Wendelsdorf mentioned demand at foodbanks is increasing and donations are decreasing so there is concern about the impact to the community. Conversations with the IOEM Area Field Officer assigned to the district is that the local levels can make food requests to the state level but she's not sure we've reached that level and information is still being gathered as to what needs to be done. As far as housing, that is a very valid issue that probably needs some thought. The other issue that has come up, from a public health perspective, is that if there are individuals in the homeless population who test positive they don't want them in a congregate setting and are trying to identify housing for them so they are not spreading to others while they are contagious. They have not determined how that would be reimbursed but at this point the health district would probably just pay for housing at a hotel or something similar and then monitor them until they were no longer contagious. All of the health districts now have an Area Field Officer assigned to them. Her understanding of the reason for this is due to the depletion of the strategic national stockpile and the way those assets were being distributed. The state was getting over 300 requests per day for PPE and didn't have the resources to sustain that nor set the priorities within regions of the state because they are not the "boots on the ground". They decided to put an AFO in each district to coordinate requests up to the Idaho Office of Emergency Management who will then submit the requests to FEMA. If it is a request FEMA can't accommodate (for hospitals that are for-profit) then it would be a state funded request. She feels that this change can be accommodated by district staff, but it will put more burden on county emergency managers. If an organization is not already established with the

health district, they would have to put in their request thru the emergency manager to be forwarded to the health district who will then compile the requests, determine regional priority and then distribute. Ms. Wendelsdorf said that after the meeting where this was discussed, she and Ms. Zogg collaborated on an org chart and ways to simplify the process so there isn't a huge burden on one person. In response to a question from Commissioner Dale, Ms. Zogg explained her requests are coming from hospitals, long-term care facilities and some clinics and Ms. Wendelsdorf said her requests are coming from fire, EMS, first responders, the jail and the Coroner's Office. Entities such as assisted living facilities are kind of in a gap so a relationship will need to be established in order to make sure everyone is getting what they need. Commissioner Dale asked if supply is catching up with demand for PPE, Ms. Zogg said it is not catching up yet, but they anticipate that it will. Part of the challenge is that some of the larger hospital systems are going out and making independent requests and they are competing with state-wide requests. They are trying to streamline this to make sure everyone's needs are being met and over-request doesn't happen. Commissioner Van Beek asked Ms. Zogg to speak to the shelter-in-place order and when the peak might happen. Ms. Zogg said that a report she received a couple days ago indicated that hospitals as well as ED visits have gone down in relation to COVID-19. In seeing these numbers, it leads them to believe that the shelter-in-place order is working. The last report she received from the hospital systems regarding their surge level (1 being the lowest and 5 being at max capacity) they are reporting that they are at a level 1. There have been several different models as far as when the peak might be but not a lot is being shared. Idaho State University has kind of led the way in some of the different modeling and Ms. Zogg has contact information she will share with the elected officials if they would like to see modeling for their community. Right now, with the shelter-in-place order it looks like we are reaching the plateau of flattening the curve as was the goal. What that looks like from this point forward is hard to predict until we reach herd immunity, which she thinks we're probably still a long way from. If we could continue to limit social gathering, she thinks we can prevent the peak from happening and extend the outbreak out. Sheriff Donahue said not much has changed for his office in relation to COVID-19. Commissioner Van Beek noted that WebEx is being worked on by the IT department in order to conduct virtual meetings. Commissioner Dale said he is still encouraging people to request their absentee ballots as soon as possible. Research is still being done on ways to conduct medical indigency hearings via teleconference so that they don't continue to build up. He asked if anyone had heard if the Governor is planning to extend the stay-at-home order; at this time no one has heard official word that the order will be extended. On behalf of the Clerk, Controller Wagoner spoke about the elections process and that an agreement with K&H was signed by the Commissioners this morning to assist with absentee ballot mailings. Mr. Wagoner reiterated that absentee ballots need to be requested, they are not automatically sent. Additionally, he said that a mailer will be sent to every registered voter notifying them that an absentee ballot must be requested and that the deadline to request a ballot is 8:00 p.m. on May 19th; ballots must be received in the election's office by 8:00 p.m. on June 2nd. Mr. Decker said he would work with Clerk Yamamoto to get election information posted to the website. Idaho Association of Counties Executive Director Seth Grigg has indicated that Idaho will receive \$1.25 billion thru the federal CARES act to assist with COVID-19 expenses. Mr. Wagoner asked that any office that expended funds related to COVID-19 to forward that information to him and he will pass it on to Mr. Grigg in the hopes of being reimbursed. Commissioner Van Beek said she has received information on the tele-health thru

our insurance and would be happy to pass that information along. Assessor Stender reminded everyone that the deadline for the homeowner's exemption has not changed, it is still April 15th. The property tax reduction program and the veteran's program deadlines have changed to June 15th. Sheriff Donahue spoke about his understanding that the Zoom program is not a good platform for county use as it is not secure. At 2:04 p.m. Mayor Nancolas, Mayor Kling, Mayor Dickard and City Clerk Lee Belt joined the meeting via teleconference. Ms. Wendelsdorf, Ms. Zogg and Mr. Wagoner shared the information that was shared with county elected officials earlier in the meeting regarding PPE and the elections process. Mayor Kling said she feels we're kind of in a holding pattern and is just waiting to hear next steps from the Governor. Mayor Nancolas concurred with Mayor Kling's sentiments. He let everyone know that the O'Connor Fieldhouse is reserved for May 18-20 should it be needed for any election related needs. Sheriff Donahue spoke about citizens/businesses in non-compliance and how he feels that along with his office, it seems the area police departments have taken the approach of education over confrontation and how for the most part people have been receptive. Mayor Nancolas and Mayor Kling said they've had very few issues and people they have spoken with have complied with any requests. Sheriff Donahue said there has been confusion from some businesses about essential vs. non-essential and that there is paperwork that can be submitted to determine that. Mr. Decker spoke about PSA's that have been created encouraging people to stay home and that he will work with the Clerk about getting election information up on the website. Sheriff Donahue said that the protocol within the jail is to take the temperatures of all employees and inmates every 12 hours, spoke about the cleaning/sanitation practices they've implemented and the plan for isolation if an inmate does test positive. He said that telephonic hearings are now being done with the Parole Commission in order to have a determination on those cases. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 10, 2020

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

APPROVED CLAIMS ORDER NO. 4/10/20

The Board of Commissioners approved payment of County claims in the amount of \$16,626.00 for accounts payable.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 13, 2020

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

No meetings were conducted this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 14, 2020

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

APPROVED CLAIMS ORDER NO. 4/17/20

The Board of Commissioners approved payment of County claims in the amount of \$21,978.10 for accounts payable.

MEETING WITH ASSESSOR STAFF TO CONSIDER NEW AND RENEWING PROPERTY TAX EXEMPTIONS

The Board met today at 12:31 p.m. with the Assessor's Office to consider new and renewing property tax exemptions. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White via teleconference, Assessor Brian Stender and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

50-2014:

04561000 0 Urban Renewal Agency of Caldwell City
04559000 0 Urban Renewal Agency of Caldwell City
04558000 0 Urban Renewal Agency of Caldwell City
04557000 0 Urban Renewal Agency of Caldwell City
04556000 0 Urban Renewal Agency of Caldwell City

04555000 0 Urban Renewal Agency of the City of Caldwell Idaho

35294000 0 Urban Renewal Agency of the City of Caldwell

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

63-602B:

31394000 0 Calvary Chapel Nampa Inc.

31395000 0 Calvary Chapel Nampa Inc.

23113000 0 Calvary Chapel of Nampa

23118000 0 Calvary Chapel of Nampa Inc.

23112000 0 Calvary Chapel of Nampa Inc.

04255000 0 Canyon Hill Church of the Nazarene

04221000 0 Canyon Hill Church of the Nazarene

04218000 0 Canyon Hill Church of the Nazarene

04222000 0 Canyon Hill Church of the Nazarene

08712000 0 Church of God Prophecy

01577000 0 Church of God Apostolic of ID

17535000 0 Community Baptist Church of Melba Inc.

00330000 0 First Regular Baptist Inc.

13681000 0 Grace Episcopal Church of Na

02092000 0 Iglesia Misionera Pentecostes Inc.

02090011 0 Iglesia Misionera Pentecostes Inc.

02091000 0 Iglesia Misionera Pentecostes Inc.

61111005 0 KTSY Radio Station

04778000 0 New Life Celebration

04774000 0 New Life Celebration

18975000 0 Roman Catholic Diocese of Boise Sacred Hearts of Jesus

17503000 0 Roman Catholic Diocese of Boise Melba Church

15617000 0 Roman Catholic Diocese of Boise St. Paul's Church

32334000 0 Roman Catholic Diocese Cem.

31822011 0 Roman Catholic Diocese of Boise

17607020 0 Roman Catholic Diocese of Boise

16238000 0 Roman Catholic Diocese of Boise

24564010 0 Roman Catholic Diocese of Boise

15227000 0 Roman Catholic Diocese of Boise

17502000 0 Roman Catholic Diocese of Boise

15228000 0 Roman Catholic Diocese of Boise

12829000 0 Rosa De Saron Pentecostal Holiness Church Inc.

22961000 0 Teen Challenge International Pacific Northwest Center

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

63-602C

64941544 0 Terry Reilly Health Services

64941542 0 Terry Reilly Health Services
64941540 0 Terry Reilly Health Services
64941541 0 Terry Reilly Health Services
64941543 0 Terry Reilly Health Services
64941545 0 Terry Reilly Health Services
61111023 0 Terry Reilly Health Services (clinic)
61111021 0 Terry Reilly Health Services (dental)
17607030 0 American Legion Diven Slonecker Post 126
16873000 0 Community Health Clinic
28695010 0 Community Health Clinic DBA
03136000 0 Community Health Clinic dba Terry Reilly Health Services
08759000 0 Community Health Clinics
16880000 0 Community Health Clinics DBA
08760000 0 Community Health Clinics DBA
16883000 0 Community Health Clinics Inc.
14447000 0 Community Health Clinics Inc.
08777000 0 Community Health Clinics Inc.
14447015 0 Community Health Clinics Inc.
07900101 0 Community Health Clinics Inc. dba Terry Reilly Health
00201000 0 Theta PSI House Corporation
35723100 0 Young Mens Christian Assoc. of Boise Inc.
35723101 0 Young Mens Christian Association of Boise Inc.
Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602D

64940651 0 NHP Stars
64940645 0 Nampa Hospital
64937541 0 Garrity Clinic Family Medicine
64935408 0 Saint Alphonsus Physician Services Inc.
64932721 0 St. Alphonsus Physician Serv. Inc.
64941585 0 Saint Alphonsus Emergency Department Neighborhood
64941490 0 Saint Alphonsus Neighborhood Hospital
64941293 0 St. Alphonsus Medical Center Karcher Clinic
64941099 0 Birkeland Maternity Center & Heart Care Center
64940734 0 Saint Alphonsus Regional Medical Center Stars
64940654 0 NHP Would Hyperbaric
64940653 0 Garrity Clinic Urgent Care
64940652 0 NHP OCC Med
Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602D

64937538 0 Mercy Physician Cardiology

64940655 0 SAMG Nampa OB/GYN

64940656 0 General Surgery Nampa

64941628 0 Saint Alphonsus Physician Admin Offices

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

63-602W

30738100 0 Toll Southwest LLC

32087131 0 Toll Southwest LLC

32065342 0 Toll ID I LLC

30738130 0 Toll Southwest LLC

32087900 0 Toll Southwest LLC

32087100 0 Toll Southwest LLC

30738198 0 Toll Southwest LLC

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

63-602W

32830000 0 Sienna Hills Development Corporation

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

63-602W

30602184 0 Britannia Heights LLC

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

The meeting concluded at 12:50 p.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 1:00 p.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White via teleconference, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Fair Director Diana Sinner left at 1:26 p.m., Solid Waste Director David Loper left at 1:17 p.m., Facilities Director Paul Navarro, Deputy P.A. Brad Goodsell via teleconference left at 1:17 p.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Proclamation for Crime Victims' Rights week: Sheriff Donahue said this proclamation recognizes there are a number of victims out there and how groups work together in assisting the victims. He also read the last two paragraphs of the proclamation which summarizes the idea behind it. Upon

the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Proclamation for Crime Victims' Rights week. A copy of the proclamation is on file with this day's minutes.

Notice of sole source procurement - Caterpillar Model 836K Landfill Compactor from Western States Equipment: Director Loper spoke about the machine and that they'd like to purchase it at the beginning of FY2021 but Caterpillar is about 14-16 weeks out once they receive the order so this is in preparation of that. The old machine will become the back-up. Mr. Goodsell spoke about the reasons for sole source which are noted in the notice. Upon the motion by Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the notice of sole source procurement for the Caterpillar Model 836K Landfill Compactor from Western States Equipment. A copy of the notice is on file with this day's minutes.

Meeting to discuss Fair Expo RFQ Owner's Representative: Director Navarro said 5 responses were received for the RFQ and that Paradigm and Core were the best fits. Commissioner Dale said he defers to Director Navarro and Director Sinner as they will be the ones working with them. At the request of Commissioner White, Director Navarro spoke about the strengths of Core, however, they are a general contractor and an owner's rep so that may not work well when they put the project out for bid. Director Sinner said she has heard of good experiences with Paradigm. After discussion ensued the Board consensus is to go with Paradigm which Director Navarro feels is a good fit. A contract will come before the Board at a later time.

The meeting concluded at 1:27 p.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:30 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioners Tom Dale, and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd and Deputy Clerk Monica Reeves. Those present via conference call were: Commissioner Pam White, Coroner Jennifer Crawford, SWDH Director Nikki Zogg, Mark Wendelsdorf from Caldwell Fire, and Parma Mayor Angie Lee. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue.

Christine Wendelsdorf reported she has been working on expenses with Controller Zach Wagoner, and reminded the group that offices and departments need to track COVID-19 expenses so they can be submitted for reimbursement. She is waiting for information from the state regarding what form to use so they can streamline the process. Sheriff Donahue reported emergency management coordinators are consolidating information for everyone to share based on what the command structure is. Ms. Wendelsdorf said they created an emergency management support branch off the organization chart and all six county emergency managers are working together.

Payette County and Gem County will turn in their objectives weekly which will be incorporated into the IAP (Incident Action Plan) with Southwest District Health that way the information is streamlined and partners know what's happening. She is trying to get the cities to submit their objectives so it can be incorporated and they can prioritize what everybody's needs are and share resources. Sheriff Donahue said some of the far-reaching rural counties are struggling to get PPE to their officers and first responders so they are trying to assist with that. Commissioner Van Beek asked if Ms. Wendelsdorf is no longer the point person on PPE. Sheriff Donahue said the emergency operation command center has been stood up so Steve Donahue with Caldwell Fire is helping with the distribution and logistics and other EOC staff members are fulfilling their roles and working together as a team. Ms. Wendelsdorf is still the County's point person for PPE. The state is now getting involved and starting to run more of the requests through county emergency managers. Sam Laugheed spoke about how some of the 30-day emergency declarations are set to expire at the end of the week, and the Governor's going to talk about the stay-at-home order that expires tomorrow. The statewide proclamation of emergency is good for a bit of time, but Canyon County's is set to expire this week and for purposes of reimbursement we need to consider extending it. Sheriff Donahue said there was discussion via email about whether the extension should be for 30, 60, or 90 days, or for an indefinite period of time. Mr. Laugheed said the statute for cities and counties doesn't put a max time limit on it but the statute for the Governor does so technically we could have an argument that we could go indefinite, but the sound approach would be to have a timeframe that we'd have to re-extend occasionally. Commissioner Dale wants to extend it for another 30 days to have an opportunity to re-evaluate if there's a stronger reason to go 60 days. Mr. Laugheed said the public messaging component of it is important in how it's conveyed to the community and what it means. It's a useful tool if we continue to treat it as an administrative tool designed to facilitate reimbursement as opposed to the sky is falling sort of thing. Ms. Wendelsdorf recommends a 60-day extension so we don't have to meet every 30 days to renew it. Sheriff Donahue agreed and said part of the messaging will be about tracking expenses for reimbursement, and also that we can pull back if things return to normal. It's a Board decision and it is on the agenda for Thursday at 1:00 p.m. Mr. Laugheed will draft a document and leave the time period open understanding there's been a recommendation for 60 days and the Board can discuss it and make that final decision. Ms. Wendelsdorf will reach out to the cities to see what they've done. Commissioner White agrees with a 60-day extension noting that it does not send a message of panic but keeps social distancing in the forefront. Director Zogg reported as of today there are 161 reported cases and 5 deaths in Canyon County. She has been in communication with the state division of public health and other health districts as well as the Governor's Office and the generalized feedback has focused on a preference to restart some of the nonessential services and businesses but while also maintaining social distancing and implementing safety procedures and protocols in businesses where there might be increased risk for exposure so we can limit community spread. She thinks some form of order will probably stay in place and that we will likely be moving toward reopening some nonessential businesses in the near future. The health district is working on guidance documents to help business and local municipalities with any changes that come with the Governor's decision moving forward. We still have a lot of limitations in testing for COVID-19 which impacts their ability to monitor and they are hoping it will continue to get better so they can better gauge. It's been reported by health care providers that their PPE supplies are doing okay, however, if there was a surge in cases their burn

rates would increase and they might have some challenges getting resupplied but right now they are stable. Hospitalizations have stabilized or gone down a little bit and the hospitals are ready, if needed, for an increase in cases; however, they are feeling hampered by the limitations on testing. There is a statewide effort among colleges and universities to develop a predictive model on what pressures would be put on the health care system, for example, with different measures of social distancing or social gathering restrictions of public health interventions. The modeling isn't going to be shared publicly but they have offered local municipalities access to it, but one of the drawbacks is they are missing a lot of data to do any kind of predictive modeling for impacts to hospitals but they can do some modeling for what public health or policy interventions might be in place locally. SWDH might be able to assist with increasing the robustness of that modeling. Data will be provided to local emergency managers so they can provide meaningful information to first responders so they have a good understanding of where there is risk for exposure in the community. Commissioner White asked if the majority of the new cases in Canyon County are due to community spread. Director Zogg doesn't have a definitive answer but based on what she's heard with the number of cases declining or stabilizing and the number of close contact cases, most are probably not connected to community spread but she will verify that later. There are three categories they look at where the levels are none to minimal; minimal to moderate; and substantial community spread. With what we know we are likely in the minimal range of community spread. Commissioner White is worried community spread could get started again. Director Zogg said we need 60% of the community to be past infection or to have immunization when that is available in order to have herd immunity to limit the risk for outbreak. We are not close to 60% at this point, and by lifting any measures without putting in place good guidance to the community on how to move around, we need to be informing people on how to change what they do to protect themselves and their community to keep it from kicking back up. Sheriff Donahue asked if the health district will make recommendations to cities and counties following the Governor's revised order when it comes tonight. Director Zogg said they will issue guidelines based on that and they may be able to reopen some things with other measures in place, such as face coverings, social distancing, making appointments, etc. They will work through emergency managers and liaisons who work with businesses such as chambers of commerce. For the places they regulate, such as food establishment and daycares, they have staff trained to help support them. Sheriff Donahue asked about the changes in reporting where there is concern with the reporting of probable cases which could create panic because it will show a huge increase in numbers. Director Zogg said the health district still doesn't have a lot of good data on how many tests are pending. Some places are trying to develop their own in-house tests, and there are 15 rapid test machines the state was provided by the federal government and they will be deployed eventually and she is advocating for one to be placed in our region for long-term care facilities, first responders, and jail staff. It is challenging to track the number of tests and negative tests when people are only required to report positive cases to the health districts. They will continue to try to improve monitoring and communication. The other part to this is what they consider a probable case. They only report and track confirmed cases which means there is a lab report associated with that case that says they are positive. They were told a probable case was someone who had known exposure to a confirmed case, but also that if you have a community where there is confirmed community spread any person with symptoms related to COVID-19 (cough, fever, chest pain) could be considered probable and that is concerning because we are at a minimal level

of community spread. It would be a lot of work for health districts and not likely to represent the true disease burden in our community. All districts had concerns and now they have state support to only be looking at those in terms of what's probable as those people who had known exposure to a confirmed case. The others will not be counted as probable. That might change if our community spread jumps to the substantial level, but right now they are not going to count those cases. Commissioner White asked how long it takes to get test results. Director Zogg said the average wait time is 2-3 days. The state lab is 24 hours, and there are some rapid tests used by hospitals, the commercial labs are up to 7 days but that delay could be because they batch their reports. Chief Dashiell reported the expenses have not gone outside budget limitations at this point. They have taken precautions for public contact where both sides of the DMV have projects to add plexiscreens for staff. They are using state sources for PPE and they have donations coming in for hand sanitizer. Sheriff Donahue said they continue to monitor jail staff, and inmates are checked twice in a 24-hr period. The parole commission started hearings last week with the goal of getting state inmates out of our facility, although they haven't seen a reduction in the numbers because the parole commission hasn't gotten back with their findings. Clerk Yamamoto said the marshal at the back door of the administration building has been working out well, the public appreciates the service because it saves a lot walking around and a lot of time. He spoke of the accommodations he has tried to make for his employees who have school-age children while there is no school and no daycare. He spoke about the damage being done to the economy during the shutdown, and while he agrees with social distancing and wearing masks he says we need to reopen so America can get back to work. He reported that Joe Decker completed a letter to voters addressing the confusion that is surrounding the process to obtain an absentee ballot. The letter will go out today to media and it will be posted to the website as a better explanation of what needs to happen. Assessor Stender reported that plexiglass will be installed in his front office.

The next two items of discussion did not have any relevance to non-county officials so at 2:18 p.m. those who joined via conference call left the meeting, with the exception of Commissioner White and Coroner Crawford who remained on the line. **Time card discussion:** Chief Civil Deputy P.A. Sam Laugheed said he met with the Clerk and his audit staff, HR, and other members of the Prosecutor's civil team about how to implement the FFCRA modifications to the FMLA and the emergency pay leave and the 150 pages of DOL regulations. One of the first meetings as a group was on March 13 when Governor Little declared the statewide emergency and we came up with direction to maintain a status quo to have employees put in the comment section COVID-19 for hours that were different or affected, and that was prior to the FMLA emergency extension and since then we have received a lot more information and the Controller has worked with ADP and they've come up with several codes that ADP can accommodate. They spoke with HR and audit staff about the six qualifying reasons under those three codes that employees could receive those benefits. As of now no employee has had to use those benefits. HR has a spreadsheet which shows which employees have used the COVID comment and are trying to drill down deeper to figure out which of the qualifications they are. With the new codes they will send an email that explains the process going forward which is to no longer use the generic COVID-19 comment but to use one of the qualifiers instead. It's for the purpose of continuing to collect data, right now nobody has been harmed by denial of any benefit and we are interested in making sure we have the system working and know the results before going live with it. Controller Wagoner said there will be six new comments available in the timecards that correspond to the six qualifying reasons

associated with the FFCRA, those will be six separate comments to be added to a specific day. They are directly related an employee who is unable to work. If an employee is working those are hours worked and we don't need any type of comment even if they are working at home. If they are not working they need to choose one of the six comments; some comments will be quarantine due to a government order, or symptomatic, or waiting on a diagnosis, for example. They hope to have that information to supervisors within the next day or two. Initially the COVID-19 comment covered a wide array of everything, working from home, or on different shifts, but they want to narrow it down and get a better feel for how this is impacting the County. They are trying to get away from the freeform writing and say here are the six qualifying reasons, choose the one that fits the situation.

Discussion regarding the opening of Lake Lowell: Commissioner Dale said he has had conversations with Tracy Castleman from the US Fish and Wildlife Service, and Brad Compton from the state Fish and Game Department regarding the opening of Lake Lowell. Traditionally it has opened for fishing and those kind of activities on April 15, which is tomorrow. Brad Compton said his counterparts are getting pressure from the head of Fish and Game to open these areas so people can recreate close to home. The US representation is on board with what the state is trying to do although they realize there are complications to it. The boat launch docks are pulled from the lake at the end of the season and stored in the parking lot, and the installation and removal of the docks are accomplished by a big team of people including the SILD program, facilities staff, and parks staff. We don't have SILD to help now and parks staff is limited so we don't have staff to put those docks in place. They propose to implement a partial opening of the Lake Lowell, and Idaho Fish and Game would pay for the installation and routine cleaning of four portable restrooms, two on each side installed in the parking areas adjacent to the boat launch ramps, in addition, Fish and Game staff and US Fish and Wildlife staff would facilitate moving those portions of the floating docks that are currently blocking access to the boat ramps and place them in the parking area alongside the other portions of docks that are currently there. County staff places 3-4 docks in front of the boat launches so people can't launch their boats but the Idaho Department of Fish and Game wants those docks moved out of the way so people can get their boats in the water. The docks could be installed later when county staff becomes available. They propose to increase the Idaho Fish and Game conservation officer patrols on land and on water in the area including weekends. Sheriff Donahue said there is a lot the Sheriff's Office does on this project each year with marine staff who work with the SILD program and facilities and parks personnel. It's a big lift and it has to be done in a certain way. There is concern about the damage to the docks and the liability of someone getting hurt while they are being placed if it's not done by county's team. He has been frustrated by the push by Fish and Game to open a federal refuge when the Governor has issued an order to not be socializing, but when he contacted the Governor's Office he was told they're doing it because other state lakes and parks are opening and if we don't reopen it will push people to other places. That doesn't help Canyon County because we're going to see clusters of people at the lake and the COVID cases will skyrocket. There's more to it than docks and buoys and he questions if Fish and Game will assign staff to the lake and in the parks. Marine Sgt. Kelly Anderson has grave concerns about the placement of the docks and how it's done and the resulting parking issues. Sheriff Donahue does not support the proposal. Chief Dashiell said he does not appreciate the way Fish and Wildlife went back door after the Sheriff's Office said they were not comfortable opening the lake at this time under the current status. If this moves forward we need to get the boat docks in for safety purposes. He's not as

comfortable putting the swimming docks and fishing docks in because they are congregation areas. Commissioner Dale agrees. Chief Dashiell said if it goes forward the Board can direct its staff to return to work and set that up. Mr. Laugheed said he understood the proposal to say parks would provide loaner life jackets which would be opposite of what any other parks are doing in terms of loaning equipment. There are three points to consider:

1. The County and the community fought for many years to preserve the ability to recreate on the water and part of our argument was it cannot happen without the County because of the enforcement aspect, because they are our docks, and because of the park that's right there. This is an opportunity to emphasize that they cannot do that without us and we can recreate if we say to recreate. There are all kinds of legal arguments about who owns the water, etc., and we could potentially leverage this and that could be valuable.
2. The jail continues to be our biggest exposure and concern and it seems that personnel resources are stretched thin as it is and adding nonessential boating could compromise the things that are critical missions.
3. It seems like there are things the federal government could do that do not require the County's participation that would afford outdoor recreation. Maybe those who own the boats maybe don't have the opportunity to do everything they would like to do, but the refuge could be open for bird watching and walking paths, things that allow outdoor recreation.

Sheriff Donahue would rather have collective conversations with the Board and the PA instead of having patchwork conversations. Mr. Laugheed said the state is trying to work inter-agency solutions to everybody's benefit and if we were to talk to the state about how it affects the Sheriff's Office maybe they could find other solutions. Sheriff Donahue said he and the Chief will try to talk to them tomorrow. Right now it is pending the Governor's decision followed by a conversation with the Parks Director and the Board. Sgt. Anderson will let them know the earliest decision will come Friday. Upon the motion of Commissioner Van Beek and the second by Treasurer Lloyd, the meeting adjourned at 2:56 p.m. An audio recording of the open portion of this meeting is on file in the Commissioners' Office.

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 15, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- IMTC in the amount of \$1,210.02 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 4/24/20

The Board of Commissioners approved payment of County claims in the amount of \$84,512.49 and \$68,531.78 for accounts payable.

APRIL 2020 TERM
CALDWELL, IDAHO APRIL 16, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Norbryhn Equipment Company in the amount of \$3,420.00 for the Facilities Department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for CJTSAI, LLC dba Tsai's Kitchen; and Sushi Sushi, LLC dba Sushi Sushi. (See resolution no. 20-031.)

LEGAL STAFF UPDATE AND CONSIDER SIGNING APRIL 16, 2020 AGENDA ITEMS

The Board met today at 12:03 p.m. for a legal staff update and to consider signing the April 16, 2020 agenda items scheduled for 12:00 noon. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Hearing Specialist Kellie George, HR Director Sue Baumgart, Haley Hicks and Kylie Marks from the Elections Office, Deputy P.A. Brad Goodsell (via conference call), and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider signing corrected county quitclaim deed regarding previously recorded instrument no. 2013-055112 – Brad Goodsell said the Board issued a quitclaim deed on this property on December 9, 2013, pursuant to a tax sale auction or shortly after that, and the purchaser, John Starr had tried to sell the property and discovered the legal description had an error it so Treasurer Lloyd went to the plat room and got it corrected and the property description has been attached to the corrected quitclaim deed and it will replace the previous deed so that the property description is correct. There are no other implications. Treasurer Lloyd said the legal description was not inaccurate, it was just unclear and it described the property in two different sections but in actuality it was not. This is a waste piece of ground that in the beginning was a large parcel and as new parcels were split it ended up being in one section. There is no addition or subtraction of land for this quitclaim deed. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the corrected quitclaim deed for Instrument No. 2013-055112.

Consider indigent decisions - Director Baker presented initial decisions and final decisions. Per the Clerk's statement of findings regarding the initial decisions, the following cases do not meet the eligibility criteria for County assistance: Case Nos. 2020-565, 2020-556, 2020-571, 2020-571, and 2020-558. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to issue denials with a written decision within 30 days. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the claim for cremation for Case No. 2020-657. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue Case No. 2020-610 to June 11, 2020 per the Clerk's findings. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the following cases to June 18, 2020: Case Nos. 2020-259, 2020-332, 2020-365, 2020-309, 2020-131, 2020-388, and 2020-222. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the following cases to May 21, 2020: Case Nos. 2020-234, 2020-325, and 2020-308.

Consider approval/denial of a request by Pioneer Homes for a refund for building permit, Case No. BP2019-0896 – Pioneer Homes paid twice for their building permit so there will be a refund of the fee in the amount of \$2,360. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to issue a refund to Pioneer Homes. (See Resolution No. 20-030.)

Consider signing a Resolution Designating Polling Locations for the May 19, 2020 Election – Clerk Yamamoto said for the May primary election everything that could go wrong has gone wrong. He doesn't know what the circumstances would be that we would actually need O'Connor Field House, but he wants to keep every option open just in case. Commissioner Dale asked if people can drop off absentee ballots at that location. Clerk Yamamoto said it depends on what transpires, this just gives one more location option. The original option, before going to an all-mail absentee, was to have two locations, one in Caldwell and one in Nampa, but the Nampa location is more difficult to navigate so they're just going with one. They are not going to advertise the use of O'Connor in any way unless something "explodes". Commissioner White doesn't like the idea of having just one place to vote. Clerk Yamamoto said per the Governor's order there will be no voting other than by mail, but if they need a larger space to count ballots this will give them that option. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution designating O'Connor Field House as a single polling location in Canyon County. (See Resolution No. 20-029.)

At 12:24 p.m. the Board went into 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

Commissioner Dale made a motion to go into Executive Session at 12:24 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The 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, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, HR Director Sue Baumgart, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley via conference call, and Deputy Clerk Monica Reeves. 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.

MEETING WITH ELECTED OFFICIALS TO DISCUSS COVID-19 UPDATES

The Board met today at 1:32 p.m. with Elected Officials to discuss COVID-19 updates. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Chief Deputy P.A. Sam Laugheed, Emergency Operations Manager Christine Wendelsdorf, PIO Joe Decker, Director of SWDH Nikki Zogg, Prosecutor Brian Taylor, Mayor Dickard, Mayor Kling, Mayor Porterfield, Mayor Rule, Facilities Director Paul Navarro, Parks Director Nicki Schwend and Amy Bowman with the City of

Nampa participated via teleconference and Deputy Clerk Jenen Ross. The following items were discussed:

Opening of Lake Lowell: Sheriff Donahue said there are people jumping the gates and fences and that the Fish and Wildlife Service are pushing to get the lake opened. Offers have been received from Idaho Fish and Game to assist in opening the lake; he's spoken to the Governor's Office and they're encouraging the lake to be opened as other lakes in the state have already opened. Chief Dashiell said as far as he knows the offer from Idaho Fish and Game to help put out the docks still stands. Director Navarro said that his staff have taken the docks in and out for two seasons now and have 4 grounds crew members that could have down there to help along with 2-3 employees from his department to help which should be plenty of manpower. Chief Dashiell spoke about small craft being launched from the south side of the lake and need for the bathroom facilities to be re-opened. Director Navarro said he can staff for that once he knows that is the direction everyone is going in. Director Schwend believes that by Monday signage and the website can be updated to let the public know which facilities will be open and which are remaining closed. Mr. Laugheed does not believe this is the sort of thing that requires an agenda item, that just the Board giving direction to their department heads should suffice. Commissioner White objected to park beginning opened; she feels it is being piecemealed together. The shelter-at-home order was extended to the end of the month; she doesn't think two more weeks should really matter and will allow for more staff to be available and for things to be done in a more orderly fashion. Chief Dashiell said one of the issues they've run into with the access already open thru Fish and Wildlife is that the Sheriff's Office is limited in being able to launch their craft without the docks being in place to respond to any rescues or safety issues. Sheriff Donahue expressed that he has been objecting to this for quite some time, but he feels at this point it is now beyond his position. He feels there is a conflicting message out there with the stay-at-home order being extended but then people are also told to go out and recreate. Commissioner Van Beek said she is receiving emails and hearing from people who would like to get back to some sense of normalcy; she feels it's good for people's mental health to get outside. Ms. Zogg said that from regional perspective that recreating at county sites has been a concern for first responders and elected officials. Maintaining social distancing is still a concern for public health officials but the risk is lower outdoors vs. indoors. Commissioner Dale is happy to see the county moving in this direction to open the lake. He feels there could be greater liability, risk and criticism if those ramps aren't open because there would be no way to perform a rescue if a small boat were to launch from one of the dirt ramps and get in trouble. Commissioners Dale and Van Beek are in favor of opening the lake and Directors Navarro and Schwend have their instructions to move forward with what they need to do in order to make this happen. At the request of Clerk Yamamoto, Mayor Kling spoke about how she is in favor of the lake opening and would like to see a press release about recreating safely and that people still need to maintain social distancing. Mayor Rule said he is also in favor of opening.

Combined press release: Sheriff Donahue spoke about an email that was received recently from the Emergency Operations Manager in Payette County requesting a joint press release somewhat in response to the Governor's stay-at-home order. Payette County requested that all of the counties within the health district put out a joint press release recommending people stay within

their own county. Sheriff Donahue is opposed, as county officials, to supporting a joint press release. He stated that we are not in a police-state nor under martial law. He understands maintaining social distancing, but people are going to go out and they are going to head out to the public lands. Ms. Zogg said that a lot of the counties within the district are supportive of a joint press release about safe recreating because there is concern from some of the more rural communities in regards to people getting hurt and the strain it puts on first responders. She has supported the counties efforts to promote safe recreating as she too believes it is good for a person's mental health to get outside. When she met with the Emergency Managers earlier today they were all good with the message about safe recreating coming from the health district and that if each individual county wanted to follow up with a stronger message that is their prerogative. In response to Commissioner Dale's comments, Ms. Zogg said their message probably will not explicitly say not to cross county lines but encourage people to recreate locally. Mayor Kling said she heard a number of complaints about people being fined for being out in the Owyhee's. Commissioner Dale said that based on a recent conversation with an Owyhee County Sheriff's Deputy that perhaps people are being fined for improper use of trails such as operating an ATV on a hiking or horse trail.

Ms. Wendelsdorf said that as of today there are 168 cases in Canyon County. She is continuing to work with SWDH; she has received their IEP and been granted permission to share with all area agencies and stakeholders which she will get out after this meeting. Gem County and Canyon County are incorporating their objectives into SWDH's IEP in order to not duplicate efforts and so far that is working well. She spoke about an article Chief Wendelsdorf saw in the Idaho Statesman saying that Boise City essential workers would be receiving a 15% pay increase for hazard pay during this outbreak. She has checked with IOEM and they are not aware of this being cost recoverable, it seems to be something done just by Boise City. Mayor Kling asked if there is an option to provide hazard pay, what other cities are doing and if any of it is reimbursable. Ms. Wendelsdorf doesn't believe any other cities are doing this but she can do some additional checking. The information she's received is that neither the state nor FEMA are planning to go down this road, that it is not an emergency protective measure. She continues to work on a plan with Coroner Crawford in case there is a surge in our area. Later today she has a tactical meeting with the other EOM's in the area to discuss what resources are available to share in case of a surge. Mayor Rule and Mayor Kling both indicated they would be interested in knowing the exact number of cases for their cities.

Ms. Zogg said that community spread is still being monitored because it helps direct decisions and recommendations made by the health district into local communities. Currently both Canyon County and Payette County are seeing community spread, however they are not seeing it in Gem County. She has sent out an epi-curve showing the dates of onset in Canyon County cases since March 2nd. There was a question at an earlier meeting about immunity and from what data is showing it looks like people could have immunity for 1-3 years once they are exposed or there is a vaccine available. Idaho has received 15 Abbott testing machines for rapid COVID-19 testing. They are looking at where to locate them throughout the state and at this point it looks like this area might receive 2 of them but they are waiting on testing kits to be able to use the machines; they anticipate having the kits in the next couple of weeks. Ms. Zogg believes the machines will

probably primarily be used for certain situations. Only one test can be run at a time which means they will only be able to run 3 to 4 tests per hour. Additionally, the test has to be to the machine within an hour of being collected. It is a PCR test so it will provide an accurate result. In this region they are thinking about using it is at some of the long-term care facilities and jails as a mobile unit so that residents or inmates don't need to be moved from a facility for testing. There is also an advertisement about antibody testing being available for anyone in the state who wants it. The health district is concerned about this because a positive test doesn't necessarily mean a person is positive, they would still need to have a confirmatory test. It also doesn't mean that they are not infectious, a positive result could just mean that they are developing antibodies and still be contagious. The reliability of the test is not very good in that 2 out of 10 people will have a false negative. The health district is concerned about the workload this may put on them in investigating cases that come back "positive" but are not necessarily positive as confirmatory tests are still fairly difficult to obtain. Right now, their medical director is working with the state to get a message out to healthcare providers and first responders to not use the test. There have been a couple of staff designated as liaisons that are working on providing guidance and operation plans for businesses which are recommended be in place in order to open on May 1st. In response to a question by Commissioner White, Ms. Zogg said at this point they will not be advertising that the Abbott test is available due to the low volume it's able to test and that they would like to keep it for high-risk, congregate populations. Mayor Kling said that the City of Nampa is planning to re-open next Monday and the sooner they receive information from the health district the better as they will begin planning next week. They will begin discussions with area businesses about how to open but open safely and maintain social distancing. In response to a question by Ms. Wendelsdorf, Mayor Kling said they have not heard from the hospitals that there is a need for overflow sites at this point but they have had some preliminary conversations about this.

Sheriff Donahue asked what the ramifications or procedural steps would be to address a business opening up in defiance of the Governor's orders. Prosecutor Taylor said that it would be a criminal case, based on Title 56 it's a misdemeanor offense. Either a citation could be issued, or it could be referred for screening for prosecution. His office treats every situation on a case-by-case basis, and this wouldn't be any different. Ms. Zogg said the health districts do operate the food safety program under the delegation of the Idaho Department of Health and Welfare and they do have the authority to close establishments although she doesn't know that this situation would warrant that; she would probably coordinate with health and welfare to see what they would advise to do in this situation. Mayor Kling asked if a license to serve food could be revoked if a restaurant was out of compliance with a state order. Ms. Zogg said she wasn't sure but they typically don't revoke a license but when there are unsafe conditions within an establishment, they can close them. She said it's a bit of grey area would probably seek a legal opinion on the matter. Prosecutor Taylor said that the state has a number of options in regard to health, food and alcohol licenses – he feels that restaurants and bars have a lot more to lose and he would be more interested to see what happens with business that aren't as closely monitored as food and alcohol start opening in defiance of the order. His hope is that with the order being extended just two more weeks that these sorts of things won't be happening.

Chief Dashiell said that the Sheriff's Office, working in coordination with the Emergency Operations Manager and SWDH have been able to identify addresses where there have been positive test results but due to HIPAA protections a specific individual is not flagged. The City of Nampa and first responders on the computer aided dispatch system will have access to the information. They have experienced some issues in addresses not existing within their system and generalized addresses such as apartment complexes. The information is just additional information, it is just to let first responders know that this address is tied to a positive test result; they still need to consider every location they go to as a risk and continue taking safety precautions. Sheriff Donahue said that this information is allowed by statute but that it is confidential information and law enforcement personnel and first responders have been informed this is information they are not allowed to share.

Commissioner White brought forward the action item to consider extending the declaration of local disaster emergency regarding COVID-19 and read into the record the last portion of the declaration. Commissioner Dale said that this declaration is for 30 days and does not put into motion a perpetual state of emergency but recognizing this needs to be in place for monetary purposes in order to recover funds related to COVID-19 and that is his motion. Commissioner Van Beek seconded the motion for discussion stating that she does not recall seeing the email where the options of a 30-day or 60-day declaration were discussed. Mr. Laugheed said that he sent an email this morning to the Board, Sheriff and Emergency Manager discussing this and then clarified the differences in the options. Commissioner White called for a vote on the motion which carried unanimously. A copy of the declaration is on file with this day's minutes.

Clerk Yamamoto spoke about misinformation out there about obtaining a ballot. He said people need to go to Idahovotes.gov in order to request a ballot. There is a letter to the voters on the Canyon County Elections website which also helps instruct people what they need to do. A ballot must be requested because there are several choices and the Elections office needs to which ballot to send out.

Mayor Kling said that an email just came thru stating that the free day at the landfill has been cancelled, she is wondering if there is a way to just postpone this event instead of cancel since now is a time people could really use some relief. Commissioner Dale said that since the beginning of the stay-at-home order the landfill has not been charging private citizens. The thought in cancelling the free day was that they didn't want to encourage a gathering of people on one single day. Mr. Decker said that the landfill not charging isn't something they're advertising because the landfill is regularly dealing with a large volume of people going out there daily. Mayor Kling feels there needs to be some additional clarification regarding the cancellation of free day and Mr. Decker said this was just decided today and he will be working on a press release.

Assessor Stender said he was on a call earlier today and ITD was asked about having staff on the back end once things start opening up in order to have longer hours to get the initial push back thru the system. They said they are receptive to any ideas that can be dreamt up. Sheriff Donahue said that right now they are not citing people for marine registration since they are not able to get boats registered.

Coroner Crawford and Ms. Wendelsdorf have been working on a plan in the event Canyon County does see a surge and proper handling of the deceased.

Mayor Dickard asked about 4th of July events as the planning committee needs to start making decisions in the next week or two. Director Zogg said that the public health directors across the state have been discussing some of these large events, they haven't come up with guidance yet, but she has noted this as another item to discuss. She feels it's important to be consistent across the state.

Mayor Kling indicated that the city golf courses opened today with very specific precautions in place. The clubhouses are not open, all registration is done online, only credit cards will be accepted in the safest way possible (no cash will be accepted), only one person per cart unless they are from the same household, the flags have to stay in the holes, etc.

Ms. Wendelsdorf spoke about the FEMA portal and getting registered in order to recover expenses. She asked the cities to please be sure to register and get a FEMA number so that their expenses can be tracked. She is still trying to determine whether one number for the city will suffice or if each agency within the city (fire, police, etc.) need to have their own number.

Commissioner Van Beek and Dale moved to adjourn the meeting.

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

CONSIDER POPPY WELCH'S APPLICATION FOR CANCELLATION OF PROPERTY TAXES

The Board met today at 3:22 p.m. to consider Poppy Welch's application for a cancellation of property taxes, pursuant to Idaho Code, Section 63-711. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Treasurer Tracie Lloyd, Greg Himes from the Assessor's Office, Poppy Welch via conference call, and Deputy Clerk Monica Reeves. Poppy Welch is requesting a property tax cancellation for the period of time when a septic system was leaking towards her house in December of 2017. She purchased her property in May of 2016 and sometime during construction a drain field, that neither she nor the health department were aware of, was damaged and began leaking. She worked with the health department and the property owner for nearly two years and she requested assistance from the County because an administrative split was approved in 2008 without knowledge of the existing drain field. She is seeking cancellation of taxes because during that period her property was not able to be sold due to the public health hazard. The health department was able to have the drain field removed in November of 2019. Greg Himes said in late 2017 and early 2018 the Assessor and Treasurer began assisting applicants file for casualty loss exemptions and he spoke of how the casualty loss exemption has been applied in the past. The process includes having the appraiser do an assessment of the damage. In May of 2019 Ms. Welch contacted the Assessor's Office and they discussed the issues and it was agreed upon that a value of \$26,000 is what it would cost to replace the septic system so the Assessor

reduced the value by \$26,000 in 2019 and addressed the septic issue. They sent a letter amending the value and as far as they knew Ms. Welch was fine with that value. Mr. Himes said the property is not valueless, and it seems like there is more being asked for in this case than what the County typically does with a casualty loss application. Treasurer Tracie Lloyd recommends a cancellation in the amount of \$152.11 toward the 2018 property taxes and it would be applied to her 2019 tax bill. Commissioner Dale supports that recommendation as it follows the protocol of what we've done in the past. He then made a motion to grant \$152.11 as a tax credit towards the 2019 taxes. Commissioner White seconded the motion for discussion purposes. Commissioner Van Beek asked if there was any physical damage done to the home. Ms. Welch said the sewage did not enter her home and she said she didn't contact the Assessor's Office right away because her main concern was dealing with the health department and getting the public health hazard off her property, and more importantly to get the sewage leak stopped. For two years she felt like she had no recourse except to hire an attorney and that's not right, the governmental agencies should make sure it's free and clear before splitting it. The situation was resolved in November of 2019. Commissioner Dale said Ms. Welch missed the deadline so we are going backwards in time which is a little out of the ordinary. It is the responsibility of the property owner and the title companies to make sure those properties are properly noted, it is not the Board's responsibility to ensure those properties. The motion is to give Ms. Welch the 2018 exemption. The motion carried unanimously. The meeting concluded at 3:39 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 17, 2020

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

No meetings were conducted this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 20, 2020

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

Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 21, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- SHI in the amount of \$28,103.24 for the Information Technology Department
- Tek Hut, Inc., in the amount of \$9,500.00 for the Information Technology Department
- Dell in the amount of \$3,362.49 for the Information Technology Department

FILE IN MINUTES

The Board filed the Treasurer's monthly report for February, 2020 in today's minutes.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES

The Board approved an Alcoholic Beverage License for Jackson's Food Stores, Inc., dba Extra Mile #164, #177, #178, #179, #180, #181, #183, and #143; Jackson's Food Stores, Inc., dba Jackson's Food Stores #117, #115, #126; Jackson's Food Stores, Inc., dba Extra Mile #147, #144, #148, and #149; Jackson's Food Stores, Inc., dba Jackson's Food Stores #60, #61, #62, #63, #64, #82, and #85; Chop Shop, LLC dba Chop Shop; Jackson's Food Stores, Inc., dba Extra Mile #184 and #182; Jackson's Food Stores, Inc., dba Jackson's Food Stores #3, #5, #22, and #59.
(See resolution nos. 20-032, 20-033, 20-034, and 20-035.)

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

The Board met today at 12:03 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, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Chief Deputy Assessor Joe Cox left at 12:11 p.m., Planner Dan Lister, Assessor Brian Stender, Parks Director Nicki Schwend, Outdoor Recreation planner Laura Barbour, Deputy P.A. Brad Goodsell via Webex and Deputy Clerk Jenen Ross. The action items were considered as follows:

Approval/denial of Treasurer's tax charge adjustments by PIN for March 2020: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Tax charge adjustment by PIN for March 2020.

Approval/denial of stipulation in BMC West LLC vs. Garcia - Bonneville County case no. CV10-20-1951: Brad Goodsell explained that this is a foreclosure where the county was named as a party for any interest the county might have. In looking into it further Canyon County was mistakenly identified. The county doesn't have any interest in it, there is no lien against it. This stipulation is a graceful way to get out of the lawsuit and basically say that they can go ahead and foreclose on the property but there are no adverse effects on the county. Mr. Goodsell said there is nothing for the Board to sign but they need to authorize him to sign the stipulation to get the county out of the lawsuit. Commissioner Van Beek made a motion to allow Mr. Goodsell to sign the stipulation. The motion was seconded by Commissioner White and carried unanimously. A copy of the stipulation is on file with this day's minutes.

Approval/denial of settlement agreement in RCG-Nampa LLC vs. Canyon County and Canyon County Assessor; case no. CV14-19-03556: Joe Cox said this was the offer that was made several months ago. Brad Goodsell said he is familiar with this document, he noted it has been reviewed by legal and is ready to be signed. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the approval of the settlement agreement in RCG-Nampa LLC vs. Canyon County and Canyon County Assessor; case no. CV14-19-03556 (see agreement no. 20-048).

Approval/denial of MOU between the Bureau of Land Management, Department of the Interior and Canyon County regarding Celebration Park and the Birds of Prey National Conservation Area: Director Schwend gave a brief background of this MOU stating that it has been in the making for many years. Ms. Barbour explained that the reason for the MOU is to establish a framework for Canyon County Parks to cooperate with the BLM in the area surrounding Celebration Park. Dan Blocksom noted that one of the benefits of having the MOU in place is to assist in future grant opportunities. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between the BLM, Department of the Interior and Canyon County regarding Celebration Park and the Birds of Prey National Conservation Area (see agreement no. 20-080).

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 12:20 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, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Planner Dan Lister, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:45 p.m. with no decision being called for in open session.

Request to reopen record in case no. CU2019-0007-APL: Zach Wesley said a request has been received from the attorney for Granite Excavation, Josh Leonard, to reopen the matter to allow for additional evidence and testimony. They have outlined in their proposal to reopen the record a new set of conditions for the Conditional Use Permit. Commissioner Dale believes in reading thru the letter received from Mr. Leonard that there is some information that would be beneficial to add to the record in this case and made the motion to authorize reopening of the record in case no. CU2019-0007- APL. The motion was seconded by Commissioner White with discussion. Commissioner Van Beek stated that there are valid points in the letter but she would like to see this case go back thru the process to be evaluated as a new application. 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. Mr. Wesley that that he will work with DSD to provide a new legal notice and this will be placed back on the Board's agenda to re-open the hearing.

The meeting concluded at 12:50 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:32 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Present were: Sheriff Kieran Donahue, Commissioners Pam White and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, EOM Christine Wendelsdorf, Assessor Brian Stender, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Present via conference call: Coroner Jennifer Crawford, Commissioner Tom Dale, Nampa Mayor Debbie Kling, Melba Mayor Cory Dickard, Ambulance District Director Michael Stowell, and SWDH Director Nikki Zogg. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff

Kieran Donahue. The items were discussed as follows: Sheriff Donahue reported that employees receive temperature checks on each shift, and inmates are receiving checks twice a day. If needed, Pod 6 can be used in the case of isolation and the medical provider is well supplied and ready to address that issue if necessary. Patrol officers are using an education vs. enforcement policy on any perceived violations. Law enforcement agencies are using a map which shows the location of COVID-19 positive test cases in the event they are called to those areas. Christine Wendelsdorf reported on the following: she has sent out the "IAP" to agencies, and the other five counties have put in their objectives for working to address needs and resources on a regional basis; she's been working with the Coroner, and she's been working on a plan for disinfecting patrol cars and training officers so as not to damage radios/equipment; a grant may be available for another method that uses UV light; SWDH has received calls from schools regarding graduation ceremonies; she continues to work with shelters looking for resources to help the homeless who've tested positive for COVID-19, but it's unknown who will pay for the housing/hotel costs; she will send an email to the Ambulance District and the Nampa fire and police chiefs regarding the reporting of usage of PPE so the state can track the burn rate history through a process called *Survey 123* where each agency has to be reported individually. Once FEMA gets involved there will be a cost-share involved. Sheriff Donahue reported that Ms. Wendelsdorf filled out a survey for the National Sheriffs Association to look at PPE and supplies for tracking. He received disturbing information where Mexico is starting to see an increase in COVID-19 cases and they are a major supplier of medical equipment. Director Zogg reported there are 19 confirmed cases, 8 probable cases and 5 confirmed deaths in Canyon County. The health districts are focusing on trying to get guidance out for businesses as they prepare to open, and they have taken a lot of calls from elected officials and law enforcement about businesses violating the extension of the Governor's order. The health districts don't condone the businesses decisions to open early but their mission is take steps to protect employees and patrons of those businesses so they are trying to get in front that by getting guidance out for businesses as they prepare to open. They published some general guidance on their website with updates to follow. The plan is to continue to build on that with providing a template for businesses to use for their operation plans. In working with the Division of Public Health they have asked districts to approve plans for food establishments, so they are preparing staff to provide that to restaurants. There are other businesses that will likely have some needed support and they are trying to prepare for questions to come regarding salons and gyms. The district is partnering with Idaho State University and the public health grad program to assist with data analysis and transparency of data. Mayor Kling said with the reopening of Slick's Bar it has created a challenge and she has spoken with the Governor's Office about what to do with businesses that are opening prematurely. They also have a lot of questions regarding swimming pools and recreation programs. The city is working on a video with information on business content and health district content. Director Zogg said the health district is fielding a lot of the same questions and the Department of Health and Welfare prepared a draft document that will address questions around staging and different steps. Mayor Kling spoke about how the Idaho Freedom Foundation is encouraging people to not adhere to the Governor's order. The city has received communication from other businesses that want Slick's Bar shut down for disobeying the law. Mayor Dickard said a bar in Melba had a celebration on Saturday and it was packed with people. He is concerned that people will start protesting the social distancing requirements. Commissioner White received a concerned call from Republic Services about crowds at the landfill

and reports of 30-50 cars in line. Mayor Kling said she waited in line for an hour at the landfill and she commended staff for their excellent service. There is a lot of spring cleaning going on and it's a service our community really needs. Clerk Yamamoto said the landfill needs to remain open, and he said if the closures continue past May 1st he will advocate that all elected officials forego their salaries. Controller Wagoner said we have to ensure that Republic Services will continue to pick up the trash in the community – it is their core function. The landfill has taken steps to address issues by waiving fees and are getting people in and out as quickly as possible. Prosecutor Taylor said perhaps the hours or days could be extended for Republic Services. Commissioner Van Beek said the landfill is an essential service and it must be kept open. Commissioner Dale said there is no need to extend landfill hours, the interest for commercial customers is different and they have a different entrance area they can use. Commissioner Van Beek reported on an offer from the Farm Bureau Federation Board to perform volunteer services so she will put them in contact with Christine Wendelsdorf. Commissioner Dale spoke about how he supports getting the economy going, sometimes the cure can be worse than the problem itself if we don't start to get people back to work. (Mayor Kling, Mayor Dickard and Commissioner Dale ended their conference calls at approximately 2:15 p.m.) Clerk Yamamoto reported that 12,000 ballots have been mailed and there are over 8,000 additional requests as of this morning which they will turn it into H&K tomorrow for the next mail out. It's looking like we could have an abnormally high vote which is good. Sheriff Donahue reported that Director Navarro said the boat docks are in place at Lake Lowell. He asked if the Board can decide today to reopen the lake. Commissioner Dale said the swimming docks are in place on the Nampa side, and as far as opening the lake for the season that is generally a wildlife refuge and Idaho Fish and Game function and it doesn't need Board action to have the lake available for use. Sheriff Donahue will ask Sgt. Kelly Anderson to reach out to the refuge manager about it. He was more concerned about making sure launch docks were out there in case they need to launch a boat for an emergency. Assessor Stender said through May 28th there are no registration options available; he read a press release that said because of that law enforcement will suspend enforcement of recreational registration and permits through the end of May 2020. Sheriff Donahue said for obvious reasons the focus of law enforcement will be on education. Prosecutor Taylor said the Idaho Supreme Court issued a number of orders and the most recent one expires on Wednesday. They are anticipating a revised order that will be a lot more relaxed to start court proceedings which will impact many offices and result in an increase of foot traffic into court. The PA will work on a strategic plan for reopening. Sam Laugheed had a question regarding future access to PPE and said if it is determined in part on the current burn rate, he wonders if Director Navarro has access to PPE. Can we enhance our access to it if we say we would be using it? Ms. Wendelsdorf will talk to Director Navarro and see what staff is wearing and lump it into the PPE the Sheriff's Office is using. There was discussion about whether to have masks for courtroom staff. Director Zogg said face coverings of some form are appropriate as long as we have community spread in Canyon County, and it's a good precaution especially as you open business and people are coming in. Of course social distancing also helps. Ms. Wendelsdorf said once we know what the Supreme Court says we can plan for people and she will speak with the Prosecutor and Mr. Laugheed about it. Treasurer Lloyd reported that tax reminders go out next week and she will include a flyer that encourages people not to come in, however, she anticipates people will still pay their taxes in person so she will need PPE for her staff. She will phase out the split shifts and will be back to full

staff M-F from 8-5. There will be discussion about when to unlock the doors to the administration building. Commissioner Van Beek asked if there is an update on the request to waive fees. Treasurer Lloyd said the County charges a 2.5% fee for debit and credit card transactions, and \$3 for electronic checks. She spoke with the provider who said the fees can be reduced to \$1.50 if the County pays it directly and does not pass it to the customer, but she cannot get the 2.5% card fee reduced. Over the last year there was over \$8.2 million paid by credit card and check and of that \$74,000 was for credit cards and \$4,731 was for e-check fees. She doesn't feel the County should cover the convenience fees because it would be subsidizing other taxing districts to collect their taxes. Other options are available such as bill pay offered by financial institutions and it's free of charge. Commissioner Van Beek appreciated the information. Assessor Stender said his staff are moving through mail and phone calls. Plexiglass has been installed on the DMV side and they are working on reopening and reviewing processes. The sales tax will be way down which could affect the budget and other things. The Assessor was scheduled to go live April 1st with the new DMV software but it was pushed to mid-June, now it's October. Sheriff Donahue said the driver's license department is bracing for a large backlog. There was discussion regarding the email from Liz Conner regarding a capital improvement plan (CIP). Commissioner Van Beek said the plans for this and the hiring of Ms. Conner happened long before COVID-19 came into play. She tried to keep her communication brief with 5 questions and it will mirror what the Clerk is trying to do by providing a priority rating scale for all elected officials on what will be the most important areas to fund and how to fund for them and she is looking for input. Ms. Conner mentioned in an email that other groups are trying to get stimulus funding for infrastructure projects and the time is right to get the County focused on developing a CIP. It's a good thing to look at especially with this budget cycle to get everyone to weigh in on what we think is a priority for the County. The Clerk, the Sheriff and the Prosecutor all said they were caught off guard by the email and they believe it is premature at this point. There are questions that need to be answered before completing a survey, such as who is on the project team and what will the CIP include. Commissioner Van Beek said everyone has equal footing and will have the opportunity to provide input; Ms. Conner is just trying to have a facilitated discussion with the group. Sheriff Donahue said it needs to be an elected officials' meeting and not include the department administrators at this point although their input is valuable but elected officials need to know what CIP means. They have a lot on their plate with the pandemic and this is not a high priority. Clerk Yamamoto said it has a poor look to it when we have people out of work and we are talking about spending money we don't have yet. He wants to table the CIP discussion for the time being because we are all very busy and we need to get back to some kind of normalcy and then take a look at it. The Sheriff agrees. Commissioner Van Beek said it is well appreciated that department administrators are not policymakers but they, like chief deputies, have their fingers on the pulse and have ideas that are generated and that's the idea of inclusion. Prosecutor Taylor said COVID-19 is forcing us to re-evaluate the way we do business, and he doesn't anticipate having much capital improvement in 2021, it's more about looking at cutbacks. Mr. Laugheed said the Board can enter into a contract and invite the elected officials but it cannot compel them to participate. The budget requests that are statutory and questions asked of the elected officials during the budget process likely cover capital improvements and the rankings of things for the office, and so maybe after those requests come in maybe the contractor can use those instead of asking additional questions. Commissioner Van Beek said that's a good idea. Sheriff Donahue said the

department administrators should be told to hold off because a lot of this will be worked out in budget requests. Commissioner Van Beek spoke about the benefits of having a facilitator that allows people to fully participate and be part of the discussions with the elected officials. Clerk Yamamoto said we have no idea what our revenues are going to look like and that's a big problem. A motion was made by Clerk Yamamoto and seconded by Commissioner Van Beek to adjourn the meeting at 3:00 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 22, 2020

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

APPROVED CLAIMS ORDER NO. 2015

The Board of Commissioners approved payment of County claims in the amount of \$1,623,349.98 for a County payroll.

APPROVED CLAIMS ORDER NO. 4/24/20

The Board of Commissioners approved payment of County claims in the amount of \$99,392.20 and \$90,054.40 for accounts payable.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 23, 2020

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

APPROVED CLAIMS ORDER NO. 4/24/20

The Board of Commissioners approved payment of County claims in the amount of \$9,371.00 and \$15,347.63 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES

The Board approved an Alcoholic Beverage License for Stinker Stores, Inc. dba Stinker Store #44 and #41; Pantera Market, LLC dba Pantera Market; Holy Cow Idaho, LLC dba Holy Cow!; and Muniz Family Grocers, Inc. dba Grocery Outlet of Caldwell; Cloudcroft Inc. dba River Bend Golf Course; Stinker Stores Inc., dba Stinker Store #113, #108, #82, #75, #60, and #48; MRG, Inc. dba Buck's Saloon & Steakhouse; Winco Foods, LLC dba Winco Foods #11 and #144; JLC 2 ,Inc., dba Idaho Pizza Company; JLC Corporation dba Idaho Pizza Company; JLC 9, Inc., dba Idaho Pizza Co.; Costco Wholesale Corporation dba Costco Wholesale #734; G&G Investments LLP dba Bud's; Golden Palace Inc., dba Golden Palace; Linda S. Barr dba Pete's Tavern; Idaho Bowling Corporation, Inc., dba Nampa Bowl; Roots and Company, LLC dba Roots and Company; Caldwell Treasure Valley Rodeo, Inc., dba Caldwell Night Rodeo; and Hong Kong Restaurant, Inc. dba Hong Kong Restaurant. (See resolution nos. 20-036, 20-037, 20-038, 20-039 and 20-040.)

LEGAL STAFF UPDATE, CONSIDER INDIGENT MATTERS AND SIGN ACTION ITEMS

The Board met today at 12:33 p.m. for a legal staff update and to consider indigent matters as well as sign today's action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy PA Dan Blocksom and Deputy PA Brad Goodsell via WebEx, Indigent Services Director Yvonne Baker, Ben Larson from IT, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider indigent decisions – Director Baker reported that the following cases do not meet the eligibility criteria for County assistance: Case Nos. 2020-599 and 2020-596. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to issue initial denials for those cases as per the Clerk's findings. The following cases were heard on appeal and as per the Clerk's statement of findings they do not meet eligibility criteria for County assistance: Case Nos. 2020-320, 2020-261, 2020-3, 2020-159, 2020-84 and 2020-324. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to issue approvals with written approvals in 30 days. Director Baker advised the Board that an issue has arisen with notarized liens and so the Prosecutor's Office will look into the criteria for notarizing medical indigency liens that are brought to the Board for consideration. There was discussion regarding Case No. 2015-1386 which was an approved case from February of 2016. The case currently has a reimbursement account in the amount of \$38,292.22 that was paid by the County and the catastrophic health care fund. The applicant has been consistent on her payments and to date has paid \$925 leaving a balance over \$37,000. She has been laid off from her job and is attempting to sell property she owns in Grangeville for \$15,830 and seeking to retain the proceeds from the sale in order to have an income to live off of. The County has a lien

on that property and would typically would ask for payment on the reimbursement account. Discussion ensued. Director Baker's proposal is to do a partial release and ask for a larger payment than \$25 and not release the lien in its entirety. Staff can reassess the monthly payment amount to see if the applicant can pay more than \$25 a month. Commissioner Dale made a motion to authorize a collection of 10% of the net proceeds on the sale of the house in Grangeville to be paid back to the medical indigency office to cover the costs that were paid on the applicant's behalf. The County will do a partial release of the lien. The motion was seconded by Commissioner Van Beek and carried unanimously. Dan Blocksom will draft a partial release lien for the Board to consider. Director Baker left at 12:50 p.m.

Legal notice of entering into personal services contracts for conflict public defender services - The Board recently signed contracts with Rondee Blessing and Kevin Shupperd for conflict public defender services, and the public defender's office anticipates payment to the contractors may exceed \$10,000 over the course of a year so the Prosecutor's Office has prepared a legal notice for publication. Upon the motion of Commissioner Dale and second by Commissioner Van Beek, the Board voted unanimously to sign the notice which will be published in the Idaho Press-Tribune.

Legal staff update – Sam Laugheed advised that he had just received a copy of the Governor's Order, *"Idaho Rebounds"*. He also said the Sheriff and the Board will need to discuss the recent order from the Supreme Court and how it will affect traffic in the courthouse. Both items will likely be discussed amongst the elected officials' meeting this afternoon at 1:30 p.m. Commissioner Dale reported that crews will do some repair work on a cable for one of the docks at Lake Lowell. Commissioner White reported briefly on the communication she received from the Caldwell Chamber of Commerce called Idaho Gem, which promotes local businesses.

The meeting concluded at 1:01 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ELECTED OFFICIALS TO DISCUSS COVID-19 UPDATES

The Board met today at 1:31 p.m. with elected officials to discuss COVID-19 updates. Present were: Commissioners Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, other concerned citizens, Commissioner Pam White, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Assessor Brian Stender, Mayor Dickard, Mayor Nancolas, Mayor Kling Director of SWDH Nikki Zogg and Greenleaf City Clerk Lee Belt participated via teleconference and Deputy Clerk Jenen Ross.

Sheriff Donahue said Sgt. Anderson has already assisted one craft on Lake Lowell. They are not fully staffed out there yet but will be over the weekend. Some additional thermometers for the jail arrived today and the protocols are still in place which include deputies being checked at the beginning and end of each shift and inmates being checked twice daily. In response to a question from Commissioner Van Beek, Sheriff Donahue said they haven't seen many differences out in the community in regard to the level of civility since the Governor's orders. He said there really hasn't

been an uptick in domestic violence reports, but he also worries that perhaps people don't have the opportunity to reach out for help with the stay-at-home order in place. His office continues to respond to emergent/response calls for crimes in progress and people continue to be booked into the jail on felony charges.

Ms. Wendelsdorf said she just got back from a meeting with SWDH where everything appears to be going well. They continue to work on the heat maps for both Owyhee and Canyon Counties. SWDH continues to support the hospital systems in finding housing for homeless patients who test positive. At this time Ms. Wendelsdorf does not know how the cost of housing will be covered, she is not sure if it would be considered a reimbursable expense. EM tactical meetings are still happening weekly to coordinate efforts. Sheriff Donahue said that there are some negotiations happening between the White House and the Walmart Corporation to set-up some limited testing sites so that hospitals don't become overrun. He said there has been one preliminary conversation between himself, Ms. Wendelsdorf, Ms. Zogg, Mayor Nancolas and the Walmart Corporation to see if/how that would look in this area. It was a very preliminary conversation and doesn't know that he wants to say much more other than it wouldn't be general testing it would be for people who are symptomatic. Ms. Zogg addressed the Abbott testing machines saying that the machines are here but that they are waiting on the testing materials which should be arriving within the week. The planned use for those machines is for congregate settings such as jails or care facilities so that people would not have to leave a facility for testing. Ms. Zogg said that both the Abbott tests and the tests that will be offered at Walmart are both valid tests unlike the antibody testing.

A conversation was had about the Supreme Court order in regard to PPE. There is question about who masks need to be provided for and who's required to wear a mask. The other question involves the cost of the supplies. Ms. Wendelsdorf believes that some supplies will have to be purchased by the county, although some of it should be reimbursable. There are steps that can be taken so that masks can be multiuse vs. one-time use and Ms. Wendelsdorf said she can provide instructions to department heads on how to properly re-use the masks. Mr. Laugheed said the order just states a covering of the nose and mouth; there may be different levels of covering needs. The order is a little vague, but several others have been clear in stating that a face covering is needed in the courtroom and court service offices, not necessarily the courthouse as a whole. Ms. Wendelsdorf would like to have a more in-depth discussion with elected officials addressing what they feel their need is for this. She also noted that PPE usage will need to be reported to her daily in order to be eligible to receive additional PPE. All the elected officials committed to evaluating their needs and having numbers ready to discuss at the next meeting on Tuesday. Commissioner Van Beek wondered if there was the possibility of a volunteer group making masks. Ms. Wendelsdorf agreed that was a possibility but noted a lot would depend on the volunteer base and that there is a lack of supplies (fabric and elastic) readily available.

Commissioner Dale said we have not seen the overrunning of hospitals, either nationally or locally, as models indicated and asked Sheriff Donahue if there should be a reevaluation of the use of Pod 6 as a jail facility again as intended. Sheriff Donahue believes this decision is still probably way down the road. He thinks that with things starting to open up again there may be a rise in cases. With the limited court proceedings and limited numbers of arrests by law enforcement agencies

in this region, the number of inmates is at a manageable level and there isn't a need to open it up to inmates at this time. Sheriff Donahue said he participates in a daily call with the National Sheriff's Association and the White House and there are indeed areas of the county that are seeing surge, especially in jails where there is a close population.

Prosecutor Taylor and Mr. Laugheed spoke briefly about the Supreme Court orders to get courts open again. Mr. Taylor said that the Supreme Court is asking for everything to be done virtually thru the summer and limit the number of people coming into the courthouse. It postpones all jury trials to at least August 3rd, and anyone in a courtroom will be required to wear a mask as well as comply with the 6-foot social distancing recommendation. It is anticipated that the ADJ and TCA will be reaching out as it does impact a number of offices. There are still questions about the provision of masks and technology so that the public can view the court proceedings as there is a constitutional right for the public to be present.

Treasurer Lloyd said there will probably be a meeting next week among the departments and offices within the administration building to discuss plans for reopening the building.

Ms. Zogg said a lot of what they've been working on is getting guidance out for businesses and restaurants. They have been receiving a lot of questions from establishments on how to set up their operations for opening or opening differently. Right now, they are not doing routine inspections of restaurants, but they are responding to complaints and doing inspections, as necessary. Some of the complaints include unsafe food handling, lack of social distancing among patrons and some employees of establishments making complaints of unsafe work conditions. Currently there are 205 lab confirmed cases, 10 probable cases and 6 confirmed deaths. They are also working collaboratively with the City of Caldwell, Canyon County, and the Walmart Corporation to get a testing site established within the county. The testing is federally funded and staffed by Walmart volunteers to operate the testing site; there will be no cost to be tested. They are still in a holding pattern with the Abbott testing waiting for the supplies to arrive. Two locations within the county have been identified as testing sites, one will be at the SWDH office and the other machine will be mobile to go out to congregate facilities to provide testing. They are continuing to manage the logistics of PPE requests, doing investigations of contact tracing and monitoring.

A conversation was had about complaints that are being received, Prosecutor Taylor said he would like to see a unified message between the county and the cities. What he's seeing in his office is an array of different responses ranging from giving up and taking no action to more stringent enforcement and then some who are looking for guidance at the state level. It's been very difficult to provide any clarification or guidance on prosecution other than each case is taken individually based on the city's intent. Mr. Laugheed said that the notion of a "blanket response" is what is problematic for him; each situation will need to be looked at on a case-by-case basis. Sheriff Donahue said that his office continues to respond to complaints by educating as to what the Governor's order says, to this point they have not written a citation or forwarded anything to the Prosecuting Attorney's office. Commissioner Van Beek asked Prosecutor Taylor if he thinks a lack of consequences will encourage other business or cities to open at their own risk. Prosecutor

Taylor said he has no way of knowing what others will do but that he has yet to have a law enforcement agency submit a report in regard to a violation. Mayor Kling said that they are using the guidelines for reopening provided by SWDH and working to get them out to the area businesses. Mr. Laugheed said what they've heard from local law enforcement is that they are maintaining dialog with the business and he feels that's important to not become adversarial with anyone and this is a good way to go.

Mayor Kling spoke about items within Nampa stating that she met with Slick's Bar and although they were making a statement in re-opening, they were not aware they would be a rally location for the Freedom Foundation. Her understanding is that all the other bars within Nampa are planning to open on May 1st but she has let her police department know that she in no way wants Nampa to be the focus of any national news story. She believes in addition to the Coronavirus there is also an element of civil unrest that has to be addressed. Clerk Yamamoto said he echo's what Mayor Kling is saying. He believes that May 1 is the date that a lot of businesses will open and there will be an avalanche that follows. He said this county has to go back to work and he disagrees with the Governor's opening program. He believes the best thing to do is educate people on safe practices and that government needs to get out of peoples way in getting their business open since government is taking a paycheck and telling individual business owners they can't. Mayor Nancolas said they have a couple businesses intending to open but for the most part they've really only heard from salons wondering where they fit into the order. They have been encouraging business to practice safe protocols and he has instructed his police department that they are not to be confrontational but to continue to educate. City Hall and other city buildings will remain closed with employees working from home although golf courses have been opened. Sheriff Donahue addressed the Clerk's comments stating that he doesn't feel that we are in the way of anything; the county has essential services that are being provided and although we've modified or adapted the way things are done the essential services are still being maintained and keeping employees employed is very important. He does believe the economy needs to get moving and he too would like to see things opened back up.

Mayor Dickard has a feeling the bars and restaurants in his area will be opening back up on the 1st if not before and he has no intention of telling them they can't; they don't have resources to fight back against it.

Greenleaf City Clerk Lee Belt spoke about how WICAP will be providing a food box distribution event at city hall on May 14th. He expressed his appreciation of the assistance he's received from Ms. Wendelsdorf in coordinating this.

Clerk Yamamoto said the first wave of ballots went out last Friday and the next wave will go out this Friday which will put them right at about 20,000. Due to the circumstances this election has been in the news for quite some time and people seem to be in a panic about being able to vote even though more people have early voted for this election in Canyon County than ever before. They've encountered an issue of 4 people receiving the incorrect ballot and they've been in contact with the state to resolve the issue. They will continue the Friday mail outs until they get closer and then it will change to a daily mail out. He is considering, and asking the Board to

consider, waiving the alcohol license fees for businesses that have been shut down. Last year the revenue to the county for the licenses was \$51,000, he believes this year if the fees were waived it would equal about half or just above that amount. Commissioner Dale said his initial thought is that it could create a pretty big headache with having to issue refunds as many license renewals have already been signed. He is not in favor of doing this and he hopes these businesses are up and running soon. Although they were closed for a month that is a pretty small amount of their overall revenue. Commissioner Van Beek offered support for Commissioner Dale's position although she would like more information from the Clerk. Mayor Kling said that the State of Idaho is offering extensions for the licenses and the city voted to mirror what the state is doing. An extension would have to be requested but if a business is closed and can't afford to renew their license this would provide them the opportunity to postpone until they are open again, additionally they may prorate the fee based on the time the business was closed.

Commissioner Dale moved to adjourn the meeting. The motion was seconded by Commissioner Van Beek.

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

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 24, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Spear Tactical in the amount of \$1,300 for the Sheriff's Office

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 27, 2020

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

Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 28, 2020

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

FILE IN MINUTES

The Board filed the Treasurer's monthly report for March 2020 and quarterly report for January 1, 2020 through March 31, 2020 in today's minutes.

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

The Board met today at 11:08 a.m. for a monthly meeting with all department administrators to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender, Treasurer Tracie Lloyd, Facilities Director Paul Navarro, PIO Joe Decker, Chief PD Aaron Bazzoli, Weed and Pest Superintendent AJ Mondor, Landfill Director David Loper, Fair Director Diana Sinner, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Director of DSD Tricia Nilsson, County Agent Jerry Neufeld, IT Director Greg Rast, Fleet Director Mark Tolman, Ambulance District Director Michael Stowell, Parks Director Nicki Schwend, HR Director Sue Baumgart, Director of Juvenile Detention Sean Brown via teleconference and Deputy Clerk Jenen Ross.

At the request of Commissioner White, Director Loper gave of review of protocols he has in place to keep everyone safe. Director Navarro gave an update on what his department is doing to re-open the county and encouraged anyone to get in contact with him with any requests. Director Schwend expressed her appreciation to the other department administrators who offered assistance in getting the gun range cleaned up as it had an excess of trash over the past few weeks.

Commissioner Van Beek spoke about the CIP, letting everyone know that for the time being it is going to be temporarily put on hold with other current events happening right now. Commissioner White asked the DAs to write down any major projects and keep track of any needs or ideas.

In regard to the budget, Director Rast said that he has been in contact with Controller Wagoner and that the IT budget submittal deadline has been pushed out due to system integrations and the Microsoft audit. Additionally, they are working to send out computer and copier replacement recommendations for FY2021.

Commissioner Van Beek spoke briefly about the Directors' handbook noting that all the suggestions that have been made have been compiled but that it's a working document and encouraged everyone to continue making suggestions in order to make sure all the topics are covered. The understanding is that this is a handbook for DAs under the Board, a 'how-to' for new directors.

At the request of Commissioner Van Beek, Director Rast spoke about the asset tagging/tracking system.

Director Rast and Director Navarro spoke about disposal of certain assets depending on the value. Director Tolman spoke about the use of fleet vehicles in the motor pool, cost savings and liability. At a question posed by Director Navarro, Director Sinner spoke about the different options she's been working thru if the fair were to happen. The scenarios include 1) the fair can move forward as planned 2) modify the fair, restricting a lot of the crowd type events which may mean eliminating the concerts and carnival 3) continuing with the livestock show although it may look different and/or possibly pushed out to the fall 4) cancel the fair altogether. Director Sinner feels a decision needs to be made well before just 30 days prior the start of the fair. She will be meeting with EOM Christine Wendelsdorf this week, contacting SWDH, the Governor's office and Mayor Nancolas to try to get the pulse of other entities involved and what their recommendations are. At this time there are no updated CDC guidelines for mass gatherings. Director Sinner spoke about other events both locally and nationally that have cancelled similar events. Commissioner White suggested a decision regarding the fair be made by May 8th and asked Director Sinner to reach out to the major sponsors for their feelings on moving forward.

At the request of Commissioner Van Beek, Director Baumgart spoke about telehealth. She said that co-pays are being waived thru July 31st. Assessor Stender asked about the 'Crush the Curve' testing for people who believe they have already had the virus. Mr. Decker said he believes the first test is free but subsequent tests for verification are \$100 each. Commissioner White asked Director Baumgart to follow up on the 'Crush the Curve' testing.

Mr. Decker asked everyone to start thinking about the PPE they will need for employees once the county starts opening up. In order to be eligible for more PPE the burn rate will need to be tracked

daily and they are working on a system to be able to do that. The initial purchase for PPE will need to be paid for by the county and then distributed in the hope that the cost will be reimbursed. If anyone would like more information or to discuss further a meeting with Ms. Wendelsdorf can be set up.

Mr. Bazzoli said courts are going to start integrating video/telephone conferencing Friday, May 1st. His understanding is that the Supreme Court will provide masks to witnesses and other participants and he believes the PA's Office will provide their own but he is unsure who is providing for the judges, clerks and defendants. Discussion ensued regarding how, when and who masks will be given to and how to obtain them.

Commissioner White said there is an elected officials meeting this afternoon and she anticipates there will be further discussion on getting employees back into the office. Director Schwend asked if they could also get some guidance on what to do for employees who are dealing with children that don't have school or daycare thru the end of the school year and/or facilities not reopening. Director Baumgart clarified that employees are covered they just need to use that code in ADP.

The meeting concluded at 12:07 p.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 12:12 p.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 P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom via Webex, Director of Court Operations Denise Kennel left at 12:16 p.m., Interpreter Grace Almeida left at 12:16 p.m., Director of DSD Tricia Nilsson left at 12:20 p.m., Deputy P.A. Mike Porter joined via Webex at 12:20 p.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider approval/denial of independent contractor agreements for interpreter services with Abdi Muse, Maria Gonzalez Mabbutt, Hua (Barbara) Robinson, Valeriya Kvitkoo-Simon, Susan Evans, Abdelbari Ali, Fred Mui, Alan P. Lai, Ann E. Chamberlain, Chintana Barden, Heather Hagen, Oksana Dobbins, Laura Levitt, Karla Young, Fatima Maria Cornwall, Maria Escobedo-Gonzalez, Barbara A. Fisher, Delia Gonzalez, Stephen N. Njoroge, Sabah Ali Al Anbaki, Eliza Laumatia, Abubakar Mohamed, Holly Thomas Mowery, Steven Snow, Janet Dobecki and Jo Ann Dobecki Shopbell: Dan Blocksom said these agreements are similar to ones that have been signed in the past. The only minor changes are in regard to noticing requirements that Ms. Kennel has been able to work out informally and contractual obligation is not required. Ms. Kennel said that since she has taken over the interpreters they now have 26 and several more that aren't under contract. She said they've done an amazing job and she is very happy with how things are working. Ms. Kennel noted the contract for Eliza Laumatia has not been received back so that will be brought back at a later time. Upon

the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the independent contractor agreements for interpreter services with the contractors noted above. See agreement nos. 20-049 thru 20-073.

Consider approval/denial of an ordinance amending Chapter 7, Article 1; Zoning Regulations:

Director Nilsson said that in the current ordinance there is a requirement for neighborhood meeting. In light of new restrictions limiting gathers they want to adopt an emergency ordinance that would provide an alternate way to hold the meeting. It would change the meeting to a comment period where the applicant would send pertinent people a web address where the materials could be viewed and an email address that comments can be submitted to. Commissioner Van Beek noted this is really an accommodation amid COVID-19. Director Nilsson said the ordinance is effect for 182 days and she anticipates that at the halfway point they would evaluate to see how it's working. Mr. Wesley stated that since it is part of zoning ordinance, state law requires that it go thru planning and zoning before it's permanent but there is an emergency provision in the local land use and planning act that allows the Board to take this action but limits the maximum authority of unilateral change to 182 days. Commissioner Van Beek made a motion to approve the ordinance amending Chapter 7, Article 1; Zoning Regulations to accommodate the current conditions given COVID-19. The motion was seconded by Commissioner White and carried unanimously (see ordinance no. 20-007).

The meeting concluded at 12:21 p.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIAL'S EMERGENCY MEETING RE: COVID-19

The Board met today at 1:32 p.m. for an elected officials' emergency meeting regarding COVID-19. In attendance were: Commissioners Tom Dale and Pam White, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Chief Civil Deputy PA Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, SWDH Director Nikki Zogg, PIO Joe Decker and EOM Christine Wendelsdorf and Deputy Clerk Monica Reeves. Those present via conference call were: Commissioner Leslie Van Beek, Coroner Jennifer Crawford, Mayor Garret Nancolas, Fire Chief Mark Wendelsdorf, and Chief Carpenter from Nampa. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. Items were discussed as follows:

Sheriff Donahue reported he is going to start bringing employees back to work and it will include the records division opening their window from 9 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. Employees in CID, crime lab, civil process, and warrants have been working on a rotating schedule but the plan is to bring them back on regular shifts. They are looking to slowly start back up with driver's license services on Monday so they can address the backlog; staff will manage the front door to limit the number of people (10-20 at a time) who can be in the building. Assessor Stender said they are exploring options including the possibility of upgrading a component where the queueing system will text a person when they are two people away from being called. This will

allow people to sit their cars and wait for their turn rather than being inside the building. They will have a greeter outside with two-way radios and a person inside to help manage the flow; there will be two express lanes and they will close the adjoining lanes so people can maintain a distance of six feet. One employee will handle titles, two employees will cover the telephones, and eight employees will do title transfers and other tasks. There will be a greeter and two lines outside the building and they plan to close some of the upfront parking spaces to use as queuing lines. The process is expected to be slow. Treasurer Lloyd said warrants of distraint have been turned over and she asked if the civil department will conduct Sheriff's sales. Sheriff Donahue will look into that. There were restrictions on people coming into the courthouse, but it may be possible to do the sales outside the courthouse now that the weather is nicer. Sheriff Donahue spoke about Pod 6 and the maintenance projects and priorities they are seeing from the jail side of things. The original plan was to move the females to Pod 6 which would buy the facilities staff some time to address the maintenance issues that haven't been done in years. With moving females out they can use Pod 3 and do the maintenance items in 2-3 weeks and then they can start putting males in there. They are considering moving the female population of 45-50 into the far eastern side of Pod 6 where they have 4-person cells for day use, and then they can move the male inmate workers into one of the units in Pod 3 which would allow for maintenance. With courts not being in operation there is a small window of time to do the maintenance and if they can get a commitment from the Board to have Paul Navarro assign as many employees as possible to do the painting and general upkeep in Pod 3 they can have some males in there and rotate them to in Pod 3 if the females are in Pod 6 on the far eastern side. He wants to leave the far western side of Pod 6 for isolation in case there is an outbreak in the jail. He stressed the importance of getting the maintenance done as soon as possible. The Sheriff said some facilities employees are working on an additional building for the parks department at Lake Lowell and they need to be pulled off that job and assigned to Pod 3. Commissioner White said Director Navarro has advised that his staff has 114 maintenance tickets they are working on. Prosecutor Taylor said jail concerns are more important than parks issues and perhaps Director Navarro needs to work with the elected officials to prioritize what is essential. Commissioner Dale said we have planned all along to do this renovation when Pod 6 was open and it's in the budget and he thinks we should talk to Director Navarro about delegating and reserving the manpower and move forward with it. Commissioner White asked how the offices and departments are going to address the Governor's four-phase proposal for reopening. Sheriff Donahue said it's up to each elected official on how they reopen their respective offices. He agrees with Prosecutor Taylor that the jail is a priority and we have to get setup and this window of opportunity is going to close so we need to get that maintenance done. Commissioner White asked we have a certificate of occupancy for Pod 6. The Sheriff said we have a temporary certificate of occupancy and we need to get this plan in place. Commissioner Dale agrees with the Sheriff in that it's a project that's been planned and we have been restricted from doing it because we didn't have the certificate of occupancy but we have it now so we need to get the maintenance done. Sheriff Donahue said they are going to ask Judge Southworth to extend his administrative order on the suspension of work release and ask for another 30 days which will get us to June 20 and buy time to deal with the maintenance. Facilities staff can be working on the things we told the City of Caldwell we would do such as planters and the drip line system for those planters outside of Pod 6. He also wants to see the screen material to go up on the Pod 6 outdoor recreation area that faces Chicago Street because we need to show the city we

are getting those things done. Commissioner Dale said Director Navarro needs to organize this. The Sheriff said we can discuss it again on Thursday and he will initiate an email to the Board addressing the timeframe. Commissioner Van Beek appreciates the plan and she has the same sentiment as Commissioners White and Dale in that everyone is working under a backlog and we need to get everyone in the same room and figure out how the prioritization is going to work. Director Zogg commended the Sheriff for the screening protocols he uses to keep the inmates and staff safe and she said it sounds like what is being planned can be undone if necessary in terms of it's a maintenance project and we can move people back if needed in order to expand space to quarantine people. Sheriff Donahue said X3 and X2 are not in use and it puts everybody in that one central building where the officers can help each other because they are in such close proximity. They are watching their manpower issues in terms of people who have high temperatures and not coming in. Commissioner White asked what date the Sheriff is considering putting females in Pod 6. Sheriff Donahue said they are looking at a tentative date of May 11, but it's not a firm date. Christine Wendelsdorf reported she sent an email to set the premise for today's discussion regarding PPE. The FEMA supply has been reserved for hospital workers and first responders so the County will have to purchase PPE for courts, facilities, and other departments. She spoke about the tier system, which is rated 1 through 5 with law enforcement being on Tier 5, and other elected offices on Tier 6. She and Joe Decker will meet with the trial court administrator to see if they can put a plan in place for getting PPE counts. She will contact the department administrators and let them know what we're dealing with because it will require daily reporting in order to establish a burn rate. Hopefully at some point in the future FEMA will allow everybody to pull out of their stockpile, but that's not happening now. The Supreme Court has issued an order stating anybody entering a courtroom has to wear a mask. It also states anyone entering the courthouse will have to wear a mask but the concern is not everyone will have a mask so who will pay for that and how will we enforce getting the masks back so they can be sent to a cleaning service. If this is going to be the norm there will be a major run on PPE and then what do we do. Should we buy enough now for a stockpile? There needs to be a discussion of whether we buy PPE, and if it's determined that we should then she will order it and will discuss what numbers people need and then she can map out how much is given to offices/departments. Prosecutor Taylor said each office should email Ms. Wendelsdorf with their anticipated numbers of PPE then she can compile the number that the County has to buy and the Board will make a financial decision, or it can be done in each individual budget. There was discussion about the benefit of purchasing it all at once in order to get a discount. Sam Laugheed asked if we are talking about PPE to protect the wearer or other people, because it's not reasonable to interpret the Supreme Court's order to say that everybody has to wear an N95 mask. There needs to be further discussion. Ms. Wendelsdorf will speak with the trial court administrator and see if they have any answers. The PPE will consist of primarily masks, hand sanitizer, and gloves for those who handle cash. There was discussion about the need to educate employees on cross contamination and not coming to work when they're sick. Mr. Laugheed said the County as the employer doesn't necessarily have a legal obligation to provide everything an employee might need to come to work and if one of the expectations is you have to have surgical style masks it's not unreasonable that employees have to start with themselves. Director Zogg said surgical masks will be hard to acquire and are reserved for medical staff. The message should be a cloth face covering. Ms. Wendelsdorf estimates the cost for PPE could range from \$10,000 to \$20,000 and it may or may not be

reimbursable. She will send an email to the elected officials giving ideas of prices and availability so the County can make a unified decision. Planning is already underway for the second wave that's expected this fall. Controller Wagoner said for reimbursement purposes having those expenses in one central location would be very beneficial. Mayor Nancolas said the city is making sure they have enough PPE for police and fire personnel, and they have installed plexiglass in city hall to separate personnel from customers. Their main focus is safety for personnel. The city is interested in participating with the County in purchasing mask and gloves. Ms. Wendelsdorf will extend the offer to other elected officials as well. Director Zogg said they are anticipating things will be slow over the summer although it depends a lot on human behavior. They are taking an opportunity to see where they can better prepare for the next round. We don't have enough people protected in the community to have herd immunity established. Ideally we would see a continuation of 20 or so new cases a day in the state or until we have a vaccine, but that is unlikely, but as a worst case scenario there could be a dramatic increase in cases in the fall. They are continuing to see cases in Canyon County and continuing to see community spread, but the cases are no longer climbing so that is good. The health district is trying to get guidance to businesses and local agencies so they can plan for reopening and doing it safely. They are identified in the Governor's plan for reopening to review and/or approve operating plans for all restaurant establishments and daycares. They have a template operating plan on their website and they are working in collaboration with other districts in the state to develop more specific guidance for salons and tattoo parlors, places with frequent touch. They are also working on increasing access to testing. They have a partnership with Walmart, and they have a machine at a state lab waiting for testing kits to come in. Mr. Laugheed asked if it looks like the conditions referenced in the Governor's order have been met. Director Zogg said "kind of", epidemiologically, she's feeling pretty good about stage one which starts on May 1, but of course it depends on human behavior. The simple ways to break the chain of transmission have to deal with the social distancing, respiratory protections, and staying home if you're sick, but if people get complacent we'll see more cases. Commissioner White again asked how the County will address the Governor's four-phased plan and whether it will be done on an individual basis by each elected official. Sheriff Donahue said everything the Sheriff's Office does is essential and we must move forward to address the needs for the citizens. Commissioner White said it will be up to each one of us. Prosecutor Taylor said it's important as elected officials that we lead by good example by following the order. His office will keep the status quo and most court hearings will be done telephonically so hopefully people can do that from home. They will continue to comply with social distancing until we get to stage 4, but then we have to figure out how to space people out. Mr. Laugheed said the Board's department administrators came up with continuance of business operations plans and so it would be appropriate to have the administrators adopt them looking at the Governor's phases. It's important to come up with measurable standards. Sheriff Donahue said that's an excellent plan and we all need to look at what we have submitted and see what we have on hand. The Board should ask its department administrators to look at their plans and map out where they see phases 1-4. Assessor Stender asked if we have the ability to deny customers if they're not wearing masks. Mr. Laugheed said it's arguably overreach, but he wants some time to think about that. Commissioner Dale is hesitant to require every person coming to courthouse to wear a mask. Prosecutor Taylor reiterated the need to prioritize the maintenance tickets. Treasurer Lloyd said Director Navarro has someone coming in tomorrow to go through various

offices and get an estimate for plexiglass projects. The Sheriff said they have plexiglass at each station at the driver's license office and they have it in the records division as well. The cost was approximately \$2,000. Clerk Yamamoto said the public and businesses need to be complimented for adhering to the guidelines. Patience is wearing thin and people will start doing things because they need to make a living. He has access to a brand new do-it-yourself COVID-19 blood test that renders results in 30 seconds. He is able to purchase the tests from his brother-in-law who is a CEO at lab in Kansas City and he wants to know if the elected officials are interested in purchasing tests. The wholesale price is \$33 per test, but he can get it for less. Commissioner Dale asked what the purpose and goal would be. Clerk Yamamoto said the advantage is if someone is sent home sick they could take the test and if it's negative they would be out a few days versus 14 days. It would be a voluntary test at County expense. Mr. Laugheed has some questions about the science and accuracy of the test. There was discussion about having an option available that would help us not shut down offices/departments and how we could possibly put money toward a tool that could be useful in 6 months. Clerk Yamamoto said the company could share the information about science and how it works. Sheriff Donahue said it's prudent to get more information and then share it with the group. The Clerk reported that of the 20,000 requested ballots that have been sent out they have received approx. 5,000 back in the office. He estimates they will have another 5,000 by the end of the week. They are allowed to open and count, but he has elected not to. On May 20th they will start opening, flattening, and counting and he is working with Joe Decker and IT to set up a live stream of that process possibly via You Tube. The secretary of state said they have to accept absentee ballots until 8:00 p.m. on June 2nd and they expect results then too. He wants to have everything counted by June 1st so that whatever they get on the last day it's not a big process. He is waiting because there are people who are concerned about mail-in voting and fraud so staff is locking the ballots away and when they start the opening process they will live stream it. Prosecutor Taylor said they still have no answers on court operations that will resume on May 1st but they are hoping to have more information tomorrow. Mr. Laugheed had a brief conversation with the TCA and suggested he didn't think elected officials would be requiring people to wear masks. He had the conversation to start trying to draw a line on what the courts can direct. The groundwork is there for discussion. We are not on the road to provide masks for everybody coming in the door. Clerk Yamamoto has requested the marshal continue to be at the door to the administration building for a while longer. Treasurer Lloyd said the marshal has been a great service to customers and they have been talking about putting a drop box at both entrances to the administration building. They want to continue with the marshal and keep access restricted at this point until we get further along in the reopening phase. The Treasurer's Office is open with full staff and they are going back to business as usual. Assessor Stender is glad to have the main door stay closed for a while longer. His office is open and they have seven stations but will alternate the ability to have a customer at every other station to comply with social distancing and they will clean stations after each use. The marshals have convinced people to put their applications in the drop box rather than going to the Assessor's or Treasurer's Office. Sheriff Donahue suggested the group condense the emergency meetings to once a week on Thursdays. The group agreed to the reduced meeting schedule of Thursdays at 1:30 with local mayors joining at 2:00 p.m. If an emergency arises the meeting frequency could be increased. Upon the motion of Clerk Yamamoto and the second by Joe Decker, the meeting concluded at 3:00 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 29, 2020

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

No meetings were conducted this day.

APRIL 2020 TERM

CALDWELL, IDAHO APRIL 30, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Tracks-n-Teeth, Inc., in the amount of \$2,650.00 for the Solid Waste (Landfill) Department
- HP, Inc., in the amount of \$1,143.00 for the Information Technology Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES

The Board approved an Alcoholic Beverage License for Amano Restaurante, LLC dba Amano; Grit Ground Game, LLC dba Grit; Indian Creek Steakhouse, LLC dba Indian Creek Steakhouse; Sportsman's Hideout, LLC dba Sportsman's Hideout; Terry W. Dice dba Tiny's Lounge; Caldwell Bowl, Inc dba Caldwell Bowl; Cook's Two Hole, Inc. dba Cook's Two Hole Bar; MFM Group, LLC dba Sizzler Restaurant; Little Saigon Vietnamese Restaurant, LLC dba Little Saigon Vietnamese Restaurant; 44 Quick Stop LLC dba 44 Quick Stop; George Fletcher, Inc. dba Melba Valley Market; City of Caldwell dba Fairview Golf Course; City of Caldwell dba Purple Sage Golf Course; Intermountain Food Stores, Inc. dba M&W Market #6; Intermountain Food Stores, Inc dba Franklin Junction. (See resolution nos. 20-041 and 20-042.)

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

The Board met today at 11:04 a.m. with its department administrators (DA's) to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Captain Daren Ward, Harold Patchett, Facilities Director Paul Navarro, Director of Misdemeanor Probation Jeff Breach, Juvenile Detention Director Sean Brown, and Deputy Clerk Monica Reeves. Present via Webex: Public Defender Aaron Bazzoli, Weed Control Superintendent AJ Mondor, Landfill Director David Loper, Fair Director Diana Sinner, Chief Probation Officer Elda Catalano, IT Director Greg Rast, County Agent Jerry Neufeld, Fleet Director Mark Tolman, Ambulance District Director Michael Stowell, HR Director Sue Baumgart, Fleet Director Mark Tolman, Emergency Manager Christine Wendelsdorf, County Agent Jerry Neufeld, Debbie Lowber from the Extension Officer, DSD Director Tricia Nilsson, and PIO Joe Decker. For the first part of the meeting the group watched Governor Little's press conference on the state's four-phased plan to reopen. Commissioner White asked DA's to submit their plans to reopen their offices. Commissioner Dale said any major changes should wait until Monday so we can use the weekend to work out anything that needs to happen. Director Navarro reported they have completed the Plexiglas projects at the DMV, on both the Assessor's side and the Sheriff's side. The extension office and misdemeanor probation department have also asked for Plexiglas installations. Staff has already completed installations for the Sheriff's Office, SILD, and the records department. Joe Decker said a few DA's have submitted updated operational plans and so he and Christine Wendelsdorf will get those incorporated into the larger document that included the Board's plans. Ms. Wendelsdorf said masks should arrive on Monday and she will take inventory and report them. The masks are washable/re-useable. She is still trying to procure gloves for those who deal with currency. There are differing opinions on the use of gloves and masks but the Board will have to decide how that's handled. Commissioner White said masks are in Phase 2 as part of the Governor's stay healthy plan. Director Rast reported on the webpage being set up for the PPE requests. Mr. Decker said the State of Idaho is using Survey 123 for their daily reporting but our site is Canyon County specific and it mirrors the state's site in the hope we can have all agencies in Canyon County submit their requests and their daily burn use through that site. Director Rast said we have tools on the backend for reporting so we could use our website as the main funnel for all those requests. Public Defender Bazzoli said the Supreme Court's order requires all courtroom participants to wear face masks and he asked if the County will provide them. He ordered masks and gloves in April but they have been on backorder for weeks. Commissioner Dale said we are not responsible for providing masks for people going into courtrooms, they have to be responsible for themselves. Mr. Decker said they spoke with the trial court administrator and they procured a fair amount of cloth masks and if the County is able to purchase masks for employees then there might be small stockpile of small masks the TCA would set aside for court. There is a concern about court patrons who aren't allowed inside without masks, but if a citizen has a meeting at the Sheriff's Office, for example, they are allowed in without a mask. Whatever we do at the front door needs to be uniform. Commissioner Dale appreciates the TCA having masks available but if we start doing that then the expectation is you have those for everybody. We should not start that practice. We need clarification from the Supreme Court on the discrepancy

in the language in the order. He recommends that the requirement for masks going to courtrooms would be handled at the door of the courtroom not at the security entrance to the courthouse. Fleet Director Tolman said his employees wear masks if they are working within six feet of each other, but if they are spread out and distanced then it's up to them if they wear a mask, but if someone comes into the shop he wants to require them to wear a mask. Commissioner White has no objection to that. Ms. Wendelsdorf agrees with Director Tolman's plans. Chief Probation Officer Catalano asked if employees are required to wear masks. Her staff is required to wear masks if they leave the facility. Commissioner White said the Board is not requiring masks. Mr. Decker said the CDC and health districts recommend you wear masks and if we want to lead by example we should make an effort to wear them. Commissioner Van Beek said she received a call from Keri Smith-Sigman from Destination Caldwell and they are working with the city to host proms, graduations, and a farmers market with the Governor's staged plan to reopen, and she wants to know if the County is going to move forward with the fair. Commissioner Van Beek said she replied to her that the Board had briefly discussed it but further discussion would be forthcoming, but she wonders if Director Sinner has met with the city to look at their plans. Ms. Wendelsdorf said she has a meeting tomorrow with Director Sinner and she will be working to see what we will do with that and as soon as they have some information she will let the Board know. Director Sinner said she will reach out to Ms. Smith-Sigman and the city officials. She spoke with Caldwell Event Center staff and they think they need to get the Caldwell Night Rodeo Board, the College of Idaho, and staff to develop a protocol because whatever happens on that complex affects all of their entities and they want to have a consistent plan moving forward. Commissioner Dale said he also spoke to Ms. Smith-Sigman about the plans to figure out how to use Indian Creek Plaza for some outdoor events and those efforts will help inform the conversation about rodeos and the fair. He's heard smaller fairs are continuing with their plans to move forward. Director Sinner said she's been in contact with the National Fair Association multiple times a week, and a recent webinar focused on 4-H and FFA activities exclusively at a fair and how to proceed with that. Some states are not allowing 4-H to have in-person events so those fairs are trying to figure out how to move forward without a 4-H presence. She is in contact all the time and is working on four different plans for the fair this year. Director Navarro said Sheriff Donahue has made a request that staff escalate to the highest priority a project to renovate Pod 3, which is a female housing unit in the jail. They are going to be moving inmates on May 4 into the temporary trailer jail known as Pod 6 and on Tuesday, May 5 they will start the project of painting and lighting upgrades and overdue plumbing upgrades. Many of the other projects and work orders will likely be delayed. Staff was called back to work last Monday to put docks at the lake and so they stayed working; the housekeeping staff will be back to work fulltime on Monday and so his department will be jumping to Phase 4. The facilities department receives anywhere from 75-80 work orders a week, and if it's a low priority he will respond personally that they do not have manpower to cover the work orders and so staff will be assigned to the high priority project. Commissioner Van Beek asked how long the Pod 3 renovation will take. Director Navarro doesn't know for sure, it depends on how much work there is, but he hopes it's not more than 3-4 weeks. Originally they were going to work in Pods 1, 2, 3 & 4, but when they had an occupancy permit to occupy Pod 6, knowing the fair was coming and now that COVID-19 has thrown everything into disarray, they are punting. They are scheduling everything to make this happen for Pod 3. Commissioner Van Beek asked if the plan is to move Pod 3 into Pod 6 and then renovate Pod 3 and continue around that

circle of the other three pods. Captain Ward said that is the plan. Director Navarro said if the fair happens he has to set up for that starting June 22 and he cannot do Pods 1, 2, and 4 because he cannot be in two places at once. When the fair is done they will be happy to work on Pods 1, 2, & 4. As for displacing the parks staff, they are trying to figure out how many staff to assign to Pod 3 as fast as possible to get as many people back to the parks project at Lake Lowell as fast as they can. Commissioner Dale said the priority is to get Pod 3 done because we have this window and the rest can be orchestrated as needed. Captain Ward does not believe that is what the Sheriff was trying to articulate in his email. We are going to have this one chance to renovate the jail and so the Sheriff's thought was that we start with Pod 3 and we continue with that plan of moving Pod 2 inmates to Pod 3, doing Pod 2, Pod 1, and Pod 4. It's going to be time-dependent on manpower. Commissioner Van Beek said if we get Pod 3 done and the Board makes a decision to move ahead with the fair, which she thinks is a good thing, there may have to be some staging in there where the rest of the pods wait while we pause and do that. There has to be some coordination and flexibility. Director Navarro said another option is to hire a contractor, but that's not a desirable option for anybody. The fair is the wildcard, there is no way to do Pod 2, Pod 1, and Pod 4 at the same time. Captain Ward said the jail population is down where they are able to do this and not worry about having too many people, and his fear is once the courts start opening up more the jail population is going to spike and we'll lose the window of opportunity to get the work done. Commissioner Dale said the plan last fall was that we anticipated a full jail population so that there was the opportunity to schedule the work to be done, move the females out of Pod 3 into Pod 6, and work on Pod 3 and then move the population out of Pod 2 into Pod 3, and those plans were not accounting for this current situation where the jail population is down compared to what we've seen. Director Navarro said we still don't have a temporary certificate of occupancy for Pod 6 – it was all hinged on everything flowing smoothly and being able to occupy, which we don't technically have other than an expiring temporary certificate of occupancy. Commissioner Dale said we can work this out so Pod 3 is the primary thing to get done right now. Director Navarro said he would love to do Pod 2, Pod 1 and Pod 4, but is it the fair or the jail? It has to be one or the other, not both. We don't know how long it will take, we anticipate it will last three months. The discussion then turned back to masks where HR Director Baumgart questioned that employees aren't required to wear masks, but we're saying it's good to lead by example by wearing them. Commissioner White said that is correct. Director Baumgart said some departments are requiring employees to wear them when they come in. HR sees a lot of employees who work with the public coming into HR and she asked who is responsible for purchasing other employees' masks. Ms. Wendelsdorf said we purchased masks for employees, however, there is a responsibility for the employees to take care of them because we are not providing one for every day of the week. We'll provide what we can but part of it falls to the employee and we'll work together to make it happen. Director Baumgart will remind employees that if they are to meet with HR staff they are to bring a mask. Commissioner Dale said if we start going down the road to provide masks because they didn't bring one to an appointment we will open a door we don't want to open. People need to bring their own mask. Fleet Director Tolman asked about the status of the inmate worker program. Captain Ward said the inmate workers the fleet department uses will be gone through June. They are waiting on the signed order from the administrative district judge. They are bringing back the SILD program on a limited basis the week of May 18. The meeting concluded at 12:05 p.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE, INDIGENT MATTERS, LETTER OF REVOCATION FOR THE RANCH, AND MOTOROLA AGREEMENT

The Board met today at 12:08 p.m. for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Indigent Services Director Yvonne Baker, Hearing Specialist Kellie George, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves as well Emily Howell from Recorder's Office who participated via Webex. The items were considered as follows:

Consider indigent decisions and liens:

Case No. 2020-630 does not meet the eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to issue a denial as per the Clerk's findings with a written decision within 30 days.

Case No. 2015-1386 was discussed by the Board last week where it was decided with the sale of the applicant's property that she would retain 90% of the proceeds and the 10% would be a payment to Canyon County Indigent Services. The applicant will continue to make a \$25 monthly payment. Today the Board will sign the decision that reflects last week's decision. Director Baker advised she will bring someone from her staff to notarize indigent liens that are signed by the Board. For years the liens used to be signed as ministerial matters, but they will now be placed on the Board's agenda for consideration. The signing of liens does not require a vote of the Board. Director Baker informed the Board about a matter regarding Case No. 2011-1583. The applicant is deceased and his spouse is seeking total lien forgiveness. The amount paid by the County was \$36,187.60, and the monthly reimbursement amount is \$20. The current balance is \$34,077.60. The spouse is making monthly payments of \$5, and her monthly income is \$1,800 and when factoring in her monthly expenses the difference is \$-38.50. She spends quite a bit in medication and seems to be very ill. She has over \$11,000 in her checking and savings account which is money she plans to live on during retirement. Director Baker's proposal is to continue with a monthly payment amount of \$5 or \$10. Commissioner Dale does not want to forgive the lien because the County has an obligation to restore to the taxpayers the money that was paid out. He made a motion to not forgive the lien but accept the lower monthly payment amount. The motion was seconded by Commissioner Van Beek and carried unanimously. (Director Baker and Ms. George left at 12:23 p.m.)

Consider signing letter of revocation regarding liquor license no. 2C-24036 for The Ranch – The state license associated with The Ranch which is located on Highway 20-26 has been revoked and because of that the County must revoke its license. The ordinance requires the County to provide an opportunity for a hearing if the property owner wants to clear up any issues, and if he wants to, he can request a hearing. Commissioner Dale is satisfied with the requirements stated in the letter and he made a motion to authorize the Board to sign the letter of revocation to The Ranch. The motion was seconded by Commissioner Van Beek and carried unanimously. The owner will have 10 days from the date of the letter to file a written request for a hearing

Consider Motorola radio service agreement – Chief Dashiell said this is an annual renewal for of the Motorola service agreement for the maintenance on the radio infrastructure that includes the consoles in the dispatch center and Nampa Police Department, as well as in the tower infrastructure as well. The cost increased by \$3,000. A portion of it is recovered from Nampa through their 911 fund, and the County's portion is paid from the 911 fees that are collected. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the radio service agreement with Motorola as presented by Chief Dashiell. (See Agreement No. 20-074.)

The meeting concluded at 12:29 p.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:31 p.m. for an elected officials' meeting to discuss COVID-19 updates. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, Chief Deputy P.A. Sam Laugheed, Director of SWDH Nikki Zogg, Keri Smith-Sigman from Destination Caldwell, Prosecutor Bryan Taylor, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Caldwell Fire Chief Mark Wendelsdorf, Mayor Holton for the City of Greenleaf and Kirk Carpenter for Mayor Kling participated via teleconference and Deputy Clerk Jenen Ross.

Sheriff Donahue said they are still planning to move the female inmates from Pod 3 to Pod 6 on Monday. Once the inmates are moved from Pod 3 Director Navarro and his staff will begin the renovations which could take from 2 to 6 weeks. Commissioner White said the only thing that may interfere with renovation would be that if the fair moves forward which could take the maintenance staff off the jail for a bit. Commissioner Van Beek said she has received a Gantt chart which breaks out the different departments are their needs. She would like the opportunity to review this with a little more discussion.

A brief conversation was had about the fair, as that is the largest issue that could take the maintenance staff out of the jail. Commissioner White explained that a decision will need to be made by the end of May and a meeting will be happening with Director Sinner in the next couple of weeks to discuss the options and moving forward. Ms. Zogg said that right now they are recommending no mass gatherings thru June but beyond that they are waiting to see what happens with COVID-19 before they make any recommendations. She spoke with the Director in District 4 out of Boise as they are both getting questions about large gatherings. They are suggesting that organizers of events taking place beyond June put together a plan on how they would handle social distancing and other safety protocols and they would be open to reviewing those plans. At this time there are just a lot of unknowns and Sheriff Donahue spoke of other events that are being evaluated.

Commissioner Dale asked about the April jail inspection that was not able to take place. Sheriff Donahue said the state inspector will not be coming out for an indefinite period of time, she will be processing her inspect thru paperwork submitted by the Sheriff's Office. Commissioner White asked Sheriff Donahue's opinion on having the Board go thru the jail. Sheriff Donahue said that he is okay either way, he will leave the decision to the Board. He believes his office can provide anything to the Board for the quarterly inspection and that there could be an argument made for the safety of both the inmates and the Board. Mr. Laugheed believes that a report is regularly prepared by jail staff for Board review during inspection and the only thing that may be missing without the Board visiting in person would be the opportunity for an inmate to speak out to the Commissioners but Sheriff Donahue said there are processes in place which allow inmates to lodge grievances.

The driver's license portion of the DMV will open on Monday with a limit of 10-20 people allowed inside at one time. Crime lab staff will start coming back in and the records staff will be doing 6 hours a day and then taking appointments; they will be open from 9-12 and 1-4. Most of the detectives are back in the office. In response to a question from Commissioner Van Beek, Sheriff Donahue clarified that the state has allowed people to renew their license online during this time and that he hopes that remains in place. He did note that the STAR card cannot be done online but that the federal government has extended the deadline from October 2020 to October 2021. Clerk Yamamoto said that with the deadline being extended it may slow down the passport side of the Recorder's office since people were seeking passports in lieu of the STAR card.

Ms. Wendelsdorf said she met again this week her EOC team and they have found a way to streamline the reporting of PPE usage. They will also be creating a generic email address for PPE requests, so they won't be going to only her email address. They are also looking at different options to create a "stockpile" of PPE so that there will be availability into the fall and/or depending on what happens with the requirements of the courts or other entities. Some masks have been ordered and at this time she has enough for each employee. The masks are not disposable, they can be cleaned and reused. She anticipates the masks coming in next week and then she will need a day or two to inventory so that a burn rate can be established for the State of Idaho. She noted that the purchase of the PPE is a fairly large expense to the county and feels there needs to be a certain amount of responsibility on the employees to take proper care of their mask. If an employee feels they need more than what is provided to them it will probably fall to the employee to provide their own face covering as there are several options available. At this time, she doesn't know if the purchase will be reimbursed, right now they are saying it's a 75%/25% reimbursement but it's not guaranteed. She is also working on procuring gloves for the departments that handle a lot of paperwork or cash.

Commissioner White asked about the requirements of a face covering in the courthouse vs. courtrooms. Mr. Laugheed said that he had communication with the TCA and Director Navarro regarding the signage for the courthouse and county buildings. Mr. Tyler has provided to the PA's office his preferred draft language for the signs based on the Supreme Court language and there is a distinction between the courtrooms and the courthouse. Mr. Navarro will be putting signs up tomorrow indicating that if you intend to enter a courtroom or court service office a face covering

will be required. It would still be up to each elected official how they choose to handle face coverings in their own offices. The requirement goes into effect tomorrow so signs will be updated on the courthouse doors along with the Juvenile Justice Center. Mr. Laugheed doesn't believe the signs on the rest of the county buildings will need to be updated but they will evaluate those too. In response to a question from Commissioner Dale, Prosecutor Taylor said he doesn't see much on the calendar for tomorrow, next week will pick up some but he believes most activity will start to pick up the week of May 11th which will be done via Zoom or teleconference. They seem to be getting different direction from different judges, there doesn't seem to be a standardized way of doing things. Clerk Yamamoto said he agrees with everything Mr. Taylor said and from what he's heard the judges have not been pleased with Zoom (as directed by the Supreme Court) and have moved to just doing things telephonically. Mr. Laugheed said the Supreme Court's order states "wear a mask covering the nose and mouth". They believe the Supreme Court is talking about a face covering so someone coming in with a bandana or other kind of covering should suffice. They are also telling employees they should be prepared to be responsible for providing their own face covering just as they are expected to be in professional business attire in the courtroom. Jury trials are still pushed out until August 3rd. Sheriff Donahue said they are starting to see an uptick in violent crimes. Mr. Decker asked for clarification on how the requirement of face coverings will be handled – will it be at the front door of the courthouse or once someone makes it to the courtrooms? Mr. Laugheed believes that just asking the nature of courthouse business at the front door may work and reminding people that a face covering will be required if they are there for a court related matter. He feels that enforcement stays on the courts if someone refuses to wear a covering. Additionally, the presumption is that most hearings will be conducted remotely. He spoke about how the Supreme Court orders use the specific brand names of *Zoom* and *FTR* for the remote hearings and doesn't include wording of 'functional equivalent'. In conversations Mr. Laugheed has had with Director Rast it is his understanding that Director Rast has been in contact with the Supreme Court and Ada County and believes there is an effort to have 'functional equivalent' included because Webex is already in place and available for court use. It is a product that works well and is currently being used by the Board for public meetings. Clerk Yamamoto stated that without being able to see a face, using only a teleconference, you really don't know who you're talking to and that may pose an issue.

Ms. Zogg said that during the Governor's press conference today he moved from a stay-at-home order to a stay healthy order. The change doesn't really affect much of what her office is doing as they've already been assisting businesses impacted by the previous order. They have developed some guidance documents which are available on the website and have been asked by the Governor's office to review reopening plans specifically for restaurants, daycares, and entertainment centers such as trampoline parks. They have also been receiving calls from business such as salons and gyms looking for reassurance that plan for reopening is appropriate and will protect employees and patrons. As they get busier over the next few weeks with businesses reopening, they have a plan in place to shift some internal staffing resources to help cover the increase. At this point they don't have any plans to do any enforcement or follow-up inspections so once a plan is approved it is in good faith that the plan will be carried out. However, she understands that there was a state meeting yesterday and some of the legislators assumed there would be follow-up. If that is the case and this is something that needs to become part of their

annual inspection process, they may need additional staff to cover this. The Abbott testing machines should be received from the state by the end of the week with some testing kits to start getting the machines validated. One machine will be located at the SWDH office and the other will be located at Weiser Memorial in Weiser. With the machine that will be kept at their facility they plan to have 1-2 employees trained and then be able to offer mobile testing to congregate settings where people can't leave the facility such as detention centers and care facilities. Currently the district is trending down in terms of new cases which is great news; she hopes that people will continue to practice the safety protocols which have led to the downward trend.

Ms. Wendelsdorf said they have been working with Walmart for the past couple of weeks to set up a testing location for people who are symptomatic. She believes it should be rolled out in the next week or so. Testing will be free of charge and only administered to those as directed by a consultation via a website. If a person feels they have the virus they will go to a website to answer a series of questions. If it is determined that the person should be tested, they will be directed to another website where they will be able to schedule an appointment to be tested. Right now, it will be limited hours for now, just Monday, Wednesday and Friday from 7:00 a.m. to 9:00 a.m. but the hours may be adjusted based on need. There was some question about where the testing would be conducted but it was determined it would take place in the Walmart parking lot. They will have designated parking spaces, a trained pharmacist will provide the person with the test to be self-administered and then the test can be handed back the pharmacist where it can be run in the store. It will still be 24-48 hours for test results. In response to a question from Assessor Stender, Ms. Zogg said the samples will be sent to Quest Diagnostics. She said that she believes when a person registers for the test they have to add their doctor's name so she thinks the results will go to both the doctor and then either the health district or the state for investigation and contact tracing. Clerk Yamamoto's said his understanding of the Governor's press conference this morning is that if there is a spike it could all go back to square one again, Ms. Zogg confirmed that is her understanding too.

Clerk Yamamoto said that in regard to the election they have sent 3200 ballot requests to Washington state for processing making the total about 23,000. He believes they have received approximately 6,000 ballots back. There seems to be a lot of the public that doesn't understand how absentee voting works and they are receiving a lot of angry phone calls. A conversation was had wondering as to if there is more that can be done from a public information standpoint to educate the public on the process. Mr. Decker spoke about what has been done and continuing to be done. Additionally, the Secretary of State's website is often not operating properly which is causing more frustration to both the public and the elections office. One question they often receive with absentee voting is how the voter is confirmed to which Clerk Yamamoto said every signed envelope is compared to the voter registration card and if there is a question, they contact the voter. Right now, any ballots that are received go into a locked ballot box in a locked room. His plan right now is that he will pick a day, possibly the 20th, they will set up a camera and begin opening envelopes with the signed envelope going one way and the secrecy sleeve and ballot going the other. A conversation was had about the deadline for requesting an absentee ballot and the deadline for the ballot being returned.

Assessor Stender spoke about some of the issues his office has had with the Idaho Department of Parks and Recreation with their online system not working properly. The vehicle registration part of the DMV will open back up to the public next week. The arrangement within in the office has been reset a couple of times already and can be adjusted, as necessary.

Mayor Holton said that instructions for requesting an absentee ballot and the open letter from the Clerk will be sent out with utility bills in hopes of getting instruction out to the public.

Mr. Decker asked about opening up of the Admin building, but Clerk Yamamoto said they haven't heard yet. He also asked about opening up the public meeting room. At this time, it was general census of the elected officials to have it remain closed for public functions and to follow the Governor's phased plan.

Mayor Holton expressed his concerns about public hearings and worried that a gathering being limited to just 10 people and some people who are not tech-savvy they may not feel they had the opportunity to participate which could invalidate the hearing process.

Clerk Yamamoto moved to conclude the meeting. The motion was seconded by Commissioner Dale and concluded at 2:48 p.m. An audio recording is on file in the Commissioners' Office.

Due to COVID-19 and Governor Brad Little's stay-at-home order meetings were kept to a limited schedule and ministerial items were considered remotely.

THE MINUTES OF THE FISCAL TERM OF APRIL 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 20th day of July, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Leslie Van Beek
Commissioner Tom Dale
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK By: J. Ross, Deputy Clerk

MAY 2020 TERM
CALDWELL, IDAHO MAY 1, 2020

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

APPROVED CLAIMS ORDER NO. 5/4/20

The Board of Commissioners approved payment of County claims in the amount of \$25,343.60 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Corwin Ford in the amount of \$50,107.00 for the Fleet Department

MAY 2020 TERM
CALDWELL, IDAHO MAY 4, 2020

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

APPROVED CLAIMS ORDER NO. 5/4/20 AND 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$7,096.30, \$102,048.25, \$72,050.80 and \$20,855.00 for accounts payable.

MAY 2020 TERM
CALDWELL, IDAHO MAY 5, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$1,567.76 for the Information Technology Department
- AA Tronics, LLC, in the amount of \$3,950.00 for the Information Technology Department
- Right! Systems, Inc., in the amount of \$1,969.45 for the Information Technology Department
- Carousel Industries in the amount of \$4,003.95 for the Information Technology Department
- Vevo – Credit Card in the amount of \$3,930.62 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$170,935.94 and \$140,608.75 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mi Tierra, Inc., dba Mi Tierra; Apple Idaho, LLC dba Applebee's Neighborhood Grill & Bar; Chapala Mexican Restaurant #7 Inc., dba Chapala Mexican Restaurant #7; Chapala Nampa, Inc., dba Chapala Mexican Restaurant III; Stewart & Christensen, LLC dba Stewart's Bar and Grill; Nampa Lodge #1389 BPOE, Inc., dba Nampa Elks Lodge #1389; BFC Nampa, LLC dba Boise Fry Company; Fiesta's Arts, Inc., dba Fiesta Guadalajara; Fiesta of Nampa, Inc., dba Fiesta Guadalajara; El Guero, LLC dba Pollos Y Mariscos El Guero; Silvia K Lane dba The Vault 21 Club; Albertsons, LLC dba Albertsons #166, #103, #1602, and #176; Howard's Tackle Shoppe, Inc., dba Howard's Tackle Shoppe; TCW, Inc., dba Greenhurst Chevron. (See resolution no. 20-043, 20-044, and 20-045.)

CONSIDER SIGNING A RESOLUTION CHANGING THE TITLE OF ONE POSITION IN THE TRIAL COURT ADMINISTRATOR DEPARTMENT

The Board met today at 11:50 a.m. to consider signing a resolution changing the title of one position in the Trial Court Administrator department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, TCA Doug Tyler, Assistant TCA Benita Miller, HR Director Sue Baumgart, Judge VanderVelde arrived at 11:53 a.m., Judge Southworth arrived at 11:55 a.m., Director of Court Operations Denise Kennel arrived at 11:55 a.m., Captain Harold Patchett and other sheriff's deputy arrived at 11:55 a.m. and Deputy Clerk Jenen Ross. Doug Tyler explained from their perspective it's really just a housekeeping matter. There are only two of this sort of position in the state, one in Ada County and the other in Canyon County. In Ada County the position has evolved from an Assistant TCA to a Deputy in order to distinguish from the Administrative Assistant. Part of this change is to keep on par with Ada County since they are the same position. The other change is because there had been extensive conversations prior to COVID-19 about possible state funding for the Deputy TCA position. With this change they are not requesting a pay change, it's just a title change. Commissioner Van Beek would like to see an updated job description to be more reflective of Ms. Miller's resume and skills. Commissioner White said her understanding is that most deputy positions are associated with an elected official and she needs some additional information to make her decision. The meeting concluded at 12:05 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR FOR UPDATE ON REOPENING OF THE COURTS

The Board met today at 12:06 p.m. with the ADJ and TCA for an update on reopening of the courts. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Southworth, Judge VanderVelde, TCA Doug Tyler, Director of Court Operations Denise Kennel, Assistant TCA Benita Miller, Controller Zach Wagoner, Chief Public Defender Aaron Bazzoli and Chief Deputy Criminal P.A. Chris, Topmiller via Webex, Director of IT Greg Rast joined at 12:30 p.m. and Deputy Clerk Jenen Ross. Judge Southworth spoke about the order from the Supreme Court that was issued Monday. Most hearings will be held remotely in order to keep the public to a minimum and a reduced staff reporting to the courthouse. He said that the Supreme Court has noted that potential life sentences will need to be held in-person and if a judge is able to make certain findings it is at their discretion to hold other in-person cases but for the most part hearings will be held virtually using Zoom. Discussions ensued regarding the installation of devices to be used by inmates at the jail so that in-custody persons can participate via Zoom, logistics of out-of-custody persons having access to the tools necessary to participate in their hearing, the way a defendant is able to communicate with their attorney at a virtual hearing, oversight of the equipment and how defendants would access their particular hearing. Judge Southworth believes that the purchase of new equipment is necessitated due to COVID-19 related restrictions and thinks it would be appropriate to seek reimbursement from the state. From what he's hear from the Supreme Court they are going to take a very conservative stance in reopening the courts and sees all judges doing a lot more remote hearings using Zoom for the foreseeable future. There was

discussion regarding the use and provision of face-coverings. Judge Southworth believes the order of mandatory face-coverings only applies to courtrooms and court offices, he is not sure they have authority over other public areas within the courthouse as it's a multi-use building. The Supreme Court will not be supplying defendants with face-covering, they will be responsible for providing their own although Mr. Bazzoli said that they are being supplied for his clients if they are not able to acquire one. The meeting concluded at 12:51 p.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 1:00 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, Landfill Director David Loper left at 1:27 p.m., Facilities Director Paul Navarro left at 1:32 p.m., Controller Wagoner left at 1:32 p.m., Captain Daren Ward left at 1:05 p.m. and Deputy Clerk Jenen Ross. Via Webex: Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Fair Director Diana Sinner and Parks Director Nicki Schwend (joined at 1:10 p.m.). The action items were considered as follows:

Consider signing notice of donation of property to other political subdivision or taxing district: Captain Ward said this SCBA equipment has been in storage for years in the jail and is no longer used. The College of Western Idaho now has an interest in the equipment and the Sheriff's Office would like to transfer it to their Fire Science program. In response to a question from Commissioner Van Beek, Mike Porter explained the value was not specifically priced out but it is in the public's interest to transfer between public entities. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the notice of donation of property to other political subdivision or taxing district.

Consider signing letter of support for Western Alliance for Economic Development: This is a letter similar to ones that have been signed in previous years and there is no increase this year, support remains at \$27,650 which is specific to FY2021. 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 for Economic Development.

Consider authorizing execution of Caterpillar Model 836K Landfill Compactor sales agreement after opportunity for public comment: Brad Goodsell gave background stating that a notice of sole source was published on April 19th providing 14 days' notice for the public to offer comment. No one appeared to offer comment today and no other comments were received. Director Loper will sign the sales agreement which will then be attached to the PO for Board signature and will clearly identify the funds that will be coming from the FY2021 budget. A brief discussion ensued regarding

the budget for the Landfill. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to authorize the execution of Caterpillar Model 836K Landfill Compactor sales agreement.

Consider signing Owner's Representative Consultant Services agreement for the Fair Expo Building Project with Paradigm of Idaho, Inc.: Director Navarro said this contract has been vetted thru the RFQ process and the final draft meets with legal's approval. Fees will be paid thru the URA funding and vary between the design and construction phases. Mr. Wagoner explained that the county will be responsible for paying the vendor initially and then be reimbursed by the URA. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Owner's Representative Consultant Services agreement for the Fair Expo Building Project with Paradigm of Idaho, Inc.(see agreement no. 20-075).

Consider signing vendor license agreement with Ride the Water, LLC: Director Schwend explained this group did this last year but the fee was waived due to being so late in the season. This year for the whole boating season it is a \$500 fee which can be paid in one lump sum or monthly. Ride the Water, LLC provides paddleboards to rent at Lake Lowell during daytime hours but nothing can be left overnight. Once approval is received they will start right away. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the vendor license agreement with Ride the Water, LLC (see agreement no. 20-076).

The meeting concluded at 1:36 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS

The Board met today at 2:00 p.m. with the Assessor's Office to consider various new and renewing property tax exemptions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The exemption applications were considered as follows:

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602B for a religious exemption as follows:

PIN:	Current Owner:
75203000 0	FARGO COMMUNITY CHURCH
37169000 0	FARGO COMMUNITY CHURCH
14303000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14329000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14327000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14301000 0	FAIRVIEW CHURCH OF THE NAZARENE

14302000 0 FAIRVIEW CHURCH OF THE NAZARENE INC
33670010 0 HOMEDALE FRIENDS COMM CHURCH

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602C for a charitable exemption as follows:

PIN:	Current Owner:
35307103 0	METRO COMMUNITY SERVICES INC
37939000 0	BLAZING HOPE YOUTH FAMILY RANCH INC
04699000 0	MT MORIAH LODGE 39 A F AM INC
35818000 0	ST VINCENT DE PAUL OF CALDWELL INC
13447000 0	SOCIETY OF ST VINCENT DE PAUL SOUTHWEST ID DIST COUNCIL INC
34971000 0	CALDWELL CHAPTER OF THE IZAAK WALTON LEAGUE OF AMERICA
17540000 0	MELBA VALLEY HISTORICAL SOCIETY
08154000 0	TREASURE VALLEY TRANSIT INC
22891000 0	MISSION AVIATION FELLOWSHIP
67165204 0	MISSION AVIATION FELLOWSHIP
31730000 0	MISSION AVIATION FELLOWSHIP
67165255 0	MISSION AVIATION FELLOWSHIP

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	Current Owner:
64941492 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941483 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941482 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941410 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940243 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940186 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940185 0	ST LUKE'S REGIONAL MEDICAL CENTER
61111025 0	ST LUKE'S REGIONAL MEDICAL CENTER
31084000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31084012A0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31095000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31096000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31098000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31099000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31099010 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31100000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31104011 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31104012 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31112010 0	SAINT ALPHONSUS MEDICAL CENTER
30995011F0	ST LUKE'S REGIONAL MEDICAL CENTER LTD

30995011 0	ST LUKE'S REGIONAL MEDICAL CENTER LTD
11766000 0	MOUNTAIN STATES TUMOR INST
01649000 0	ST LUKE'S REGIONAL MEDICAL CENTER LTD

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602E for an educational exemption as follows:

PIN:	Current Owner:
64940608X0	XEROX FINANCIAL SERVICES LLC
64941113X0	XEROX FINANCIAL SERVICES LLC
64939357 0	LEAF CAPITAL FUNDING LLC
64939358 0	LEAF CAPITAL FUNDING LLC
64941357 0	INSIGHT INVESTMENTS LLC
64941362 0	NA PALI COAST CAPITAL LLC
64941572 0	NA PALI COAST CAPITAL LLC
64935345 0	QUADIENT LEASING USA INC
64935344 0	QUADIENT LEASING USA INC
60724000 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
64940104 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
60724001 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
64941110 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
19863000 0	WESTERN IDAHO COMMUNITY ACTION PROGRAM INC HEAD START
34113000 0	WESTERN IDAHO COMMUNITY ACTION PROGRAMS INC
02530536 0	WESTERN IDAHO COMMUNITY ACTION PARTNERSHIPS INC

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602GG for a low income housing exemption as follows:

PIN:	Current Owner:
36243000 0	IDAHO FRIENDS RETIREMENT HOMES INC
19406000 0	ELDERLY OPPORTUNITY AGENCY INC
38770000 0	ELDERLY OPPORTUNITY AGENCY INC
12983500 0	TRINITY NEW HOPE INC
15438000 0	NAMPA CHRISTIAN HOUSING INC
32480180 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438106 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438102 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
32504483 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438114 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
27438106 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35333236 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35333212 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
32564318 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35129131 0	ADVOCATES AGAINST FAMILY VIOLENCE INC

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the following personal property applications for exemptions pursuant to Idaho Code, Section 63-602D for a hospital exemption:

PIN:	PROPERTY OWNER:
64941624 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941625 0	ST LUKE'S REGIONAL MEDICAL CENTER
64936391 0	ST LUKE'S REGIONAL MEDICAL CENTER LTD
60664500 0	ST LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the following exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption:

PIN:	PROPERTY OWNER:
30995000	ST. LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	PROPERTY OWNER:
30995011B	ST. LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	PROPERTY OWNER:
30995012	ST. LUKE'S REGIONAL MEDICAL CENTER

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602GG for a low income housing exemption:

PIN:	Current Owner:
02147000 0	COLUMBIA GARDENS, INC.

This organization appealed their exemption all the way to district court and the judge found they do not qualify for an exemption, but they have submitted another application. Nothing has changed since the judge made his decision so staff does not recommend it approved. Commissioner Dale said this group has been before the Board on numerous occasions and nothing has really changed. He then made a motion to deny the exemption application for Columbia Gardens. The motion was seconded by Commissioner Van Beek and carried unanimously.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: Current Owner:

02147000 0 Neighborhood Housing Services Inc., dba Neighborhood Works

This property is a single-family dwelling and they rent to a person whose income is 50% of median income. They do not meet the criteria for approval. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to deny the application under Idaho Code Section 63-602C for Neighborhood Housing Services.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the following exemption pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: PROPERTY OWNER:

38762010 PARMA AREA SENIOR CITIZENS CENTER, INC.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: Current Owner:

23660000 IDAHO HORSE THERAPY, INC.

This property is a single-family dwelling on 1.5 acres. The couple who occupies the home has a lease agreement which states the owner agrees to rent/lease for use solely as a private residence. They have two horses on the property they use for therapy services but they don't have an arena or do therapy at the house. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to deny the application under Idaho Code Section 63-602C for Idaho Horse Therapy, Inc.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: PROPERTY OWNER:

35865000 WITCO, INC.

This parcel is adjacent to an exempt parcel, however it is not being used for charitable purposes. Commissioner Dale made a motion to deny the application under Idaho Code Section 63-602C for Witco, Inc. The motion was seconded by Commissioner Van Beek. Commissioner White was opposed to the motion to deny. The motion carried by a two-to-one split vote.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the application presented by staff pursuant to Idaho Code, Section 63-602B for a full exemption as follows:

PIN: PROPERTY OWNER:

13611000 INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

They previously had a partial exemption because there was a portion of their property they were not using, but they have now expanded their use into that portion so they are seeking a full exemption.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602B for a religious exemption:

PIN: PROPERTY OWNER:
02748000 BETHEL

This is a church that's operating out of warehouse on Paynter Avenue in Caldwell. The warehouse is 29,000 square feet, and the church has a congregation of nine but the Assessor's Office doesn't believe nine people can use a warehouse of that size. There has been some history and the Assessor's Office believes this exemption has been used as a savings while they hold onto property and go back and forth on the ownership from the church to some individuals. A sale fell through so they transferred it back to the church so they didn't have to pay property taxes until they got another buyer. They have received an exemption in the past and the Assessor's Office has argued against it. The biggest issue is the Assessor wants to see assets donated to similar organizations so there is no potential for profit by a single owner. The rules have been broken where they flip flop between an individual and a church. Commissioner Van Beek asked if a partial exemption can be granted if it's prorated for the space for a small congregation. Discussion ensued. There is a good deal of the property that would not be useable for a congregation even if they had a larger congregation. Commissioner Dale said a denial gives them the opportunity to appeal and then he made a motion to deny the application based on the information presented and if they wish to appeal they can present their case to the Board. The motion was seconded by Commissioner Van Beek and carried unanimously.

Staff recommends a partial exemption of the following application pursuant to Idaho Code, Section 63-602B for a religious exemption:

PIN: PROPERTY OWNER:
67274100 CHRIST THE KING COMMUNITY CHURCH INTERNATIONAL

The building is 43,714 square feet and staff added the square footage of the rooms the church advertises on their website and it comes out to be approximately 22,000 square feet of available space for rent. There is a multi-purpose room that is 16,000 square feet, and maximum occupancy is 1,600. They have a lobby that's 4,265 square feet. The Assessor's Office recommends the removal of the exemption on the rooms they are actively advertising for lease for profit. A church is meeting in the building, but in addition to that they are actively advertising to lease the space for car shows, car washes, rummage sales, and outdoor concerts. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to remove the portion where they are profitable on the property under Idaho Code, Section 63-602B.

The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

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

APPROVED CLAIMS ORDER NO. 2016

The Board of Commissioners approved payment of County claims in the amount of \$1,667,049.14 for a County payroll.

APPROVED CLAIMS ORDER NO. 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$1,979.98, \$1,351.55, \$166,512.57, and \$10,797.54 for accounts payable.

MAY 2020 TERM
CALDWELL, IDAHO MAY 7, 2020

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

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Diana Dyas, Sr. Administrative Specialist (temporary) in the Development Services Department.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Western States in the amount of \$989,500.00 for the Solid Waste (Landfill) Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Texas Roadhouse Holdings, LLC dba Texas Roadhouse; GMRI, Inc., dba The Olive Garden Italian Restaurant #1731; TV Hotels, LLC dba Holiday Inn; and WW Ink, LLC dba Rocco's Roadhouse; The Chicago Connection, LLC dba Chicago Connection; and Canton Café, Inc., dba Canton Café; Kebob, LLC dba Tobacco Connection #32, #23, #22, #16, #12, #6, and #1; HFO, LLC dba Big Smoke #115; HFO, LLC dba Tobacco Connection #37; HFO, LLC dba Big Smoke #113; New Big Smoke, LLC dba Big Smoke #102; New Big Smoke LLC dba Big Smoke #109; Gallegos Meat Market 2, LLC dba Gallegos Meat Market #2; Gallegos Meat Market, LLC dba Gallegos Meat Market; Messenger, LLC dba Messenger; and Jaura, LLC dba Lakeshore Food Mart; The Chicago Connection, LLC dba Chicago Connection; THD, LLC dba Mongolian Fire Grill; Smashburger Acquisition – Idaho, LLC dba Smashburger #1588; Pilot Travel Centers, LLC dba Pilot Travel Center #638; Flying Pie Pizzeria 2, LLC dba Flying Pie Pizzeria; Mongolian BBQ, B-Way/Nampa dba Mongolian BBQ; Conrad and Bischoff, Inc., dba Garrity 66; and East Cleveland Beverage and Tackle, LLC dba East Cleveland Beverage. (See resolution nos. 20-046, 20-047, 20-048, 20-049 and 20-050.)

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:47 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.

The following cases do not meet the eligibility criteria for county assistance: 2020-536, 2020-638, 2020-611, 2020-634 and 2020-631. 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.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue an initial approval on case no. 2020-715.

Director Baker presented for Board signatures a partial release of lien on case no. 2015-1386 and a document noting reduced payment from \$20 to \$5 monthly on case no. 2011-1583. The Board signed both of these documents. Additionally, the financial and release of liens were presented for Board signature and signed in the presence of a notary. Assignments from the CAT fund were also signed by the Board.

Commissioner Van Beek made a motion to continue case nos. 2020-303, 2020-413, 2020-423, 2020-380 and 2020-328 to July 2, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Van Beek made a motion to continue case nos. 2020-310, 2020-301, 2020-302, 2020-372, 2020-284, 2020-420 and 2020-421 to June 11, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-385

The Board met today at 8:58 a.m. to conduct a medical indigency hearing for case no. 2020-385. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Attorney Mark Peterson for St. Lukes, Deputy P.A. Dan Blocksom, Applicant participated via teleconference 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 9:02 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:30 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, SWDH Director Nikki Zogg, PIO Joe Decker, EOM Christine Wendelsdorf (arrived at 1:45 p.m.), Keri Smith-Sigman, and Deputy Clerk Monica Reeves. Those present via conference call were: Caldwell Fire Chief Mark Wendelsdorf, Kurt Carpenter from the City of Nampa, Coroner Jennifer Crawford, Parma Mayor Angie Lee, and Greenleaf Mayor Brad Holton. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue.

Sheriff Donahue reported on Pod 6 and the renovations/maintenance the facilities department is doing in Pod 3. On Monday they moved 30 females into Pod 6. They have three units open versus two because they had to separate the inmate workers from the general population. They've had to make some adjustments to the cameras and they have bids coming in to address the control room window where the sun glares on the computers. Most of CCSO staff is back in terms of full operation. They are stilling maintaining numbers at the driver's license facility and it sounds like the lines are long.

Assessor Stender said he spent Monday at the DMV and their first customer got in line at 3:00 a.m., and the second customer arrived at 6:15 a.m. By 8:00 a.m. there were 150-200 people in line when they opened the doors. The Assessor's Office is two weeks from mailing assessment notices. With value increases there will be another shift from industrial, commercial, and

agricultural to residential, so they are moving values very conservatively this year. They are looking at increase on residential properties of 8%-10%, but some pockets went up 20%. As for commercial values, it goes by industry so different industries, such as multi-family apartment complexes are going up considerably, others in the market aren't going up as much as they have in the past, it will be closer to 7% on average.

Christine Wendelsdorf reported that Walmart's goal was start tomorrow with testing, but she hasn't heard if they have their supplies. The County's PPE came in a day early and she expects to have the masks doled out to offices next week. Joe Decker has set up a way to report usage on the County's website that will automatically send us the numbers that are needed to report it. Commissioner Dale asked if the cost of PPE will be covered by \$5.6 million in funds the County is expected to receive. Ms. Wendelsdorf said the funds are for COVID-related expenses which is why we are tracking expenses so we can get proper reimbursements. Controller Wagoner said the \$5.6 million is specific only to Canyon County; there is a separate pool for the cities, the ambulance district and the fire districts and we have to expend the funds specifically for COVID-19 in order to be reimbursed. They won't just send a check for \$5.6 million. Clerk Yamamoto said the County won't have those kind of expenses so we'll only see a sliver of that amount. Sam Laugheed asked if distributing face masks to all offices/departments is the best use, or if we should say how many people are front line or in court and actually need them? Ms. Wendelsdorf said she has enough for 2 masks per employee and we'll still have some leftover. She's trying to take in all scenarios because some are nervous about being around anybody and unfortunately, we don't have the funds to give 14 masks to every employee. They are designed for people who are not sick, who work with the public. They are not N95 grade. Director Zogg said the cloth masks are meant to create some form of barrier, it's not going to be as effective as a surgical mask, but we don't have access to surgical masks. The Sheriff and Mr. Laugheed will draft a message to employees regarding the masks that are available.

Director Zogg reported that as of yesterday, Canyon County has 270 COVID-19 cases, and there have been six deaths. Epidemiologists are reporting they are seeing trends with workplace exposure especially in meat packing/processing plants, and that is a good reminder to make sure you maintain social distance, hand hygiene, and respiratory precautions. They are starting to see an increase in Hispanics contracting the virus. One family had 10 household members ranging in age from 2 years to 90 years, and they all tested positive. The health department is working on getting guidance and protocols out for businesses and revealing outdoor pools and water park guidance. Staff are reviewing all plans for food establishments. They met with the Governor's Office and talked about future stages and the potential for statewide orders after the end of June but they have not made a decision yet. There have been three school re-openings in Canyon County and the health department has been working with the liaisons to develop plans for re-opening.

Commissioner Dale asked what will happen to the remainder of the \$5.6 million in federal funding. Controller Wagoner said the state has a committee to oversee allocation of that money, and Seth Grigg from the Idaho Association of Counties, is the counties' representative on the committee. The Controller hopes that if all the money is not spent it may become available for revenue

replacement or property tax relief. He has concerns about what our revenues will look like. Clerk Yamamoto believes it will stay with the state and he believes a lot of that money won't be used and the smart thing would be if it went back in the coffers. The County will track what our revenues have done and what connection it has to COVID-19.

Commissioner Van Beek wants to postpone Monday's elected officials' meeting until we are no longer meeting regularly on the COVID-19 issue. Sheriff Donahue agreed that the monthly meeting should be postponed. There was no objection from the group.

Clerk Yamamoto gave an elections update. A mail out was to go out yesterday but they are one off on the count so staff spent a lot of time trying to find that one. They are going through 1800 ballots one by one checking against the computer and a printout. They are sure of the count because they had multiple people count it multiple times so they it's the state's system. Today at 5 p.m. is the deadline to apply to be a poll watcher, and they've had a lot of questions about poll watchers, but they don't have any polls. On the normal Election Day, May 19, the Secretary of State's Office has allowed counties to open and count ballots when they get them in, but Clerk Yamamoto has elected not to do that. He plans to open ballots May 20 and start scanning. He will not allow anybody to be present to watch due to COVID-19 concerns and the fear of staff getting sick so they will live stream it on YouTube any time the ballots are touched. When they receive ballots they are scanned, and staff looks at the envelope with the signature and compares it with the voter application card, and if that does not match, they will contact the person. It's very time consuming. They will go in a separate ballot box each day and then they will be locked and put in a locked room. They will separate everything that comes in from day 1 to May 19th and separate those from going forward because there is a fair chance there will be a lawsuit over it being an illegal situation. Ballots must be received by 8 pm on June 2. The Clerk has stopped doing passports in the Recorder's Office and they will be doing Canyon County marriage licenses only. They are discussing when and how to reopen passports. His plan is to open it back up June 1st on an appointment-basis only. He will meet with the impacted parties and get back to the Board on final ideas of how they will handle passports. He may take it out of the Recorder's Office.

Prosecutor Taylor reported there is nothing new to report on the Supreme Court's order, they are still trying to figure out the logistics in how court will resume. Some are being done via Zoom, and some are in-person, and some are telephonic hearings. He's not seen a written order from the third judicial district as to what their intent is, he only seen the April 22 Supreme Court Order. The latest Supreme Court order came out on May 4th and it places a moratorium on evictions for 120 days, until July 25. Treasurer Lloyd is curious if that will affect tax deeds (a tax deed hearing is scheduled for July 27). Deputy P.A. Brad Goodsell will look into that.

Commissioner Dale said the Board met with ADJ Southworth and they talked about setting up kiosks in the jury room. Sheriff Donahue spoke of how they have been working with the ADJ and how they have increased the capability with video arraignments and using Zoom technology to have hearings. They still have to maintain access for the public defenders and outside legal counsel to come to the annex. Prosecutor Taylor said the challenge of the third district is there is no uniformity amongst the judges.

Treasurer Lloyd reported that tax reminders will be mailed in the next day or two.

Mayor Holton said he heard this morning that the Greenleaf Academy has decided it will not reopen for this school year. Director Zogg said the health department approved their plan yesterday and she was not aware of the change in plans.

Chief Wendelsdorf said the Caldwell Fire Department has been working on the use of UVC lighting to neutralize viruses, bacteria and mold, and he said agencies should feel free to use them as a resource. Upon the motion of Clerk Yamamoto and the second by Commissioner Dale the meeting adjourned at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH AARON FREUDENTHAL WITH THE PDC FOR ANNUAL REVIEW

The Board met today at 3:04 p.m. with Aaron Freudenthal with the PDC for an annual review. Present were: Commissioners Pam White and Tom Dale, Chief Public Defender Aaron Bazzoli, Aaron Freudenthal with the PDC via Webex and Deputy Clerk Jenen Ross. The following items were discussed:

- Most things are going well
- Case numbers look a little high by workload standards, but Mr. Bazzoli will be keeping an eye on those
- The PDC financial assistance application is due by May 15th. This year will there will not be a 15% cap as there has been in previous years and will be more 'needs based'. At this point the budget for assistance has not been touched or reduced. He has encouraged Mr. Bazzoli to ask for a full-time position vs. a part-time position.
- Discussion regarding vertical defense
- Contract/conflict attorneys

Mr. Freudenthal encouraged the Board to reach out to any of the PDC Commissioners if there are ever any concerns. The meeting concluded at 3:42 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 8, 2020

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

No meetings held this day.

MAY 2020 TERM

CALDWELL, IDAHO MAY 11, 2020

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

No meetings held this day.

MAY 2020 TERM

CALDWELL, IDAHO MAY 12, 2020

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

APPROVED CLAIMS ORDER NO. 5/14/20

The Board of Commissioners approved payment of County claims in the amount of \$93,201.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$1,216.85 for the Information Technology Department
- Western Building Supply in amount of \$4,000 for the Parks Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Agave Cantina, LLC dba Agave Cantina; Mariscos El Viejon, LLC dba Mariscos El Viejon; Nampa Hospitality, LLC dba Best Western Plus; Nampa Aerie #2103, Fraternal Order of Eagles dba 2103 Aerie; Garbonzo's Pizza, Inc., dba Garbonzo's Pizza; Walgreen Co., dba Walgreens #12483, #11541, #10672, #05648, and #07276; Fred Meyer Stores, Inc., dba Fred Meyer #226; Idaho Center Chevron, Inc., dba Idaho Center Chevron; and 2c Family Brewing Company dba 2c Family Brewing Company. (See resolution nos. 20-051, 20-052, and 20-053.)

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

The Board met today at 10:49 a.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. DSD Director Tricia Nilsson participated via Webex.

Director Nilsson update the Board on the following:

- Revenues are ahead of budget and she anticipates meeting the revenue budget.
- There is a backlog of Planning and Zoning hearings but she anticipates they will be caught up by July 4th. Diana Dyas was brought back temporarily to help with noticing requirements. All Planning and Zoning hearings will be online with no one participating in-person.
- Kathy Frost was recently promoted to Lead Administrative Specialist and her vacated position was filled by a person from Indigent Services who will start in June.
- Kate Dahl is continuing to work on the comprehensive plan. She has conducted extensive surveys and is rethinking the direction of the plan. She is taking time to make sure the comp plan is done right with the present reality.
- An impact fee meeting is being scheduled for the beginning of June to get the committee up to speed and the Board up to date.
- VRT budget presentation to their Board is upcoming and Kellie Badesheim has asked Director Nilsson to participate so she will listen in to that call next week.
- She has also been invited to a call with BSU regarding Hazard and Climate Resilience Institute to discuss grants for Ada and Canyon county hazard planning. Commissioner Dale is interested in participating in the conversation; Director Nilsson will forward the invite.
- A date was just set for a virtual meeting to discuss putting ag ground into a trust so Director Nilsson will forward that information to the Board.

- At the request of Commissioner Dale, Director Nilsson addressed the foot traffic into DSD. When the building was closed it was by appointment only but right now she thinks it's about 10 people per day but she will have to look at her calendar for better detail. They found that the builders seemed to like appointments so she's thought about conducting a survey to determine if they should continue with the appointment system or perhaps a hybrid of appointment and walk-in. Large production building has slowed but custom homes still seem to be coming in. She provided a brief review of the larger building permits that have come in. She has been working with IT to assist in running reports.
- Planners are starting to make their way back to the office. They are able to maintain social distancing in the office.
- Commissioner Van Beek asked about an email that was recently received about a property that wasn't divided with county approval and no building permit is available at this time. Director Nilsson is formulating a response and will probably reach out to the listing agent. She will copy the Board on her response.

The meeting concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:17 a.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 via Webex and Deputy Clerk Jenen Ross.

Director Schwend updated the Board on the following:

- *Gun range:* She has been in contact with a company that will come out to evaluate how much lead is there in the hope that it will be enough that they are able to provide a kick-back. At this point they've collected samples but Director Schwend doesn't believe we're at that point yet. She spoke about clean-up, refreshing and improvements that have been done out there and ways they are looking at to try curbing some of the inappropriate actions such as driving down the shooting lanes. A brief discussion ensued regarding the name of the gun range.
- *Staffing:* This year she had planned to ask for a Cultural Resource Manager position but due to current events she will not officially request that position. Additionally, several projects have been delayed which in turn has pushed out the need for the position.
- *Historic Preservation Commission:* The HPC has been recertified and Director Schwend read positive feedback that was received from the State Historic Preservation Office. Director Schwend would like to see the county historic preservation plan adopted as an amendment to the county comprehensive plan. This year \$124,000 was requested in grant applications – generally it's about \$90,000 that's awarded. There are approximately 9

applications that will be reviewed tonight at the HPC meeting. In June they will make recommendations to the Board. Commissioner Dale suggested holding the line without any budget increases and would like to see that follow suit with the HPC. Commissioner Van Beek agrees and wants to see the recommended prioritization.

- *Gravel pit operations:* There is a new proposal circulating on social media and Director Schwend said she will be attending hearing.
- *Grant application:* In January they applied for the Idaho Parks RV Grant in the amount of \$444,000. It is a reimbursement grant and while there technically no match required State Parks has never accepted an application with less than 5% match so as part of her budget she has budgeted \$11,300 for material match as part of that match, the remaining match amount will be in labor. They hope to find out in early to mid-June if the grant will be awarded.
- *New office:* The framing has been started on the new building at Celebration Park.

The meeting concluded at 11:52 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 12:01 p.m. to discuss the 2020 Fair. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 12:03 p.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) 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, Fair Director Diana Sinner, Facilities Director Paul Navarro, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:57 p.m. with no decision being called for in open session.

At the conclusion of the executive session another meeting to discuss the 2020 Canyon County Fair was scheduled for June 1st at 9:00 a.m. The meeting concluded at 12:59 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MAY 2020 TERM
CALDWELL, IDAHO MAY 13, 2020

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

No meetings held this day.

MAY 2020 TERM
CALDWELL, IDAHO MAY 14, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$1,216.85 for the Information Technology Department
- Apple in the amount of \$2,416.70 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/15/20

The Board of Commissioners approved payment of County claims in the amount of \$19,995.62 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mesa Downtown, LLC dba Mesa Tacos & Tequila; Grey Stone Corp., dba V-Cut Lounge; Fun and Ann Yee dba Orphan Annie's; La Copa, LLC dba La Copa; Sodexo America, LLC dba Sodexo America; Dos Caminos Mexican Restaurant, LLC dba Dos Caminos Mexican Restaurant; Sodexo America, LLC dba Sodexo America; The Hop House, LLC dba The Hop House; New Empire, LLC dba The Blue Eye; Macabi Inc., dba Acapulco Mexican Restaurant; Kickback Bar, Inc., dba Kickback Bar; Jalapeno's Bar & Grill, Inc., dba Jalapeno's Bar & Grill; Firehouse Sports Pub & Pizza, LLC dba Firehouse Sports Pub; Don Ulmer dba Airport Inn; Caldwell Hospitality Group, LLC dba Best Western Inn & Suites; Owyhee Motor Sales, Inc., dba

Owyhee Motor Sales, Inc.; Bi-Mart Corp dba Bi-Mart #614; Ridley's Family Markets; City of Nampa dba Centennial Golf Course; Asia Market, Inc., dba Asian Grocery; Target Corporation dba Target Store T-2206; I.C.A.N. Foods, Inc., dba The Griddle; Nampa Gusher, LLC dba Nampa Gusher; Tacos El Rey, LLC dba Tacos El Rey Restaurant #5; Pantera Market & Mexican Restaurant #2, LLC dba Pantera Market #2; Maverik, Inc., dba Maverik Store #178, Maverik #551, Maverik Store #522, Maverik #430, Maverik Store #298, Maverik Store #287, Maverik Store #595. (See resolution nos. 20-054, 20-055, 20-056, 20-057 and 20-058.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:52 a.m. to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Rachel Spacek with the IPT via Webex and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of Indigent decisions and signing of liens: The following cases do not meet the eligibility criteria for county assistance: 2020-683, 2020-655 and 2020-656. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions in 30 days.

Commissioner Van Beek made a motion to issue an initial approval with written decision within 30 days on case no. 2020-648. The motion was seconded by Commissioner White and carried unanimously.

Director Baker presented a lien for case no. 2020-762 to be signed in the presence of a notary. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the lien.

Consider approval/denial of Treasurer's tax charge adjustments by PIN for April 2020: 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 April 2020.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER MAY 14, 2020 AGENDA ITEMS

The Board met today at 9:04 a.m. for a legal staff update and to consider the May 14, 2020 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy PA Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, EOM Christine Wendelsdorf, Controller Zach Wagoner, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley and Coroner

Jennifer Crawford participated via Webex. Chief Civil Deputy P.A. Sam Laugheed arrived at 9:15 a.m. The items were considered as follows:

Consider Agreement between Owyhee County and Canyon County for the use of refrigerated trailers

- Coroner Crawford said Owyhee County has access to two refrigerated trailers but they need a secure location for them, and so Canyon County will store them within the walled area behind the crime lab and maintain them while in use. The trailers will be used in the event of a mass casualty incident. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the agreement with Owyhee County for use of their refrigerated trailers in our storage space. (See Agreement No. 20-077.)

Consider signing Canyon County and Forensic Logic, LLC, Supplemental Services Addendum for Maintenance of the COPLINK Agreement No. 19-057

- Chief Dashiell said this is a renewal of a subscription service the County has had for several years and the only difference is the change in the company name. It's a portal that shares data with subscribers and is regulated through the criminal justice information services (CJIS). It started with a grant through the Idaho State Police and was turned over to local grant funding. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the Canyon County and Forensic Logic, LLC, Supplemental Services Addendum for Maintenance of the COPLINK Agreement No. 19-057. (See No. 20-078.)

Consider accepting and signing COBRA Administrative Services Proposal for Canyon County

- Zach Wesley said the County has an existing relationship with Flores for managing the benefits card and this will allow them to take over our COBRA benefit management which has been done primarily in-house up to this point. It's the standard agreement that mostly covers the technical aspects of what they're going to do. Zach Wagoner said earlier this year we transitioned from PBS to Flores for our flexible spending accounts and health reimbursement accounts. Flores offers a portal that is very beneficial to personnel for the ability to exchange information and update information in real time, and this completes the circle with the COBRA piece and it makes sense to have all of this administration under vendor. Commissioner Van Beek was hoping for more information in terms of the cost per employee and the number of people on the plan. She questioned why the change is being made now rather than in January when we switched plans. Sue Baumgart said COBRA communication came from various sources and now Flores is going to take it on and they are going to include our medical at no additional cost to the County. Employees will now get one letter with their COBRA information from one source. Commissioner Van Beek had additional questions about the implementation and administrative fees that will be charged. Controller Wagoner said at .55 cents per enrollee with between 700-750 employees, the fee will be around \$400 per month. There was further discussion about participant fees and the management of COBRA. Commissioner Van Beek said it's good to have it under one administration, but she wants the numbers verified and she would like Director Baumgart to provide follow up information that includes the costs involved and the number of people accessing it. Commissioner White said Director Baumgart has already provided information as part of today's meeting and she would like the proposal approved today, pending the information Commissioner Van Beek requested. Commissioner White made a motion to sign and accept the COBRA Administrative Services

Proposal for Canyon County. Commissioner Van Beek seconded the motion and said she wants the approval pending the additional information from Director Baumgart. The motion carried unanimously. (See Agreement No. 20-079.) Dan Blocksom had one item for Executive Session:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:32 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, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, and Deputy P.A. Zach Wesley (via Webex), and Deputy Clerk Monica Reeves. Commissioner Tom Dale arrived at 9:35 a.m. The Executive Session concluded at 10:06 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 CHIEF PUBLIC DEFENDER TO CONSIDER SIGNING INDIGENT FINANCIAL ASSISTANCE APPLICATION

The Board met today at 10:07 a.m. with the Chief Public Defender to consider signing the indigent financial assistance application. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Chief Public Defender Aaron Bazzoli, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Mr. Bazzoli said based on the workload compliance report his office is supposed to have 28.4 attorneys, but he has 28 attorneys. He is requesting an additional attorney and a social worker to reach those compliance standards, and he has looked at rearranging some office space in the back and repurposing an area to create two cubicles. His request is for last year's amount of \$638,000 plus \$148,000. For this budget cycle he will try to get the PDC to pay for it, but if they do not, he will be okay. Zach Wagoner said Mr. Bazzoli did an excellent job with the numbers. He reported that in 2019 the County spent \$4.6 million on public defense, but that does not include the \$500,000 grant. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the indigent financial assistance application. The meeting concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES AND TO CONSIDER ACTION ITEM OF EXTENDING DECLARATION OF LOCAL DISASTER EMERGENCY REGARDING COVID-19

The Board met today at 1:30 p.m. with the Elected Officials to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, Clerk Chris Yamamoto, Prosecuting

Attorney Bryan Taylor, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, EOM Christine Wendelsdorf, Coroner Jennifer Crawford, Director of SWDH Nikki Zogg, Controller Zach Wagoner, Treasurer Tracie Lloyd, Assessor Brian Stender, Keri Smith-Sigman, Mayor Nancolas, Kirk Carpenter, Clerk Lee Belt participated via conference call and Deputy Clerk Jenen Ross.

Consider signing declaration extending Declaration of Local Disaster Emergency regarding COVID-19: Discussion ensued understanding that the purpose of having this declaration in place is to recover costs related to COVID-19. Commissioner Dale made a motion to sign the declaration. The motion was seconded by Commissioner White and carried unanimously. A copy of the declaration is on file with this day's minutes.

Ms. Wendelsdorf spoke about how she is continuing to look for PPE. She is working with various offices and departments in order to get proper spacing in preparation for reopening. They have stood up their EOC staff and anticipate that being stood up for a while thru the recovery phase until we know a little more about where things are at as we start to reopen. She is still working with the offices and departments to collect PPE numbers for Survey123 reporting which provides the option of having access to the state stockpile if necessary.

Discussion was had regarding use of the phrase "recovery phase", Ms. Wendelsdorf believes the county is right in line with Southwest District Health.

Director Zogg said that cases in Canyon County have slowed. They are continuing to do case investigation on cases that are reported and contact tracing. Overall we're looking pretty good statewide but they are counting on people to follow recommendations in order to keep numbers going down. The two Abbott machines have been received, one of them has been sent to Weiser Memorial Hospital. The other will be kept onsite to help with testing at the jail or long-term care facilities. Ms. Zogg said she spoke with the Governor's Office recently and it sounds like bars and breweries are being moved from stage 4 to being able to open in stage 3 with the expectation that they have some kind of plan in place. Additionally, there has been a change to the 14 day quarantine – it used to be for someone coming in from out of state, however, it is now just if a person comes in from area of high risk exposure. The health district is continuing to review business plans, they are getting a lot of requests even though it's not required. District 4 shared a data dashboard that they recently developed which shows some good demographic data and what's happening epidemiologically across the region. District 3 is looking at doing the same type of thing and hope to have it available next week.

Based on a question from Commissioner White, Mayor Nancolas spoke about the website the City of Caldwell has created in an effort to get business going again.

Sheriff Donahue spoke about some of the problems they're experiencing in Pod 6. One of the major issues is the cell door hinges. It appears that every door will have to be addressed and ADS

has been contacted. The Sheriff feels it is ADS's responsibility as they were the ones that installed the doors and the County is leasing the building from ADS. There are also some issues with the shower drains but maintenance staff is working to resolve it. Numbers are increasing in terms of inmates and they are continuing to see a lot of parole violations coming in. Prosecutor Taylor said he is seeing the same thing in their office.

Commissioner Dale said that there are discussions being held about this year's fair. Director Sinner has presented the Board with several options that are being considered and explored but no decisions have been made at this point.

Mr. Decker asked if the public meeting room would be opened up any time soon for either county functions or outside groups. Commissioner Dale spoke about how the Board is getting ready to start land use hearings again and may need to use the room for overflow and Assessor Stender said his office may have a need for the space. Mr. Laugheed suggested he would like to see the room remain available for county purposes as opposed to non-essential activities.

Mr. Laugheed asked what the employee response to the PPE has been and if/what the requirements have been for wearing a face-covering. Assessor Stender said they have Plexiglas up and that his employees seem to be most comfortable with that and today when he checked about half the employees had masks on. Sheriff Donahue said he's seeing the same thing. Mr. Decker said the Clerk's at the front security are wearing masks and some of the Deputies are. In response to a question from Commissioner Dale, Mr. Laugheed said some masks were provided to the TCA which put the burden onto the courts in terms of how they are going to distribute as the county has that obligation under the statute to provide the space and materials the courts need.

Clerk Yamamoto spoke about other suggestions to the budget freeze that were made during the legislative session but there didn't seem to be much interest.

Discussion ensued regarding the opening of courts, how they'll operate and logistics of the remote hearings.

Clerk Yamamoto spoke about elections and the frustrations they're experiencing at the state level in being able to look up voter ballot requests.

Treasurer Lloyd spoke about a flyer they've sent out with their reminders encouraging utilization of different kinds of payment methods. Plexiglas has been installed in her office. She has begun to see an uptick in bankruptcy filings which is something to keep in mind on the revenue stream and income.

A drop box has been ordered for use by both the Treasurer and Assessor's offices.

Coroner Crawford said an MOU has been signed with Owyhee County for a refrigerated trailer.

Mayor Nancolas expressed his appreciation at being included in these meetings and the help that has been provided by Ms. Wendelsdorf. They are planning to open city buildings again on June 1st with employees returning to the buildings around that same time. All the departments have submitted protocols for reopening and will be approved by the City Council Monday night. They are committed to following the Governor's order and helping any way they can.

Greenleaf City Clerk Lee Belt expressed his appreciation of all the good communication. He spoke about an email sent out by Ms. Wendelsdorf from WICAP about their food pantry program and due to that they have a mobile food pantry from WICAP at Greenleaf City Hall until 5:00 today distributing food boxes to those in need in Canyon County.

Mr. Laugheed put out to the group that this may be the last group gathering before budgets are due next week and asked if the Clerk had anything he wanted to put out to everyone. Controller Wagoner said he would really appreciate any insight on the revenue side of things, this will be a crucial part of the FY2021 budget. In response to a question from Commissioner Dale, Controller Wagoner said the difference between holding the budget or decreasing the budget will be dependent upon revenue numbers. General feeling is that there needs to be a serious evaluation of new position requests and that it might be good to meet as a collective group to review budgets.

Clerk Yamamoto made a motion to adjourn the meeting.

The meeting concluded at 2:55 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 15, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- McKesson in the amount of \$3,318.00 for the Sheriff's Office

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

The Board approved an employee status change form and a key & security access request form for Kellie George, Sr. Administrative Specialist in the Development Services Department.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Prefunk Beer Bar II, LLC dba Prefunk Beer Bar II; Dan's Ferry Service, LLC dba Dan's Ferry Service; Ridgewood Enterprises, Inc., dba Legacy Feed and Fuel; Mother Earth Brew Co., LLC dba Mother Earth Micro Brews; George and Kayla White dba Keystone Pizza; La Rosita Mexican Store, Inc., dba La Rosita Mexican Store; Brick 29, LLC dba Brick 29; JM Assets, LLC dba Garbonzo Pizza; Whiskey River, LLC dba Whiskey River; Eight Twelve Main, LLC dba Eight Twelve Main; La Ranchera Nampa, Inc., dba La Ranchera Nampa. (See resolution no. 20-061, 20-062, 20-063, 20-064 and 20-065.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:09 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson via Webex left at 9:13 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of resolution granting a refund to Morris Bower & Haws PLLC for a conditional use permit fee: Director Nilsson explained that this application was received last fall but nothing ever came of it. DSD recently received a response that they would like to withdraw the application. Ms. Nilsson said that no costs were incurred by the County. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Morris Bower & Haws PLLC for a conditional use permit fee (see resolution no. 20-059).

Consider approval/denial of resolution granting a new alcohol license to Italianesque: Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new alcohol license to Italianesque (see resolution no. 20-060).

Discussion among the Board continued regarding the IAC webinar, how to address foregone taxes, protocols for reopening and how to handle overflow for public hearings.

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

MEETING WITH SOUTHWEST DISTRICT HEALTH TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST

The Board met today at 9:31 a.m. with Southwest District Health to discuss their FY2021 preliminary budget request. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. Via Webex: Cristina Froude, Sarah Andrade and Troy Cunningham for SWDH and the crisis center. Ms. Zogg said at the meeting next week the budget committee will vote on the budget. A review was provided of revenues, state appropriated funding, employee salaries and wages. Their overall budget is about \$10.5M this year. And Ms. Zogg provided a breakdown of contributions by county and how they're calculated, fund lines and balances.

A brief recess was taken at 9:59 a.m. The Board went back on the record at 10:04 a.m.

Commissioner Dale said it's important for commissioners White and Van Beek to understand the relationship between the budget committee and the counties because if this Board recommends something different than what is lined out by SWDH today that decision would need to be made fairly quickly because once the budget committee adopts the budget then the counties are obligated to pay that amount. The amount being requested by SWDH for FY2021 is \$1,068,816.

A brief discussion was had regarding the crisis center funding but it needs to be agendaized separately at a later time. The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 18, 2020

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

ABSENT: Commissioner Pam White, Chairman

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$323,570.56 and \$41,079.35 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Versare Portable Products in the amount of \$3,535.00 for the Facilities Department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed the upcoming schedule with staff. Topics of discussion included: the Board's protocol for returning to work fulltime now that the Governor's stay-at-home order was changed to a stay healthy order; the online process where land use hearings will be conducted via Webex in order to comply with social distancing requirements; the preliminary budget numbers for the Commissioners' Office; and the upcoming schedule for preliminary budget meetings with department administrators and elected officials during the weeks of July 13 and July 20. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 19, 2020

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

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$4,388 and \$5,365.24 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- SHI in the amount of \$1,721.59 for the Information Technology Department

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Clyde Alexander, Hazardous Waste Screener, in the Solid Waste (Landfill) Department.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Tricycle, LLC dba Eastside Tavern for June 6, 2020.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for EVRA, Inc., dba Casa Mexico; Alejandra's 1, LLC dba Alejandra's Mexican Restaurant; Canyon Golf Partners, LLC dba Red Hawk Golf Course; Rick's Caldwell Meats, LLC dba Rick's Caldwell Meats; JTT Enterprises, Inc., dba Dutch Goose; The Getaway Bar & Grill, Inc., dba The Getaway; Nampa Restaurant Ventures, LLC dba T.G.I. Friday's; Debbie Finch dba 1918 Lounge; Bitner Vineyards, LLC dba Bitner Vineyards. (See resolution nos. 20-066, 20-067, and 20-068.)

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

The Board met today at 9:12 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. Dan Blocksom via Webex and Deputy Clerk Jenen Ross. The action item was considered as follows:

Action item: Consider signing legal notice of entering into personal service contracts for interpreter services: Mr. Blocksom said this is just to publish in the Idaho Press in case a contract exceeds \$10K. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the notice of entering into personal service contracts for interpreter services.

As part of the legal staff update there was discussion about the alcohol license for Pantera Market #4 and the options for the license. There are two issues surrounding this license – 1) there seems to be some confusion as to the actual numerical address and 2) the proximity to a church that is prohibited by the county ordinance. The two options for this license are to either deny based on the current county ordinance or amend the ordinance to more closely align with the city which would allow for approval. Commissioner Van Beek feels that the county ordinance regarding alcohol licenses is convoluted and hard to understand. Mr. Blocksom has presented two options

for approving this license, but Commissioner Van Beek is not comfortable with the expedited choice as it doesn't allow for public input. She would like to see a round table discussion between the cities and county to make sure everyone is on the same page. Additionally, she would like to see law enforcement involved in the approval process of alcohol licenses. Specifically, in regard to the application from Pantera Market, Commissioner White does not want to see approval of this license delayed as they are a small business that has likely been shut down until recently. Mr. Blocksom said in order to go thru the full process of amending the ordinance it could take a couple weeks or more. Commissioner Van Beek has some additional questions she will work with legal to get answered. An action item will be added to the agenda for Friday to consider an amended ordinance and the license can be considered at a later date once the amended ordinance has published. The meeting concluded at 9:31 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Director of Juvenile Detention Sean Brown participated via Webex and Director of Misdemeanor Probation Jeff Breach arrived at 10:07 a.m. Director Brown updated the Board on the following:

- A PREA inspection was done prior to COVID-19 and they were found to be in compliance; Director Brown then read a comment from the inspector into the record.
- A mental health clinician program meeting was held prior to COVID-19. Historically Canyon County has had the highest numbers for juveniles with mental health and substance abuse issues which is holding true for this year. Director Brown provided a review of the numbers as follows: 78% of youth coming in have a mental health indicator, 83% have both mental health and substance abuse indications, 86% have a provisional diagnosis which means the clinician recognized they meet criteria for a diagnosis, 87% given a recommendation to accept services outside once released and 93% who were referred to an outside resource actually accepted the services once released. Director Brown also spoke about ACES (traumas) numbers that are being evaluated across the state – Canyon County's number is 4.03 and the general population is around a 2 – these numbers are generally a reflection of the home life environment.
- For FY2021 the price per day is going to increase from \$191 to \$215 to compensate for reduced numbers and the medical expense that was taken on last year although they are doing whatever they can to reduce costs.
- With precautions in place a CPR/First aid training was conducted recently as there were expiration timeframes that needed to be met.
- Numbers are not increasing since COVID, today they are at 14 juveniles.

- Director Brown anticipates interviews for the Assistant Director position will happen in early/mid-June and has been working with HR on the proper way to conduct those. With Board approval he will invite Steve Jett to be a part of the interview panel. At the request of Commissioner Van Beek, Director Brown described the need for the assistant position and what part of the facility and staff they are responsible for.
- They are trying to conduct school as much as possible via a virtual environment and the art class is being done via Zoom a couple days a week. After June 13th they will look at letting people back into the facility.

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 10:22 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 and Deputy Clerk Jenen Ross. Chief Probation Officer Elda Catalano participated via Webex.

Director Breach updated the Board on the following:

- Two of his staff that have had COVID; one has been out for 9 weeks and the other only had severe symptoms for a couple of days and has been back for a while. Another employee is working reduced hours due to daycare/schooling needs. The Assistant Director's last day is tomorrow but they haven't had a lot of interest in the position yet and thinks they may need to find someone to train.
- POST is schedule to resume on May 30th with a possible online component.
- A review was provided of his re-open protocols and what they have in place.
- In order to maintain social distancing, they are trying to schedule appointments vs. allowing walk-ins. They are also not allowing additional guests in the lobby.
- Several cameras have been purchased in order for POs to attend court hearings via Zoom.
- The community service program has provided services to the gun range and the landfill.

Chief Juvenile Probation Officer Catalano updated the Board on the following:

- She has had some staff challenges and is currently operating with half the staff she normally does.
- POs started going out into the field a couple weeks ago. They are not going into homes but waiting for the kids to come out of the house with their parents. Most of the POs feel safe.
- All of the staff is scheduled to be back in the office on June 1st. She will continue to work with supervisors to make sure social distancing guidelines are being adhered to.

- With the rain there has been a leak within the building, but maintenance has been notified. She will follow up today as to what is or can be done.

The meeting concluded at 10:46 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 10:59 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Fleet Director Mark Tolman participated via Webex.

Director Tolman updated the Board on the following:

- They are getting some builds done and waiting for some vehicles to arrive. Trucks and patrol vehicles are still in the factory although they are expecting them to arrive by June 2nd.
- New vans have been purchased that will be used for jail transport. They are just waiting for the cages to arrive in a couple weeks.
- At the request of Commissioner Van Beek, Director Tolman spoke about mileage reimbursement vs. using a vehicle from the motor pool and cost savings that could be realized.
- They are doing the best they can to make sure the cars are kept clean and reviewed their cleaning protocol. He is working on getting an ultraviolet light for the back of patrol vehicles.
- Director Tolman would like to see other departments' re-open protocols. Commissioner Van Beek said she will ask Joe Decker to forward the other department procedures to him.
- With budget workshops coming up Director Tolman will send his vehicle recommendations for each office and department to the Board.

The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM
CALDWELL, IDAHO MAY 20, 2020

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

APPROVED CLAIMS ORDER NO. 2017

The Board of Commissioners approved payment of County claims in the amount of \$1,626,701.01 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- WCP Solutions in the amount of \$1,400.00 for the Information Technology Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Campos on Lonestar dba Campos on Lonestar; Campos Market Nampa, LLC dba Campos Market Nampa; Williamson Orchards, Inc., dba Williamson Vineyards; Scoria Vineyards & Winery, LLC dba Scoria Vineyards & Winery; Heather Zimmerman dba The Garage Café; Short Stop, Inc., dba Lake Lowell Market; JP Thailand Express, LLC dba JP Thailand Express; Try PI Nampa, LLC dba Blaze Pizza; Nampa Wings, LLC dba Winger's Restaurant & Alehouse; and IOU Sushi II, LLC dba IOU Sushi II. (See resolution nos. 20-069, 20-070, and 20-071.)

MAY 2020 TERM

CALDWELL, IDAHO MAY 21, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$2,242.00 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$82,409.66, \$99,828.78, \$179,261.99, and \$102,495.41 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Carniceria Mi Tierra, Inc dba Carniceria Mi Tierra; Hat Ranch Winery, LLC dba Vale Wine Company/Hat Ranch Winery; Jak*s Place Inc dba Jak's Place; Kammi Reynolds dba Chaparral Sports Bar and Grill; Craft Lounge LLC dba Craft Lounge; Shi Sushi Restaurant, LLC dba Shi Sushi Spirits; TNT's Dynamite Bar and Grill, LLC dba TNT Dynamite Bar & Grill; Blazin Wings, Inc dba Buffalo Wild Wings #592; Caldwell Elks Home Association dba Caldwell Elks Lodge #1448; Evergreen Restaurant LLC 1313 dba Outback Steakhouse; (See resolution nos. 20-073, 20-074, and 20-075.)

MEETING TO 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, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Case nos. 2020-0660 and 2020-0658 do not meet the eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously deny the cases as read into the record.

Liens were presented to the Board for signatures.

Director Baker spoke about case no. 2013-1151 and the request for total lien forgiveness. She presented an outline to the Board of the case along with documentation received pertaining to the case. The Board will review the information provided and consult with legal as necessary.

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

CONSIDER INDIGENT MATTERS

The Board met today at 9:08 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, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Commissioner Van Beek made a motion to issue final approvals on case nos. 2020-234 and 2020-379. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue case no. 2020-357, 2020-392, 2020-326, 2020-457 and 2020-325 to July 16, 2020.

Case nos. 2020-308 and 2020-262 have been withdrawn and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decisions within 30 days.

The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-378

The Board met today at 9:21 a.m. to conduct a medical indigency hearing for case no. 2020-378. Present were: Commissioners Pam White, 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. Lukes, Applicant via teleconference 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 9:33 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:39 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: 2020-246, 2020-389 and 2020-195. 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 9:40 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 10:01 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, Captain Darin Ward left at 10:05 a.m., Lt. Harold Patchett left at 10:05 a.m., Lt. Ray Talbot left at 10:18

a.m., Deputy P.A. Mike Porter via Webex left at 10:18 a.m., Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution designating surplus property and donating to the College of Western Idaho: This resolution will allow the Sheriff's Office to donate equipment to the College of Western Idaho (CWI). This equipment is no longer used by the Sheriff's Office and has been replaced with more efficient equipment. CWI will be able to use the equipment for training purposes. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating surplus property and donating to the College of Western Idaho (see resolution no. 20-072).

Consider signing FY2020 Coronavirus Emergency Supplemental Funding grant application: Mr. Blocksom gave a brief review of the application stating that they are just asking the Board to approve the application and authorize Lt. Talbot to submit the online application. Lt. Talbot said this is a Coronavirus emergency supplemental funding grant that was released in February; they are soliciting projects specifically designed around prevention or fighting coronavirus. Canyon County qualifies for \$52,089. They have identified a need specifically in their facility to use some ultraviolet light for disinfection of their medical offices, holding cells that are used for medical purposes, areas where inmate property is stored as well as administrative areas of the Sheriff's Office. The remaining funds will be kept in reserve for medical care of inmates assuming that the virus will eventually make its way into the jail. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the application and authorize Lt. Talbot to submit the grant.

Mr. Blocksom spoke about the alcoholic beverage ordinance stating that he will create several options of proposed language. Commissioner Dale said he would like to see the county ordinance mirror the state in allowing flexibility for discretion. Discussion ensued regarding language in the state and city ordinances and wording that the Board would like to see included in the county ordinance.

The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING RE: COVID-19

The Board met today at 1:34 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioners Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Controller Zach Wagoner, SWDH Director Nikki Zogg, Eugene Smith, PIO Joe Decker and EOM Christine Wendelsdorf. Via conference call: Coroner Jennifer Crawford, Caldwell Mayor Garret Nancolas, Parma Mayor Angie Lee, Kirk Carpenter from the City of Nampa, Greenleaf City Clerk Lee Belt, Commissioner Pam White, and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows: Sheriff Donahue reported on Pod 6. They are using part of it for the female inmates

and the other part is being held in reserve in the event there is a COVID-19 outbreak in the jail. Now that it's operational they are having a few problems with the hinges not holding the doors properly and the sensors are not giving true readings on when the door is shut or not shut. There are also problems with the doors not latching. They've met with ADS, the manufacturer, about it and facilities staff are sending information to them as well. A conference is scheduled for Monday to get all the players in the room to determine what the fix will be. Commissioner Van Beek asked if ADS will warranty the work. Sheriff Donahue said they will replace the hinges and there will be welding and cutting involved. There has been discussion about why the doors have 2 hinges instead of 3 as the specifications called for. ADS is having Rule Steel do the work. There are some leaks in the roof but the installer has fixed those leaks. Commissioner Van Beek said she observed a substantial leak in Pod 3, and Sheriff Donahue said he's sure staff is addressing it because they are doing a lot of work over there. Facilities staff is addressing issues for efficiencies. Pod 3 will take another 2 ½ to 3 weeks and then staff will move to the other pods. He thinks they will find some of the same issues they've found in Pod 3. Repairs will reduce the exposed risk and improve the environment of the facility. The Administrative District Judge has allowed the Sheriff to bring back some of the SILD workers to help with work at the campus, however, the work release program is still suspended. They will be available for the preparations at the Fair if they are needed, and even with maintenance renovations going on in Pod 3, and Pods, 1, 2, and 4 they will still be able to split those resources between facilities staff to do renovations and those who are needed to do fair preparations if necessary. The jail is the main priority and its safety and operational security are a massive priority. Sheriff Donahue will reiterate to staff who go to the fleet shop that they need to follow the protocols Director Tolman has set up for CDC guidelines, masks, etc., and he encouraged the other elected officials to re-emphasize this to their employees of that as well. Christine Wendelsdorf is working on the reimbursement part of things with the CARES Act and other funds that will become available. She has drafted an email giving further explanation so people have a better understanding as to what's going on with that. Even though things have flattened out they are prepping for the next upswing and making sure they have PPE available for the County as well as other agencies that may not have a supply available to them. They're hoping to have a 3-6 month supply so it's going to be a big number. She has been working with SWDH and trying to get back to the everyday work that has stopped for a little while. Director Nikki Zogg said they are continuing to see low numbers in Canyon County which is good news. She sent an update to elected officials and she's added a histogram for 6 counties and the City of Caldwell and City of Nampa. They are working on developing a data dashboard that provides a summary and a visual of what we're looking at in terms of the number of cases, trends for utilization, and demographic data by age, gender and race. They're starting to see more employers provide testing to employees especially if there is a confirmed case in the workplace and so the health district have been working with questions around that, although right now they are not recommending broad spectrum testing for all employees if there is a confirmed case for several different reasons. The state has been required to submit their testing strategy plans and Idaho just finalized theirs and the Governor will do a press conference tomorrow to share what that strategy is for the state. They are working on mass gathering guidance. Public health district directors and the Department of H&W have been working on what that guidance will look like and they're hoping it will be published tomorrow. Right now it goes through Stage 4 but they are getting a lot of questions about what happens after Stage 4, in July, August and September and

she's hoping they will address that in the guidance. They were asked to review plans for reopening for food establishments and they've had some inquiries about how many people are submitting plans and right now they have received plans for about 35% of the establishments in the district. They don't have any plans to track those people down, although if they receive complaints they will investigate. They are busy with contract tracing; there are three food processing plant facilities in Weiser that have outbreaks in their workplace so they have been busy identifying those contacts and doing contact tracing. They do not conduct contract TRACKING, they do not track people, but they do take an educational approach and follow up with people. Commissioner Van Beek had questions about mass gathering guidelines and the constitutional authority of a health district to interrupt that and override a decision by elected officials to move forward. Prosecutor Taylor doesn't think the health district has, per se, constitutional legal authority, it's more for guidance. The County limits its exposure by trying to follow the guidelines of the experts at the health district, but ultimately the decisions for events like the God and Country Rally or the rodeo, for example, is they can say they will take on that liability. Health districts have statutory authority over food; take example the Fair, they would have legal authority to shut down food vendors just like they have the ability to control the restaurants if they choose. Discussion ensued on this topic. Ultimately when considering the Fair, it's up to the Board to make that decision. Commissioner Van Beek asked how COVID-19 compares to a regular flu season in terms of cases and recovery and deaths. Director Zogg said nationally, the COVID-19 death numbers, compared to a regular flu season, are much higher. We are looking at COVID-19 being around forever so, if you're talking about what has happened in the last two months you cannot compare it to what happens in a flu season seasonally every year, and so those numbers are going to change. Crush the Curve has been doing a lot of antibody testing and what they found in a brief cohort of people they tested is that 2% had tested positive for the antibody so there's still a lot of infection that hasn't happened in our state. Of those that were symptomatic and were the sickest of the sick that went to the state lab, around 10% are actually positive for COVID-19 so there's still a lot of infection that needs to go around in the sense of building that herd immunity between that and where immunization is available eventually. The health district's practice for those who are asymptomatic is just monitoring them, not monitoring contacts around them other than maybe close hospital workers. Commissioner Van Beek had questions about the period of time an asymptomatic person would present from infection to process. Director Zogg said if they tested positive and are asymptomatic the health district might just follow them for 14 days to see if they develop symptoms. On the flip side, some symptomatic patients typically monitor for 14 days but some of them have been symptomatic for 30 days. With regard to the potential exposed liability if there's a fair, Commissioner Dale said there is a statute that covers parks and playground equipment where you cannot sue the city for that and he'd assume that same coverage applies to fairs as well. How would that change and how would we know if their point of contact for COVID-19 was the fair? Prosecutor Taylor said if the health district says mass gatherings should not happen and an entity chooses to ignore that recommendation he thinks even though people are assuming their own risk you potentially expose yourself by having people come to an event. We need to be cognizant and weigh the pros and cons. Assessor Stender asked if those who are asymptomatic should be at home. Director Zogg said if they are asymptomatic and tested positive they should isolate for 14 days, and that's because we know some asymptomatic people are able to transmit infection. She received an email from the Governor's office asking what they recommend regarding moving

some out-of-state jail inmates to an in-state jail. There will be further discussion about it this evening. If we had to receive them they would have to have a rapid test within 8 hours, before they left to make sure they are negative, and upon their entry so that they are not put in with the general population without another rapid test or some type of quarantine from the general population. All the jails have a different ability to accommodate that. Sheriff Donahue asked if that means state inmates coming back to state facilities. They should do the rapid test on both ends and then quarantine them, because that's what the Sheriff's Office does with its staff if they go out of state, they are required to go into quarantine for 14 days upon return with their vacation time. He sees the inquiry as a problem from the state's perspective because they are already limited on room so they are leaving inmates in county jails. He has 60-70 today, and Ada County has 300 so we need them moved out. He spoke with the director and said they need to be moved because our jail is filling up from new arrestees so he questions why they are thinking of bringing inmates from out of state at potential exposure to the prison system itself. He did say there are some county jails who have bed space and are asking for state inmates. Canyon County sent some state inmates to another facility yesterday to try to lessen the pressure. Director Zogg said it looks like extraditions. Sheriff Donahue said that makes it more complex. Commissioner Van Beek had questions regarding the recidivism rate and the need for space for reoffenders. The Sheriff doesn't think we'll see those recidivism rates for a little while because it hasn't got into cycle yet. The space that was made available primarily from our jail perspective was those who were in work release and who go to work during the day and are in the jail at night. We are seeing an uptick in violent crime so our numbers are increasing a little more dramatically than we had hoped for the last two weeks. Discussion ensued about coordination with the judiciary, PA and CCSO. Prosecutor Taylor said they are seeing a massive increase, and the courts have been limiting district judges to two days a week to hold court but in June they anticipate the courts will go back to the normal schedule of 4-5 days per judge. There will be a massive increase in volume. Sheriff Donahue said the ADJ's order did not let people out; he suspended work release sentences and the SILD program for the first 60 days and extended it by 30 days. Commissioner Van Beek reported that the County is looking at revising the alcohol ordinance because there's language that's not totally clear, and she welcomed the Sheriff's thoughts on the matter. She also reported Ms. Wendelsdorf has sectioned off 6-foot sections in the Board's meeting room in order to allow for social distancing for meetings/hearings. There are only 17 chairs for the audience. Masks are not required. Those who have access to technology are encouraged to use it in order to save space for those citizens who do not have access to technology. Zach Wagoner reported that the elections office has received ballots back and have gone through the process of opening those ballots and preparing them to be counted and the process is being streamed on YouTube. They have sent out over 43,000 ballots which is unprecedented, and they have to be returned by June 2nd. Discussion ensued about the process used by elections employees and the very efficient, transparent, and streamlined process. Treasurer Lloyd reported that three cashier stations now have temporary plexiglass. The bid for a permanent fixture for five stations is over \$5,500, but given the cost she wants more time to think about it and to see what the next month or two will bring. Assessor Stender reported that ITD is working on a press release and they asked him and Sheriff Donahue to speak about online experience with renewals. He stressed the importance of doing it online, noting that there is a cost associated with it, but there is also a cost to driving to the facility and standing in line too. The DMV online renewal activity is over 200% compared to

what it was a year ago. Sheriff Donahue said they encourage people to use the online services; however, there are more restrictions on the driver's license side given that kids are testing for their permits, and people are seeking a CDL or a star card, etc., and that cannot be done online. We are a couple of months into the backlog and he is happy to see ITD providing online services. He was pleased to see the acknowledgment that the software was the problem, it was not the County's fault. He will include in the FY2021 budget a request to increase the fulltime staff at that facility by two employees. Assessor Stender said between 50,000 and 60,000 assessment notices will soon be mailed. Commissioner Van Beek asked if the Assessor is looking at limiting increases to 5.5%, similar to what Ada County is doing. Assessor Stender said no, the state does a ratio study and they are supposed to be between 90%-110% of market value but the target for everybody is 100% and this year with the uncertainty when they were working on establishing values they shot for 90%. Mayor Nancolas reported that the City of Caldwell is going to start reopening city buildings on June 1st with plexiglass and cleaner and they will resume public hearings. They are following the guidelines and working with Director Zogg and Ms. Wendelsdorf to make sure they are in line with the Governor's stay healthy order. He expressed his appreciation for the work being done and the information being disseminated. Lee Belt said the City of Greenleaf had a WICAP food pantry event at city hall on the 14th and he estimates there were 30-40 families who drove through. WICAP considered it a success so the city will considering doing another one in future months. The City of Greenleaf is still planning on the parade since it's fairly easy to social distance, but the church and school are still working on determining whether they can safely put on their portions of the normal festivities. Director Zogg provided follow up information about asymptomatic cases: the health district follows the same process as they do for symptomatic patients, the only difference is that instead of isolating for 10 days and 3 days with no fever and with symptom improvement, the asymptomatic patients must isolate at home for 10 days from their test date and they actively monitor them daily for symptoms and exclude them from work until they meet release from quarantine criteria, with the exception of some of the essential workers. Sheriff Donahue asked for prayers and support for our law enforcement colleagues in Bonneville County who lost a young deputy on Monday who was killed in the line of duty in a tragic accident. He will attend the funeral in Idaho Falls. He appreciated the support for the recent peace officer memorial where they were able to represent our men and women who died in the line of duty in Idaho and in the U.S. The event was live-streamed with no crowds. Upon the motion of Commissioner Dale and the second by Prosecutor Taylor the meeting concluded at 2:44 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS COMMISSIONERS' OFFICE FY2021 BUDGET

The Board met today at 2:53 p.m. to discuss the Commissioners' Office FY2021 budget. Present were: Commissioners Pam White, Tom Dale (left at 3:45 p.m.) and Leslie Van Beek, Clerk Chris Yamamoto (left at 4:00 p.m.), Controller Zach Wagoner and Deputy Clerk Jenen Ross. The budget lines were reviewed as follows:

- Compensation \$0 increase
- Miscellaneous professional fees \$3500

- Recommended \$2500 for cell phone
- Document shredding \$100
- Copiers contract (per click charges) \$500
- Cell phones \$2500
- Advertising \$17,000
- Postage \$250
- Meals \$2000
- Mileage \$3500
- Taxi \$250
- Parking \$250
- Hotel \$2500
- Gas and oil \$100
- Airfare \$1750
- Car rental \$150
- Education and training \$4000
- Association dues \$300
- Subscriptions \$250
- Misc. \$400
- Office supplies \$750
- Computer equipment \$4800
- Machinery (copier/printer) \$7715
- Small office equipment \$0
- Office furniture \$250

General conversation ensued about funding for community organizations. The meeting concluded at 4:12 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 22, 2020

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

ABSENT: Commissioner Tom Dale, Vice Chairman

SAPPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$20,812.18 for the Information Technology Department
- SHI in the amount of \$54,011.64 for the Information Technology Department
- Data Bank IMX in the amount of \$13,875.00 for the Information Technology Department
- HP, Inc., in the amount of \$1,025.00 for the Information Technology Department
- Data Bank in the amount of \$60,163.81 for the Information Technology Department

APPROVED LIQUOR CATERING PERMIT

The Board approved the following liquor catering permits:

- Moad, LLC dba O'Michael's Pub & Grill for June 13, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 18, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 20, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 20, 2020 (High Desert Station)

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for La Michoacana Mexican Restaurant, LLC dba La Michoacana; Tacos Y Mariscos El Compa, LLC dba Tacos Y Mariscos El Compa; Local First, LLC dba Local First; County Line Wine Company, LLC dba County Line Wine Company; Walmart, Inc., dba Wal-Mart #3739, Walmart #4180, Walmart #2781, Walmart #2780, Walmart Market #4494; Krung Thai Restaurant, LLC dba Krung Thai Restaurant; Thrifty Payless, Inc., dba Rite Aid #5409; and Franklin United, Inc., dba United Oil. (See resolution nos. 20-076 and 20-077.)

MEETING TO RECEIVE AND REVIEW QUARTERLY JAIL INSPECTION REPORT

The Board met today at 9:03 a.m. to receive and review the quarterly jail inspection report. Present were: Commissioners Pam White and Leslie Van Beek, Captain Daren Ward, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 9:10 a.m. Commissioner Tom Dale joined via Webex at 9:11 a.m. Given the COVID-19 pandemic the Board did not conduct a physical inspection/tour of the jail this quarter. The standard form the Board uses on its inspection/tour was sent to Captain Ward and he provided responses to the 20 questions, a copy of which is on file with this day's minute entry. He reported there is nothing out of the ordinary. The renovation is occurring in Pod 3 and progress is going well. Upgrades include new light fixtures and epoxy paint from floor to ceiling which will brighten the living units. They have installed some ball valves so that in the event of flooding in a cell a deputy can turn the water off to the unit without shutting down the entire facility. They have reported some issues with Pod

6 in terms of leaks and problems with the door hinges which have separated and are causing the door to sag and not latch properly, but ADS is looking at the situation to find the best solution. Commissioner Van Beek asked questions of Captain Ward regarding project costs and compliance. Following comments the Board signed the inspection form. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER APPROVING ORDINANCE AND SUMMARY AMENDING CHAPTER 5, ARTICLE 1, ALCOHOLIC BEVERAGES

The Board met today at 9:12 a.m. for a legal staff update and to consider approving an ordinance and summary amending chapter 5, article 1, alcoholic beverages of the Canyon County Code of Ordinances. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, and Adam Hutchings. Today's discussion centered on the desire for the County's ordinance to have the same flexibility the City of Nampa's ordinance has regarding the ability to grant exceptions to the requirement that premises selling alcoholic beverages must be at least three hundred feet (300') away from any school, college, church, or place of worship. Dan Blocksom presented the Board with several options and following discussion the Board settled on the following language:

SECTION 5. Chapter 5, Article 1, Section 13: Qualifications is hereby amended as follows:

(6) ~~Proposes to license a premises for the sale of liquor by the drink at retail, for consumption on the licensed premises, to serve and sell liquor at retail by the drink at a party or convention which is off the site of the licensed premises, to sell for consumption on the premises draught, bottled or canned beer, and/or to sell wine by the individual glass or open bottle at retail for consumption on the premises that is conducted for pleasure or profit alcoholic beverages as provided in this ordinance that is within three hundred feet (300') of any public school, church or other place of worship, or college, measured in a straight line from the nearest corner of said building to the nearest entrance of the licensed premises where the distance from the proposed premises from schools, churches, places of worship, residential neighborhoods, and colleges does not comply with title 23, Idaho Code. This provision does not apply to licensed premises which preexisted the public school, church or other places of worship or college.~~

Mr. Blocksom left at 9:47 a.m. to prepare a revised document.

As part of the legal staff update Zach Wesley spoke about the email communication regarding letter Pioneer Irrigation District where he proposed a response to the district that would come under his signature but he wanted to make sure the Board concurred with the direction since we're talking about interactions with other governmental entities. Pioneer Irrigation District,

through their attorney, sent protest statements primarily of the Idaho Department of Water Resources guidance on floodway permits for the irrigation districts and asked the County countersign or acknowledge the protest. DSD has been aware of these issues between the irrigation districts, the state and the federal law pertaining to floodways. This was an ongoing issue between the state and federal government and the IDWR resolved it with this guidance but irrigation districts are not happy with it. Rather than countersign the protest, Mr. Wesley's letter will advise that the County has an ordinance in place that allows them to protest individual decisions. They can either protest the permit denial or the interpretation of the ordinance by DSD staff and have that come to the Board. He thinks countersigning the protest may muddy the waters and make it appear they are exempt from our regular processes and could create a legal theory that they don't have to go through judicial review and could sue the County directly for a permit denial. He will acknowledge and point them to where they can do the protest under our ordinance. This doesn't have anything to do with water rights or any existing litigation, he believes it's about the federal law requiring permitting so they know what work is being done and there is a record of it, but the irrigation districts don't want to go through those hoops. IDWR tried to relieve those restrictions from the irrigation districts and they allowed them to get a general permit to conduct their regular maintenance work and not have to go through individual permits for each time they work on a ditch and only required specific permits for larger projects. He thinks there's been some negotiation between the state and federal government about how this can work and not be such a burden on the irrigation districts. The County's role in this is limited and because we have to follow the federal government requirements if we want to have the insurance program in place, flood insurance specifically. The County has built its ordinance in a way that we are not taking sides on this issue. The Board is in support the letter Mr. Wesley has prepared.

Mr. Blocksom returned at 9:54 a.m. with the revised draft ordinance that included the first option he presented to the Board. Chairman White read the amended language into the record as follows:

SECTION 5. Chapter 5, Article 1, Section 13: Qualifications is hereby amended as follows:

Proposes to license a premises for the sale of alcoholic beverages as provided in this ordinance where the distance from the proposed premises from schools, churches, places of worship, residential neighborhoods, and colleges does not comply with title 23, Idaho Code.

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the ordinance, Chapter 5, Article 1, Section 13, Sub-Section 6 as presented. (See Ordinance No. 20-008.) Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the newspaper publication and summary of the ordinance. Commissioner Dale authorized the use of his stamp on the documents.

The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

MEET WITH IT DIRECTOR REGARDING CANYON COUNTY MICROSOFT AUDIT CLOSURE

The Board met today at 10:01 a.m. with the IT Director regarding Canyon County Microsoft audit closure. Present were: Commissioners Pam White and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen, IT Business Manager Caitlin Pendell, Sgt. Rob Whitney, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Don Dutton via Webex, and Deputy Clerk Monica Reeves. The Microsoft audit started on December 19, 2019 and extended into May of 2020. Director Rast spoke about where the costs come from and the outcome of the audit itself. He submitted the following purchase orders for approval:

- SHI – in the amount of \$20,812.18 for the Microsoft audit fee, which are fees the County is responsible for in order to be in compliance
- SHI – in the amount of \$54,011.64 for licensing compliance and it includes the products that are on the network that we are responsible for licensing. Through the audit he is reducing 34 products to 25 because he has found software packages that haven't been used to their full extent so he's going to remove them for a cost saving.

He is pleased to report the County has zero fines associated with the audit, which came from the proof of non-negligence. In 2015 he projected we were about half a million dollars behind in licensing and he wanted to stretch that cost over 5 years so he put in a five-year plan to come into compliance. The agreements are on three-year terms so every third year he goes to Microsoft and requests licenses and that cost is split into three years. He projects from 2020 to 2023 the costs will be \$273,000. Director Rast reported that in 2015 we spent \$134,000 additional dollars; in 2016 we spent nearly \$58,000; in 2017 we spent \$840; in 2018 we spent \$8,000; in 2019 we spent \$37,000; and in 2020 we spent \$120,000, and that's what has proven non-negligence because they saw our trend of purchasing as coming into compliance. With all of that we are now in compliance. There were no fees, no fines, and no penalties and that's a huge win because Microsoft penalties start at \$250,000. Rob Whitney said from the audit they learned quite a bit about software, which is extremely convoluted in some of the wording and licensing and it's a fulltime job to track what's out there on the network. Director Rast referenced the memo he provided to Microsoft acknowledging some of the shortcomings on our licensing, and it includes his remediation plan and it fulfilled the County's requirements of the audit. (A copy of the memo is on file with this day's minute entry.) Commissioners Van Beek and White expressed their appreciation to Director Rast for a job well done, and they approved the purchase orders that were submitted.

Director Rast said he's put \$20,000 in IT to provide COVID telework, VPN, and equipment, which is really good. His staff has been redlined for two months with the telework, the work associated with the Supreme Court's order, and the Webex implementation, and with the 1% equity he has leftover he wants to approach the Controller in July to disperse that and split it for those employees who've been working weekends and long nights to get things going.

The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

FILE TREASURER'S MONTHLY REPORT IN MINUTES

The Board filed the Treasurer's monthly report for the period of April 1, 2020 through April 30, 2020.

MAY 2020 TERM

CALDWELL, IDAHO MAY 26, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Caldwell Glass in the amount of \$7,462.58 for the Prosecutor's Office
- Hyland Training in the amount of \$2,500.00 for the Information Technology Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Precept Brands, LLC dba Ste. Chapelle Winery/Sawtooth Winery; Crescent Brewery, LLC dba Crescent Brewery; Sol Invictus Vineyard, LLC dba Sol Invictus Vineyard; Shewil, LLC dba Slick's Bar; City of Nampa dba Ridgecrest Golf Club. (See resolution nos. 20-078, 20-079.)

MEETING TO CONSIDER ACTION ITEM

The Board met today at 9:01 a.m. to consider an action item. Present were: Commissioner Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a resolution granting a new alcoholic beverage license to Grocery Outlet of Nampa:

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Grocery Outlet of Nampa. See resolution no. 20-080.

The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY GRANT AND BARBARA PETERSON FOR A REZONE, CASE NO. RZ2020-0001

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Grant and Barbara Peterson for a rezone, Case No. RZ2020-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Grant Peterson, Deputy P.A. Zach Wesley, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson and DSD Planner Dan Lister. Dan Lister gave the oral staff report. The applicant is seeking a rezone from an "A" (Agricultural) zone to an R-R (Rural Residential) zone. The parcel comes from an older subdivision, Grant Acres Subdivision created in 2009. In 2018 another subdivision created two 2-acre lots, and what the applicant is requesting is something similar to those that were previously approved. It is similar to what is surrounding the property. There are 11 subdivisions in the surrounding area. The property is considered moderately suited soils and prime farm land if irrigated. The property is four acres and does not qualify for an agricultural exemption and is not being used for agricultural use. Agency comments were received, and review will be required at the time of platting. No comments were received in opposition. Commissioner Van Beek had questions regarding the requirements for an agricultural exemption. Grant Peterson testified in favor of his request and said no land under five acres can be classified as agricultural so he fails to see how his land can be agricultural and residential at the same time. He pays property taxes based on the residential classification. According to Mr. Peterson he is going to abandon the idea to split the land; he will rezone it, but he will not split a portion off. Commissioner Dale said changing from an agricultural designation to rural residential does allow in the future that there could be a two-acre lot separate from this lot. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale said the rezone makes sense for this area and the rural residential designation will allow two acre minimum lot sizes for whatever Mr. Peterson wants to do with his property. He then made a motion to grant the request from an "A" (Agricultural) Zone to an "R-R" (Rural Residential) Zone, as well as approve the FCO's and the ordinance. The motion was seconded by Commissioner Van Beek for discussion. She asked staff for clarification in terms of cost if he chooses not to take the split right now. Mr. Lister said the applicant doesn't have an administrative land division so it has to go through the platting process to divide it. Following discussion, the motion carried unanimously. (See Ordinance No. 20-009.) The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY PURPLE SAGE ESTATES NO. 4, CASE NO. SD2019-0043

The Board met today at 10:30 a.m. to conduct a public hearing in the matter of a request by Hess Properties for preliminary plat approval for Purple Sage Estates No. 4, Case No. SD2019-0043. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Stephanie Leonard, Tyler Hess and Deputy P.A. Zach Wesley. Jenn Almeida gave the oral staff report. The property is currently zoned R-1 single family and all lots meet the average minimum lot size. The property is designated as residential and is located in the Middleton impact area. The subdivision will contain 24 residential lots and one common lot, and it will utilize individual domestic wells and septic systems as well as a pressurized irrigation systems and an internal public road. Keller and Associates has reviewed the plat and all recommendations were added as conditions of approval. Canyon Highway District provided requested revisions and they have met those requirements and those items were noted on the plat. A final traffic impact study has to be provided prior to final plat approval with the proposed conditions of approval. The P&Z Commission and staff are recommending approval. Stephanie Leonard gave testimony on behalf of the applicant. This is the fourth phase of Purple Sage Estates and consists of approximately 33 acres and is zoned R-1. They are proposing 24 single-family lots and one a common lot which will include a drainage pond and the pressurized irrigation system. The average lot size is 48,000 square feet, just over 1 acre. Ms. Leonard explained the internal road system. They will work Southwest District Health and make adjustments based on their requirements. They have met with Canyon Highway District on what they want to be studied. They have a draft version of the study, but they are still reviewing it and going through the details. Following her report, Ms. Leonard responded to questions from the Board. Tyler Hess testified in favor of the preliminary plat. He is the project developer and this is the fourth phase of the project and it's an extension of the other phases that have done well in the area. Beautiful homes are being built and they have been working with engineers with staffs help and with the highway district. They have met all requirements on this property. They are currently working on Phase 5 of the project. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the preliminary plat, irrigation plan and drainage plan for Purple Sage Estates, SD2019-0043. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT FOR BOULDER CREEK SUBDIVISION, CASE NO. SD2019-0004

The Board met today at 11:00 a.m. to conduct a public hearing in the matter of a request by Troy Young for preliminary plat approval of Boulder Creek Subdivision, Case No. SD2019-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Monica Reeves. Via Webex: DSD Planner Jennifer Almeida, Derritt Kerner, Grayth Sielaff, Marcy Field, Bruce Field, and Troy Young. Jenn Almeida gave the oral staff report. The property is currently zoned R-1 Single Family Residential, and is designated as residential on the future land use map and is located within Middleton's impact area. The project contains six residential lots and one private road lot

and will be served by individual domestic wells, septic systems, and an internal private road. Keller and Associates has reviewed the preliminary plat and their items were added as conditions of approval. No written opposition to the plat was received. The subdivision was found to meet Idaho Code and zoning ordinance requirements. The P&Z Commission and staff are recommending approval along with the proposed conditions of approval as outlined in Exhibit No. 1 of the staff report. The P&Z Commission recommended Condition No. 7 requiring a 6-foot privacy fence to be installed on the eastern property line of Lot 5 and 6. The applicant submitted a letter in response to that after the hearing. Staff is recommending that condition not be imposed because the applicant as well as the adjoining property owners do not want the fence. Following her report Ms. Almeida responded to questions from the Board. Derriitt Kerner gave testimony regarding the plans for irrigation and drainage for the property. It will be a nice subdivision with nice features. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the preliminary plat, irrigation plan, and drainage plan for Boulder Creek Subdivision, and he proposed that the fence requirement be eliminated. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:16 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JESSICA SKINNER, REPRESENTING KEN & CHEYENNE MORTENSEN FOR A REZONE, CASE NO. RZ2019-0034

The Board met today 2:30 p.m. to conduct a public hearing in the matter of a request by Jessica Skinner, representing Ken and Cheyenne Mortensen for a rezone, Case No. RZ2019-0034. The applicant is requesting to rezone parcels R34445012A (1.27 acres), R34445012A1 (7.08 acres), and R34445012A2 (33.38 acres) from an "A" (Agricultural) zone to an R-1 (Single Family Residential) zone. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek Deputy P.A. Zach Wesley, Alan Mills, Keri Smith-Sigman, Nick Hylton, Jessica Skinner, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Janet Gregory, Becky Crofts and Bruce Bayne from the City of Middleton, Ray Waltemate, Dan and Sherie Crossley, and Garren Apple.

Dan Lister gave the oral staff report. In 1991 a conditional use permit was approved for a game bird operation on this parcel. On July 18, 2019 the rezone came before the P&Z Commission, however, it was withdrawn to seek a review by the new Mayor of Middleton. The area is predominately zoned agricultural and rural residential. The comprehensive plan designates the parcel as residential. Middleton's future land use map designates the area for residential uses. The city is working on extending the sewer south of the property. Four subdivisions are adjacent to the property. Of the 37 subdivisions within the general area, 14 are within the city limits. The majority of the property contains moderately suited soil and is considered prime farmland if irrigated. The parcels are located outside the City of Middleton where residential growth is not anticipated. The parcels are located within a 480-acre traffic analysis zone. The parcels are located within a nitrate priority area, and wells in the area indicate there are nitrate issues in the water,

however, they do not exceed DEQ's thresholds. Staff finds that all required findings in accordance with the zoning ordinance cannot be made as demonstrated in the staff report. The comprehensive plan encourages residential development and growth to be located where public infrastructure and facilities are available. The City of Middleton opposes the rezone because it promotes residential sprawl outside the city limits where services are available, therefore, staff recommends denial of this request which is in compliance with the P&Z Commission's recommendation to the Board. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the request:

Jessica Skinner testified that when Faisan Subdivision obtained plat approval, they said it would cost \$7 million to take a sewer from 9th Street to their subdivision. Staff said the property is contiguous but Ms. Skinner said there is commercial property between the subject property and the high school. The comprehensive plan says to encourage a variety of housing choices, but in the Middleton area there are only two one-acre parcels on the market today so there is a need for this diversity. There are seven parcels just over one-acre in size. The property is across from the high school and there is no reason it cannot be developed. The R-1 zoning will have a lot less impact than a higher density project. A nutrient pathogen study has been conducted and it indicated approval of up to 45 homes.

Nick Hylton testified that he represents the neighbors along the north roundabout area on Willis Road and they are in support of this request. Traffic is a big issue and the City of Middleton is encouraging higher density with three houses per acre if the property is annexed. The property will support wells and septic systems. Mr. Hylton's biggest concern is the high-density use in front of the high school.

Keri Smith-Sigman testified that the request is a perfect fit for the area. R-1 standards are to promote and enhance single-family and low-density standards. This is a good transition into an area that is rural in nature and still provides for a rural lifestyle, versus the high-density the neighboring communities do not support. She referred to previous staff reports that support similar requests. She said there are no standards in the ordinance that mandate a full parcel rezone request, nor does the zoning ordinance contain a definition of *contiguous*. The application was for a partial parcel and the Board should be looking at this as not contiguous and if the Board doesn't want to look at it as contiguous it should look at other decisions that were made that allow for properties to be rezoned, rather than force annexation.

Alan Mills read a letter of support from Rick Fried, a current P&Z Commissioner who recused himself from the underlying hearing and his letter stated the request is consistent with the area and the comprehensive plan. The two major organizations that oppose the request do so with a recommendation to connect to city services, but that implies annexation which further implies forcing the property owner to annex to gain approval of the rezone. The city should consider partnering with the property owner. Mr. Mills gave a history of the property and the way the impact area came about and how there were fears of taxation and regulation without

representation and here we are today with heavy pressure being applied by the City of Middleton. He spoke about the sewer location that stops at Emmett Road. He said attorney Danny Bower attended P&Z Commission meeting and made it very clear this is not contiguous, there is a distinct difference – it is not contiguous to the city of Middleton. This is a classic infill project and if you put the city here there will be an enclave. The whole neighborhood wants R-1 zoning and they are opposed to forced annexation. Mr. Mills said the staff report is opposite of several cases that were approved and are very similar to this property. This seems to be arbitrary. He responded to questions from the Board following his testimony.

Dan Crossley testified he is in support of the R-1 zoning for the reasons stated. The biggest issue is the traffic between the two roundabouts; it does not make sense to put high density on the subject property due to traffic concerns.

Garren Apple stated he is in favor of the rezone and not allowing the city to annex.

Janet Gregory took a neutral position on this request but she did not offer testimony.

The following people testified in opposition to the request:

Bruce Bayne, who offered testimony on behalf of the City of Middleton; directed the Board to previous letters submitted by the city and he asked them to be consistent with the P&Z Commission who denied the application. The property is contiguous to the city limits. Misinformation has been spoken today. Regarding the sewer line that is 1,350 feet away from the property, the city has plans done to get the line in. It costs \$70 a lineal foot so that entire price is under \$100,000, not millions of dollars as was stated. Taxes are paid to the county not the city – the city has R-1 zoning and if the applicants want to annex they will give them R-1 zoning just as the county would. There is a city well on the NE corner of Emmett Road and 9th Street and 40 more homes will be competing against that well. Taxpayers out there are not paying a dime to the city of Middleton. The City's area of impact is Highway 84, it's not Emmett Road. This is in the city's area of impact. The entire property will sewer to the east to Emmett Road and down to 9th Street to the existing city sewer. If there are other projects farther away from the city they do not object to those going into the county because they cannot service them at this time. This case differs from others because it is contiguous to the city. This blocks the city going to the west – any project contiguous to the city will block it in one fashion or another. Following his testimony, Mr. Bayne responded to questions from the Board.

Commissioner Van Beek said the commercial piece is not contiguous because it's not a part of what we are considering today. She asked where is then point of contiguous, excluding the 10 acres that are not part of this decision. Mr. Bayne said the part that is contiguous is on Emmett Road. Commissioner Dale said there seems to be a disagreement in the definition of contiguity. The letter from the city requests conditions if the Board approves: connect to water system and extend the sewer to and through the project. Mr. Bayne said the water line is already there and the system will put in the sewer at their cost, but once it gets to the property line than the owner

must continue it to and through their property. He said developers are shifting that upfront cost to the homeowners which is why they want to develop in the county.

Dan Lister responded to questions from the Board regarding contiguity. It is one big parcel and if they don't want it to be contiguous they will have to split the 10 acres off so it's not contiguous to the city, but they didn't do that. It is contiguous to city services land-wise.

Zach Wesley responded to questions from Commissioner Van Beek regarding the letter from Danny Bower, and he said the discussion is outside the scope of what the Board is being asked to consider today with this rezone. The question is will you approve the zoning with water and sewer prepared by the individuals, or are you going to require they use the city services. The question of whether they are on the border becomes a question when they are negotiating with the city for services and what fees they will pay. The question of annexation is not before the Board yet, so Mr. Wesley does not want to spend too much time getting lost in the weeds on this because it's not something the Board needs to decide today.

Ray Waltemate said it was explained well that the land is contiguous, and the zoning within that land is irrelevant to the contiguousness of Emmett Road and where the property actually sits.

Rebuttal testimony was offered by Alan Mills. There are impact fees being considered right now. They are in the impact area and are paying the Greater Middleton Parks and Recreation District. It's easier said than done to pay for services. There are no lack for city lots and the property the City of Middleton has annexed is underdeveloped. There are those who want a rural lifestyle and our comprehensive plan encourages a diversity of lifestyles and home styles and you would be fulfilling that greatly with this application. This property will sewer but it won't go west so what do we accomplish by getting that far but not being able to go farther, it doesn't work. This will not block any growth through Middleton. He took exception with the statement there are differences in the other applications for similar projects in the area, all are contiguous to the city limits but there was no question of contiguity. The only difference is the staff report and the direction it's going. You have to be careful bringing services to this project because of the code regarding implied consent - if you do hook up to water and sewer. This should not be about whether the property is contiguous and it should be about what is the most appropriate and what do the people who live there want.

Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek said some of the most credible testimony received was from Alan Mills and Rick Fried's letter and looking at what we have done in the past where we did not require Faisan Subdivision to connect to city services. This project has a tremendous amount of support from the surrounding people. R-1 cannot pay for those services is correct. Personal property rights must be considered and annexation is not wanted by the property owner. She is in favor of this request. Commissioner Dale supports the request but said there were comments made that need to be addressed: urban style development belongs within a city limit and that principal is consistent and needs to be maintained because it makes greater use of the land available by putting more homes on it. These

one-acre lots are not urban style development. He doesn't know that a single home on a one-acre lot is an efficient use of a sewer system. He agrees that even though water/sewer are available it's probably not the best use. We have set a precedent in this area with the types of properties already permitted and it would be somewhat inconsistent to say we cannot do this one. Commissioner White said each case is different and deserves an open mind. This project is compatible with the area, and a compelling fact is it won't go west. She is in favor of the request. Following the Board's deliberation Commissioner White, made a motion to approve the rezone request from "A" (Agricultural) to "R-1" (Single-Family Residential) with a one-acre average minimum lot size for Ken and Cheyenne Mortensen represented by Alan Mills and Jessica Skinner, Case No. RZ2019-0034. The motion was seconded by Commissioner Dale and carried unanimously. The Board will consider the written FCO's and ordinance on June 2, 2020 at 10:00 a.m. The hearing concluded at 4:15 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 27, 2020

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

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Treasure Valley Road Runners, LLC dba The Tower Grill; Dashmesh, LLC dba Friendly Fred's (See resolution nos. 20-081 and 20-082.)

PUBLIC HEARING – APPEAL BY DANDREW WINE, LLC FOR A CUP, CASE NO. CU2019-0029

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Dandrew Wine, LLC, for a Conditional Use Permit (CUP), Case No. CU2019-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Keri Smith-Sigman, Valerie Armas, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Daniel Kezner, Michael Kuhn, Patrick Williamson, and Sarah Gross. Jennifer Almeida gave the oral staff report. The subject property is approximately 40.22 acres and is currently zoned agriculture and the future land use is agriculture. The applicant is appealing the P&Z Commission's denial of a CUP for a yurt camping facility on the subject property as an accessory use to a special event. The applicant is requesting six yurt sites proposed for short-

term overnight stays. The applicant has submitted a letter stating they want to add a seventh yurt site for a camp host, but staff is recommending a condition of approval requiring that the camp host should occupy one of the six yurt sites they are requesting. Staff is not in favor of adding an additional yurt site for a camp host. Guests would be limited to a 7-day stay, and no traditional tent camping or RV camping is allowed on site. Staff finds the request complies with the standards of evaluation for the CUP, subject to the recommended conditions noted in the staff report. Following her report, Ms. Almeida responded to questions from the Board. Daniel Kezner testified the overall plan is to provide six yurts that would allow for the overnight stay of winery guests and guests of the wine region. It will be a simple operation with a nice place for people to stay overnight. The yurts are off-the-grid tents and are self-contained. He addressed the issue of cleaning of the ponds and the yurts, as well as the plans to install a fence along the north side of the property. They have requested seven yurts to maintain the viability of the business by adding a person who will be there 24/7 to provide oversight of the property and events. Mr. Kezner responded to questions from the Board. Valerie Armas testified that she is the coordinator for the Sunnyslope Wine Trail and she also works for Destination Caldwell and she supports the request by Precept Wines to add yurts because it will help to enhance tourism and promote the wine/agricultural area. Keri Smith-Sigman is the CEO of Destination Caldwell and for the last seven years they have worked hard to identify Caldwell and Canyon County as a premier gathering place and focus on tourism. Canyon County, specifically Caldwell, has a very large economic leakage problem where people take their money and spend it in other communities and so their mission has been to support the agricultural industry, including the wine industry and requests such as this has been to improve the Sunnyslope Wine Trail and it's incredible value. She strongly supports the request. Michael Kuhn is a contractor working on the project and he said they have had extensive conversations with the homeowners and they are planning to extend the fence along the boundary. Ste. Chappelle Winery does the contracts for the private venue rentals and they have hired a staff member who will be on site during all events and they will have additional security to take care of the issues Patrick Williamson is concerned about. He said there were issues with private parties that ran too late and so the contracts have been redone and the renters will be fined extensively if they are not off the property by 11:00 p.m. Sarah Gross testified on behalf of Adventure Trail and they are excited about this proposal because it will help promote staycations. Patrick Williamson offered neutral testimony and voiced concerns on behalf of his family's orchard business. There has been a lack of communication with the applicant, although he does appreciate the plans to install a fence. He has no problem with the request for seven yurts as long as there is an onsite manager to answer calls after hours due to previous problems with music going until 1:00 a.m. for private events. He is concerned about the stench from the ponds which is caused by the yeast that gets dumped down the drain, but he was told they are fixing the problem. There are also concerns with people trespassing on his property which could cause problems when crop dusters spray orchards in the middle of the night. Rebuttal testimony was offered by Daniel Kezner who stated they will add a no ATV rule to their overnight stay contract and rules of the grounds. If guests are travelling in an RV they can park on site but the RV cannot be on at night because the air conditioning units are noisy and they don't want to create noise issues for the neighbors. The yurts will close the end of November through March; however, if a group wants to rent a yurt in December for a holiday they would entertain that idea, but for the most part they want to compact it to the high tourism. Mr. Kezner responded to additional

questions from the Board. Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Dale supports the request as it's a unique and creative idea and he doesn't see how it will interfere with other uses out there. He has no problem with the request for a seventh yurt. Perhaps fences could be put around the yurts if needed. He likes that there will be no ATV use allowed on the grounds. The pond is not pertinent to this discussion although it would be to the benefit of the landowner to make sure an odor is not drifting down to the yurts. Commissioner Van Beek said a wrought iron fence would be aesthetically pleasing, and she asked for legal counsel to weigh in on the right to farm act in this case. Deputy P.A. Zach Wesley said the Board can impose conditions on the use of the yurts that may be related to the farming activity. There could be an advisory statement that the right to farm laws exist and people should be aware they are not to interfere with farming activity and that could be included in their rental agreement. Commissioner Van Beek said having a plan presented from Precept Wine on the fence and what that would look like along with some landscaping would make it aesthetically pleasing for both parties. She likes the plan to have an onsite manager, and the restriction on ATV's. Having an odor cannot be good for a scenic byway so there should be no dumping of yeast. She believes this is a good project and communication is the way to make it work. Commissioner White said this could be in the forefront for the wine trail and open amazing new doors. She appreciates that the Williamsons took time to voice concerns and the applicant's willingness to come together with the neighbors and make this a destination venture. Ms. Almeida said the CUP that was approved for the restaurant requires the applicant to submit a site plan that includes the fence location and type of fencing prior to getting a building permit for the restaurant. Discussion during the underlying hearing was centered on completing the fence along the northern boundary. She does not know if ATV's should be restricted entirely in case the property owner uses an ATV in the maintenance of the site. She suggested a condition that there shall be no ATV use by yurt users on the property. Following the Board's deliberation Commissioner Dale made a motion to approve the CUP for an accessory use of the special events facility, including 6-unit camping area for yurts plus one unit for an onsite manager for a total of 7 units, but one is reserved for the manager and it's not to be rented and it would include the condition of submitting a fence plan and installing fence prior to the use of the yurts. There shall be a notice of right to farm. There shall be an onsite manager when anyone rents or occupies a yurt. The hours of operation will be from 10:00 p.m. to 8:00 a.m. There shall be no ATV use by yurt users on the property and this restriction shall be included in the yurt rental contract. Prior to initiating the use, the applicant shall submit a fencing plan to DSD which includes the location and type of fencing. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Waxie Sanitary Supply in the amount of \$7,541.39 for the Facilities Department
- Caldwell Glass in the amount of \$10,833.49 for the Clerk's Office (Courts)

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Caldwell Housing Authority dba Farmway Store; Eva Contreras De Cuevas dba Tacos El Centro; Tacos Colimas, LLC dba Tacos Colimas; Kerry Hill Winery, LLC dba Kerry Hill Winery; The Orchard House, Inc., dba The Orchard House; The Idaho Golf Partners, Inc., Timberstone Golf Course; and Valley Wide Cooperative, Inc., dba Valley Country Store. (See resolution nos. 20-083 and 20-084.)

MEETING TO 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, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0681, 2020-0682, 2020-0661, 2020-0685, 2020-0662, 2020-0762, 2020-0659 and 2020-0663. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue written decisions within 30 days on the cases read into the record. Director Baker said she has a complete release of financial lien along with other liens for Board signature but she did not bring a notary to witness signatures so she will bring those back at a later time. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – ROGER AND DONNA GOFF'S REQUEST FOR A REZONE, CASE NO. RZ2019-0041

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Roger and Donna Goff for a rezone, Case No. RZ2019-0041. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Roger and Donna Goff, Brad Goff, and Keri Smith-Sigman, and Vicki Nay. Dan Lister gave the oral staff report. The applicants are requesting to rezone Parcel No. R35120010 (18.7 acres) from an "A" (Agricultural) zone to an

“R-R” (Rural Residential) zone. In 2018 the Goffs tried to annex the parcel into the City of Caldwell believing they had an annexation path, however, after going through the process it was decided it was only contiguous by a narrow strip and therefore not accepted. However, since that time there is now an annexation path, it is adjacent to city limits, but the Goffs do not want to annex their property. The Caldwell Engineering Department stated there are services along Marble Front Road but no services along Lincoln Road. If approved, the city will require road improvements and dedications as part of the platting process. Staff received a letter and testimony from Jerome Mapp from the Caldwell P&Z Department who is recommending denial as he believes the property should be annexed into the City of Caldwell and connected to city services. Agency requirements will have to be met. Based on the city’s concerns the applicants have said they are willing to enter into a development agreement to limit the division of this property to three lots, approximately six acres each. The lots are big enough to where in the future if they want to divide it or sell off they could easily annex it into the city and they would have enough room to re-develop. The P&Z Commission recommended approval of the request without a development agreement. Staff is recommending approval subject to the development agreement. Commissioner Van Beek had questions for staff regarding the city’s position on this case. Director Nilsson added some history on staff’s conversation while working with the city. The Goffs are really concerned about having to build road improvements for three large parcels and staff feels that should happen when they redevelop at some point. Staff has worked extensively with city staff to try to meet the city’s need to not block growth but let the interim development happen in a way so it doesn’t block the city from growing. They will work with the city to make sure utility easements are reserved for the extension of services into the future, and upon annexation the development agreement will go away. When the plat comes to the Board they anticipate a request to waive improvements for the three parcels. While it’s still uncertain what the city will require them to do, staff has told the Goffs that the Board is the ultimate authority to approve a waiver of road improvements and landscaping. The Goffs have not been provided a process from the city to request waivers and the engineer doesn’t believe he can do that because it’s not in the city code. Brad Goff testified that their plan is to have three 6-acre lots for family use that leaves room for agricultural farming. He said they signed the development agreement but there is some confusion. They applied for rural residential and they want to stick with that without being locked in a box in the future. They want to focus on the rural residential approval now, but have the Board know the intent is for three parcels for their family. Mr. Lister said the development agreement locks them in to three lots only and it’s based on concerns by the City of Caldwell. The Board has the option to go with the development agreement which will lock it to three lots or to fully rezone to rural residential which will allow up to nine lots. Donna Goff testified that their intent is to have three lots and she does not want to be locked into something that prohibits her grandkids from building there down the road. She prefers a straight rezone as opposed to a conditional rezone. They do not intend to further develop at this time, but down the road she doesn’t want to have to go through this again. They have already spent \$17,000 trying to get this through the city and it was a nightmare. Their current farmer has been farming the property since 1999 and she wants a farm exemption which is why they are seeking 6-acre lots. Roger Goff testified that they purchased the property with the intent to move there later in life. Keri Smith-Sigman testified in support of the request and said we need to look at whether the rezone fits the area. She understands where staff is coming from on the development agreement but the comprehensive plan shows this as residential. Staff’s

analysis is correct, the rezone fits. The Goffs intentions are for rural development and she questions why staff wants to impose a development agreement on a straight rezone. Vicki Nay testified in favor of the request. She purchased her property from Ryan Goff and she likes the variety of uses in the area. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale stated he is in favor of this, but he is sensitive to the City of Caldwell's expansion and master plan. He said the platting process will include the three lots and in the future it can be modified but it will require re-platting. Director Nilsson was asked to speak to the issue of having a DA on a straight rezone. She said it's a tool they use more often outside areas of impact where people have used their land divisions and want just one more and that's a way we can restrict the additional entitlement to match their desire without opening up the whole subdivision. It helps give the agencies confidence of what they can require because then they understand what is the total potential development and they can match their requirements to that. Commissioner Dale said forced annexations can only happen once the entire property is surrounded by the city limits. The impact area does not qualify for a forced annexation. He believes the Goffs want three lots, and in some ways there is not a need for the development agreement because the plat would lock them into three lots for right now. In the future if they want to sell property that will come back to the Board for evaluation. Commissioner Van Beek supports the application but she is not in favor of a development agreement. She is a fan of the city and respects their right to develop but the land still belongs to the property owner and they have expressed a desire to not be bound by a development agreement. There will be additional requirements for platting if they choose at some point in time, and there is good faith on both sides that the applicant will present a plan they have outlined. Commissioner White is in favor of this request and she does not believe there should be a development agreement. Following the Board's deliberation Commissioner Van Beek made a motion to approve the rezone of Parcel No. 35120010 from an "A" (Agricultural) Zone to "RR" (Rural Residential) zone without a development agreement. The motion was seconded by Commissioner Dale and carried unanimously. Staff will revise the findings of fact, conclusions of law and order bring them back at a later date. The hearing concluded at 10:59 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY KATHI WANGSGARD FOR A REZONE, CASE NO. RZ2019-0040

The Board met today at 11:03 a.m. to conduct a public hearing in the matter of a request by Kathi Wangsgard for a rezone, Case No. RZ2019-0040. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Kathi Wangsgard, and Deputy PA Zach Wesley. Jennifer Almeida gave the oral staff report. The subject property is 2.37 acres and is currently zoned agricultural. The proposed rezone is consistent with the future land use of the area; the surrounding area is residential and agriculture, and there are 33 platted subdivisions within one mile. Staff has reviewed the request and found that it meets the standards of review for zoning amendment and is harmonious with the comprehensive plan map. The P&Z Commission recommended approval of the request on February 20, 2020. Staff is recommending approval of the request. Kathi Wangsgard is seeking the rezone so her son can build a home on the property.

Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the request from an "A" (Agricultural) Zone to an "R-1" (Single Family) Zone, as well as approve the FCO's and the ordinance. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-010.) The hearing concluded at 11:09 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:33 p.m. with Elected Officials to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Controller Zach Wagoner, Prosecutor Bryan Taylor arrived at 1:37 p.m., Clerk Chris Yamamoto arrived at 1:58 p.m., Assessor Brian Stender arrived at 2:10 p.m., PIO Joe Decker, EOM Christine Wendelsdorf, Eugene Smith for SWDH and Deputy Clerk Jenen Ross. Participated via teleconference: Commissioner Leslie Van Beek (joined at 1:40 p.m.), Corner Jennifer Crawford, Caldwell Fire Chief Mark Wendelsdorf (left at 2:05 p.m.), City of Greenleaf Mayor Brad Holton (joined at 1:40 p.m.) and City of Wilder Mayor Steve Rhodes (joined at 2:13 p.m.).

Sheriff Donahue gave an update on pod 6 stating that the door hinges are failing causing problems with shutting and locking. They met on Tuesday with ADS and maintenance and thought there was a fix in place. ADS came up with a solution to create the new hinges, however, they found out this morning that there is an 8-9 week delay in getting the hinges made. Since there is no time to wait Rule Steel will order in the hinges and ADS may still come out to oversee the change out of the hinges. This is a warranty issue to be handled by ADS. So far they have not had anyone test positive for COVID although inmate numbers continue to increase.

Prosecutor Taylor said that the magistrate judges have advised they will start back June 1st so everything will still have to be in compliance with the Supreme Court orders. He expects there will be an impact on the Clerk's Office, maintenance department and the Sheriff's office. District court has been limited to 2 days for in-court by the TCA and ADJ but will increase to 3 days eventually. There is a wide variety of what each judge is doing as far as safety protocols. Some judges are requesting Plexiglas in their courtrooms but Mr. Wagoner said he has not heard anything about renovations being requested to the courtrooms. Conversation ensued regarding COVID-19 allocated monies and how renovations would be paid for.

Prosecutor Taylor asked if budget conversations as a collective body of elected officials would be happening. Zach Wagoner said he thinks a high level discussion could happen at this meeting in two weeks. Commissioner Van Beek asked if there is an opportunity for the public to offer comment or ask questions about the budget at the preliminary stage. Commissioner Dale thinks the preliminary conversations are high level and not the place for public comment. A public hearing is held where the public is given the opportunity to offer comment. Sheriff Donahue is not supportive of the preliminary budget discussions being public hearings. Clerk Yamamoto would like to have a public meeting before the final budget hearing. Commissioner Van Beek and

Commissioner Dale are both in favor of this idea, possibly a week or two prior to the final public hearing where the budget is adopted. Offices and departments will be meeting with the Board in mid-July so maybe sometime after those presentations have taken place would be a good time, perhaps in early August. The tentative budget is scheduled for publication on August 13th.

As the county continues to move into stage 3 the group decided to change these meeting to every other week and once the state moves into stage 4 move back to the regular monthly meetings.

Ms. Wendelsdorf said things are kind of winding down and hitting a plateau. She is continuing to work on getting the All Hazard Mitigation Plan caught up in and order to submit to FEMA for funding. She is still meeting regularly with SWDH for updates. There has been some guidance put out on mass gatherings with summer coming up. They are getting numbers together for PPE and planning for the fall so things are in place and we're not playing catch-up. Sheriff Donahue said he would like to see the public meeting room available for the All Hazard Mitigation Group to meet in. Ms. Wendelsdorf said she will see about getting a date scheduled.

Mr. Smith spoke about updates that were published for the outdoor mass gatherings, specifically focused on post-stage 4. There has been conversation for a few weeks about a data dashboard – there have been a couple of issues in getting that up and running, they expect to have the first review of the dashboard tomorrow and hope it will go live in the next couple of weeks. Mr. Smith confirmed what Ms. Wendelsdorf said earlier in that numbers are starting to plateau. She believes they are see 2-4 cases a day.

Commissioner White spoke about the Board now conducting public hearings via Webex. Clerk Yamamoto said a judge has extended the request time to Tuesday. Elections staff is working extended hours to make sure things are going out however mailings are taking 6-7 days to go out and then come back in. In order to make sure ballots are counted it is best for voters to drop off them off at the elections office vs. mail. Clerk Yamamoto is concerned about possible lawsuits surrounding the election. Just under 45K ballots have been mailed out and about 25K have been returned and as of noon today everything that has been received has been scanned in. Commissioner Van Beek asked about a citizen question regarding a number of ballots mailed out of state in error. Clerk Yamamoto thinks this rumor may be because USPS to Boise goes thru Salt Lake City and confirmed his office verifies every address and checks for duplicates. Clerk Yamamoto and Prosecutor Taylor spoke about the vitriol of phone calls they've been receiving.

Prosecutor Taylor noted that per the Governor's press release Idaho has officially moved to stage 3.

Assessor Stender said that assessment notices went out this week and that phone calls are starting to trickle in. Commissioner Dale asked about the scheduling of BOE hearings but Assessor Stender said they can't plan for the amount of protests that will be received and there is no way to plan the schedule at this point.

Steve Rhodes said things are slowly moving back to normal. They are still encouraging people to pay their bills online vs. coming into city hall unless absolutely necessary. They are still planning to move forward with their Fourth of July celebration providing there is no spike in numbers. Fire call volume is ½ of what it was last year. They are continuing to keep distance between employees.

Clerk Yamamoto moved to adjourn the meeting.

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

MAY 2020 TERM

CALDWELL, IDAHO MAY 29, 2020

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

APPROVED CLAIMS ORDER NO. 5/29/20

The Board of Commissioners approved payment of County claims in the amount of \$5,000.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Jatheon Archiving in the amount of \$24,898.00 for the Information Technology Department
- Western States CAT in the amount of \$4,864.89 for the Sheriff's Office

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for SAS Restaurant Ventures, Inc dba Dennys' Restaurant #6640; Hispanic Cultural Center of Idaho, Inc dba Hispanic Cultural Center of Idaho; JFL Vond LLC dba Super C; Horacio Tellez Castillo dba Taqueria Janitzio; El Tenampa Inc dba El Tenampa; Coronar LLC dba Los Mariachis Mexican Restaurant #2; Belle Event Center LLC dba Belle Event Center; Smoky Mountain Pizza and Pasta Nampa LLC dba Smoky Mountain Pizzeria Grill; The Farmhouse Tap House, LLC dba The Farmhouse Tap House; Wild Heart Springs LLC dba Wild Heart

Springs; Raising Our Bar LLC dba Raising Our Bar; and Pantera Market 4 Inc dba Pantera Market #4. (See resolution nos. 20-085, 20-086, 20-087, 20-088, 20-089, and 20-091.)

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO H&M MEATS AND CATERING

The Board met today at 9:05 a.m. to consider signing a resolution granting a new alcoholic beverage license to H&M Meats and Catering. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. Adam Hutchings with H&M Meats joined via Webex at 9:08 a.m. Commissioner Dale made a motion to sign the resolution granting an alcoholic beverage license to H&M Meats and Catering. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-090). Mr. Hutchings said the restaurant will open Wednesday of next week. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ALICE PEGRAM FOR A CONDITONAL REZONE, CASE NO. CR2019-0018

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Alice Pegram for a conditional rezone, Case No. CR2019-0018. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, and Alice Pegram. Dan Lister gave the oral staff report. The applicant is seeking a conditional rezone of Parcel R37251 from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The request includes a development agreement limiting the parcel to two divisions. The applicant's house is located on Upper Pleasant Ridge Road, and a secondary residence is located on Batt Corner Road. The parcel has already utilized their first land division by splitting the property in 1999. Parcel A will be three acres and it currently has a secondary dwelling on it; Parcel B currently has a barn and it will be divided off so a family member can build a house; and Parcel C will have a building envelope of 2 acres and the rest of the land outside of that envelope will remain in agriculture only. No building permits or structures will be allowed in that area in order to preserve the agricultural land. During the P&Z Commission hearing process, staff received a letter from a neighbor stating the property was being used as a shooting range. After that hearing, Ms. Pegram assured staff that the use is gone, and the neighbor agreed and said they have not heard shooting since that time. The P&Z Commission and staff recommended approval of the request subject to the development agreement. The Board asked questions for Mr. Lister following his report. Alice Pegram testified in support of her request. Parcel C is currently in alfalfa and she plans to keep it as farm land. With regard to Parcels A and B, she has two daughters and grandchildren and she wants to give them that property so they can live close by and help her with farming. She is aware of how the conditions of the development agreement restrict further building. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation

Commissioner Dale made a motion to approve the request from an “A” (Agricultural) Zone to an “R-R” (Rural Residential) zone, as well as approve the findings of fact, conclusions of law and order, as well as an ordinance and development agreement. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-011 and Agreement No. 20-081.) The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING – CANYON COUNTY’S REQUEST FOR AN ORDINANCE AMENDING CANYON COUNTY CODE; CASE NO. OR2020-0002 (TOWER/ANTENNA ORDINANCE)

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Canyon County for an ordinance amending Canyon County Code, which pertains to private tower with antenna, Case No. OR2020-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. DSD Director Tricia Nilsson and DSD Planner Kate Dahl participated via Webex. This is an ordinance amending canyon county code, chapter 7, section 07-02-03 to add a definition of private tower with antenna; to amend chapter 7, section 07-10-21 to add private tower with antenna with 100 foot height allowance; to amend chapter 7, section 07-10-27 to add private tower with antenna to the zoning and land use matrix; and add a new section 07-14-30 to provide use standards for private tower with antenna. Zach Wesley said DSD spearheaded the amendment after the County received an application for a ham radio tower that had to go through the regular cell tower ordinance because that’s the only thing we had that fit so Kate Dahl has been working with that group to come up with an ordinance change that would allow ham radio towers without going through the whole process. The amendments include a new definition for private tower with antenna and it will specify it’s for amateur radio, not commercial use. It will change the setbacks for private towers with antennas, they will be allowed up to 100 feet in all zones. A change to the zoning classification will add private towers with antennas and it specifies that the private antennas will be an allowed use in all zones except in R1 and R2 zones in which case it will be a director’s decision. Commissioner Dale said the problem that arose was there was no deficient for people who wanted to put up a ham radio tower and so they had to adhere to the commercial tower definition which is onerous for a private person. Commissioner Van Beek asked if it’s the use or size or both that was the issue. Director Tricia Nilsson said the ordinance sets a sliding scale of the higher the tower the more impact it would have in a residential neighborhood so Kate Dahl worked with the stakeholder organization to define the height where more review was needed. It’s not so much the use, it’s just a structure, and sometimes just an antenna so staff tried to construct the ordinance with a combination of setbacks and relative heights of the tower. They had representatives testify at the P&Z Commission hearing and they were very supportive and thanked staff for engaging in constructing the ordinance. No other persons were present to offer comments today. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board’s deliberation Commissioner Dale made a motion to authorize the Board to sign the ordinance and summary amending the code for private tower with antenna, Case No. OR2020-0002. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-012.) The hearing concluded at 1:46 p.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING REGARDING GRANITE EXCAVATION'S REQUEST FOR A C.U.P.

The Board met today at 2:04 p.m. to conduct a public hearing in the matter of Granite Excavation's request to reopen the record regarding Dan Woodruff's appeal of their Conditional Use Permit (CUP). Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, Rob and Renate Bearden, and Deputy Clerk Monica Reeves. Present via Webex: Via Webex: DSD Planner Dan Lister and DSD Director Tricia Nilsson, Josh Davis, Attorney Josh Leonard, Dusty Hibbard, Nathaniel Seal, Travis Mitchell, Lee Juan Tyler, Heidi Brace, Harold Nevill, Carolyn Smith, Kim Woodruff, Scott Hauser, Edward Owens, Alexis Baker, Alexis Malcomb, Micaela Jones, and Steve Givens.

Deputy P.A. Zach Wesley went through the history of how we got to today's hearing. The applicant, Granite Excavation, Inc., applied for a CUP which was approved by the P&Z Commission and appealed to the Board of Commissioners by Dan Woodruff. A number of hearings were heard on that appeal and ultimately the Board made a determination to grant the appeal and deny the request for a CUP. The Board was scheduled to sign the findings of fact, conclusions of law and order (FCO's) on April 20, 2020, and on April 16, 2020 the Board received a request from the applicant and their attorney to reopen the record, not a request for reconsideration because there was no final decision issued in writing, but to reopen the record to present their new application proposal. This is a hearing to hear their revised proposal for their CUP. Because we have reopened the record the hearings we have had are still part of the decision making process. The only thing that's been vacated is the Board's final determination that was made previously. Granite Excavation is intending to present a new proposal and this hearing will be limited to comment on the new proposal. We are still in those original proceedings, this is still part of that original record, it's just a reopening and that is a little different than what we've done in the past where an applicant may submit a new proposal and go through the process again in which case it's a clean record and all the evidence needs to be re-entered again. This is the same record. Commissioner Dale asked why we are doing this rather than requiring them to start the application process over again like has been done in every other case. Mr. Wesley said normally the way this process goes is you have a final written decision and then you have a request for reconsideration and then in that final decision the law also requires the Board to tell an applicant how they can obtain approval and so that's normally how we get to a new application and a second hearing. In this case because we never got to that final written decision phase they used the part of the ordinance that allows the board to grant a request to reopen a record at any time in the proceedings prior to a final written decision being completed. Because of the COVID-19 situation the FCO's got delayed because they were scheduled to be signed but the date fell within the Governor's stay-at-home order. Commissioner Van Beek said the minutes state that it was clearly on the record that a new application would need to be considered, and it would have been better to have a clean record. There are caveats being granted for different things because of the situation we're in and she finds the extenuating circumstances not a reason to stick to that in its entirety because they are extenuating circumstances. She was not in favor of doing this. It would have been much cleaner and a better process had we done what we said we were going to do at the Board level because

the applicant put money out to have that appeal of the P&Z Commission decision on there. This is unusual and it isn't the time she would have chosen to set a precedent. Commissioner White said she doesn't think anyone would have chosen the way life has unfolded in the last three months. Mr. Wesley said this hearing was fully re-noticed according to the requirements in the local land use planning act, and in addition to those notification requirements, staff has had the information sent back out to those who were involved in the hearing previously. The applicant used a process that's in our ordinance but on April 20 we also had an agenda item to consider reopening the hearing and the majority of the Board voted in favor of the reopening the hearing.

Dan Lister gave the oral staff report. In a letter to the Board dated April 16, 2020 Attorney Joshua Leonard proposed the following major modifications:

1. Instead of being in effect for 30 years, Granite Excavation now requests a duration of only five years, an 83% reduction in the duration of the CUP;
2. Instead of extracting rip rap and sand and gravel, Granite Excavation now asks to extract sand and gravel only – no rip rap extraction;
3. Instead of potentially impacting up to 180 acres, Granite Excavation's request now is limited to 40 acres, a 78% reduction in area.

(A copy of Mr. Leonard's letter which includes several there points has been made part of the record.)

There is no revised site plan, no reclamation plan, no new narrative, no new report so staff is only basing the analysis on the three items provided as part of the alternative. Going to the staff report and summarizing the potential impact, one of them is still the negative impact to the surrounding character stated in the previous hearings; there is a scenic byway, historical resources; cultural resources; natural resources. There is still the belief that this has the potential to impact that area in that sense. Neither the highway district nor ITD found this to be an impact and that the conditions of approval that were drafted could be used to reduce and mitigate traffic. If the Board wishes to move forward with the reconsideration there would be some conditions that could be applied to reduce truck traffic by restricting driving routes and hours. Cultural resources – the applicant believes it would have a zero effect on archaeological resources, however, during the last hearing it was identified that the assessment provided was a draft and incomplete. Also, the subject property is on existing farmland that has many years of disturbance. Staff recommends a completed archaeological assessment with possible analysis of subsurface area to get a picture of what could be underneath it. Staff also recommends conditions of approval that a licensed professional archaeologist be on site and monitor the excavation, or, other measures that the Board may want to draft. The project is within a floodplain and the code requires a base flood elevation study be done. Staff received 15 letters of opposition and the main concerns pertained to historic, cultural, and archaeological resources which should be protected, historic site; sacred site; tourism, wildlife, natural resources, water rights, water contamination to the surrounding issues, it's an incompatible use for the area; dust, noise, and traffic concerns; the use is not only for only the restoration of Rippee Island so there's no guarantee that once approved the use would stop. Idaho Power should be the applicant, not the gravel company. Instead of the 135 acres there would be a primary location of 35.9 acres and a secondary location of 4.1 acres. When asked

if they would be willing to only use the material only for the restoration project they said yes and no, but if it's a deal breaker then yes, they would use it only for the restoration but their desire is to use it for other projects in the area. They do not have any other projects right now that would utilize the site at this point. They still want the truck trips that were included in the original proposal. They are not willing to hire a licensed professional archaeologist to monitor the excavation. Staff only reviewed this based on the letter that was received for the reconsideration, there was not a lot to go off of so staff is recommending the Board opening the public hearing and discuss the reconsideration and continue the discussion and require the applicant to provide revised site plan, reclamation plan, project narrative, and any updated reports such as an archaeological survey.

The following people testified in favor of the request for reconsideration:

Josh Davis gave testimony regarding the changes in the operation. There were a lot of concerns tied to the size, scale, and duration of the project that was previously requested for 30 years and 150+ acres so they tried to come to a compromise which would still allow them to potentially fulfill some contractual obligations with minimal public disturbance, but in a much smaller scale. Pertaining to the sand and gravel operation, they originally had two phases proposed and then they had a primary source and secondary source that were to be used strictly for the Rippee Island project. In the revised site plan they have expanded the primary source from 11.33 acres to 35.09 acres and the secondary source remains the same in 4.1 acres. In doing so they increased the setback from Map Rock Road by over 400 feet so they have moved the proposed operation site 400 feet to the south. Originally they had requested a 30-year application which is consistent with a typical gravel pit operation, but they have reduced that to 5 years. Instead of a proposal consisting extraction of rip rap and sand and gravel, they are now only requesting the area south of Map Rock Road for the sand and gravel operation. They have completely removed the riprap proposal off the talus slopes to the north of Map Rock Road and instead of potentially extracting up to 180 acres total they will now limit it to 40 acres. Staff is correct in the fact that the archaeological study, due to time constraints, was a draft, which was written by a qualified historian and archaeologist who concluded that no historical or cultural resources would be negatively impacted by this proposed use. The Rippee Island project is slated to happen and everybody is fully aware that if they are not granted the ability to extract aggregates off Mr. Nicholson's property, which is directly adjacent to this project, there will be upwards of 10,000 truck trips in that area with no restrictions because it's not enforceable. This new application provides the ability to mitigate for potential impacts and noting that is part of the reason they reduced their anticipated truck counts to 10 per day which is substantially less than a typical gravel pit operation.

Commissioner Dale asked if they don't want to be restricted to using this gravel for only the Rippee Island project, but if it was a deal breaker would Granite agree to utilize this gravel for only Rippee Island. Mr. Davis said they like to position themselves to have a competitive advantage on highway construction projects by having the closest aggregate source to the project. That's the intent of having multiple gravel sources so they can minimize truck trips to the site which minimizes costs to the taxpayers. Granite is proposing to have retail sales. Commissioner Van Beek asked if they would considering restricting this to a five-year time period with a cease and desist once it is done

serving the Rippee Island project, where use would only be to meeting the needs for Idaho Power. Mr. Davis said no, due to the fact they don't know what other projects may be coming. Idaho Power has indicated substantial adjacent projects on Rippee Island in the future. Mr. Davis responded to additional questions from Commissioner Van Beek regarding the proposal and the archaeological report that contained errors.

Attorney Josh Leonard testified that of the archaeological and cultural impacts that were noted in letters, none contain any evidence of the existence of items on the subject property. The only evidence is the draft study and it found no items of cultural, historical, or archaeological significance in the area of the proposed use. He said the letters that discuss archaeological and cultural impacts drew a false equivalency, they cited properties several miles away on which items of cultural significance have been found and they talked about the subject property as though it was those properties. Regarding the errors in the study, that was not required to be submitted prior to starting the work and yet Granite Excavation chose to expedite that and get it together in a draft form and they made it very clear that it was a draft form for public review and comment. One of staff's recommended conditions of approval based on the revised application is an archaeological analysis, which may be unnecessary because the proposed area was in the area that was considered, but it is the plan to formalize and finalize it and edit it for content. According to Mr. Leonard, several commenters in the written record misinterpreted the tone and intent of their letter and assumed Granite was threatening litigation but that was not the intent. They intended to demonstrate that they have listened to the Board and they have reduced the scale and intensity and the type of use. The primary goal was to create a workable compromise. They identified several errors in the process throughout the proceedings and instead of needless litigation they wanted to give the County a chance to correct those errors. Under the compromised proposal it will allow trucks from this site to go directly to the Rippee Island project and potentially other reclamation or ecological projects that are done by Idaho Power in the future. He addressed the letter from Harold Nevill, PhD., which included two primary contentions: he attempts to refute the fact that a CUP can't be denied, only conditions and he tried to compare the incompatibility of liquor stores to nearby churches and schools and draw that comparison in this case. Dr. Nevill tried to counter Mr. Leonard's earlier argument that the Board cannot consider the Snake River Canyon Scenic Byway Corridor Management Plan. He agrees with Dr. Nevill that the plans have been approved by ITD, the distinction is that the County cannot use the standards in that plan unless it is adopted by the County and the County has not adopted or approved that.

The following people testified in opposition:

Lee Juan Tyler, who is the Chairman of the Upper Snake River Tribe, gave testimony regarding the historical and cultural significance of the area.

Travis Mitchell said the previous concerns about cultural resources, traffic, and water are still relevant, nothing has changed with the new proposal. Once that door is open it will be very hard to close because they will want to do more projects and we'll be dealing with this for the next 30 years. Idaho Power could come up with another alternative without the impact.

Heidi Brace testified that she recently spoke to an engineer from Idaho Power and apparently the Rippee Island project has been postponed due to this matter and other matters. Granite Excavation has not been awarded the bid on this project so she's questioning why they are pushing so hard when the bid hasn't been awarded. The first island that was done out there by Idaho Power the landowner allowed material to be used for an earth dam and to minimize the amount that was used for repairs and that land was reclaimed and there was no long-term mining and no crushing continued on it. It lasted less than 120 days and minimal amounts of the material did not need to be crushed, but they were screened. It seems like someone is trying to slip in under the radar on this. She said the other jobs that Idaho Power has have been postponed indefinitely.

Rob Bearden said it's been stated this is for the Rippee Island project, but it's also been stated there isn't a Rippee Island project yet. Granite has said they want to do it for five years but then he said they are not going to stop after five years. He does not believe this project is a good fit for the area.

Nicki Schwend said it's been stated there is no proof of historical or cultural significance on the property, but if there is any evidence it's probably buried deeper so you wouldn't expect to find things on the surface and when we get to a situation like that we look at the surrounding area for evidence to support or not support that we may or may not find something. This area is surrounded by archaeological sites so we have to proceed with great caution and we have to be very careful. This is an area with great archaeological potential and because of this there has been a lot of conversations between archaeologists, other entities, and the state historic preservation office (SHIPO) that this area needs to be presented as a national register of historic place district. We have an unfinished site report with some serious contradictions. It references the Eagle Drain and William Rowles farmhouse and it has an address that references the subdivisions around it and it is clear the conclusion does not reference the archaeological report. Even though this is not national register listed this would be a slam dunk as an archaeological district if we get there.

Harold Nevill and Carolyn Smith, who are both opposed to the CUP request, were having difficulties connecting through their audio so they submitted comments via the chat feature in Webex and that chat discussion was marked as Exhibit No. 21 for inclusion in the record.

Commissioner Dale read Dan Woodruff's closing statement into the record. Commissioner Van Beek read Dan Woodruff's opening statement into the record. (Dan Woodruff filed the appeal to the CUP and he is opposed to Granite Excavation's request.)

Neutral testimony was offered as follows:

Nathaniel Seal, an Idaho Power employee, offered neutral testimony and responded to questions from Commissioner Van Beek. He noted that the Rippee project was scheduled for construction this summer and in March it was postponed to the summer of 2021 at the earliest.

Rebuttal testimony was follows:

Josh Davis said Dale Gray is a qualified archaeologist and his qualifications should not be discredited. In regards to some questions about the Rippee Island project, Nate Seal has indicated the project has been postponed, it has not been awarded to Granite; however, the purpose of this gravel pit is to allow Granite the ability to provide gravel to this site, it's the closest location which in turn increases the likelihood of them getting the project. If the project does not occur and if there are no projects in the area then there's not going to be a demand to sell the gravel and if there's not a demand to extract and process the gravel then there are no impacts. They are not required to provide an archaeological study until prior to the work commencing. That being said, it was a contentious point in earlier hearings so they engaged with a qualified firm to do a study and have facts to discuss but unfortunately they were not able to get a complete final document; however, the information is correct, factual, and honest. The operation narrative is not changing, they have just drastically reduced the durations and the scale of the project. They are still required to mitigate fugitive dust and meet the numerous standards set for the multiple agencies. The Idaho Department of Lands has approved their reclamation plan for the original 180 acres. There's been a lot of discussion about subsurface artifacts, resources, cultural significance, etc., which he understands, but that can take place anywhere along Map Rock Road, including the recent subdivision that was built to the west of the site. Mr. Davis responded to questions from the Board regarding the water supply and the plans to supply water to the ponds upon reclamation.

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 this application has become a moot point and she was deliberate in her questions of the Parks Director about the most valued commodity in this which is time and in the interest of time which has been granted because we know the Rippee project is no longer on the table with Idaho Power, and the bid has not been awarded so there is no reason to move forward to disturb a culturally rich area with any extraction at any time. We have the ability to wait, to look at the scenic byway, to look at what a district for this area would look like to protect it. It is unique and unusual from other parcels because of the antiquity, the spiritual nature, and the protection that needs to be afforded by the Indian Tribes in that area. She appreciates the suggestion to reduce the project, but it is the precedent that will open the door and there has been testimony that it will be an ongoing renewal process in that Map Rock area and it will forever change the area to have gravel trucks running. She gives more weight to the credible expert testimony that was given. She is strongly opposed to the request and she recommends the Board grant the appeal and deny the CUP application. Commissioner Dale said he is not ready to approve this project because more groundwork needs to be done. He is not opposed to the request because it's better for the road system because it will keep as many trucks off the road as possible. The Rippee Island project is not dead, it's been postponed for a couple years. He appreciates the input from the Tribes and said there may be something 18-feet below the surface but if that was not present he sees no scenario where they would stop farming that ground. We have to weigh the facts as we see them today; even if it's denied today there is nothing saying they cannot come back. Commissioner White appreciated the loyalty that Josh Davis had for the archaeologist who did the study. No one meant to impugn his integrity and she doesn't want anybody to feel like their integrity is being challenged or questioned. She said Granite Excavation's compromise went above and beyond, but she needs the information to be

specific to the project including a project narrative, an updated reclamation plan, site plan, and archaeological survey. Commissioner Van Beek said given the magnitude of change the appeal should be upheld and the CUP denied because in the interest of a clean break and coming back it provides an opportunity for the requested information to be developed. She questioned whether the other side of the Snake River contains the same archaeological relevance as this side does and if the answer is no, we don't have to consider disturbing this site. Commissioner Dale said the other side of the river is Givens Hot Springs and it's much more likely you'll find the archeological remains on that side of the river. Commissioner Van Beek said she was talking about somewhere farther off site, to the west. She then made a motion to uphold the appeal and deny the CUP because the project is on hold, there is requested information, and the information is incomplete. Commissioner Dale seconded the motion for discussion. Commissioner Van Beek said an archaeological study is relevant and it should be done by a recognized archaeologist. In response to a question from Commissioner White, Josh Davis said Granite Excavation is willing to provide the additional information requested. Commissioner Dale said the Board's decision has to be based on what is best for all people. The Nicholson's have private property rights and a CUP does allow for gravel excavation, and although he is not ready to move ahead with approval today, he does agree with Commissioner White on taking time to request an updated reclamation plan and a more in-depth archaeological study that would be more complete. The additional information does not guarantee approval. Commissioner White said the additional information will give her the direction she needs. Commissioner Van Beek restated her position that an archaeologist should complete the survey, and that there be an injunction that would allow staff a year to allow time to look at that district and the other factors. Another concern is that we have not engaged the Tribes at all on this proposal. She said the cleanest way to do this is to get the information and have it submitted with a new application. The unusual nature of this requires we take a careful look at what happens there so we don't irreparably damage an area and offend the Native Americans. A roll call vote was taken on the motion to deny the CUP request Commissioner Van Beek voting favor of the motion and Commissioners White and Dale voting against the motion. The motion failed. Commissioner Dale made a motion to continue this discussion so the Board can receive the information regarding a completed archaeological study, a completed site plan, a completed reclamation plan and a project narrative that is specifically for using this gravel for the Idaho Power project, directly adjacent on Rippee Island. Commissioner Van Beek asked if the motion could include the necessity for Idaho Power to provide input. Commissioner Dale included that in his motion. The motion was seconded by Commissioner White. A roll call vote was taken on the motion to continue with Commissioner Van Beek voting in opposition and Commissioners White and Dale voting in favor of the motion to continue. The motion carried by a two-to-one split vote. In response to question from Commissioner Van Beek, Commissioner Dale clarified that his motion is for updated information related to the gravel project that would be going to Rippee Island. A status update will take place on Friday, July 24, 2020 at 1:30 p.m. The hearing concluded at 4:53 p.m. An audio recording is on file in the Commissioners' Office.

Due to COVID-19 and Governor Brad Little's stay-at-home order meetings were kept to a limited schedule and ministerial items were considered remotely during the first part of May. The Board and its staff returned to the office fulltime on May 15, 2020.

THE MINUTES OF THE FISCAL TERM OF MAY 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 17th day of August, 2020

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 1, 2020

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

APPROVED CLAIMS ORDER NO. 6/10/20

The Board of Commissioners approved payment of County claims in the amount of \$179,019.85 and \$132,056.19 for accounts payable.

FILE IN MINUTES

The Board filed the Canyon County Sheriff's uncollectible delinquent personal property taxes for 2019 in today's minutes.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Luna Blu, LLC dba Luna Blu; Clifford Randall Raymond dba Red Dog Saloon; and Destination Caldwell, Inc., dba Destination Caldwell. (See resolution nos. 20-092, 20-093, and 20-094.)

COMMISSIONERS' OFFICE STAFF MEETING

The Board met today at 8:33 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:41 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE FAIR DIRECTOR TO DISCUSS THE 2020 CANYON COUNTY FAIR

The Board met today at 9:02 a.m. with the Fair Director to discuss the 2020 Canyon County Fair. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Fair Director Diana Sinner, PIO Joe Decker, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Tina Holmquist and Carrie Johnson from the extension office, Keri Smith-Sigman and Deputy Clerk Jenen Ross. : Hans Bruijn, Holly Bell, Jamie Wood, Machele Hamilton, Logan Schleicher, Tami Pugsley, Ann Wartman and other call-in user participated via Webex.

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

Note for the record: As properly noticed the Board met today at 9:02 a.m. for a meeting to discuss the 2020 Canyon County Fair. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) 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, Clerk Chris Yamamoto, Fair Director Diana Sinner, PIO Joe Decker, Facilities Director Paul Navarro, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:25 a.m. and no decisions were made.

At the conclusion of the executive session Director Sinner spoke about the priorities of the fair being public safety and the safety of employees, protecting the fair for future generations and providing an outlet for 4-H and FFA youth to complete their projects and sell their market animals. She said that regardless of how the fair moves forward this year there will be livestock sale. Discussion ensued about possibilities of a different layout to offer social distancing and logistics of other safety protocols, downsizing of the fair, the possibility of vendors and sponsors backing out and how all of this could potentially impact fair revenue.

Keri Smith-Sigman and Jamie Wood both offered comment in favor of the fair moving forward.

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JUSTIN BURDICK FOR A CONDITIONAL REZONE AND A SHORT PLAT FOR BURDICK SUBDIVISION, CASE NOS. CR2019-0015 AND SD2019-0044

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Justin Burdick, Case No. CR2019-0015, for a conditional rezone of 26.24 acres from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone – Rural Residential) zone. Also requested is a development agreement which will restrict the development of the site into a five-acre parcel and a 21.17-acre parcel. The applicant is also seeking approval of the short plat for Burdick Subdivision, a two-lot subdivision, Case No. SD2019-0044. Present were: Commissioners Pam White and Leslie Van Beek, Justin Burdick, and Deputy Clerk Monica Reeves. Via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, DSD Planner Julianne Shaw, David Crawford, Randy Holloway and

Judy Holloway. Commissioner Tom Dale arrived at 1:45 p.m. Jennifer Almeida gave the oral staff report. The current zone is agriculture and the future land use is agriculture. It is not located within an impact area. The surrounding area contains residential and agriculture uses, and there are five platted subdivisions within one mile. The subject property is a portion of a platted lot that was within the Muchow Acres Subdivision and that subdivision has an average lot size of 8.43 acres, and the request today is to rezone it for the purpose of creating a five-acre lot and a 21.17-acre lot. The property is within a nitrate priority area and the applicant will be required to adhere to SWDH regulations throughout the development of the site. SWDH has signed the final plat for the project. Staff has found this request meets the standards of review for a conditional rezone. The P&Z Commission recommended approval of the request. Burdick Subdivision contains two residential lots. Individual domestic wells and septic systems will be used and there will be a shared access ingress/egress easement to Glendale Road. Keller and Associates has reviewed the plat and added two conditions of approval. The preliminary and final plats meet the requirements and staff is recommending approval with proposed conditions of approval. The applicant has met all the required conditions and they have obtained all necessary signatures on the plat mylar. The 26.64 acres as it currently exists today does not have a building permit available. The applicant is requesting a conditional rezone to build on the land and to create an additional 5-acre lot. Following her report, Ms. Almeida responded to questions from Commissioner Van Beek. Justin Burdick testified that he wants to build on the 21.17-acre lot. His family owns the 160 acres that border this property to the east and he wants an extra parcel although he does not plan to build on the 5-acre parcel anytime soon, but he wants it to be available later on. He agrees to the conditions listed in the development agreement. Following the Board's deliberation Commissioner Van Beek made a motion to approve the request for a conditional rezone from an "A" (Agricultural) Zone to an "CR-RR" (Conditional Rezone – Rural Residential) Zone, as well as approve the preliminary plat and the final plat for Burdick Subdivision for Case Nos. CR2019-0015 and SD2019-0044. 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 approve the findings of fact, conclusions of law and order, as well as the ordinance and development agreement. (Ordinance No. 20-013 and Agreement No. 20-083.) The hearing concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:03 p.m. with the Director of DSD 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 Planner Julianne Shaw via Webex and Deputy Clerk Jenen Ross. The following topics were discussed with the Board:

- Boise State University grant proposal: They are looking for community involvement which Director Nilsson has been asked to participate in. She may be reimbursed for her time although she doesn't know the amount of time and scope of work at this point. She will update the Board once she knows more.

- Vacancy on the planning and zoning commission: A current member has resigned leaving a vacant position. Director Nilsson will work with PIO Joe Decker to get a recruitment news release posted to the website.
- Joint meeting between the BOCC and P&Z: The Board is in favor of getting a joint meeting scheduled.
- COMPASS Fiscal Impact report: A survey was initiated today.
- Code enforcement case: Zach Wesley has scheduled time tomorrow to discuss a code enforcement issue.
- Impact fee meeting: Director Nilsson spoke about the timeline of upcoming meetings.
- Board is in support of Director Nilsson scheduling a workshop with the ISO (Insurance Service Organization) representative for the area which is the agency that rates fire districts around the area in regards to preparedness.

The meeting concluded at 3:23 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 2, 2020

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

APPROVED CLAIMS ORDER NO. 6/10/20

The Board of Commissioners approved payment of County claims in the amount of \$76,768.29 for accounts payable.

APPROVED CLAIMS ORDER NO. 2018

The Board of Commissioners approved payment of County claims in the amount of \$1,725,942.11 for a County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$2,242.00 for the Information Technology Department

- Dell, EMC in the amount of \$38,039.02 for the Information Technology Department
- Project Manager.Com, Inc., in the amount of \$16,254.00 for the Information Technology Department
- Core & Main in the amount of \$3,170.31 for the Solid Waste (Landfill) Department

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for The Curb Bar & Grill for June 12, 2020 at Stillwater Hollow.

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. Dan Blocksom left at 9:12 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell, Director of Indigent Services Yvonne Baker left at 9:06 a.m., Director of DSD Tricia Nilsson, Sheriff's Office Records Supervisor Julie Ambeau via Webex left at 9:12 a.m. and Deputy Clerk Jenen Ross.

Consider signing psychiatric services agreement with Dr. Aaron James Crum, MD and legal notice of entering into personal service agreement: Mr. Blocksom said this is a template similar to ones that have been signed previously by other contractors. The legal notice is just in case services provided go over \$10K in the year. These services are pertinent to involuntary mental holds. Commissioner Dale made a motion to sign the agreement and legal notice of entering into personal service agreement with Dr. Aaron James Crum, MD. The motion was seconded by Commissioner Van Beek and carried unanimously. See agreement no. 20-082.

Consider signing a resolution authorizing the destruction of certain criminal case files/records of the Canyon County Sheriff's Office: Dan Blocksom said these are public record request responses. They are going to start cleaning these out on a yearly basis and will probably start bringing these requests in January. The records include the response, internal notes, responses to subpoenas and operating procedures that haven't been used since 2017 or earlier. Discussion ensued regarding the email archiving system. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the destruction of certain criminal case files/records of the Canyon County Sheriff's Office (see resolution no. 20-095).

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 Van Beek made a motion to go into Executive Session at 9:13 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 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. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:39 a.m. with no decision being called for in open session.

CONSIDER SIGNING JUNE 2, 2020 AGENDA ITEMS

The Board met today at 10:00 a.m. to consider the June 2, 2020 agenda items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, Leroy Atwood, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Via Webex: Parks Director Nicki Schwend, Outdoor Recreation Planner Laura Barbour, and DSD Director Tricia Nilsson. The items were considered as follows:

Sign Idaho Department of Parks and Recreation request for reimbursement/close-out report

This grant project was completed over the course of a year with help from the facilities department to rehab a fishing dock at the upper dam west end of Lake Lowell that is marked for ADA users. Before the project the dock wasn't very accessible and it was in poor shape. The project was completed on April 28, 2020 and the parks department is requesting the state parks to reimburse the expenditures we made which total \$15,636.19. Controller Wagoner said the County has expended funds just over \$20,000 for this project. \$4,500 of that was a match and since we expended our match, plus the additional \$15,000 we will be reimbursed \$15,000 and those monies will go back into the parks and recreation fund. The Board asked questions of Ms. Barbour and Controller Wagoner regarding the expenditure of funds. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the request for reimbursement closeout report for the Lake Lowell west end upper dam project.

Sign the final plat for Arbor Landing Subdivision; Case No. SD2019-0045

Dan Lister reported that all conditions have been met and the final plat is ready to be signed. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Arbor Landing Subdivision, Case No. SD2019-0045.

Sign Findings of Fact, Conclusions of Law and Order (FCOs) as well as the ordinance regarding the Donna Goff rezone request Case No. RZ2019-0041

The Board held a hearing last week and approved Donna Goff's request for a rezone. Today staff presented the Board with the documents for that case. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to authorize the Board to sign the FCOs as well as the ordinance regarding Donna Goff's request for a rezone, Case No. RZ2019-0041. (See Ordinance No. 20-014.)

Consider signing Findings of Fact, Conclusions of Law and Order (FCOs) as well as the ordinance in the matter of the request by Ken and Cheyenne Mortensen for a rezone, Case No. RZ2019-0034

Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to authorize the Board to sign the FCOs as well as the ordinance for Case No. RZ2019-0034. (See Ordinance No. 20-015.)

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

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER PROPERTY TAX EXEMPTIONS

The Board met today at 10:33 a.m. with the Assessor's Office to consider property tax exemptions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor's Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. Assessor Brian Stender arrived at 10:38 a.m. Ms. Loutzenhiser presented the Board with a list of homeowner's exemption applications and site improvement exemption applications for consideration. She explained that the deadline for the exemptions is April 15th, but this year due to the COVID-19 pandemic the Governor extended the deadline for some other things that were normally due on April 15th and so there's been some confusion about the different exemptions and programs. Due to the confusion and a lot of other extenuating circumstances relating to COVID, all the homeowner's applications the Assessor received for people who meet the criteria, but didn't get their paperwork turned in are being recommended to the Board for approval. There are 57 parcels seeking a homeowner's exemption, and one application for numerous parcels in the Cumberland No. 5 Subdivision that are seeking an exemption for site improvements. The detailed listing of the parcels is on file with this day's minute entry. Upon the motion Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the homeowner's exemption applications that have been received and noted on the record and the paperwork presented by the Assessor's Office, and to approve the site improvement applications as listed by the Assessor's Office, pursuant to Idaho Code 63-602G, IC 63-602W. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:39 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS REVISED TITLE AND JOB DESCRIPTION FOR THE ASSISTANT TRIAL COURT ADMINISTRATOR

The Board met today at 11:03 a.m. to discuss the revised title and job description for the Assistant Trial Court Administrator. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, TCA Doug Tyler, Assistant TCA Benita Miller, HR Director Sue Baumgart, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Mr. Tyler explained that from their side this is really a housekeeping matter in order to provide the general public a better understanding of Ms. Miller's position. There is no change to the compensation or job track and Ms. Miller will remain a county employee. This job title and description better encompass the job that is being done by Ms. Miller

and any future person who will fill the position. Ms. Miller reviewed the changes that have been made to the job description. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the new title and job description of the Assistant Trial Court Administrator position. Mr. Wagoner spoke about how he values the great communication between his office and the TCA's office and the importance of positions remaining equitable within the county. The meeting concluded at 11:26 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 3, 2020

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

No meetings were held today.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 4, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$1,121.00 for the Information Technology Department
- SHI in the amount of \$2,735.00 for the Information Technology Department
- HP, Inc., in the amount of \$5,700.00 for the Information Technology Department
- Gunarama Wholesale, Inc., in the amount of \$8,715.00 for the Sheriff's Office

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Bon Appetit Management Co., dba McCain Pub. (See resolution no. 20-096.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:50 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross.

Consider approval/denial of indigent decisions: Case nos. 2020-0722, 2020-0705 and 2020-0710 do not 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 issue initial denials with written decisions within 30 days on the cases as read into the record. Liens and releases of liens were presented for Board signatures.

Consider appointing representative to the Board of Health for Southwest District Health: Commissioner Dale said this is a Board he currently serves on and he would like to continue serving at least until the end of his term as county commissioner. At the end of his term there are a couple options that could be exercised: one would be to allow him to continue serving even after he's left office or the other would be to appoint another member to represent Canyon County in January after a new commissioner is sworn in. Commissioner Van Beek would like to see this be re-evaluated in January. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to appoint Tom Dale to the Board of Health for Southwest District Health.

Consider approval/denial of a resolution granting a new alcoholic beverage license to The Ranch: Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to The Ranch (see resolution no. 20-097).

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

The Board met today at 9:02 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 and Deputy Clerk Jenen Ross. Discussion was had regarding notification to employees and update to the employee manual relating to the new records retention system. Commissioner Dale provided an update to the Board from the Intergovernmental Affairs Committee meeting he attended

yesterday related to the Governor's plan for CARES/COVID related monies. The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 5, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- The Sign Shoppe in the amount of \$1,155.00 for the Development Services Department

APPROVED CLAIMS ORDER NO. 6/10/20

The Board of Commissioners approved payment of County claims in the amount of \$150,683.52. \$58,229.50, \$15,071.52 and \$18,241.93 for accounts payable.

EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Kenny Case and Kyle Stempke both of whom are maintenance technicians in the facilities department, and for Shawn Anderson, the juvenile detention deputy administrator.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Family Dollar, Inc., dba Family Dollar #27513 and Family Dollar Store #27267; and Plaza Garibaldi, LLC dba Plaza Garibaldi Mexican Restaurant. (See resolution no. 20-098 and 20-099.)

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 8, 2020

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

APPROVED CLAIMS ORDER NO. 6/10/20

The Board of Commissioners approved payment of County claims in the amount of \$249,034.33 for accounts payable.

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Raising Our Bar for use on June 13, June 14, June 15, June 20, June 26, and June 27, 2020 at Stillwater Hollow.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Aguililla Restaurant, Inc., dba Aguililla Restaurant; Salinas Foods, LLC dba Yita's Family Restaurant King Legend Hall; and Chonies Sports Bar, LLC dba Chonies Sports Bar. (See resolution nos. 20-101 and 20-102.)

MEETING WITH THE PARKS DIRECTOR TO DISCUSS THE GUN RANGE AND CONSIDER AN ACTION ITEM

The Board met today at 9:02 a.m. with the Parks Director to discuss the gun range and consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend via Webex, Controller Zach Wagoner, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross.

Director Schwend explained that she has been working with the Gun Range Advisory Board, Director Navarro and a consultant in an effort to resolve some of the safety issues at the gun range. The first item to be addressed would be pulling power to the site. Director Navarro said this is a turn-key bid in order for power to be pulled from approximately ¼ to ½ mile away and addressed Board questions regarding lighting and the type of power among other items. The total bid for the project is \$28,145.00 - \$20,000 was included in the FY2020 budget for this project and although this particular line item will over by \$8,000 there has been significant savings on other projects so the overall Parks budget will not be over. Commissioner Dale made a motion to authorize the

Board to sign the claim. Director Schwend said she will be working with Zach Wesley and the Gun Range Advisory Board to create a formal plan for the gun range to present to the Board.

Consider approval/denial of a resolution granting a transfer alcoholic beverage license to Jackson's #198: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a transfer alcoholic beverage license to Jackson's #198 (see resolution no. 20-103).

The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY TRINITY ESTATES, LLC, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE NOS. OR2019-0008 AND RZ2019-0024

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Trinity Estates, LLC, for a comprehensive plan map amendment to change the designation of Parcel No. R33102 from "Agriculture" to "Residential", and a request for a conditional rezone of 24.38 acres from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone/Rural Residential) zone. The request includes a development agreement. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Todd Lakey, Amy Woodruff, Greg Schatzel, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, and Derek Teunissen.

Jennifer Almeida gave the oral staff report. The property was rezoned to residential in 2013 but has not yet been developed or platted. The P&Z Commission recommended denial of both the comprehensive plan map amendment and rezone on February 6, 2020. Staff has found the request does not meet the standards of review for both elements.

The following people testified in support of the request:

Todd Lakey, who represents Greg Schatzel and Trinity Estates, stated this property was a case he worked on prior to the market crash. In 2007 they obtained approval for 12 lots on 24 acres and back then most of the residential development was done by conditional use permit (CUP). With the timelines of the CUP and the subsequent market crash, Mr. Schatzel wasn't able to proceed under those timelines so it expired, but the farmland is the same, the compatibility analysis is the same, and the character of the area is essentially the same. It's a small project that initially started as a request for R-1 rezoning and as they discussed this project they decided it made more sense to change it to a conditional R-R and reduce the density. It will be a high-quality rural residential estate project with CC&R's and a public road. It is consistent with the existing comprehensive plan and will be the same or higher quality than the existing residential uses in the area. There is a high demand for two-acre parcels; this is a quality project and a small project that will have minimal impact. This is not prime farm ground; the previous farmer said it was poor soil quality and the yields were considerably lower than others in the area, and the triangular shape provided short rows and made it difficult to farm. The current farmer who farms several hundred acres in the

area said this small project will not negatively impact his farming operations. The applicant will include right-to-farm language in the CC&Rs and on the plat, and they will comply with agency requirements. Following his testimony, Mr. Lakey responded to questions from Commissioners Van Beek and Dale.

Amy Woodruff gave testimony regarding the technical aspects of the project regarding ground water, onsite septic systems, and traffic. This project is not in a nitrate priority area which means ground water in the area does not exceed 10 milligrams per liter of nitrate so it's not in a groundwater area that's being monitored for nitrate at this time. The Idaho Department of Water Resources does not view the location as somewhere they are looking at closely for groundwater depletion. Commissioner White had questions regarding arsenic levels. Ms. Woodruff said they typically see arsenic in the deep wells around Marsing and south of Dry Lake. She doesn't have specific well data for Trinity itself, but she knows there are some under-the-counter-type treatments if arsenic is encountered for individual wells. To her knowledge arsenic has not been an identified problem for this property. A nutrient pathogen study was done in 2007 and so they know quite a bit about ground water and the hydraulic gradient in the area and it goes south and west toward the Snake River. Trinity will develop an irrigation system that uses their surface water right so they won't be using their individual wells to irrigate, they'll be using for potable purposes only. Trinity will dedicate a 50-foot half-section right-of-way and the west boundary (Marsing Road) will be developed as an arterial road. There will be one access onto Lakeshore Drive and it will be developed as a collector road. Both roads will be improved to handle a lot more traffic volume.

Greg Schatzel is the project developer and said the current farmer has issues with silt and costly problems with filters and pumps. Mr. Schatzel bought several developments in 2006 and 2007 and this is the third of four projects he's worked on. In other developments he put in a road, fences, and CC&R's but he couldn't sell them; however, when the market improved he was able to sell them. Commissioner White said it was suggested that two 12-acre pieces would be a better fit and she wanted to know if that was a deal breaker. Mr. Schatzel said it is a deal breaker and financially it would not make a lot of sense.

Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner White is hesitant because the request is in a heavy agricultural area and she's struggling with the compatibility issue. Commissioner Van Beek referenced the established farms, dairies, and agricultural operations in the area and noted her concerns about the compatibility of residential development in an agricultural zone. She reviewed the policies of the comprehensive plan. It's a great agricultural area that is not in an area of impact or slated for residential development although there are pockets of development out there. She appreciates that the developer wants to put high-end homes out there but once that ground develops it becomes impossible for farmers and it creates a domino effect where they cannot compete because the water is limited. She spoke of an article regarding agricultural land preservation which said it should be preserved in large contiguous blocks in order to maintain a critical mass of farms and

agricultural land. Carving land chips away at the integrity of the whole land mass out there.

Commissioner Dale said he favors growth and development and he is very cognizant of private property rights. The Board has heard from two farmers that this parcel is not profitable for farming, it's not good farm ground, and the only reason they make any money off it is due to a good rental rate. This 24-acre parcel does not contribute largely to the overall agricultural economy of the area, it's just a piece being farmed to keep it from going into weeds. It's already been carved off and it's a good place for two-acre lots. He doesn't find sufficient reason to deny the proposal and he doesn't understand why the P&Z Commission denied it.

Commissioner White struggles because the landowner has invested in the land, but said there is a compatibility issue with the proposal given the scale of the farming industry that's surrounding it. It's a great idea, but not in this location.

Following the Board's deliberation Commissioner Van Beek made a motion to uphold the denial of the comprehensive plan amendment and rezone based on the findings of fact, conclusions of law and order, and in support of the P&Z Commission's unanimous vote to deny the application. The motion was seconded by Commissioner White. A roll call vote was taken on the motion to deny with Commissioners Van Beek and White voting in favor of the motion, and Commissioner Dale voting in opposition to the motion. The motion carried by a two-to-one split vote. The hearing concluded at 11:13 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ROY BRUMBAUGH AND SHEILA MARCHBANKS FOR A ZONING AMENDMENT (REZONE), CASE NO. RZ2019-0038

The Board met today at 11:15 a.m. to conduct a public hearing in the matter of a request by Roy Brumbaugh and Sheila Marchbanks for a zoning amendment (rezone) of Parcel R29982010 from "A" (Agricultural) to "R-R" (Rural Residential). The vacant 30.35 acre property is located adjacent to the Pump Road and Locust Lane intersection. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: Dan Lister, Tricia Nilsson, Melanie Steinhaus, Shawn Conner, Attorney Matthew Johnson, Allen Babbitt, Marlene Babbitt, Stephen Collias, Derek Tuennissen, Robert and Sue Kopfle. Dan Lister gave the oral staff report. The applicant is seeking a rezone of approximately 30 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The P&Z Commission recommended denial because it required a development agreement to address some development issues stemming from a letter from a neighbor's representative. Since that time the potential buyer, Sean Conner, has provided a conceptual site plan demonstrating up to 14 residential lots can be accommodated on the site. The rezone is being requested for the current owners to sell the property as residential development. The configuration is very similar to an approval in 2003 where a conditional use permit (CUP) was granted for this property that allowed a division of up to 16 lots, but the CUP expired in 2008. The property is zoned agricultural, however, surrounding the property are similar rezones that have been approved. The future land use map designates the area for residential. There are five subdivisions in the area that have similar lot sizes to what is being proposed. The

property is moderately suited to least suited soils; it is not prime farmland. It has been used for mint, canola, and alfalfa. Mr. Lister noted the three comment letters that were received. One is from Attorney Matthew Johnson who represents the Collias Family who is concerned about the development of residential lots in this area and what the potential outcome could be without a development agreement or some kind of study to demonstrate there will be no water issues and so they are requesting a denial based on a lack of development agreement or concept plan. According to Mr. Lister, the applicant submitted a conceptual plan after the letter and after the P&Z Commission hearing which shows 14 lots. There is another letter from the Babbitt Family who is concerned about turning an agricultural area into a residential use which could decrease their property value. A letter was received from Guillermo Martinez in support of the letter submitted by Matthew Johnson. Agency comment letters did not identify there would be impacts to access, traffic, irrigation, the highway system, or septic uses in this area. This is a property that would have to go through platting and would require agency review. Staff is recommending approval of the request without a development agreement. The property is 30.35 acres which allows for 15 lots, however, with internal roads, improvements, and public right-of-way dedications that are probably going to happen at the platting stage it will likely be 13-14 lots and because of that staff does not want to lock it down to that configuration because there could be changes during the platting stage. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the request:

Melanie Steinhaus represents Roy Brumbaugh and Sheila Marchbanks, who are brother and sister who were raised in the Notus area and their father owned the subject property and lived across the street where Mr. Babbitt lives now. Roy Brumbaugh lives out of state, and Sheila Marchbanks' husband is a farmer from Notus and they don't find any use for the property themselves so they hired Ms. Steinhaus to help them sell the property. Sean Conner approached her and made an offer on the property hoping to get it rezoned to residential. The farm lease on the property expired last August and there are no plans to grow anything on it at this time.

Sean Conner testified in support of the request. There are plans to build higher-end homes in the \$500,000 to \$800,000 range, similar to the Lake Crest Estates project, with beautiful views. They are hoping to increase the aesthetics of the area. He said the mint field is not being used and it cannot be used for anything other than mint. The subdivision will offer an agricultural rural feel where there could be space for horses. There are five platted subdivisions in the area and this project is in the middle with similar lots. The property has frontage property on Pump Road so it won't impact Lake Shore in terms of direct access. Mr. Conner said they want to do what the comprehensive plan already designates. Following testimony he responded to questions from the Board.

The following people testified in opposition to the request:

Allen Babbitt testified that the subject property is farmable. He said if the development moves forward they need to "bring that mountain down" because it's blocking the neighbors' views of

the lake. There is high ground off Locust Lane that needs to be taken down and the dirt needs to be dispersed all over the property to level it so it's not so steep. He expressed concern that the project seems to be a done deal.

Marlene Babbitt testified that she doesn't want the project to block her view, and she spoke about how she enjoyed having the mint field across the street. Recently her property value was reappraised and a new value was given because of the view of lake and if that view is blocked it would devalue her home. She said the land is in tumbleweeds and no longer being farmed because the farmer could not make a profit off the land given the high rental rate.

Attorney Matthew Johnson represents Stephen Collias who owns the property across from the proposed area and he asked the Board to review his letter (Exhibit 6A) before it issues a decision. This matter was brought up before the P&Z Commission and led to a lot of discussion and debate and that's been cut short by what staff has presented. The P&Z Commission's concerns were not simply that there wasn't a conceptual plan, there were multiple other issues about whether this was appropriate to change the zoning of the land and one of those issues is that the land is farmable. The only reason it's not currently being farmed is because of the actions of the property owners, who are heirs to an estate, have made that difficult. The P&Z Commission went into quite a bit of detail about this, in fact Commissioner Williamson discussed a number of crops, particularly some fruit options that could be very well suited for this property including with the slope but that information has not been included in the packet. The P&Z Commission's written findings were not included in the staff report or the packet that were posted online and he questioned if the Board was provided that full document. The other part he needs to object to is this is really sandbagging a development proposal; it was presented as a rezone with no plan of any type and that's how it went through the P&Z process at the end of last year and early this year and here we have at the last minute suddenly a claim in the staff report of a potential buyer but there's no evidence in the record of a letter of intent or an offer showing an actual buyer. All you have is an email from the real estate agent saying here's a conceptual site plan and it's something that could have been drawn on a napkin, or as staff mentioned it could have been pulled from the last CUP that expired. This is all brand new information, none of it was discussed at the neighborhood meeting or provided to any of the agencies that provided comment on this. They came in at the last minute and submitted a site plan to try to address one minimal concern of the P&Z Commission. If they want to change their application and add a potential buyer they can do so, and if they want to throw a site plan out there great, but it needs to go through the right process and have a neighborhood meeting so the neighbors can ask questions and discuss concerns. It's inappropriate for this to come to the Board without the full story of why the P&Z Commission recommended denial. The average acreage of the average lot size doesn't even go out to the minimum for that zone so they have major problems just with their conceptual site plan and those are things that could be cleaned up so this could be presented properly with all that's already taken into account. Residential development is not something that there is a pressing need for and the property is currently surrounded by viable and farmed agricultural land. Following his testimony, Mr. Johnson responded to questions from the Board.

Robert Kopfle, who owns the property next door, wants to know what the development will

consist of and how it will affect his property. When a new well was put in for the addition below his property it had a negative effect on his well and he's worried that if another well goes in his well will go dry.

Rebuttal testimony was offered by Sean Conner. The future zoning is rural residential and the density will be consistent with what is allowed in that zone, and may even be reduced slightly. They are willing to make adjustments if needed. He said the Babbitts concern about obstructed views is a valid concern and perhaps he could help work around that by positioning the building pads in a way that does not obstruct the view or has a limited obstruction of their view. He intends to create a beautiful subdivision and he's not trying to get the maximum dollar amount or try to get extra density. Mr. Conner recognizes that water is an issue out there and having lower density is better than the alternative of having one-acre lots. They are trying to work within the boundaries of what is allowed and they don't want to upset the neighbors and they are willing to work with them. The project will have individual wells and septic systems. Commissioner Dale asked questions of Mr. Conner regarding well depths in the area.

Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Van Beek said this is a really interesting proposal and she has found the comments by Matthew Johnson to be credible and worthy of the Board's consideration, specifically if there was information that was not provided to the Board on the agricultural discussion and component on this. She believes Mr. Johnson's objections are reasonable and she highlighted parts of his letter (Exhibit 6A). The applicant's testimony is that this is for speculation only and she cannot support something where she doesn't know what it is we are approving. Rezoning agriculture takes an exemption, it's valued less than residential property so there is some argument that to increase the property value you would rezone and to rezone on speculation is a disservice to the business industry of agriculture in that area. That is not planning nor is it orderly development. Commissioner White said the developer has to do some due diligence. She doesn't feel like they are trying to pull the wool over the Board's eyes, but she needs more time and more information from staff before she can make a decision. Commissioner Dale said the future land use map calls for this area to be residential and that's a big factor. It is not inappropriate or unusual to have a potential site plan come in at the last minute; the full site plan/proposal will always be vetted out during the platting process. The potential buyer is not something that is valid to consider in the appropriateness of the decision. The decision is based on the appropriateness of the zoning regardless of who buys it. He is not concerned if they have a potential buyer or not, that does not weigh in his decision at all. He looks at the appropriateness based on the land use map and the area's use. Regarding the views, he is very sensitive to that and he appreciates Mr. Conner stating they would very amenable to talking about that kind of consideration for views and to do what they can to site buildings so as not to obstruct the Babbitts' view. Regarding well depth, he understands the Kopfler's concern about wells so he would like to get some information on what the water table looks like in that area. He is not opposed to delaying this request so we can take some more information from the P&Z Commission and see the complete record. Commissioner Van Beek said there is general support for delaying it for additional information and she wants complete information from the P&Z Commission including the minutes of their discussion. Regarding the site plan, there is

nothing creative about it and in these areas where we are taking good agricultural ground they need to bring a site plan that makes it look exciting. She then made a motion to delay the decision based on acquiring additional information and answering the questions as presented by Matthew Johnson. Dan Lister asked for clarification to make sure he understands the Board's request for the following: full information from the P&Z Commission; more information about what would they do to protect the views; information pertaining to the water table; possible well permit information for the area; and a more detailed site plan. Commissioner White said she understands that Mr. Conner has the due diligence aspect of it because it has to be profitable for him too, but the neighbors want to know what is going in next to them and so she would like to see the developer put more creativity and diversity into what the proposal would look like. Mr. Conner said this was a very basic site plan and they have another one that had more thought put into it. Their goal was to establish that there were 14 lots available and that they could stick with current zoning. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue this discussion to Friday, July 24, 2020 at 8:30 a.m. to allow for the submission of additional information. The hearing concluded at 12:11 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JEREMY GORDON FOR A CONDITIONAL REZONE, CASE NO. CR2019-0013

The Board met today at 2:06 p.m. to conduct a public hearing in the matter of a request by Jeremy Gordon for a conditional rezone, case no. CR2019-0013. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, TJ Wellard and Deputy Clerk Jenen Ross. DSD Director Tricia Nilsson and DSD Planner Dan Lister participated via Webex.

Dan Lister gave the oral staff report stating that the request before the Board today is a conditional a rezone for Jeremy Gordon who is requesting that the parcel be rezoned from "A" Agriculture to a Conditional Rezone Rural Residential. This comes with a development agreement to restrict future development to what is being requested and to give this parcel a building permit. Mr. Lister provided a history of how the parcel has been divided over the years. In 2009 the owner split this parcel off without county approval, it was done by quit-claim deed therefore this portion does not have a building permit available. Either the owner would have to merge this portion back into the property or go thru this process to gain a building permit for the 7.83 acres. The property is zoned agricultural, the surrounding area is all agricultural with the exception of the area near Peckham Rd. where industrial is shown. The future land use comprehensive plan keeps it as agricultural but Greenleaf's plan show a low to medium density residential and high density residential going to that property. There is a future residential use for this area but it would be when it is annexed into the city where they have other plans for the area. The size of 7.83 does not inhibit the ability to redevelop in the future. The City of Greenleaf is not opposed to this request. The property has moderately suited soil except to the eastern edge where there is a topography change. The middle shows a nitrate priority area so any platting would require a nitrate priority study. There is only one subdivision within a one-mile radius and wouldn't be out of context being close to another subdivision. Discussion ensued regarding nitrate priority areas. The applicant has agreed to a

development agreement keeping the property at 7.83 acres. The agreement allows for development of 2 acres to build a house and accessory structures, the remaining acreage will remain as farm ground which will allow them to qualify for an agricultural exemption if they wish. They must not encroach on any irrigation laterals without approval by the district, no further divisions are allowed without Board approval for modification. Staff is recommending approval which is similar to the recommendation made by the Planning and Zoning Commission on February 20th. Mr. Lister responded to a questions from Commissioner Van Beek regarding the acreage division and City of Greenleaf area of impact. TJ Wellard offered testimony in favor of the request. Following testimony, Commissioner Dale made a motion to close the public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the request by Jeremy Gordon for a conditional rezone and to sign the findings of fact and conclusions of law and order, the ordinance and the development agreement. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-016 and Agreement No. 20-084) The hearing concluded at 2:33 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY HFC, LLP, FOR A CONDITIONAL REZONE, CASE NO. RZ2019-0031

The Board met today at 3:02 p.m. to conduct a public hearing in the matter of a request by HFC, LLP for a conditional rezone, Case No. RZ2019-0031. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Chris Coles, Harold Coles, and TJ Wellard. Jennifer Almeida gave the oral staff report. The subject property is approximately 73 acres and currently has a zoning destination of agriculture and the future land use shows this area as residential. Caldwell's area of city impact is the north boundary of the property on Lonestar Road. The project is adjacent to R-1 (single-family residential) zoning. Staff has recommended a condition of approval requiring community water system for the development as presented in the applicant's letter of intent. The P&Z Commission recommended approval on January 16, 2020. Staff has found the request, as conditioned, meets the standards of review for a conditional rezone. Following her report, Ms. Almeida responded to questions from the Board. Harold Coles testified in support of the request and he gave a brief history the property. His parents took the property out of the desert in 1951 and he has lived on the property his entire life. HFC is the result of his parents doing proper estate planning and passing it to their three sons. It is moderately suited land with a gravel pit on two sides of the property. There are problems with erosion, and it's getting hard to get anybody to rent it, and with the additional development on the corner of Orchard Avenue and Indiana Avenue they felt it was time to ask for a rezone and make plans for future use. In order to market the land there is a big advantage to have it zoned to R-1 and have people understand what the conditions are. Mr. Coles said they may sell it outright or partner with a developer. Chris Coles testified in support of the request and stated he agrees with the testimony given by his brother, Harold. They have a vested interest in seeing that the property is developed properly. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the conditional

rezone with a development agreement for 15 parcels, for Case No. RZ2019-0031. 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 approve the ordinance for Case No. RZ2019-0031. (See Ordinance No. 20-017.) The development agreement will be signed at a later date. The hearing concluded at 3:38 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 9, 2020

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

APPROVED CLAIMS ORDER NO. 6/10/20

The Board of Commissioners approved payment of County claims in the amount of \$149.00 and \$4,816.14 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ConvergeOne in the amount of \$11,139.82 for the Information Technology Department
- Miwall Corporation in the amount of \$1,000.00 for the Sheriff's Office
- ACCO Engineer Systems in the amount of \$3,458.00 for the Facilities Department
- Quiet Curtains in the amount of \$2,093.00 for the Facilities Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Vern's Lounge, LLC dba Vern's Lounge. (See resolution no. 20-104.)

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

The Board met today at 8:30 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 following items were discussed:

- Reviewed things that have been done over the past few months in order to accommodate changes in the way business is conducted amid the COVID virus.
- The Microsoft audit has been completed and they are just waiting for the close-out letter
- A year-end report for 2019 was reviewed with the Board. Items reviewed included processed mailings, print shop click counts, service desk tickets, project report, project related hours, total hours spent on projects, comparison of hours between 2018 and 2019
- IT will begin programing the CAPS program in DSD to accommodate the collection of impact fees. August 1st is the targeted 'go live' date.
- Purchase orders will be coming soon for computer replacement. They are working to change out the computers that were purchased in 2015 and will be placing a bulk order in order to take advantage of the quantity discount.

At the request of Commissioner Van Beek, Director Rast addressed the chart of accounts stating that each one is different for each office/department and answered questions about the repurposing of equipment once a new commissioner comes in. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

CANVASS ELECTION

The Board canvassed the May 17, 2020 Election results today which are on file with this day's minute entry.

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: Commissioner Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom left at 9:38 a.m., Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown left at 9:12 a.m., Sheriff Kieran Donahue and Chief Deputy Sheriff Marv Dashiell arrived at 9:13 a.m. left at 9:38 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing memorandum of agreement with Idaho Department of Juvenile Corrections for clinical services in juvenile detention facilities: Director Brown explained this is a yearly MOA that has been in place since 2009. There are just a couple changes to the contract this year. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted

unanimously to sign the memorandum of agreement with Idaho Department of Juvenile Corrections for clinical services in juvenile detention facilities (see agreement no. 20-085).

Consider signing a resolution approving award of badge and duty weapon to Captain Daren Ward: Chief Dashiell said Captain Ward has been with the agency for 24 years and per Sheriff Donahue's recommendation meets all the qualifications for award of duty weapon and badge. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving award of badge and duty weapon to Captain Daren Ward (see resolution no. 20-100).

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

Note for the record: As properly noticed the Board met today at 9:06 a.m. for a legal staff update. A request was made to go into Executive Session 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) 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, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:37 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 PREA audit contract with Idaho Sheriff's Association: Commissioner Dale stated that a good discussion regarding this contract was had in the executive session. Some privileged information was shared but this is mandatory operation that the county will need to engage in every 3 years. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the PREA audit contract with Idaho Sheriff's Association (see agreement no. 20-086).

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

Note for the record: As properly noticed the Board met today at 9:06 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 9:40 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, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter (left at 10:10 a.m.) and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:18 a.m. with no decision being called for in open session.

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.

MEETING FOR DELIBERATION OF THE REQUEST FOR AN APPEAL BY DAN WOODRUFF FOR A DECISION BY THE P&Z COMMISSION REGARDING THE APPROVAL OF THE GRANITE EXCAVATION, INC. CUP; CASE NO. 2019-0007- APL

The Board met today at 1:31 p.m. to deliberate on the request regarding the appeal by Dan Woodruff of the decision by the P&Z Commission which granted a conditional use permit Granite Excavation, Inc. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, Attorney Josh Leonard, Dan Woodruff, other interested persons, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, Josh Davis, and Donald Dean. The Board met on May 29, 2020 in the matter of Granite Excavation's request for reconsideration regarding their request for a conditional use permit, and at the conclusion of that meeting the Board voted to delay action in order to receive information from the including a reclamation plan, project narrative, site plan, and archaeological plan related to the gravel project that would be going to Rippee Island.

Commissioner White explained her position and why she requested today's meeting. The last meeting was three hours and she suggested the applicant provide a revised site plan, a reclamation plan, a new project narrative and an updated archaeological study. There was a long weekend following the hearing and as she looked back through the information and her notes she was uncomfortable with the compatibility aspect of this project and although the archaeological survey and the project narrative are good things, it's not going to make it compatible nor will it be in line with the comprehensive plan. Rather than asking for the applicants to put in all this money for these plans, even if they want to, she is not going to ask them to incur additional expense when it's not going to change how she feels about the compatibility aspect of the project.

Commissioner Van Beek said her decision supports Commissioner White's conclusion especially given the applicant's testimony that the bid has not been awarded, that Idaho Power has delayed this project and there's at least a year which is basically a different application in that space and time. She supports Commissioner White's re-evaluation and commended her for putting her thoughts on record in fairness to the applicant to not incur additional costs in order to move forward.

Commissioner Dale said he still believes there could be ways to work this out, some of them were briefly discussed in the past hearing where we talked about restricting the use of the gravel to the

Rippee Island project and what would that look like because then you wouldn't have any gravel trucks going onto the roadways and he believes there could be some ways to mitigate that sort of an impact that would address a lot of the compatibility issues, but it would highly restrict the use of that gravel and then it would be a business decision with Nicholsons and Granite Excavation to say is that going to be worthwhile to do that. He sees the direction this is going and he wants to say that that is in the future, the applicants can bring this back as a separate application and go through the process again with all of those things we have asked for. He's not opposed to the direction the Board is going at this point. He said the Board didn't really take a vote on this at the last hearing, it just delayed it for more information, but he understands Commissioner White's point that the information will not answer her compatibility concerns. In the general good of the County and for highway districts and those who live out there when Idaho Power goes forward with this project they will need gravel and they can either get it right there or truck in hundreds of truckloads on the road we are trying to protect. There is a way to do it that does not negatively impact that area and he would like to see that in the future.

Commissioner White wants to make it very clear the way she feels about this has nothing to do with a plan or the lack of their project narrative, or their business, or who they are. They are a fine business and she appreciates the way they presented themselves and conducted themselves with professionalism. She does not want to put any more financial burdens on Granite Excavation.

Commissioner Van Beek said Commissioner Dale has highlighted some boilerplate items that have been articulated in the staff report as to what would be needed in order to have an application move forward and she would submit that an application at any future point would be incomplete without those things. We are assuming there's only one access place for gravel and that would be from the north side of the Snake River, but there is a possibility where that is an island that it could come from the south side that wouldn't impact the archaeological area. There are options that have not been explored. She wants to listen to the audio of the previous hearing because she believes the question has already been answered: Would Idaho Power do this project if it was limited to that scope and size? She feels confident that the answer was no, but she will listen to the audio.

Commissioner Dale said in the narrative of the documents there was language that said if restricting the project only to be used for the island project was a deal breaker would they consider that and the applicant said yes, they would consider that but then they answered Commissioner Van Beek's question in a different way so they answered both ways which is confusing. Commissioner White said that is not the reason for her concern.

Deputy PA Zach Wesley said at the last hearing, the Board closed the record with the exception of allowing the submission of specifically requested information so he suggested a preliminary motion, before the Board further deliberates and votes, to formally close public testimony and withdraw that request for additional information. Commissioner Van Beek made a motion to withdraw the request for additional information and close public testimony. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Van Beek made a motion to uphold the appeal to deny the request for a conditional use permit for Case No. 2019-0007-APL. Commissioner Dale seconded the motion for discussion and said the reason we had that hearing was because of a little used portion of the statute that said if they got this in before the Board finalized everything then we could do that, and the reason it took so long was because of the COVID-19 situation where everything was delayed more than ever expected and the initial vote on this was to do exactly what we are doing here, which is to grant the appeal and deny the permit. He will support the motion with the caveat that there is value in exploring the options of accessing that gravel in a manner that does not conflict with compatibility issues of the overall area down there and he would like to see something like that in the future happen. It's a valuable asset and it is there to be used nearby and he does not want to abandon that. A roll call vote was taken on the motion to uphold the appeal with Commissioners Van Beek, White and Dale voting in favor. The motion carried unanimously. The Board will consider the written findings of fact, conclusions of law and order on June 23, 2020 at 8:30 a.m.

The meeting concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office

MEETING WITH THE INFORMATION TECHNOLOGY AND HUMAN RESOURCES DIRECTORS TO DISCUSS EMAIL ARCHIVING AND REVISIONS TO THE PERSONNEL MANUAL

The Board met today at 2:01 p.m. with the Information Technology and Human Resources Director to discuss email archiving and revisions to the personnel manual. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, IT Director Greg Rast, Assistant Director of IT Eric Jensen, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Commissioner White noted that she feels email archiving is a part of the security protocol and is not comfortable having an open meeting to discuss this issue. Director Rast said a general discussion would be fine but does not want to dive too deeply into the details. He said as far as he is concerned the email archiving program has already been vetted, purchased and is in the process of being put in place. Commissioner White spoke about an email that was received from Chief Deputy P.A. Sam Laugheed stating that he feels it's unnecessary to make changes to the personnel/employee manual and she is going to defer to the advice given by legal. Commissioner Dale also stated that he is not going to do something that goes against their legal advice. He noted that Mr. Laugheed stated in his email that he recommended against an amendment and the employee notice. Commissioner Dale said that the archiving program that has been purchased is for logistical purposes, it doesn't change any policy. Discussion ensued regarding the new archiving equipment and the personnel manual. The archiving equipment is just a procedural change and there is no policy change. Director Baumgart said employees should never have the expectation of privacy in regard to their email and feels it may put additional stress or anxiety on employees if there is concern of policy change. It was decided that at this time notification would not be sent out to employees regarding email archiving but would be included in the revised personnel manual which Director Baumgart hopes to have to the Board in September, it is currently in its final review. The meeting concluded at 2:26 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 10, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Intermountain Wood Products in the amount of \$3,130.44 for the Parks Department
- Advanced Hardware Supply, Inc., in the amount of \$1,633.60 for the Parks Department

PUBLIC HEARING TO CONSIDER A REQUEST BY KENNETH SMART FOR APPEAL OF AN ADDRESS CHANGE; CASE NO. RD2019-0028-APL

The Board met today at 10:34 a.m. for a public hearing to consider a request by Kenneth Smart for appeal of an address change; case no. RD2019-0028-APL. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale arrived at 10:59 a.m., DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley via Webex, Forrest Smith and Kyle McAllister with the Sheriff's Office, Kenneth Smart, Rojelio Nevarez and Deputy Clerk Jenen Ross. Director Nilsson said she will need to bring back the findings once there is direction from the Board on how they'd like to proceed with this case. She said this is not a land use issue, it's an addressing issue and provided a background of the situation. At the last hearing it was directed to find a solution that will last, she then gave an overview of the issues and the solutions they've come up with.

Director Nilsson's recommendations are as follows:

- Do not vacate the plat
- Change Hill Ridge and Chadwick to Oasis
- A variance will have to be applied due to the change in direction exceeding 100 ft.
- The names will have to be changed on the plat and she believes they can be done by affidavit; Hill Ridge to the end of Chadwick Lane is the portion that would need the variance but there needs to be a formal amendment process to change a street name on a plat

Two street signs will need to be installed, one where the public road becomes the private segment of Oasis and one where it makes the turn to indicate that Oasis continues. Director Nilsson said she will work with the Sheriff's office to make sure addressing is properly noted for emergency

response. DSD will pay for the street name signs. Additionally, they will also have to work with Gem County to make sure they are okay with this. House numbers will have to change but they are doing all they can to keep the street name of Oasis. The Board is supportive of the direction Director Nilsson has lined out. Director Nilsson would like input from the fire district as to if there are any improvements necessary for turn-around/access which would be the responsibility of Mr. Smart, he will also need to put reflective numbers at the end of his driveway. Director Nilsson said the costs to the county would include the street signs, processing costs including staff time and surveyor time to take it thru a Board hearing and noticing expenses to change the street names on the plat.

Mr. Smart commended Director Nilsson's efforts and appreciates the compromise that has been reached in this situation. At the request of Commissioner White, Mr. Smart stated his understanding of the revisions.

Mr. Nevarez, Mr. Smith and Mr. McAllister offered their comments regarding the revisions.

Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Van Beek made a motion to approve the address change and the findings of fact and conclusions of law and order which will be brought back to the Board on June 17, 2020 at 9:00 a.m. The motion was seconded by Commissioner White and carried unanimously. Commissioner Dale abstained from voting as he was not present for the entire hearing.

The hearing concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JAMES AND SYLVIA BLAKE TO MODIFY A DEVELOPMENT AGREEMENT, CASE NO. DA2020-0001

The Board met today at 2:06 p.m. to conduct a public hearing in the matter of a request by James and Sylvia Blake to modify an approved development agreement associated with Case No. CR2018-0009. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, James Blake, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and DSD Director Tricia Nilsson. Dan Lister gave the oral staff report. The request was approved in 2019 as a conditional rezone and part of it came with a development agreement where it shows 11 acres with a 2-acre envelope. The applicants want to sell 4 acres, and the new proposal is that 4.38 acres will be divided off and the rest of the property will remain in their ownership. It keeps a great deal of the property in agriculture and will retain a two-acre envelope. The modification, which is slight, is very similar to what was approved. When this property is divided and developed the applicants will have to meet the requirements for flood plain development. Staff recommends approval of the request. Commissioner Van Beek had questions about why we need to place additional restrictions on the property. Mr. Lister said the applicant agreed to preserve a certain amount of agricultural use and when making the modification he agreed to a building envelope

eliminating a building permit for that area. James Blake testified in support of his request and addressed the envelope and pasture. He is going to sell 4 acres instead of 11, and the rest will stay agriculture because he has horses and he sells hay. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the findings of fact, conclusions of law and order, as well as the development agreement. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Agreement No. 20-087.) The hearing concluded at 2:26 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY TROOST FAMILY TRUST FOR A DEVELOPMENT AGREEMENT, CASE NOS. OR2019-0002 AND RZ2019-0004

The Board met today at 3:02 p.m. to conduct a public hearing in the matter of a request by Troost Family Trust for a development agreement, Case No. OR2019-0002 and RZ2019-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, TJ Wellard, Attorney Hethe Clark, Jace McQuivey, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Loyal Hulme, and Darryl Ford.

Jennifer Almeida gave the oral staff report noting the public hearings that have previously occurred regarding the request 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. At the conclusion of the December 11, 2019 hearing, the matter was continued to January 6, 2020 because the Board wished to get information pertaining to a site plan and the cost of development for a one-acre parcel. At the hearing on January 6, that information was presented by staff and testimony was received and at the conclusion the Board voted to approve the request. A second public hearing was required because the Board's action differed from the P&Z Commission's decision, and the subsequent hearing was held on March 6, 2020. At the conclusion of that public hearing, the Board closed public testimony and moved to approve the request with a development agreement, and staff was directed to work with the applicant and prepare an agreement for this project, which has been done. The purpose of today's hearing is to go over the project and the development agreement and discuss the conditions of approval which are as follows:

General:

- 1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.**
- 2. The property shall be developed in substantial compliance with the proposed site plan, Exhibit 32 and attached to this agreement as Exhibit "C".**
- 3. The development shall be platted pursuant to CCZO §07-17-09 & §07-17-13.**

4. **The applicant shall comply with CCZO §07-06-07 (4) Time Requirements: “All conditional rezones for a land use shall commence within two (2) years of the approval of the board.”**
 - **A subdivision plat is required for the development and commencement of the project shall be the acceptance by DSD of a complete application, together with the application fee, for a preliminary plat.**
5. **The applicant shall adhere to the platting time limitations outlined in §07-07-23.**
 - a. In the event that the development of the preliminary plat is made in successive continuous segments in an orderly and reasonable manner and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of twenty four (24) months, may be considered for final plat approval. In the event a longer period elapses, the preliminary plat must be reviewed by the commission and approved by the board;
 - b. Final plat application must be submitted and accepted by DSD within two (2) years of the date of written approval of the preliminary plat; and
 - c. The final plat shall be filed with the county recorder within sixty (60) days after approval of the board; otherwise, such approval shall become null and void unless an extension of time is applied for and granted. (Ord. 10-006, 8-16-2010; amd. Ord. 11-003, 3-16-2011).
6. **The applicant shall mitigate weeds on undeveloped lots within the subject property. At such time as an HOA is formed and CCR’s are recorded for the development, the HOA will then be responsible for maintenance of weeds on undeveloped lots within the subdivision.**
7. **All storm water drainage shall be retained on site.**
8. **Six foot high privacy fencing shall be installed on the east boundary of Lots 11-16 (exhibit 32 and attached to the development agreement as Exhibit C). Said fencing shall be installed prior to the Board of County Commissioners signature on the final plat.**
9. **Each residential lot shall be no less than one (1) acre in size.**
10. **All exterior lighting shall be shielded and downward facing.**
11. **Irrigation for the development shall be via domestic wells for up to ½ acre pursuant to Idaho Department of Water Resource requirements.**
12. **The water rights available to the land shall be transferred from the subject property prior to the Board of County Commissioners signature on the final plat. Documentation of the transfer shall be submitted to DSD.**
13. **The applicant shall submit a draft copy of the proposed CCR’s with the application for final plat. The CCR’s shall be recorded with the final plat. The CCR’s shall include provisions for the following:**
 - **Two (2) inch caliper trees to be planted on each residential lot.**
 - **Outdoor storage of recreational vehicles shall be screened behind 6 ft. high privacy fencing.**

- Front yard landscaping shall be installed within six (6) months. Landscaping (grass) shall be installed to the front property line.

Access:

14. The requirements of Golden Gate Highway District shall be met.

- a. **A traffic impact study in accordance with HSDP procedures is required prior to the submittal of any preliminary plat or improvement plan for the “C-2” (Service Commercial) zoned portion of the subject property, if required. A copy of the approved TIS shall be submitted to DSD with the application for preliminary plat on the “C-2” (Service Commercial) portion of the subject property.**

15. Internal public roads shall be installed within the residential portion of the development and built to Golden Gate Highway District standards.

16. The proposed private “shared use access lane” that provides access to the commercial development shall be constructed to CCZO §07-10-03 private road and driveway requirements. A road user’s maintenance agreement shall be recorded prior to the Board of County Commissioner’s signature on the final plat pursuant to CCZO §07-10-03 B (3) which states:

- **Driveways serving two (2) properties and all private roads shall have a recorded road users maintenance agreement that describes the responsible parties for construction and maintenance, including repairs, and necessary improvements to accommodate additional accesses in the future. The agreement shall also list any construction warranties applicable to the specific driveway or private road. Failure to maintain a previously approved driveway or private road shall be a violation of this article subject to the enforcement procedures in [article 19 of this chapter](#).**

17. There shall be no direct access to State Highway 55 (Sunnyslope Rd.).

Fire Protection:

18. The requirements of Marsing Fire District shall be met.

Sanitary Sewer & Domestic Water:

19. The project shall utilize individual wastewater treatment systems and said systems shall meet Southwest District Health Requirements and standards.

20. If required by Southwest District Health Department, a nutrient pathogen study shall be submitted with the application for preliminary plat.

21. No commercial development will be permitted on the subject property until such time as the applicant has received approval for wastewater & domestic water from Southwest District Health Department and Idaho Department of Water Resources for the intended use.

22. The developer shall meet all requirements of Idaho Department of Water Resources for domestic water.

Commissioner Dale noted that Condition #13 refers to two (2) inch caliper trees but it should be stated as two, 2-inch caliper trees; it also states that front yard landscaping shall be installed within six months, but he said landscaping should be installed within six months, or when appropriate, based on the time of the year.

The following people testified in support of the request:

TJ Wellard stated the applicant and his representatives have reviewed the development agreement, met with staff, and have covered everything that was discussed at the previous hearing. He has no objection to Commissioner Dale's point about landscaping being completed when the weather allows for it. Mr. Wellard said the late exhibits that have been submitted address a prior decision but the purpose of today's hearing is to review the development agreement.

The following people testified in opposition to the request:

Loyal Hulme is an attorney from Salt Lake City, Utah, who represents the Church of Jesus Christ of Latter Day Saints, who advised that he and Hethe Clark are serving as co-counsel and they want to some significant information on the record. The church owns a flourishing orchard immediately north of the property and it's critical to the welfare system of the church as the fruits that are grown there are distributed throughout the world. The church may have received notice of the hearing early on, but they are unable locate the notice that was claimed to be given. He was provided information about today's hearing late Thursday night. They understand some things have gone under the bridge but are asking the Board to pause to evaluate the information because if this project goes forward it could be a significant impact to the County, the applicant, and the church as the adjacent property owner.

Commissioner White said the Board has not signed the written findings of fact, conclusions of law and order, but it did close public testimony and there was a two-to-one split vote approving the request. Deputy P.A. Zach Wesley said no final written decision has been issued, and under the County's ordinance we can entertain a motion to reopen the record to allow additional information. At the close of the last hearing the Board closed testimony and directed staff to work on the development agreement and the original intent of today's hearing is to discuss the conditions of approval, but given the request from Mr. Hulme, it is appropriate for the Board to entertain a motion on whether to reopen public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to reopen public testimony to allow the information.

Loyal Hulme said the church has a significant expensive investment that provides key food and other things throughout the world and they believe the impact of this adjacent development would be very significant. There is not a road between the two properties, the lane ends before

it gets to the property where they would be putting commercial and residential use right next to the orchard. They were not at the table nor were they aware of the hearing notice. There have been representations in the record, but they are manifest misunderstandings that the church somehow supported or condoned the applicant's proposal, but they are absolutely opposed to this development and they urged the Board to stop it immediately. Because no facts have been made and no final decision has been made, they urged that no decision be made today unless it is to simply deny the application. Before a further decision is made the Board needs to evaluate all the facts as well as the verbal testimony and written communication they will provide. The church urged the Board to carefully review the P&Z Commission decision because it did an artful job of going through the true facts and finding against this application. Mr. Hulme has been a land use attorney for many years and throughout the United States on projects like this he has never seen a stronger comprehensive plan or zoning amendment process to favor agriculture than we have in Canyon County, but despite the strength of those, it seems for some reason we are now seeking an amendment to that and he pled with the Board to honor the plan and the zoning amendment process that's in place. Under the existing conditions in this area the applicant's plan must be denied, if not, they fear it will endanger years of precedent and risk in undermining the existing comprehensive plan and zoning amendment process that honors, respects, and upholds agriculture. They cannot see why in an agriculture community in this area at this time the County would allow a development of this nature and so it's important that we pause so they can meet with the applicant and see if there is something the church can do, and meet with the County to help appease the situation. Any effort to approve this any further will create a significant impact to the County, and the future precedent of how zoning will be interpreted. If this application is approved it will put commercial and residential use inexplicably, unconditionally, and in many ways an undefined use in the back of an orchard. They have all kinds of different farming techniques that are required with pesticides and all types of treatments, late night equipment running, and large fans all of which will be at complete odds with a residential and commercial development right next door and it threatens the church's fruit trees. If the plan is allowed, they have a list of conditions they want considered, however, they do not believe they will mitigate the harm that will be created. Commissioner White said the project plans for farm worker housing which is agriculture related. Mr. Hulme disagreed and said the applicant is creative in trying to get it in the back door that way, but he doesn't think the County can say only ag-workers can live on the property, and just because they are ag workers doesn't mean they are lesser people or could be subjected to the risks, noises, and other problems associated with being located so closely to a functioning orchard. Regarding the noticing issue, Ms. Almeida said notice of the hearing was mailed to 50 East North Temple, Room 2225, in Salt Lake City. Mr. Hulme said the people who contacted him were not able to locate it, but they are still investigating where the notice went. They weren't aware until the rancher next door saw the notice. The church is very sensitive to farm housing and it does help to have it in the area, but it needs to be in areas that are designated residential, not in the middle of the farming orchards.

Hethe Clark, an attorney representing the Church of Jesus Christ of Latter Day Saints, said they agree with the position in the staff report and the recommendation of the P&Z Commission with regard to the fact that this application does appear to be inconsistent with the comprehensive plan and places these properties in conflict. The Canyon County Comprehensive Plan is famous

for the number of times the words *prime agricultural land* show up. The policy of *support agricultural uses and protect agricultural lands from incompatible development* is ripe throughout the document. The plan speaks to ensuring that residential and commercial development is done in areas where services are or are likely. Population Goal No. 1, Economic Development Policy No. 1, and Land Use Goal No. 4 all speak to making sure services are available, but this property is not within an area of city impact, it's pretty far removed and it's unlikely there would be services. Residential development is to occur where agricultural uses are not viable, and this is clearly a viable agricultural area. They are concerned the proposal does not comply with the comprehensive plan, and that impact is exaggerated by not only putting the residential immediately adjacent to the orchard but creating a commercially zoned area there as well. It opens up a new C-2 zone which includes a wide list of uses that could go in. He does not believe the proposal satisfies any of the following factors: 1) Is it generally in conformance with the comprehensive plan. 2) Is the proposed land use more appropriate than the current comprehensive plan standards? 3) Is the proposed amendment compatible with surrounding land uses? 4) Have development trends changed such that this would be more appropriate. Mr. Clark said if the proposal goes forward the conditions of approval need to be beefed up, and page 9 of their letter to the Board outlines a number of conditions: Additional language in the CC&R's that would waive claims, and provides notice reminding people of the right to farm act; restrictions on the types of trees so they don't have issues with cross contamination; and setbacks to make sure there is adequate spacing. He said the harder item to deal with is the commercial component as the only real restriction on commercial is the traffic impact study. The Board needs to ask what happens if the TIS shows results the developer doesn't like. Does that allow them to move forward? Does the commercial designation get revoked? There are a lot of unanswered questions on the commercial side of things and so they are asking for a pause, and because there is no final decision, they think it is appropriate to make sure we get this right. Commissioner White said many of things the church wants are in the conditions, a TIS being one of them. She questioned the request for a 100-foot setback and a 6-foot concrete wall. Mr. Clark said they are trying to create any kind of separation they can to allow people to co-exist. Commissioner Dale said on the concept plan the commercial portion does not border the orchard. Mr. Clark agreed, but said they are within 150 feet and so a lot of the same concerns will apply. When talking about commercial development one of the things is how much traffic will be generated and what will be the impact of people's ability to get out on the roads, how will tractors get on and off the road.

Darryl Ford stated he did not wish to testify but he asked that his written testimony be included in the record. He said he was unable to join the hearing via Webex so he missed the first portion of the hearing, but staff advised that the development agreement is posted on the land use hearings webpage and could be viewed there.

TJ Wellard offered rebuttal testimony and said what we have heard today isn't different than anything we've heard from the previous four hearings and it seems like with each postponement we hear more information on the same issues. It is the same information that's already been presented, but now it's being presented by high-powered attorneys. Residential is already adjacent to the church property and there is already commercial adjacent to the subject property south of where they are proposing commercial. At what point does someone's private property

rights take over another person's property rights. With a six-foot concrete and a 100-foot buffer there it will reduce the lots by half and that doesn't make sense. Mr. Wellard it's wrong to pause this proposal. This is not a strict rezone, it's a conditional rezone restricted by conditions. The application has been in process for over a year and pausing it is wrong. He mailed a letter regarding the neighborhood meeting to the church to the same address Ms. Almeida noted and he did not hear from anyone about that letter.

Commissioner White said the Board requested screening around RV's and she asked about including screening around farm equipment. Mr. Wellard does not believe it will be an issue and said it was already stated that farm equipment will not be permanently located on the property because this is not a place where they will bring equipment home and work on it for their operation. Commissioner White is sensitive to the church's concern about the issue issues that could affect their fruit orchard, and although they would like a 6-foot cement wall she feels it's too aggressive for the area. The Board has asked for a 6-foot privacy fencing and she wants to know if that includes the north boundary. Mr. Wellard said they agreed to it for the neighbor to the northeast and between the commercial lots and they specified those lots. If the Board wants to add fencing along the north boundary the applicant and his representative can review that condition and if they have an issue with it they won't sign the development agreement. Commissioner White said she would like something on the north boundary. She also said the Board required two 2-inch caliper trees and she does not believe there will be a moth problem associated with those trees. It has been a long process and the Board has a large packet to review which includes new information that was received shortly before today's hearing and so she wants to leave the public testimony open and allow more time to review the information. Regarding the tree type, Commissioner Dale said there could be language in the development agreement that lists the type of trees that are not advisable or not allowed due to concerns about cross-pollination or infestation of disease. The idea is that they would be decorative shade trees. Also, the time of year to do landscaping could be handled easily in the agreement as well. Commissioner Van Beek voted no at the underlying hearing but she finds merit in receiving additional information. The Sunnyslope area is a viticulture, agricultural region that has gained national recognition for the 16 wineries that are located in that area and it's beyond the scope of the expertise of this Board to decide what will or will not cross pollinate. It's a valid argument that anytime you introduce a non-compatible, non-conforming potentially conflicting use that there is going to be conflict in how to mitigate. She said it was previously put on the record that they would get to stage equipment on the property so she wants to review the minutes of the previous hearings regarding that statement. She spoke of how the Board needs to make carefully thought out and well-planned comprehensive decisions that meet our zoning ordinance and the comprehensive plan. She's in favor of rescheduling this hearing until the Board has had adequate time to review the information that's been provided. Commissioner Dale said we need to move this forward but he won't oppose giving time to make sure there has been an adequate review of the materials. There is a substantial well-developed subdivision to the west which also borders the orchard, and another one directly to the south of this development so he would not characterize this land as in the middle of farm country. There can be some compromises for the mitigation of the orchard and where the houses are placed on the lots could be adjusted so they are not on the back boundary. There hasn't been any information presented that would change his previous vote on this project.

There have been some things brought forward by Mr. Hulme that deserve consideration but beyond that he is not going to oppose a time period to make that evaluation. Commissioner Van Beek said the subdivision that is nearby predates 1979, before the County had any real zoning or comprehensive guidelines and it has been the subject of numerous code enforcement issues and some mitigation issues out there. It's a nonconforming development. Commissioner White is troubled that the major landowner who is contiguous to the property did not have the time to comment on this request. Deputy P.A. Zach Wesley said Commissioner White's suggestion to keep the record open is important considering there is still a dialogue going on between the parties and staff, and when we come back again there will be a need for additional conversation about the conditions and leaving the record open for that purpose will be beneficial. Following testimony, Commissioner Dale made a motion to continue the hearing to August 4, 2020 at 2:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 4:02 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 11, 2020

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

APPROVED CLAIMS ORDER NO. 6/15/20 AND 6/25/20

The Board of Commissioners approved payment of County claims in the amount of \$18,176.05 and \$145,860.91 for accounts payable.

EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for Dimitri Morno, a computer network technician, in the Information Technology Department, and for Oneida De La Bretonne, the assistant director of misdemeanor probation.

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Tricycle, LLC dba Eastside Tavern for use on June 27, 2020 and July 4, 2020.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Maria Sarmiento dba Alondras Store. (See resolution no. 20-105.)

MEETING TO 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, Case Manager Terri Salisbury, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0805, 2020-0720, 2020-0721, 2020-0652, 2020-0719 and 2020-0723. 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. Liens were presented for Board signature. 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 8:55 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Case Manager Terri Salisbury, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

The following cases meet the eligibility criteria for county assistance: 2020-310, 2020-467, 2020-420 and 2020-421. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue written approvals within 30 days.

Commissioner Van Beek made a motion to issue final denials with written decision within 30 days on case nos. 2020-301 and 2020-556. The motion was seconded by Commissioner White and carried unanimously.

Commissioner Van Beek made a motion to amend the initial determination of denial with written decision within 30 days on case no. 2020-154 so that it can be submitted to Ada County as the obligated county. 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 no. 2020-372 to July 30, 2020 and case no. 2020-9 to August 13, 2020.

The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-610

The Board met today at 9:07 a.m. to conduct a medical indigency hearing for case no. 2020-610. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Case Manager Terri Salisbury, Jonathan Yearsley and Erin Smith with Flahiff Funeral Chapel 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 9:07 a.m. for a 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 9:21 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure 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 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. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

Following the executive session and testimony Commissioner Van Beek made a motion to close testimony. 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 deny the case. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-263

The Board met today at 9:50 a.m. to conduct a medical indigency hearing for case no. 2020-263. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Timothy Ryan with 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 and issue a written decision within 30 days. The hearing concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-233

The Board met today at 9:58 a.m. to conduct a medical indigency hearing for case no. 2020-233. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Mark Peterson 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 July 30, 2020. The hearing concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-284

The Board met today at 10:37 a.m. to conduct a medical indigency hearing for case no. 2020-284. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Lisa Buseth with 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 with a written decision within 30 days. The hearing concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-487

The Board met today at 10:45 a.m. to conduct a medical indigency hearing for case no. 2020-487. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Lisa Buseth with 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 July 30, 2020. The hearing concluded at 10:45 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 10:47 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2020-294, 2020-475, 2020-524, 2020-482, 2020-281, 2020-302, 2020-361 and 2020-493. Upon the motion of Commissioner Van Beek and second by

Commissioner White the Board voted unanimously to issue final denials on the cases as read into the record with written decisions within 30 days. The meeting concluded at 10:48 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 10:57 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 10:58 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and 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 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, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox via teleconference, Deputy P.A. Dan Blocksom, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:26 a.m. with no decision being called for in open session.

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 12, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$8,200.00 for the Information Technology Department

MEETING TO DISCUSS 2020 CANYON COUNTY FAIR

The Board met today at 9:01 a.m. to discuss the 2020 Canyon County Fair. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Controller Zach Wagoner, Treasurer Tracie Lloyd, Fair Director Diana Sinner, Facilities Director Paul Navarro, PIO Joe Decker, Deputy P.A. Zach Wesley, EOM Christine Wendelsdorf, Tina Holmquist, Carrie Johnson, Samantha Bohm from the Extension office, Keri Smith-Sigman and Deputy Clerk Jenen Ross. Allen Colson, Clerk Chris Yamamoto, Rachel Spacek, Rosa Mendiola, Shelbi Clemens, Steve Onofrei, Daniel Bates, Tami Pugsley, Taylor Pugsley, Kimberly Jenkins, Aaron Pugsley, Steve Blados, J. Clouss and other call-in users participated via Webex.

Director Sinner said that at the last meeting it was decided that more guidelines were needed from SWDH. She has obtained those guidelines and they are as follows:

- Include measures to increase physical distancing of at least 6 feet between employees, vendors and attendees.
- Identify how personal use items, such as face coverings, can be required by employees, vendors and attendees.
- Publicly advise vulnerable and sick individuals to not attend.
- Publicly discourage attendance by travelers where there is a substantial spread of disease.

When they look at planning the fair, the obvious challenge is to incorporate physically distancing of at least 6 feet in everything they do. A typical fair brings in about 50,000 people at about 13,000 people a day. Director Sinner spoke about how the footprint of the fairground is not very large and that the only real open spaces are Gabiola Field and the grass adjacent to that leading up to Wilson Drain which is about 7 acres total. Normally the carnival is on Gabiola Field and takes up 4 acres. With guidelines of social distancing they would also have to move the concerts and entertainment stage out to that area along with food and beer vendors and portable restrooms. In order to socially distance 8,000 concert goers you would need 6.6 acres. Additionally, space would need to be increased between all vendors, food and commercial, which would reduce participation of vendors in turn reducing revenue. Other challenges include the concert line-up (in that it's unknown if acts will come since the rest of their tour is being cancelled), some members of the Latino band are in Mexico with a currently closed border, and maintaining social distancing in each line starting with the entry line at the gate. Director Sinner said there are things that can be done but overall revenue will be affected; she estimates the fair could lose \$300,000 if the fair moves forward with social distancing practices in place.

Commissioner White asked Mr. Wesley to address the liability issues. Mr. Wesley said that thru attorney-client communication he has indicated in writing some of the legal liabilities. He feels it would be more appropriate to discuss specific legal liabilities in an executive session. Generally speaking, the general liabilities that the county has at the fair don't change because of this crisis – there is the financial liability and the tort liability. In order to protect the county the most, he said the recommendation that Prosecutor Taylor has been giving is to follow the health district recommendations.

Commissioner Van Beek asked questions about how this this would be different from standing in lines at local stores or the possibility of temperature checks. Director Sinner said that within a business you're dealing with at most hundreds of people, the fair draws 10K-15K people per day which is just a dramatically higher number of people all in the same space. In regard to temperature, although she is open to it the logistics are challenging – this will cause people to be standing in line longer and the fair takes place at the end of July when the weather is already hot. Commissioner Van Beek asked about indoor vs. outdoor events and other events that are either cancelled or moving forward. Director Sinner said she has seen all over the country a lot of large scale events not moving forward.

Commissioner White feels that with an indoor situation the cleaning and sanitation are more manageable vs. an outdoor venue. The idea of trying to keep the fair sanitized would be a daunting task. She doesn't believe asking people to wear masks during this time of the year is realistic.

Director Navarro said that in a typical year there are 15 maintenance men and 5 grounds crew working the fair which is 2/3 of his department. His biggest concern is that if they are exposed there would be quarantine time or if someone were to get sick how he would manage the other 28 buildings and 6 parks with just the housekeeping crew, himself and his office manager. He is not even sure how he would begin to manage the cleaning and sanitation of the fair, not only timewise but the cost of materials.

Sheriff Donahue spoke about how the maintenance crew is working on renovations at the Dale Haile facility. If that manpower is pulled from that essential operation, and if someone gets sick, there is a potential liability there. He said there is no way to enforce social distancing, Caldwell Police Department doesn't have enough manpower and he will not be sending his deputies to the fair to enforce this either. He has other concerns about fights that may break out in lines and alcohol consumption while it's hot which will increase the number of inmates in the jail. He feels the highest risk for this county is the jail, so far Canyon County has been extremely fortunate in not having a positive COVID case in the jail. If this event were to continue on people will be drinking, there will be fights, there will be disturbances and those people will come to jail in turn exposing his staff and the county liability. He feels it's irresponsible to do that to this community, to this county – not only due to the risk of COVID but from a financial standpoint.

Commissioner Dale agrees that the social distancing is unenforceable and temperature checks aren't realistic when people are standing in line in 90+ degree weather. He think perhaps something could be done with the outside venue. He would advocated for no concerts and no carnival but with that you will decrease attendance. He asked if there are some compromises that could be made as far as possible virtual livestock sales.

Based on a question from Commissioner Van Beek, Director Sinner said they are being contacted by out of state people wondering if they can participate in Canyon County's fair. She has concerns about drawing crowds that cannot be managed. Sheriff Donahue concurred with Director Sinner in her concerns regarding crowds that can't be controlled and people coming in from surrounding states or areas considered hot-spots.

Director Sinner said she has worked with the Extension office staff and the livestock committee for several months on a contingency plan and have identified an alternative livestock schedule in order to have an event where 4H and FFA are able to exhibit in-person and go thru a livestock sale. It will look different but they are going to try to make it as normal as possible. The event will be limited to the exhibitors, their families and essential staff. They would bring in one to two species at a time based on the numbers and will adjust the pen layout.

Commissioner Van Beek likes the option to keep the majority of the livestock portion in place. She wonders what it would look like if the carnival portion was removed but the food booths and possible concerts remained. Director Sinner said you really have to evaluate that situation when you're considering removing revenue generators – considerations regarding what can still be charged, the experience and whether vendors or sponsors still want to participate with major elements being removed.

Commissioner Dale expressed his desire for the fair to move forward in some fashion with the focus remaining on the kids to include 4H and FFA projects along with livestock.

Sheriff Donahue said he would provide as many SILD workers as he can possibly manage to lessen the burden on both the fair and maintenance staff. He said the way the fair is being outlined today would be manageable – he can have the mobile command at the fair if necessary and can respond accordingly. He is in favor of the plan Director Sinner has proposed. Director Navarro appreciates the help provided by SILD and also feels with the plan outlined by Director Sinner that his department can meet the request and do two projects at once, continuing their work in the jail and not having to work 6 a.m. to midnight for 10 days. This is a more reasonable time and he would not have to have all 20 of his maintenance staff at the fairgrounds.

Clerk Yamamoto spoke about his feelings regarding the fair – if he had his way he'd like to see things get back to normal and have the fair move forward as originally planned. He does recognize though that there are many things out of our control such as the entertainment and vendors, we don't know who is going to show up or cancel at the last minute. With that uncertainty he believes that puts the county at a financial risk exposure that is unacceptable. He also believes that the plan outlined by Director Sinner is the proper thing to do with the circumstances that we have.

Commissioner Dale feels that between the fair staff, fair board and the extension office they can work thru the logistics of the how to put on this revised version of the fair.

The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY T-O ENGINEERS ON BEHALF OF REIN & LIESKE DOORNENBAL TRUST FOR A PRELIMINARY PLAT FOR GREEN HILLS LANDING SUBDIVISION, CASE NO. SD2018-0019

The Board met today at 11:03 a.m. to conduct a public hearing in the matter of a request by T-O Engineers on behalf of Rein & Lieske Doornenbal Trust for a preliminary plat for Green Hills Landing Subdivision, Case No.SD2018-0019. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Director Dan Lister, Abbey Stover, Norm Brown, Pete Doornenbal, and Tyler Hess. Dan Lister gave the oral staff report. The applicant is seeking approval of a preliminary plat and irrigation and drainage plan for Green Hills Landing Subdivision. It's a 40-lot subdivision and it will be done in two phases. This case came before the Board as a rezone to R-1 zoning with a restriction of no more than 40 lots on this property. The average lot size is 1.13 acres. Mr. Lister reviewed the technical aspects associated with the plat as well as agency comments. Staff recommends approval. On February 20, 2020, the P&Z Commission recommended approval subject to conditions. Mr. Lister responded to questions from the Board. Abbey Stover concurred that the applicants are in agreement with the highway district and the irrigation district regarding roadways and the irrigation lateral on the property. She said the layout presented today is the same layout that has been before the Board a few times now. Tyler Hess testified that he has partnered with Spencer Kofoed to purchase this property and he has been working with Pete Doornenbal and Norm Brown and he believes they have done what's necessary to move forward. They will coordinate with engineers on the phasing and they will work to relocate the pipe to the west of the property this fall once the water is turned off. They have also been working with the highway district and they have plans to install a turn lane for Ranch Road. Pete Doornenbal testified that there is a test well on the property from the previous developer on the north side and it's marked with posts. Ms. Stover confirmed that it will be removed. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek said she had concerns on the first pass of this application due to agricultural and transportation issues; however, she likes the way it has come back. She believes the applicant and the developers have good intentions and she likes the work that has been put into this application. Following the Board's deliberation Commissioner Dale made a motion to authorize the Board to approve the preliminary plat for Green Hills Landing and to sign the findings of fact, conclusions of law, and order. 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.

PUBLIC HEARING TO CONSIDER COMPREHENSIVE PLAN TEXT AMENDMENT: IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLANS; CONSIDER ORDINANCE AUTHORIZING THE IMPOSITION OF DEVELOPMENT IMPACT FEES

The Board met today at 1:35 p.m. to conduct a public hearing to consider the following items:

- Consider a comprehensive plan text amendment adding appendix 3: Impact Fee Study and Capital Improvement Plans to the Canyon County 2020 Comprehensive Plan table of contents; and adding a policy adopting Capital Improvement Plans to Chapter 8 public services, facilities and utilities component; and adding a policy adopting a capital

improvement plan to chapter 10 special areas, sites and recreation component; and adopting Capital Improvement Plans for the following fire districts; Nampa, Middleton, Caldwell, Star, Wilder, Kuna, Marsing; and adopting a Capital Improvement Plan for the Middleton Recreation District to appendix 3: impact fee study and Capital Improvement Plans to the Canyon County 2020 Comprehensive Plan.

- Consider an ordinance authorizing the imposition of development impact fees for the following fire districts; Nampa, Middleton, Caldwell, Star, Wilder, Kuna, Marsing; and an ordinance authorizing the imposition of development impact fees for the Middleton Recreation District.

Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Kate Dahl, Deputy P.A. Zach Wesley, Controller Zach Wagoner, William F. Gigray, III, Anne Wescott from Galena Consulting, Steve Rhodes from Wilder Fire, Cleo Miller from Nampa Rural Fire, Larry Stevenson and Deputy Clerk Monica Reeves. Present via Webex: Jennifer Kuhn, Mark Wendelsdorf, Richard Davies, Jake Astorquia, Tim O'Meara, Victor Islas, Andy Peterson, Greg Timinsky, Rachel Spacek from the Idaho Press-Tribune.

In February 2020, the P&Z Commission recommended approval. Director Nilsson said they have been working with the IT Department to reprogram the receipting functions to make sure the funds get disbursed to the districts. They will not be able to go live with that until August 1, and the County will charge an administrative fee for our time in administering that function. The impact fee committee met last week but they need another week to get their comments ready for the Board.

Zach Wesley said they are 95% of the way complete, there are a couple of items that still need to be finalized but today we can hear public comment and have a discussion and then get all the documents in place, provided the Board adopts the recommendation of the P&Z Commission.

Kate Dahl said the jurisdictions have already developed their capital improvement plans (CIP's) and impact fee studies, and the next step, which we are on now is to adopt the policies into the 2020 comprehensive plan to be able to adopt the impact fees as part of the appendix. Growth has come to Canyon County and everybody understands we need more public services and facilities to be able to accommodate this growth and everybody agrees the growth needs to pay for itself so this is the mechanism in order for that to happen. This is what would be added to the comprehensive plan: There are no current amendments in the comprehensive plan so it would just be a listing showing that. The second portion would be adding the appendix to the table of contents, and to chapter 8, public services, facilities, and utility component, we would add the policy Canyon County has adopted the following capital improvement plans to guide investments in utilities, infrastructure, public facilities and services and then with each of the fire districts plans called out with the date so we can keep track of each specific plan and when it was adopted: City of Caldwell Fire Department and Rural Fire District, Kuna Rural Fire District, Marsing Rural Fire District, Middleton Rural Fire District, City of Nampa Fire, Star Fire Protection District, and the

Wilder Fire Protection District. The second policy would go into chapter 10, special areas, sites, and recreation and it would be Policy No. 8: Canyon County has adopted the following CIP to guide investments in recreational lands, facilities, and service areas and this would include the Middleton Parks and Recreation District's impact fee study. They will add the appendix with a summary statement in each of the capital improvement plans. Staff is recommending approval.

William F. Gigray, III is the attorney representing the districts in this matter. Galena Consulting was the consultant in putting all CIPs together with the advisory committees. With regard to the fees and the collection process, the way the ordinance is drafted and the statute provides it has to take effect 30 days after it's passed and they have worked it out so it will be published within that period so it would seem appropriate that the action the Board would take would be somewhere in that 30-day time window before August 1 otherwise you wouldn't be able to implement the ordinance. You cannot delay the effective date of an ordinance and in this instance we have a statute and the development impact fee law that says it will at that time so taking that action around the first part of July probably would be the appropriate step. He asked if we are having the hearing on the ordinance itself or will that be delayed. Mr. Wesley said we are on the agenda for the ordinance which would include the imposition of the fees and we can have the conversation about the whole package – both the adoption of the CIP and the amendment to the comprehensive plan as well as comment on the adoption of the ordinance. We will have to wait on a vote on the ordinance, but we can do it sometime before the beginning of July. Mr. Gigray said the models for the fire districts are basically the same. With the one for the recreation district, the County will enter into an agreement with the City of Middleton which you can do for parks and recreational facility impact fees which would be collected within the boundaries of that district, and then there's an inter-agency service agreement you can enter into, it's just a slightly differently different model but it accomplishes the same thing. With the ordinances there are three items which he sent to Mr. Wesley who will be looking at it to finalize and when we meet again in July it will be worked out.

Commissioner Van Beek asked questions pertaining to the fee amounts for the Greater Middleton Recreation Area District. Mr. Wesley said there are different government entities and districts using the same names, the City of Middleton has their own parks and recreation impact fee that is only applicable within the city limits, outside of that also exists the Greater Middleton Recreation Area and that is the district that is asking the Board to impose an impact fee. That district is within the unincorporated Canyon County, but also covers the City of Middleton and the way that would work is if you live in the district area and you had to get a building permit you would pay the impact fee. If you live in the City of Middleton and they have an impact fee for parks and recreation a builder would also pay that impact fee. Properties in both districts would have both impact fees to consider. Mr. Gigray said the County's ordinance will only cover impact fees collected within the unincorporated area of Canyon County that lies within the boundaries of the district. The City of Middleton will pass a similar ordinance and they will collect impact fees within the boundaries of the city. This CIP and facilities identified for this recreation district are different than the impacts the City of Middleton collects. This is not doubling up. Anne Wescott said there is no impact fee being charged within the area of impact in the unincorporated county by Middleton parks and recreation district right now. They have no fee, just property taxes. Middleton has a fee and she

will confirm that the two CIPs are for entirely different capital because the city focuses on green grass and the district focuses on fields and recreational opportunities.

Cleo Miller, the Chairman of Nampa Rural fire District said the infrastructure is behind times and it's important that the new people coming in should pay for growth, not the ones who are already here.

Larry Stevenson asked what the County's impact fee committee recommended in this matter. Mr. Wesley said the advisory committee has a number of roles and duties as far as the impact fees go and their maintenance and one of those is to provide written comments to the Board regarding the CIPs and that's what they are finalizing for the Board. Director Nilsson said they met last week and prior to that they had copies of the CIPs and the draft ordinance. During their meeting there was only one comment, but they still want some time. She said they are not required to make a recommendation. State law says they can provide written comments. Mr. Wesley said the fire districts and the recreation district have implemented advisory committees which helped with the development of the CIPs and through this adoption process will enter into intergovernmental agreements which will keep those committees alive and they will be subcommittees under the County's committee and work together to pass along information. Mr. Stevenson is encouraged that we have two commissioners who have experience with benefits outweighing the disadvantages of impact fees in Nampa. Taxpayers want to know why the County hasn't had impact fees already. We've had tremendous growth and it's strapping the taxpayers. He appreciates Commissioner Van Beek's letter from September where the goal was to have growth pay for itself. He said we need to act on this, and we should have done this years ago. He said updating the amount of impact fee is very important and he asked if that will be included in the ordinance that they have to be updated every two years to keep up with growth. He said five years is too long to wait. Commissioner White said the committees are required to meet once a year and give a report.

Director Nilsson spoke about how things are structured so they are transparent and how it is the duty of the impact fee committees and the jurisdictions to annually look and see if those assumptions need to be updated and once it's recognized there is an amendment it will go through the process. A CIP is not a wish list. You have to keep the numbers current and stay on top of that and it's expected that things will be amended over time as reviews are done annually.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. Commissioner Dale made a motion to authorize the Board to approve the proposed comprehensive plan text amendment, Case No. OR2020-0001. The motion was seconded by Commissioner Van Beek and carried unanimously. (The hearing will be left open for the ordinance and inter-governmental agreements to be considered at later date.) Commissioner Dale made a motion to schedule another hearing for June 22, 2020 at 9:00 a.m. to readdress this issue of the impact fee ordinance and the resolution for the comprehensive plan amendment. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:36 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 15, 2020

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

COMMISSIONERS OFFICE STAFF MEETING AND CONSIDER SIGNING JUNE 15, 2020 AGENDA ITEMS

The Board met today at 8:32 a.m. for an office staff meeting and to consider signing the June 15, 2020 agenda items. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson via Webex, Deputy Clerks Jenen Ross and Monica Reeves. The items were considered as follows:

Director Nilsson requested the Board approve a building permit refund for Gary Tuttle due to the fact the property is located within the city limits, not the County. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to grant a refund to Gary Tuttle in the amount of \$370. (Resolution No. 20-107.)

The Board considered an application requesting a change in the alcoholic beverage license for Jak*s Place Neighborhood Grill. Commissioner Van Beek wants to find out if the City of Nampa has approved the license given its proximity to a church and school. The business already has a beer and wine license and they are adding liquor by the drink. The College of Western Idaho and the LDS church indicate they are in a neutral position on the license. The state has issued a license. In reviewing the accompanying paperwork Commissioner Dale said he found no legal reason to deny the application and then he made a motion to authorize the Board to sign the license to Jak*s Place. The motion was seconded by Commissioner White. Commissioner Van Beek abstained. The motion carried. (Resolution No. 20-106.)

Following the signing of the agenda items, the Board reviewed this week's schedule and the upcoming board of equalization hearing process. The Board will schedule a time to meet with the Assessor's Office for a discussion regarding the notification process for BOE hearings. There was also discussion about the facilities director's plans to talk with the Board about installing Plexiglas in the Commissioners' Office area. The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR METRO COMMUNITY SERVICES

The Board met today at 10:02 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Metro Community Services. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Grant Jones with Metro Community Services and Deputy Clerk Jenen Ross. Mr. Jones spoke about the services they provided over the past year and some of the challenges they've faced in light of the COVID-19 virus. In response to a question from Clerk Yamamoto, Mr. Jones addressed grants that they've received and how the halting of some of the services affected some of their funding. This year the organization is requesting \$125,000 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 10:31a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR NATION SERVICE PROGRAMS OF JANNUS

The Board met today at 10:35 a.m. to discuss the Fiscal Year 2021 preliminary budget request for National Service Programs of Jannus. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Melissa Radloff with National Service Programs of Jannus and Deputy Clerk Jenen Ross. Ms. Radloff spoke about the volunteers and training for the volunteers for the different programs. She provided a handout illustrating the funding partners and the economic impact her programs have on the community. 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 10:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR TREASURE VALLEY PARTNERSHIP

The Board met today at 10:53 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Treasure Valley Partnership. Present were: Commissioners Pam White, 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 briefly about the SAUSA program. This year the organization is requesting \$5,918 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER EXTENDING COVID-19 EMERGENCY DECLARATION

The Board met today at 1:26 p.m. to consider extending the COVID-19 Emergency Declaration. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker, EOM Christine Wendelsdorf and Deputy Clerk Jenen Ross. Commissioner White read a note from Chief Deputy P.A. Sam Laugheed as follows: *I believe the extension is legally necessary and that there is no legal reason to not execute the declaration. In fact, I believe there to be no downside and tremendous advantage by extending the local disaster emergency.* Commissioner Dale made a motion to amend the agenda to include the action item of consider extending COVID-19 Emergency Declaration. The motion was seconded by Commissioner White and carried unanimously. Ms. Wendelsdorf said this is a 30-day extension of the emergency declaration and she agrees it should be extended as she is still purchasing PPE for the county and other necessities in preparation of the fall. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to extend the COVID-19 emergency declaration. Further discussion ensued regarding surge numbers, testing and what surrounding states are seeing as far as numbers. The meeting concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 16, 2020

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

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Tricycle, LLC dba Eastside Tavern for use on July 4, 2020, and for Parma Ridge Wine & Spirits Co., LLC dba Parma Ridge for use on June 25 2020.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Intermountain Management, LLC dba Fairfield Inn & Suites. (See resolution no. 20-108.)

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. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 9:18 a.m., Deputy P.A. Dan Blocksom left at 9:11 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:18 a.m., Lt. Ray Talbot left at 9:06 a.m., Controller Zach Wagoner left at 9:11 a.m., and Deputy Clerk Jenen Ross. Participated via Webex: Assessor Brian Stender, Appraisal Supervisor Greg Himes and Assessor Office Manager Jennifer Loutzenhiser.

Consider accepting grant award from the Office of Justice Programs of the Department of Justice for the Canyon County COVID-19 Emergency Response Project: Lt. Talbot said the county has been awarded the supplemental funding grant for \$52K. Those funds will be used to purchase UV lights for Sheriff's facilities and for inmate care related to COVID. Board authorization will allow the county to accept the funds. Mr. Blocksom said he's reviewed the document and confirmed with Controller Wagoner that everything within the grant can be complied with. Commissioner Dale made a motion to authorize the chairman to sign the grant award from the Office of Justice Programs of the Department of Justice for the Canyon County COVID-19 Emergency Response Project. The motion was seconded by Commissioner Van Beek and carried unanimously.

Resolution classifying records of the Canyon County Prosecuting Attorney's Office and authorizing the imaging and/or destruction of certain civil case files/records: Mr. Blocksom reviewed the file types they plan to destroy, which are lined out in the resolution. Commissioner Dale made a motion to sign the resolution classifying records of the Canyon County Prosecuting Attorney's Office and authorizing the imaging and/or destruction of certain civil case files/records. The motion was seconded by Commissioner Van Beek for discussion. Mr. Blocksom said his understanding of this resolution is to completely destroy the files, there would be no digital copy. He also clarified that these are civil files, not criminal, and are files that have not been needed or looked at by his office for at least 5 years. After discussion, a vote was taken and the motion carried unanimously (see resolution no. 20-110).

Consider signing a resolution declaring certain property as not necessary for county use and for the exchange of property: Mr. Porter said the Sheriff's Office would like to take guns that are used, but not obsolete, and trade them for weapons that would be of better use. Chief Dashiell said they are working on upgrading their firearms inventory. They've found a vendor that has given them a really good price and will take in older weapons for trade-in. Through the exchange process there will be an approximate \$5600 savings. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution declaring certain property as not necessary for county use and for the exchange of property (see resolution no. 20-109).

Consider signing Treasurer's tax charge adjustment by PIN for May 2020: 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 for May 2020.

Consider application for casualty loss tax exemption for Catherine Berthold under Idaho Code 63-602X: Commissioner Dale said he's reviewed the document and it looks like the home sustained fire damage and the adjustment takes the taxable value from \$118,000 to \$40,000 which is the

value of the land. Mr. Himes added that the \$40,400 is with a homeowner's exemption. The amount to be exempted is \$77,600. Commissioner Van Beek asked about this being a rental property vs. their primary residence. The document notes that the property is rented and Commissioner Dale asked how they can receive a homeowner's exemption if it is not their primary residence. The Assessor's Office will do some recalculation and bring this application back at a later time for Board consideration.

The meeting concluded at 9:27 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

The Board met today at 9:32 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Western Alliance for Economic Development. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Tina Wilson for the WAED and Deputy Clerk Jenen Ross. DSD Director Tricia Nilsson participated via Webex. Ms. Wilson provided a draft budget and spoke about public and private sector funding along with grant monies they are looking to obtain. She also reviewed the projects the WAED has been working on. 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 9:58 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 17, 2020

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

ABSENT: Commissioner Pam White, Chair

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$20,750.00 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 6/25/20

The Board of Commissioners approved payment of County claims in the amount of \$110,826.66 for accounts payable.

MEETING TO CONSIDER SIGNING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER FOR THE APPEAL BY KENNETH SMART OF AN ADDRESS CHANGE; CASE NO. RD2019-0028-APL

Commissioner Van Beek went on the record today at 9:02 a.m. noting that a quorum was not present at this time. The meeting will be continued to 11:00 a.m. today. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE DIRECTOR OF FACILITIES TO DISCUSS UPGRADES TO THE COMMISSIONERS' OFFICE RECEPTION AREA

The Board met today at 9:33 a.m. with the Director of Facilities to discuss upgrades to the Commissioners' Office reception area. Present were: Commissioners Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro and Deputy Clerks Monica Reeves and Jenen Ross. Director Navarro gave a review of the concept to put in a store front at the Commissioners' Office reception area. He provided an auto cad concept of what the changes would look like along with a spreadsheet of the cost (both documents are on file with this day's minutes). Discussion ensued regarding the changes and options for upgraded security. Commissioner Van Beek is in favor of the changes but would like to see further discussion once Commissioner White is available, additionally, she would like to seek input from the office staff. Based on the conversation Director Navarro will gather some additional information for when Commissioner White is back in the office. The meeting concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR TO DISCUSS BOARD OF EQUALIZATION PROCESSES

The Board met today at 11:04 a.m. with the Assessor's Office to discuss Board of Equalization processes. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Assessor's Office Manager Jennifer Loutzenhiser, Deputy Clerks Monica Reeves and Jenen Ross. The processes discussed included the option to use Webex for virtual hearings and applicant hearing notification. Due to concerns surrounding COVID-19 it was decided that Webex would be offered as an option for hearings this year. Discussion ensued regarding the noticing of protest hearing times, for logistical purposes the Assessor's Office will be notifying property owners of their hearing time and the Commissioners' Office will continue to

receive the calls confirming withdrawal of applications. The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR CANYON SOIL CONSERVATION DISTRICT

The Board met today at 1:33 p.m. to discuss the Fiscal Year 2021 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, Tate Walters, Mike Summerville, Dave Dixon, Bob McKellip, Mike Swartz for the Canyon Soil Conservation District and Deputy Clerk Jenen Ross. 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 1:50 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR BOISE VALLEY ECONOMIC PARTNERSHIP

The Board met today at 1:52 p.m. to discuss the Fiscal Year 2021 preliminary budget request for the Boise Valley Economic Partnership. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Clark Krause with BVEP and Deputy Clerk Jenen Ross. Mr. Krause reviewed the projects they've been involved with over the past year. This year the organization is requesting \$10,000 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:02 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 18, 2020

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

APPROVED CLAIMS ORDER NO. 2019

The Board of Commissioners approved payment of County claims in the amount of \$1,623,180.75 for County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$4,208.00 for the Information Technology Department
- Positive Promotions in the amount of \$33,131.85 for the Sheriff's Office/Emergency Management

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Tokasha Huskey, an employee in the Coroner's Office.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Case no. 2020-0700 does not meet the eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial denial with written decision within 30 days. Liens were presented to the Board for signatures. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 8:58 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

Case nos. 2020-332, 2020-506, 2020-388 and 2020-534 do not meet the eligibility criteria for county assistance or have been withdrawn by the hospital. 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.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the cases as follows with written decisions within 30 days.

- Case no. 2020-365 continued to August 13, 2020
- Case no. 2020-363 continued to August 27, 2020
- Case no. 2020-309 continued to September 24, 2020

- Case no. 2020-131 continued to August 13, 2020

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final approvals with written decisions within 30 days on case nos. 2020-508 and 2020-222.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-259

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for case no. 2020-259. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, 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 continue the case to August 13, 2020. The hearing concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:21 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for case no. 2020-480 and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue a final denial with written decision within 30 days.

Neither the hospital nor the applicant appeared for case no. 2020-532 and 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.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:03 p.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor's Office Manager Jennifer Loutzenhiser left at 2:10 p.m., Assessor Brian Stender and Appraisal Supervisor Greg Himes participated via Webex and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a new alcoholic beverage license to 4T Sports Bar: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted

unanimously to sign the resolution granting a new alcoholic beverage license to 4T Sports Bar (see resolution no. 20-111).

Consider granting casualty loss tax exemption for Catherine Berthold under Idaho Code 63-602X: This application was before the Board previously but needed to be revised to remove the homeowner's exemption. The house incurred fire damage and now has a taxable net value of \$80,800. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the casualty loss tax exemption for Catherine Berthold under Idaho Code 63-602X.

Consider resolution appointing Tammy Dittenber to the Canyon County Mosquito Abatement District Board of Trustees: Commissioner Van Beek noted for the record that Ms. Dittenber had been previously interviewed for this position. This appointment is to complete the term of Reece Verner who has retired from the Board. Commissioner White said she has spoken with Ms. Dittenber and she is excited to serve. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution appointing Tammy Dittenber to the Canyon County Mosquito Abatement District Board of Trustees (see resolution no. 20-112). The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR THIRD DISTRICT YOUTH COURT

The Board met today at 2:32 p.m. to discuss the Fiscal Year 2021 preliminary budget request for the Third District Youth Court. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Criminal P.A. Chris Topmiller, Tina Freckleton and Deputy Clerk Jenen Ross. Ms. Freckleton gave a breakdown of their budget, spoke about the allocation of Millennium Funds away from diversion programs, such as the Third District Youth Court, and provided a review of the way the program works and their success rate. The organization did not request a specific amount but have left it to Board discretion. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 2:59 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR WESTERN IDAHO COMMUNITY CRISIS CENTER

The Board met today at 3:06 p.m. to discuss the Fiscal Year 2021 preliminary budget request for the Western Idaho Community Crisis Center. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Nikki Zogg and Tim Hoekstra, Cristina Froude via Webex and Deputy Clerk Jenen Ross. Nikki Zogg, Tim Hoekstra and Cristina Froude gave a review of sustainability progress, achievements of the year and recommendations for improvements. This year the organization is requesting \$29,140 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:29 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR CANYON RECOVERY COMMUNITY CENTER

The Board met today at 3:30 p.m. to discuss the Fiscal Year 2021 preliminary budget request for the Canyon Recovery Community Center. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Aaron St. George, Hayden Senna, Don Schultz, Chris Carter and Deputy Clerk Jenen Ross. Mr. St. George, Mr. Senna and Mr. Schultz gave a review of the services they were able to provide last year. This year the organization is requesting \$158,536 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 3:52 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 19, 2020

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

APPROVED CLAIMS ORDER NO. 6/25/20

The Board of Commissioners approved payment of County claims in the amount of \$42,682.77 and \$101,457.46 for accounts payable.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 9:35 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Advocates Against Family Violence. Present were: Commissioners Pam, White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, AAFV Executive Director Kim Deugan, Tricia Lofton, Accountant Marina Mendoza, and Deputy Clerk Monica Reeves. Ms. Deugan reviewed the organization's statistical and budget information. This year the organization is requesting \$75,000. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET MEETING WITH THE NAMPA FAMILY JUSTICE CENTER

The Board met today at 10:04 a.m. for a FY2021 preliminary budget meeting with the Nampa Family Justice Center. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Criselda De La Cruz and Jeannie Strohmeyer with Nampa Family Justice Center and Deputy Clerk Monica Reeves. Ms. De La Cruz and Ms. Strohmeyer gave an overview of the services the organization provides to the community. This year they are requesting \$25,000 for FY2021. The meeting concluded at 10:39 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 10:46 a.m. to discuss the Fiscal Year 2021 preliminary budget request for COMPASS. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director Matt Stoll (via Webex), and Deputy Clerk Monica Reeves. Director Stoll reviewed the proposed membership dues and noted this year they are requesting \$114,775 from Canyon County. The amount represents an increase of \$5,181 over last year's amount and is based on the County's increase in population. Controller Wagoner said the amount represents a 5% increase and he asked if that is consistent with a 5% increase in the COMPASS budget year over year. Director Stoll said the only increase they've had is the growth increase, and they are always looking for opportunities to drive down their costs. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 22, 2020

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

APPROVED CLAIMS ORDER NO. 6/25/20

The Board of Commissioners approved payment of County claims in the amount of \$1,116.00, \$2,814.00, \$4,684.00 \$16,298.00, \$68,027.76, \$99,023.84, and \$266,053.74 for accounts payable.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Moad, LLC dba O'Michael's Pub & Grill for use on June 27, 2020.

CONTINUATION OF PUBLIC HEARING - COMPREHENSIVE PLAN TEXT AMENDMENT: IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLANS AND CONSIDER ORDINANCE AUTHORIZING THE IMPOSITION OF DEVELOPMENT IMPACT FEES

The Board met today at 9:01 a.m. for a continuation of the public hearing regarding the comprehensive plan text amendment: impact fee study and capital improvement plans, and to consider an ordinance authorizing the imposition of development impact fees. Today's hearing was continued from June 12, 2020. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Kate Dahl, Controller Zach Wagoner, William F. Gigray, III, and Deputy Clerk Monica Reeves. Present via Webex: Via Webex: Mark Wendelsdorf and Victor Islas.

Zach Wesley said the testimony portion of the hearing was left open to receive written comment from the advisory committee. Director Nilsson said she did not hear back from anyone on the advisory committee, they chose not to submit any written comments.

William F. Gigray, III, the attorney representing the fire districts and the Greater Middleton Area Recreation District, gave an update on the negotiations with Zach Wesley. He said they are in total agreement on the ordinance and on the intergovernmental agreements for the seven (7) fire districts, but he wants to hold on the Greater Middleton Area Recreation District because they need additional time to work out some of the administrative details of the trust account that would be established for the parks and recreation fees and they need to work with the County Controller and the Treasurer for the City of Middleton Treasurer. The best thing would be to remove article 3 from the ordinance the Board previously reviewed and then just go with the rest of it which they have worked out. He has asked to meet with the Controller, the PA, and Chris Yorgason the city attorney for the City Middleton and the city Treasurer, and representatives from the recreation district to work out some of the actual logistics.

Mr. Wesley said they have backed everything up from the first draft and our ordinance now is a general ordinance, a structure or the Board to impose development impact fees and that is the first article of chapter 11 and article 2 is the fire districts, and article 3 was the recreation district and he pulled that from the draft we have for signatures this morning. Commissioner Van Beek said the lowest impact fee per square foot is Nampa at 28 cents and the highest for Marsing at 62 cents. Director Nilsson said the impact fee itself is an output of the formula, so to say why there's a difference is because there's a different list of projects and costs than the respective CIP's. There

is a great difference of development forecasts between those two districts where you have less development forecast, the higher the fee you will have.

Mr. Gigray said all of the fire districts will be approving the intergovernmental agreement but we have held on that until we had a final one that the Board approved. It will be on everybody's agenda this coming regular meeting which will occur prior to this ordinance going into effect. They had to add the administrative fee. When they impose and collect the fee the County will retain the \$15 administrative fee for each building permit and remit the difference and so they had to have wording in the agreements that the districts would then reimburse that amount and place it in the trust account so the impact fees are not deducted for something we cannot do. The City of Middleton is going to take action on the impact fees for parks and recreation on August 5, and they will be able to have their meeting and have this worked out in that period of time. He asked the Board to table the other things and they will do a notice again when the Board amends the ordinance to include the article 3 when it's ready.

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

Commissioner Dale made a motion to authorize the Board to sign the resolution which is entailing a comprehensive plan text amendment adding appending 3: Impact fee study and Capital Improvement Plans to the Canyon County 2020 Comprehensive Plan table of contents; and adding a policy adopting Capital Improvement Plans to Chapter 8 public services, facilities and utilities component; and adding a policy adopting a capital improvement plan to chapter 10 special areas, sites and recreation component; and adopting Capital Improvement Plans for the following fire districts; Nampa, Middleton, Caldwell, Star, Wilder, Kuna, Marsing; and adopting a Capital Improvement Plan for the Middleton Recreation District to appendix 3: impact fee study and Capital Improvement Plans to the Canyon County 2020 Comprehensive Plan. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 20-113.) The findings of fact, conclusions of law, and order were also approved.

Mr. Wesley said there are seven intergovernmental agreements with the fire districts. The primary distinction between the drafts and the finalized ones today is the administrative fee that has now been worked out. The agreements are very similar in structure, the only difference between them is Nampa and Caldwell - where there is a city involved - having a third-party in there because those rural fire districts operate inside the city limits and also in the unincorporated county so there are three parties to those agreements. Commissioner Van Beek made a motion to sign the intergovernmental agreement and joint powers agreement for the collection and expenditure of development impact fees for the following fire districts: Nampa Fire Protection District, Middleton Rural Fire District, Caldwell Rural Fire Protection District, Star Fire Protection District, Wilder Rural Fire Protection District, Kuna Rural Fire District, and Marsing Rural Fire District. The motion was seconded by Commissioner Dale and carried unanimously. (Agreement Nos. 20-088, 20-089, 20-090, 20-091, 20-092, 20-093, and 20-094).

Commissioner Dale made a motion to authorize the Board to sign an ordinance authorizing the imposition of development impact fees for the following fire districts: Nampa, Middleton, Caldwell Star, Wilder, Kuna and Marsing. The motion was seconded by Commissioner Van Beek and carried unanimously. (Ordinance No. 20-018.) The summary for publication was approved along with the ordinance.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to postpone action on the following items:

- Intergovernmental agreement and joint powers agreement with the City of Middleton for the development of joint plans for capital improvements and to collect and expend development impact fees for parks and recreational facilities system (Greater Middleton Area Recreation District)
- Inter-agency contract for parks and recreational facilities system (City of Middleton/Greater Middleton Area Recreation District)
- The establishment of impact fees for the Middleton Recreation District

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

CONSIDER SIGNING JUNE 22, 2020 AGENDA ITEMS

The Board met today at 9:32 a.m. to consider the June 22, 2020 agenda items scheduled for 9:30 a.m. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, GIS Technician Kyle McAllister, and Deputy Clerk Monica Reeves. The items were considered as follows:

Consider signing development agreement for HFC, LLP; Case no. RZ20109-0031 - The Board already held the hearing on the rezone development agreement and was waiting for the applicant, Mr. Coles, to sign it; it is now ready for the Board's signature. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the development agreement for HFC, LLP, Case No. RZ2019-0031. (Agreement No. 20-095.)

Consider signing the findings of fact and conclusions of law and order for the appeal by Kenneth Smart of an address change - Commissioner Van Beek said those who initially opposed the address change are happy with the work Director Nilsson has done so kudos to her and her staff for being able to work out a good compromise recognizing there are still changes to be made. She then made a motion to sign the findings of fact, conclusions of law, and order for the appeal by Kenneth Smart for an address change, Case No. RD2019-0028-APL. The motion was seconded by Commissioner Dale and carried unanimously.

Consider signing alcoholic beverage new license for Fast Mart - Upon the motion of Commissioner Dale, and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Fast Mart. (Resolution No. 20-114.)

The meeting concluded at 9:38 a.m. An audio recording is on in the Commissioners' Office.

RESCHEDULE THE PUBLIC HEARING TO CONSIDER A REQUEST BY JOHN CARPENTER FOR APPEAL OF A CONDITIONED APPROVAL OF A HOME BUSINESS; CASE NO. AD2020-0029APL

The Board met today at 1:31 p.m. to reschedule the public hearing to consider a request by John Carpenter for an appeal of a conditioned approval of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson, Planner Julianne Shaw and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to continue the hearing to August 5, 2020 at 2:00 p.m. The meeting concluded at 1:32 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH FARMER'S CO-OPERATIVE DITCH COMPANY REGARDING REQUEST FOR SUPPORT

The Board met today at 2:02 p.m. with Farmer's Co-Operative Ditch Company regarding a request for support. Present were: Commissioners Tom Dale and Leslie Van Beek, Richard Simms on behalf of the Farmer's Co-Op Ditch Company and Deputy Clerk Jenen Ross. Mr. Simms said he will be assisting with the grant writing and provided a review of what they've done over the past several years. He said the grant is thru the USDA and due June 26th. They are looking for in-kind support from the county, there is no financial outlay. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign a letter of support for the Farmer's Co-Operative Ditch Company. A copy of the support letter is on file with this day's minutes. The meeting concluded at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 23, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Hanson Janitorial in the amount of \$15,783.40 for the Sheriff's Office

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

The Board met today at 8:31 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 Mike Armstrong left at 8:50 a.m., DSD Director Tricia Nilsson left at 9:25 a.m., Planner Dan Lister left at 9:25 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 8:50 a.m., Weed and Gopher Control Superintendent AJ Mondor left at 8:59 a.m., Facilities Director Paul Navarro left at 8:41 a.m., Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter left at 8:50 a.m., Deputy P.A. Tyler Powers left at 8:59 a.m., Deputy P.A. Dan Blocksom, Chief Deputy Assessor Joe Cox, Assessor Brian Stender left at 8:57 a.m., Controller Zach Wagoner left at 8:41 a.m., HR Generalist Demi Etheridge, Assessor's Office Manager Jennifer Loutzenhiser, Appraisal Supervisor Greg Himes, Landfill Director David Loper arrived at 8:40 a.m. left at 9:10 a.m., Outdoor Recreation Planner Laura Barbour via Webex left at 8:37 a.m., Parks Director Nicki Schwend via Webex, EOM Christine Wendelsdorf arrived at 8:45 a.m. left at 8:50 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Idaho Department of Parks and Recreation grant agreement form for the RV Improvement project at Celebration Park: The grant amount is \$444,125 with a match of \$24,583 and will be used to make improvements to the RV area at Celebration Park; they will be working with a contractor on the improvements. Ms. Barbour reviewed the improvements that will be made and Director Schwend spoke about how the match amount is accounted for. Controller Wagoner said the majority of this work will happen in 2021 so match funding will be accounted for in the FY2021 budget. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Department of Parks and Recreation grant agreement form for the RV Improvement project at Celebration Park (see agreement no. 20-096).

Consider signing commercial lease agreement with Snake River Properties: Director Navarro explained that this is for the warehouse space at Industrial Way where surplus county property is kept along with various other paperwork and items are stored. This warehouse space has been used by the County for 10 years and this is just a renewal of the lease. Mr. Wesley said it is a yearly renewal with a 2% increase each year. The yearly cost to lease the space is approximately \$39,000. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the commercial lease agreement with Snake River Properties (see agreement no. 20-097).

Consider signing Memorandum of Understanding between the State of Idaho Military Division Public Safety Communications and Canyon County for tower access: Chief Dashiell explained how the use of this tower came to be and what it's used for. The agreement and use have been in place for 3-4 years and their equipment is just mounted on the county tower. Mr. Blocksom said that language was added to the MOU clearly stating that they are responsible for their equipment and the county is responsible for county equipment. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between the State of Idaho Military Division Public Safety Communications and Canyon County for tower access (see agreement no. 20-098).

Consider signing resolutions designating obsolete personal property (dispatch equipment; mobile and portable radios) with no monetary value for the Canyon County Sheriff's Office: Chief Dashiell explained that over the past 5 years the Sheriff's Office has been working to upgrade equipment. This equipment is at end of life and has been deemed obsolete. It is not of any use to any other agency and will be destroyed. Mr. Powers said the equipment is of no value, under \$250, and conducting an auction or trying to sell the equipment would not be cost effective. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolutions designating obsolete personal property with no monetary value for the Canyon County Sheriff's Office. See resolutions 20-115 (mobile and portable radios) and 20-116 (dispatch equipment).

Consider signing agreement for Noxious Weed Control between Idaho Transportation Department and Canyon County Weed Control: Superintendent Mondor said this is the same agreement as last year and this service takes some burden off the state and lets the county control the weeds as they see fit. Mr. Mondor spoke about how this can be somewhat dangerous and the safety precautions they take. Mr. Powers confirmed there are no changes to the contract this year. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the agreement for Noxious Weed Control between Idaho Transportation Department and Canyon County Weed Control (see agreement no. 20-099).

Consider signing cooperative agreement for Gopher Control between Idaho Transportation Department and Canyon County Gopher Control: This is also an annual agreement and there are no changes to the contract this year. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the cooperative agreement for Gopher Control between Idaho Transportation Department and Canyon County Gopher Control (see agreement no. 20-100).

Fiscal Year 2020 Pickles Butte Landfill Monitoring Well Abandonment Project Solicitation of Bids: Mr. Goodsell gave a review of the project stating that the landfill had to drill a new monitoring well but the old one needs to be capped for contamination reasons. Tetra Tech has said there are only a few contractors in the region who can do this work and the solicitation will be sent directly to the 3 contractors and posted on the county website. It is expected that bids will be under \$100K. Director Loper said this is the final part of the PB4 well project and explained the reasons behind

the project and what will happen as far as monitoring moving forward. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Fiscal Year 2020 Pickles Butte Landfill Monitoring Well Abandonment Project Solicitation of Bids. A copy of the solicitation is on file with this day's minutes.

Consider signing written findings of fact, conclusions of law and order regarding the appeal by Dan Woodruff of the decision which granted a CUP to Granite Excavation, Inc.; Case no. 2019-0007- APL: Mr. Wesley reviewed the procedural history of the case and what is included in the FCOs. Commissioner White made a motion to sign the written findings for fact and conclusions of law and order regarding the appeal by Dan Woodruff of the decision which granted a CUP to Granite Excavation, Inc.; Case no. 2019-0007-APL. The motion was seconded by Commissioner Dale and carried unanimously.

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 9:26 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, Chief Deputy Assessor Joe Cox, Office Manager Jennifer Loutzenhiser, Administrative Supervisor Greg Himes, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, HR Generalist Demi Etheridge and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:54 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.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 24, 2020

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

APPROVED CLAIMS ORDER NO. 6/25/20

The Board of Commissioners approved payment of County claims in the amount of \$13,935.94 for accounts payable.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JAMES AND LINDA ADAMOWSKI

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:00 a.m. to conduct a property tax assessment protest hearing for James and Linda Adamowski, account no. 31077239 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 Ken Allen, Residential Supervisor Holly Hopkins, Office Manager Jennifer Loutzenhiser via Webex, Other Assessor's Office staff, James and Linda Adamowski and Deputy Clerk Jenen Ross. Linda Adamowski offered testimony in support of the protest application. Greg Himes, Ken Allen and Holly Hopkins offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion 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 9:20 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR HUTER LAND INVESTMENTS LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a property tax assessment protest hearing for Huter Land Investments LLC, account no. 30481010 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender left at 2:34 p.m. Appraisal Supervisor Greg Himes, Residential Supervisor Holly Hopkins, Rural Supervisor Roger Craig, Rural Appraiser Kyla Austin, Rural Appraiser Gerri Tallabas left at 2:00 p.m., Office Manager Jennifer Loutzenhiser via Webex, Steve Onofrei arrived at 1:39 p.m., Jake Smith via Webex joined at 1:41 p.m. and left at 2:15 p.m., Michael Huter and Deputy Clerk Jenen Ross. Greg Himes, Roger Craig and Kyla Austin offered testimony on behalf of the Assessor's Office. Michael Huter offered testimony on behalf of his protest. Following testimony and Board deliberation, Commissioner White made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale. A roll call vote was taken 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 2:39 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 25, 2020

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

APPROVED MARCH 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOL BEVERAGE LICENSE TO 2C WINE DOWN

The Board met today at 8:45 a.m. to consider an alcoholic beverage license (beer and wine) for 2C Wine Down, LLC. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Alejandro Zamora who is the owner of 2C Wine Down, and Deputy Clerk Monica Reeves. Commissioner Dale reviewed the application and said there are no red flags that would prohibit granting the license, and then he made a motion to approve the new license for 2C Wine Down. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 20-117.) The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:52 a.m. to consider decisions. Present were: Commissioners Pam White and Tom Dale, Case Manager Terri Salisbury, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to issue initial denials with a written decision to be issued in 30 days for the following cases: Case Nos. 2020-800, 2020-799, and 2020-893. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

FISCAL YEAR 2021 PRELIMINARY BUDGET REQUEST FOR THE CANYON COUNTY COMMUNITY CLINIC

The Board met today at 9:03 a.m. to discuss the FY2021 preliminary budget request for the Canyon County Community Clinic. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, clinic representatives Steve Davis, Rick Tivis, and Barbara Howard, as well as Deputy Clerk Monica Reeves. Barbara Howard and Steve Davis reported on the clinic's services as well as their expansion plans to serve more people in Canyon County. The organization is requesting \$75,000 in County funding for FY2021. There was a brief discussion about how the clinic would be impacted if County funds were not available to them. No Board action was required or taken. The meeting concluded at 9:28 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 9:38 a.m. for a 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 the 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 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). 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. Zach Wesley and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:10 a.m. with no decision being called for in open session.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR ADLER AB OWNER IX, LLC, AND X, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:11 a.m. to conduct a property tax assessment protest hearing for AB Adler Owner IX, LLC and AB Adler Owner X, LLC, Account Nos. 12642506 0, 12642507 0, 12642516 0, and 12912000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraisers Darryl Speiser and Sam Stone, Mandana Tarr with Adler AB, and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, Jake Smith, and Andrea Rosholt. Mandana Tarr offered testimony in favor of the protest application. Mike Cowan 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 uphold the Assessor's value on Account Nos. 12642506 0,

12642507 0, and 12642516. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value on Account No. 12912000 0. The hearing concluded at 10:58 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR 3900 OVERLAND, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:59 a.m. to conduct a property tax assessment protest hearing for 3900 Overland, LLC, Account Nos. 32504100 0 and 32504101 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraisers Sam Stone and Darryl Speiser, David Cadwell and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, Jake Smith, and Andrea Rosholt. David Cadwell offered testimony in favor of the protest application. Darryl Speiser and Mike Cowan 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 adjust the total assessed value presented at \$1,265,680 to an 11% reduction bringing the new adjusted assessed amount to \$1,126,455. The hearing concluded at 11:26 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR TWIN ISLANDS, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:32 a.m. to conduct a property tax assessment protest hearing for Twin Islands, LLC, Account Nos. 04082000 0, 31223011 0, and 35336000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraisers Sam Stone and Darryl Speiser, David Cadwell and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, Jake Smith, and Andrea Rosholt. Michael Band and Greg Ruddell offered testimony in favor of the protest application. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Mr. Stone said they are currently in litigation and these are the same arguments that have occurred at the Board of Tax Appeals for several facilities and the Assessor's Office has hired an expert to go through the district court cases and they are following his approach with their income approach. Commissioner Dale said given that these issues are being argued in court presently he would not want to rule on anything we have been presented with today until after we hear the court cases and how they are resolved. He then made a motion to uphold the Assessor's values on all three properties, Protest Nos. 20013, 20014, and 20015. The motion was seconded by Commissioner Van Beek and carried unanimously. Michael Band said he wants to hear the County's presentation and understand the values for 2020 because those values are not subject to litigation at this time. Sam Stone offered to call Mr. Band

and have a conversation with him and discuss it further. Mr. Band prefers to have the presentation made on the record. Mike Cowan said it's complicated and there are several issues where they differ in opinion, but the issues are the same whether it's 2018, 2019 or 2020 values. Commissioner Dale said the disposition of the court case will determine how we move forward and we need to wait for that court case to be resolved and then we can move forward with rest of it. Commissioner Van Beek supports that position. In response to a question from Mr. Band, Sam Stone said there are no comparable sales in the printed materials at this time and then he read this statement into the record: *"Per the Canyon County Prosecuting Attorney's Office, the following sales comp slides can only be shown in executive session."* Mr. Band wants to be provided with that information via email. Mr. Cowan said that will be up to the Prosecuting Attorney's Office or outside counsel to determine that. Mr. Stone said the information will be forthcoming via a response to Greg Ruddell's public records request. Mr. Band objected because he wants to hear the County's presentation on 2020 values which are not subject to litigation. Commissioner White noted that the motion to uphold the values carried. The hearing concluded at 12:07 p.m. An audio recording is on file in the Commissioner's Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:33 p.m. with elected officials to discuss COVID-19 updates. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner White participated via conference call, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Coroner Jennifer Crawford, Treasurer Tracie Lloyd via conference call, DSD Director Tricia Nilsson, EOM Christine Wendelsdorf, PIO Joe Decker, Controller Zach Wagoner, Chief Deputy P.A. Sam Laughed, Director of SWDH Nikki Zogg, Mayor Kling participated via conference call and Deputy Clerk Jenen Ross.

Christine Wendelsdorf said they are seeing a surge in cases, 54 new cases were reported in Canyon County yesterday. She will be working with the EOC team next week to restructure things and with the health district to mitigate and streamline the situation and the response to handling. She has placed a PPE order 40K surgical masks and 100 thermometers; once that is received she will start getting it out to departments. A lot of masks will be going to the courts as jury trials are going to be starting soon. Several departments are placing individual orders but Ms. Wendelsdorf would like to be the one to order all the PPE, with Board approval, as she can get quantity pricing. Additionally, it will be easier to keep track of for reimbursement. Since the CARES money has to be tracked thru the county most fire departments will have to come thru the county and Ms. Wendelsdorf has been meeting with the area fire chiefs about this. Sheriff Donahue reiterated that information needs to flow thru Ms. Wendelsdorf.

Ms. Zogg said that District 4 has seen an increase in cases, they reported over 100 cases yesterday and thus have shut down their bars/nightclubs as that is where a lot of cases were coming from. A lot of the Canyon County cases are coming from family gatherings and work environments. As of last week there was one long term care facility that had exposure, there are now seven. They have identified gaps in needs with hospitals and long-term care facilities and Ms. Zogg spoke about

how the facilities are handling the containment of the illness. Conversation ensued regarding the correlation between increased testing and the percentage of positive tests. Emergency department and hospitalizations are low at this time and ICU beds are moderate. Per Governor Little's announcement, phase 4 will be extended by a couple weeks and is leaving protocols to the health districts. SWDH Board's approach will be more educational so that people are informed on their level of risk and personal responsibility. In taking an educational approach they have identified some data-points in helping assist decisions and Ms. Zogg reviewed what they look at. In response to a question from Mr. Laugheed, Ms. Zogg clarified some of the terms such as probable, positive and asymptomatic and how they track and monitor those cases. Mr. Laugheed expressed the importance of using terms correctly amongst county officials to make sure everyone is on the same page. Sheriff Donahue and Mr. Laugheed spoke about how to balance office health with office performance, personal health, people taking advantage, and trying to determine who really needs to stay home or who can come in with a face covering. Ms. Wendelsdorf thinks each situation probably needs to be handled on a case-by-case basis.

Mayor Kling spoke about some misunderstandings that have happened surrounding hospitals and returning confirmed positive patients back to facilities and the logistics of that. She would like to move forward in identifying a location within Canyon County for COVID positive patients. She understands that St. Alphonsus has established a COVID hospital in Boise.

At the request of Sheriff Donahue, Mayor Kling said the Recovery Lodge in Nampa has been discussed and would be a great location for COVID positive long-term care patients but there are questions about funding and how/who it be operated by. She hopes the discussion will be actively pursued to identify how the facility could be funded.

Ms. Zogg spoke about the long-term care facilities, Karcher Estates in particular. They have a backup facility where they can send positive patients, however, the people who live in the assisted living have a choice, they rent that space and it's their home. They've been offered to move to the Twin Falls location in order to get better/proper care but they can't make a resident move. The other issue the care facility is facing is that they don't have a medical director and are not able to provide medication to residents. Ms. Zogg said they do have a liaison within the district who is working with the Department of Health and Welfare as they oversee the regulations within long-term care facilities. Additionally, there is also a statewide taskforce that is specific to long-term care facilities and they are working to connect with them about the needs and gaps that have been identified. Mayor Kling asked if a report could be provided showing where progress is at. She is also curious as to how Twin Falls was able to get their facility set up. Sheriff Donahue would like to see a separate meeting to discuss a care facility.

Sheriff Donahue said IDOC has a confirmed case. There are a lot of protocols in place and so far there are no confirmed cases in our jail. Pod 6 is at 50% capacity; at this point they are only using the east end. It is still capable to be used as a fall back facility for isolation units. He had hoped to have the work release program restarted by the end of the month but he may pause that as he's worried it may increase exposure. The same sort of trends are being seen nationally, higher population jails are having much higher numbers.

Commissioner Dale said that BOE is in full swing and Webex is being used for hearings.

Clerk Yamamoto had planned on opening passports a month ago but hasn't because they haven't opened at the federal level.

Controller Wagoner said that for FY2021 the county could levy \$63M in property tax per the formula that is followed. Based on the formulas Canyon County is eligible for approximately \$11.2M in property tax relief. Mr. Wagoner gave a rough estimate of how this would impact the average property tax payer in Canyon County. Discussion ensued regarding the impact this could have and it was decided this topic may be good for an additional meeting time.

Prosecutor Taylor said courts will be starting up soon and jury notices are being sent out. Felony trials are set to begin in August. Discussion was had about where the responsibility lies for providing PPE to the courts. Commissioner Van Beek asked if the TCA could be invited to the next meeting.

Clerk Yamamoto made a motion to adjourn the meeting. The meeting concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR M GUTHRIE

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:03 p.m. to conduct a property tax assessment protest hearing for M Guthrie, account no.12642514 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Shannon Dearing on behalf of M Guthrie via Webex, Neil Wolfe on behalf of Packaging Corporation of America via Webex, Keri Smith-Sigman and Deputy Clerk Jenen Ross. Ms. Dearing offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board deliberation, Commissioner Dale made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek for discussion. Following discussion a vote was taken and the motion carried unanimously. The hearing concluded at 3:21 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR PACKAGING CORPORATION OF AMERICA

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:22 p.m. to conduct a property tax assessment protest hearing for Packaging Corporation of America, account no. 31201000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan , Neil Wolfe on behalf of Packaging Corporation of America via Webex, Keri Smith-Sigman and

Deputy Clerk Jenen Ross. Mr. Wolfe offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 3:37 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 26, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- GTS Interior Supply in the amount of \$1,649.00 for the Facilities Department

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Moad, LLC dba O'Michael's Pub & Grill for use on July 11, 2020.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR BLAINE JACOBSON/JACOBSON NAMPA, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:00 a.m. to conduct a property tax assessment protest hearing for Blaine Jacobson/Jacobson Nampa, LLC, Account Nos. 30993000 0, 13358000 0, 31093000 0, and 31104013 0. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraisers Sam Stone and Darryl Speiser, Blaine Jacobson, and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, David Smith, Dawn Houghton, and Janet Mills. Blaine Jacobson offered testimony in favor of the protest applications. Sam Stone and Darryl Speiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to uphold the Assessor's value on Protest No. 20002 (Account

No. 30993000 0.) Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to set the value at \$480,000 for Protest No. 20003 (Account No. 13358000 0.) Commissioner Tom Dale arrived at 10:22 a.m. (He did not participate in the hearings for Protest Nos. 20002 or 20003.) Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to uphold the Assessor's value on Protest No. 20020 and 20021 (Account No. 31093000 0 and 31104013 0.) Commissioner Dale abstained on the vote. The hearing concluded at 10:42 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR LEO TAYLOR

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:43 a.m. to conduct a property tax assessment protest hearing for Leo Taylor, Account No. 20463000 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraisers Sam Stone and Darryl Speiser, Assessor Brian Stender, Leo Taylor, and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, Dawn Houghton, and Janet Mills. Leo Taylor offered testimony in favor of his protest application. Darryl Speiser 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 grant the agricultural exemption on the portion of land that has been identified by the Assessor's office where cattle are grazing regarding Protest No. 20132 (Account No. 20463000 0), with information to be brought back to the Board once that area has been determined. The hearing concluded at 11:06 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR EMBASSY, INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:08 a.m. to conduct a property tax assessment protest hearing for Embassy, Inc., Account No. 33917000 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Sam Stone, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Present via Webex: Greg Ruddell, Michael Band, Dawn Houghton, and Janet Mills. Chief Deputy Assessor Joe Cox (arrived at 11:38 a.m.) Greg Ruddell and Michael Band offered testimony in favor of the protest application. Sam Stone, Mike Cowan, and Greg Himes 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 uphold the Assessor's value on Protest No. 20127 (Account No. 33917000 0.) The hearing concluded at 11:49 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – PROPERTY TAX ASSESSMENT PROTEST HEARING FOR CTI/SSI FOOD SERVICES, INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:51 a.m. to conduct a property tax assessment protest hearing for CTI/SSI Food Services, Inc., Account Nos. 62222137 0 and 36764010 0. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraisers Sam Stone, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. Present via Webex: David Smith and Dawn Houghton. David Smith offered comments on behalf of CTI/SSI and Joe Cox offered comments on behalf of the Assessor's Office. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the Assessor's value on Protest No. 20082 and 20083 (Account Nos. 62222137 0 and 36764010 0.) The hearing concluded at 11:51 a.m. An audio recording is on file in the Commissioner's Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR BETHEL

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a property tax assessment protest hearing for Bethel, account no. 02748000 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox, Office Manager Jennifer Loutzenhiser, Commercial Supervisor Mike Cowan, Appraiser Darryl Spieser, Appraiser Sam Stone, Appraiser Kevin Sorensen, Imaging Specialist Helena Thompson via Webex, Timothy St. George for Bethel, David Smith for Pivot Block via Webex, Jason Mau and Michael Shepard via Webex for Neighborhood Housing Services Inc. and Deputy Clerk Jenen Ross. Timothy St. George offered testimony in support of the protest application. Joe Cox and Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion Commissioner Van Beek made a motion to reinstate the exemption. The motion was seconded by Commissioner White for comment. A vote was taken and the motion carried in a unanimous vote. The meeting concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR NEIGHBORHOOD HOUSING SERVICES INC.

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 Neighborhood Housing Services Inc., account no. 34327538 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox, Office Manager Jennifer Loutzenhiser, Commercial Supervisor Mike Cowan, Appraiser Darryl Spieser, Appraiser Sam Stone, Appraiser Kevin Sorensen, Imaging Specialist Helena Thompson via Webex, David Smith for Pivot Block via Webex, Jason Mau and Michael Shepard via Webex for Neighborhood Housing Services Inc. and Deputy Clerk Jenen Ross. Mr. Mau offered testimony in support of the protest application. Jennifer Loutzenhiser and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion Commissioner Dale made a motion to uphold the Assessor's

valuation and non-exempt status. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR PIVOT BLOCK LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:43 p.m. to conduct a property tax assessment protest hearing for Pivot Block LLC, account no. 13415012 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Spieser, Appraiser Sam Stone, Appraiser Kevin Sorensen, David Smith for Pivot Block via Webex and Deputy Clerk Jenen Ross. David Smith offered testimony in support of the protest application. Darryl Spieser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board 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 3:11 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:12 p.m. to consider Board of Equalization matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Darryl Spieser, Appraiser Sam Stone and Deputy Clerk Jenen Ross.

Settlement adjustments were made to the following accounts:

62222135 0 Sorrento Lactalis Inc.
30424000 0 Sorrento Lactalis Inc.
37640000 0 Davis, Christopher
32847177 0 Cox, Joseph
24691000 0 Hastriter, Daniel
24690000 0 McCann, Barrett
24689000 0 MDK Family Trust
24689000 0 MDK Family Trust
35307000 0 VVP I LLC
22589104 0 TV Hotels Inc.
12075000 0 Bell-Garner Ricky Limous
34150010 0 Ethington, Steve
34150010 0 Ethington, Steve
34150010 0 Ethington, Steve
34150010A0 Ethington, Steve
34150010A0 Ethington, Steve

32791010 0 Endurance Holdings LLC
32791010 0 Endurance Holdings LLC
23660000 0 Idaho Horse Therapy Inc.
23660000 0 Idaho Horse Therapy Inc.
23660000 0 Idaho Horse Therapy Inc.
23660000 0 Idaho Horse Therapy Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to accept the adjustments. The meeting concluded at 3:14 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM

CALDWELL, IDAHO JUNE 29, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Right! Systems, Inc., in the amount of \$9,734.00 for the Information Technology Department

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Raising Our Bar, LLC dba Raising Our Bar for use on July 3, 2020, July 10, 2020, July 18, 2020, July 19, 2020, July 20, 2020, July 22, 2020, July 24, 2020, and July 25, 2020, at Still Water Hollow.

FILE TREASURER'S MONTHLY REPORT IN MINUTES

The Board filed the Treasurer's monthly report for the period of May 1, 2020 through May 31, 2020.

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 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 U-SAVE STORAGE LLC AND CITY DEVELOPMENT INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:00 a.m. to conduct a property tax assessment protest hearing for U-Save Storage LLC and City Development Inc., account nos. 24368000 0 and 07540500 0. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Sam Stone, Commercial Appraiser Kevin Sorensen, Commercial Appraiser Darryl Spieser arrived at 9:16 a.m., Andrea Rosholt, Jake Smith and Michael Band via Webex on behalf of U-Save Storage LLC and City Development Inc. and Deputy Clerk Jenen Ross. Andrea Rosholt offered testimony in support of the protest applications. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion, Commissioner Dale made a motion to uphold the value on both protests. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JOY JOHNSON

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:50 a.m. to conduct a property tax assessment protest hearing for Joy Johnson, account no. 02661010A1. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Sam Stone and Deputy Clerk Jenen Ross. Greg Himes spoke about an email received from Ms. Johnson on June 26, 2020 requesting her value be upheld as they are trying to determine if a septic system can be installed on the lot. Commissioner Van Beek made a motion to uphold the value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2020 TERM
CALDWELL, IDAHO JUNE 30, 2020

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

APPROVED CLAIMS ORDER NO. 2020

The Board of Commissioners approved payment of County claims in the amount of \$1,696,870.90 for County payroll.

APPROVED CLAIMS ORDER NO. 7/10/20

The Board of Commissioners approved payment of County claims in the amount of \$115,281.10 and \$40,178.41 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$4,208.00 for the Information Technology Department

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Parma Ridge Wine & Spirits Co., LLC, dba Parma Ridge for use on July 2, 2020, July 9, 2020, July 16, 2020, July 23, 2020, and July 30, 2020 at Red Top Market.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR AMALGAMATED SUGAR CO. LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:30 a.m. to conduct a property tax assessment protest hearing for Amalgamated Sugar Co. LLC, account nos. 62222153 0, 30977000 0, 31032000 0, 31296000 0, 30976000 0, 31281000 0, 30991010 0, 30977010. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorensen, Commercial Appraiser Sam Stone arrived at 9:32 a.m. and Deputy Clerk Jenen Ross. No one appeared on behalf of Amalgamated Sugar Co. LLC. Joe Cox offered testimony requesting the protest be upheld allowing additional time for dialog between the parties. Commissioner Dale made a motion to uphold the value on each

account. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:42 a.m. to consider a Board of Equalization matter. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Administrative Supervisor Greg Himes and Deputy Clerk Jenen Ross. Assessor Stender and Mr. Himes said a motion was made on the protest application for Leo Taylor, parcel no. 20463000 0 in a previous hearing (hearing date was June 26, 2020) but that it was in suspension awaiting the revised appraisal values. The protest was presented to the Board for signature with the adjusted values noted. The protest form is on file with the minutes for June 26, 2020. The meeting concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JUNE 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 2nd day of October, 2020.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: M. Reeves, Deputy Clerk

JULY 2020 TERM
CALDWELL, IDAHO JULY 1, 2020

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

APPROVED CLAIMS ORDER NO. 7/10/20

The Board of Commissioners approved payment of County claims in the amount of \$208,710.48 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- JB's Roofing in the amount of \$2,957.00 for the Facilities Department

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR CALDWELL VETERANS COUNCIL

The Board met today at 9:02 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Caldwell Veterans Council. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Terry Harrell, Randy Jansen, Dale Picksly, Kelly Powell, Dennis Carter, Trina Harrell and Jeff Davis for the Caldwell Veterans Council and Deputy Clerk Jenen Ross. Mr. Jensen spoke about the history of the veterans' hall, groups that make use of the hall, gave statistics of benefits the Veteran Service Officer has been able to assist with, the programs and services they offer and accomplishments over the past several months. This year the organization is requesting \$32,000 in county funding. No Board action was required or taken as the meeting was held for informational purposes only. The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR WEST VALLEY HUMANE SOCIETY

The Board met today at 9:35 a.m. to discuss the Fiscal Year 2021 preliminary budget request for West Valley Humane Society. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Karly Cantrell for WVHS via Webex, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Ms. Cantrell reviewed 2019 shelter numbers and achievements and spoke about fundraising and available grants. Discussion was had

about the need for a new roof and Director Navarro said he would gather numbers showing the utility cost savings of a new roof vs. the current canvas roof. This year the organization is requesting \$200,000 in county funding. No Board action was required or taken as the meeting was held for informational purposes only. The meeting concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST FOR VALLEY REGIONAL TRANSIT

The Board met today at 9:54 a.m. to discuss the Fiscal Year 2021 preliminary budget request for Valley Regional Transit. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Kelli Badesheim for VRT via Webex, Stephen Hunt with VRT via Webex joined at 10:14 a.m., other call-in user via Webex and Deputy Clerk Jenen Ross. Ms. Badesheim gave a review of accomplishments for 2019/2020. This year the organization is requesting \$39,000 in county funding. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ALEX ADAMS REGARDING THE CARES PROPERTY TAX RELIEF FUNDS

The Board met today at 1:31 p.m. with Alex Adams regarding the CARES Property Tax Relief Funds. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Assessor Brian Stender, Sr. System Analyst Steve Onofrei, Chief Deputy Sheriff Marv Dashiell, Alex Adams and Bobbi Jo Meulman with Governor Little's office, Other interested parties and Deputy Clerk Jenen Ross. Via Webex: Chelsea Wilson, Rachel Spacek, Chief Deputy P.A. Sam Laugheed and other call-in users. Mr. Adams reviewed the CARES Act, how it came to the state, how Governor Little wants to see it allocated and the intention of the program. Discussion ensued about the program and how the funds will be allocated amongst the municipalities who choose to participate. Treasurer Lloyd spoke about concerns and logistical issues Treasurers are facing with this program and that they are still trying to work thru the issues to find a solution. The due date to participate is July 17th and municipalities would have an answer about the pro rata rate by July 24th. The meeting concluded at 2:24 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM
CALDWELL, IDAHO JULY 2, 2020

PRESENT:

Commissioner Tom Dale, Vice Chairman

Commissioner Leslie Van Beek
Deputy Clerk Jenen Ross

ABSENT: Commissioner Pam White, Chair

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Shewil, LLC dba Slick's Bar for use on July 25, 2020 at Broadside Harbor.

APPROVED CLAIMS ORDER NO. 7/10/20

The Board of Commissioners approved payment of County claims in the amount of \$5,439.24 and \$4,805.00 for accounts payable.

MEETING TO CONSIDER INDIGENT DECISIONS AND MATTERS

The Board met today at 8:46 a.m. to consider indigent decisions and matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

Case nos. 2020-0806 and 2020-0804 do not meet the eligibility criteria for county assistance. 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. Liens were presented for Board signatures.

Case nos. 2020-303, 2020-453 and 2020-423 meet the eligibility criteria for county assistance. Commissioner Van Beek made a motion to issue final approval with a written decision to be issued within 30 days on the cases as read into the record. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Van Beek made a motion to issue final denials with written decisions within 30 days on case nos. 2020-309 and 2020-380. 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 continue case nos. 2020-391 and 2020-328 to August 13, 2020.

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 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 8:57 a.m. to consider indigent matters. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 8:57 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 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, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:01 a.m. with no decision being called for in open session.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2013-1151

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2013-1151. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Family members of the deceased applicant and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to rescind the order on reimbursement in the amount of \$18,641.11. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:41 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-413

The Board met today at 9:43 a.m. to conduct a medical indigency hearing for case no. 2020-413. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, 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 NO. 2020-540

The Board met today at 9:52 a.m. to conduct a medical indigency hearing for case no. 2020-540. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Attorney Mark Peterson for St. Lukes, Applicant via teleconference and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to place the case in suspension. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-515

The Board met today at 10:03 a.m. to conduct a medical indigency hearing for case no. 2020-515. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Attorney Mark Peterson 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 continue the case to August 27, 2020. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-424

The Board met today at 10:17 a.m. to conduct a medical indigency hearing for case no. 2020-424. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Timothy Ryan with St. Alphonsus, applicant 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 approve the case. The hearing concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 10:28 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, Deputy P.A. Zach Wesley, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for the following cases: 2020-533, 2020-525 and 2020-537. Upon the motion by 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.

At the hospital's request Commissioner Van Beek made a motion to reschedule case nos. 2020-662 and 2020-392 to September 10, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 10:29 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 10:34 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 10:35 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, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:51 a.m. with no decision being called for in open session.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR DAN MCCONNELL

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:33 p.m. to conduct a property tax assessment protest hearing for Dan McConnell, account no. 32906114 0. Present were: Commissioners Tom Dale and Leslie Van Beek, Administrative Supervisor Greg Himes, Rural Supervisor Roger Craig, Appraiser Sam Stone, Dan McConnell, Chuck Stadick, Other Assessor's Office staff and Deputy Clerk Jenen Ross. Via Webex Appraiser Dawn Houghton and Appraiser Kyla Austin, Rachel Spacek with the IPT. Dan McConnell offered testimony in support of the protest application. Roger Craig and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:08 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 2:10 p.m. to conduct a property tax assessment protest hearing for Larry Stevenson, account no. 28129002 0. Present were: Commissioners Tom Dale and Leslie Van Beek, Administrative Supervisor Greg

Himes, Rural Supervisor Roger Craig, Appraiser Sam Stone, Larry Stevenson, Chuck Stadick and Deputy Clerk Jenen Ross. Via Webex Appraiser Dawn Houghton, Appraiser Kyla Austin and Rachel Spacek with the IPT. Larry Stevenson offered testimony in support of the protest application. Roger Craig and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board discussion, Commissioner Van Beek made a motion to uphold the Assessor's adjusted value of \$278,200. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO PARMA RIDGE

The Board met today at 3:08 p.m. to consider signing a resolution granting a new alcoholic beverage license to Parma Ridge. Present were: Commissioners Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to sign the resolution granting a new alcoholic beverage license to Parma Ridge. The motion was seconded by Commissioner Dale and carried unanimously. See resolution no. 20-118. The meeting concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 6, 2020

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

ABSENT: Commissioner Pam White, Chair

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Fisher's Technology in the amount of \$7,048.00 for the Court Clerk'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 9:01 a.m. to conduct a property tax assessment protest hearing for RCG-Nampa LLC, account nos. 31086112

0, 31086110 0, 31086109 0, 30498010 0, 30498011 0, 30501010 0, 30498000 0, 30498012A0, 30503013 0, 30504012 0, 30504000 0, 30503000 0 and 31086107 0. Present were: Commissioners Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Appraisal Supervisor Mike Cowan, Commercial Appraiser Sam Stone, Chief Deputy Assessor Joe Cox, Office Manager Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Sam Stone and Mike Cowan offered testimony on behalf of the Assessor's Office. No one appeared for RCG-Nampa LLC but requested via email that the value be upheld. Following testimony and Board discussion, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 9:07 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 WILLIAM AND SARAH HOLLOWAY

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:08 a.m. to consider approval/denial of an application for casualty loss under Idaho Code §63-602X (cancellation of value) for William and Sarah Holloway, account no. 14064576 0. Present were: Commissioners Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Commercial Supervisor Appraiser Mike Cowan, Commercial Appraiser Sam Stone, Chief Deputy Assessor Joe Cox, Office Manager Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Greg Himes offered testimony noting that the applicants had a house fire at the end of January. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the exemption. The hearing concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER BOARD OF EQUALIZATION MATTERS

The Board met today at 9:13 a.m. to consider Board of Equalization matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox, Commercial Appraiser Sam Stone, Office Manager Jennifer Loutzenhiser and Deputy Clerk Jenen Ross. Jennifer Loutzenhiser presented a list to the Board of 2020 late adjustment to homeowner's exemptions. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to grant the homeowner exemptions under Idaho Code §63-602G as listed below. The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

00051000 0	SHAFFER DANIEL
02640000 0	JOHNSON JOY
05768000 0	LAMBERT CALEN J
08160504 0	HAYES COREY MICHAEL
09173555 0	HANKINS LEDA ANNE

10285000 0	LAWRENCE BERTRAM A
11301000 0	EVANS BENJAMIN LEE
11881595 0	O BRIEN DENNIS P
13689000 0	QUINTERO JOSE
14361000 0	GRABOW MATTHEW C
14852000 0	SCOTT HAROLD DALE
15213000 0	REVIS PAUL
17064017 0	RODRIGUEZ MERCEDES
17311000 0	RETTKOWSKI MATTHEW A
17607027 0	HARKER MARK S
18490541 0	RHODES STEVEN S
19288000 0	ARCHER BILIE J
22365516 0	CHUCHEE LLC
23438000 0	DANCE CLINT J
25075012 0	LAZO ELIAS
26101000 0	BADER JEFFERY M
28449010B0	HIRTLE JACOB
29096278 0	NEWKIRK JACE DAVID
29371011B0	PETERSON SCOTT V
30284000 0	CARSON DAVID S
30834102 0	MEADE MICHAEL F
30877148 0	REYES DOREEN
31242000 0	OWENS LINDA FAYE REVOCABLE TRUST
31486166 0	MILLER THOMAS
31488240 0	FOY CHRISTOPHER
31886135 0	LOGUE TY REBEKAH
31903000 0	VALLE JAMES M
32029132 0	ENDERSBE DONNA D
32546192 0	BROWN PATRICK W
32644012 0	SABA MARJAN
32693000 0	KING TERRY L
33019000 0	SCHAFFER LAUNA
33223011 0	EACHUS KRISTY A
34007000 0	VAN WASSENHOVE PAUL J
34346203 0	WATKINS RICHARD M
34467000 0	ANDREWS CRAIG
35822162 0	KELLY NICK
36077000 0	MORFORD SAMUEL
36164010 0	LINCOLN HAROLD
36604010A0	ANDERSON DEAN
67334211 0	LARRAGOITTY ROBERT A @@
67334221 0	SMITH DEBORAH
70333000 0	PERCIVAL RANDY E LIFE ESTATE
70970000 0	HERNANDEZ-LOPEZ HORACIO

71508000 0	RUTHERFORD MARY
72768000 0	MANNING LINDA
72931000 0	BEUS BONNIE MARIE
75270000 0	PERKINS MARY DIANNE
75527000 0	VELASCO PLACIDO CALVILLO
76421000 0	BELTRAN MARIA E RODRIGUEZ
33684010A0	NORTH JEFFREY MICHAEL
30101110 0	JETT ELIZABETH A
08507131 0	SMITH CLIFFORD ALLEN
30872102 0	JANSEN VAN BEEK JOHN
15216010A1	PAGE MITCHELL
32103367 0	BOLYARD PATRICK D
35078011 0	HARDY ROY LYNN
78309000 0	MORALES LUCINDA PRUDENCIA L
37607109 0	RAMSEY JASON R
35290154 0	YBARRA FABIAN
32083403 0	GREGORICH LOUIS
32083442 0	AVERY AMANDA B
30780195 0	SOUSA JOSE MANUEL
38128104 0	NIX MARSHA R
17937116 0	SMITH KENNETH W
33868303 0	TAYLOR JACOB
32839358 0	MC ARTHUR HARRISON
34383100 0	BRICE MABRY A
78452000 0	FOWLER DENNIS

JULY 2020 TERM

CALDWELL, IDAHO JULY 7, 2020

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

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 7/10/20

The Board of Commissioners approved payment of County claims in the amount of \$174,266.73, \$5,663.78, \$14,562.96, \$95,826.53, \$598.50 and \$1,589.48 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, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Brad Goodsell, Landfill Director David Loper, Deputy P.A. Dan Blocksom, Julie Ambeau and Amanda Frailey with the Sheriff's Office and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Declaration and Notice of Sole Source Procurement from Motorola Solutions, Inc., for point-to-point microwave radios and related equipment, software, and services for the Sheriff's Office: Chief Dashiell said the infrastructure for the tower system for the radios was developed in 2006/2007 and due to the State's system upgrade the county will need to upgrade in order for the radios to be compliant. They want to do this before the master site is complete in order to be ready to go once finished. They have been working with Motorola and a proposal has been developed in order to move forward. Under normal circumstance this would require an RFP but the hardware proposal falls under the Greater Houston Area Contracting which allows for the county to piggyback on already bid equipment and on the service and installation aspect they would look at the opportunity to go sole source based on the fact that Motorola is the current provider and the current equipment is already maintained by this vendor; moving to an outside source doesn't seem reasonable under the circumstances. Mr. Blocksom said that in an abundance of caution notice will be provided and the public will be invited to offer written comment. Mr. Blocksom further elaborated on reasons for going sole source for this purchase and Chief Dashiell reviewed the budgeting and timelines. At this time, the fees will be paid from the E911 fund, but research is also being done to see if CARES monies could be used. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the declaration and notice of sole source procurement from Motorola Solutions, Inc., for point-to-point microwave radios and related equipment, software, and services for the Sheriff's Office.

Consider signing Resolution Authorizing the Destruction of Certain Federal Firearm Forms: Ms. Ambeau said they have some old copies of forms that they would like to destroy from 2015 or earlier. They have not been scanned but there is no reason to keep them; ones from 2016 forward have been scanned. Ms. Ambeau and Ms. Frailey provided a described of the applications. Mr. Blocksom addressed questions posed by Commissioner Van Beek about the retention of records and discussion ensued regarding the retention of emails and records based on Idaho code. It was further clarified that the records asking to be destroyed are copies, the original forms are maintained by the ATF. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution authorizing the destruction of certain federal firearm forms (see resolution no. 20-119).

Consider Signing Addendum to FY20 Pickles Butte Sanitary Landfill Well Abandonment Project: Mr. Goodsell said a few questions were received from contractors who received the solicitation which will be answered in this addendum. Additionally, a ministerial date issue was resolved. Upon the

motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the addendum to FY20 Pickles Butte Sanitary Landfill Well Abandonment project.

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

MEETING WITH THE DIRECTORS OF FACILITIES AND IT TO DISCUSS SECURITY ISSUES

The Board met today at 9:32 a.m. with the Directors of Facilities and IT to discuss security issues. 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 Navarro asked about the possibility of creating a security division within his department that would mainly be focused on the 15 Board departments vs. county-wide as was done with the previous Security Department. He would like to focus on some of the more attainable items that were outlined in the security master plan. Mr. Navarro believes a good portion of the security work is already being done by his department in conjunction with IT; things such as locks, keys, access controls and cameras. There is a particular long-time employee he has in mind for the position and maybe in the future once it's more established it could become its own department. Commissioner Dale likes the idea and feels it need to be explored. Director Navarro outlined the things that are already being done by this particular person that would fall under the security description. Additionally, in being a supervisor this person would also work with the landscaping and electrician crews to start addressing "low hanging fruit" as identified in the security master plan. Director Rast is fully supportive of this plan and believes it would work well. Commissioner Van Beek really likes the idea and addressed the issue of cost savings this would provide. Commissioners Van Beek and Dale are supportive of Directors Navarro and Rast taking the next steps in moving forward and suggested working with Director Baumgart in creating a job description to bring back to the Board along with the first-year plan. Director Rast said most department administrators and elected officials are already seeking them out regarding security issues. Discussions ensued regarding the additional FTE accounted for in the previous Security Department and the dissolving of the security committee. The meeting concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 8, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
*Commissioner Leslie Van Beek (*worked from home)
Deputy Clerk Jenen Ross

ABSENT: Commissioner Pam White, Chair

No meetings were held this day.

JULY 2020 TERM

CALDWELL, IDAHO JULY 9, 2020

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

ABSENT: Commissioner Leslie Van Beek

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Carbon Networks in the amount of \$2,551.70 for the Information Technology Department
- Apple in the amount of \$3,507.85 for the Information Technology Department
- Plural Sight in the amount of \$9,264.00 for the Information Technology Department
- Dell EMC in the amount of \$1,932.78 for the Information Technology Department
- JB's Roofing in the amount of \$1,500.00 for the Facilities Department

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

The Board met today at 8:38 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Tom Dale, Facilities Director Paul Navarro left at 8:50 a.m., Fair Director Diana Sinner left at 8:50 a.m., Deputy P.A. Brad Goodsell left at 8:40 a.m., Deputy P.A. Zach Wesley left at 8:50 a.m., Case Manager Terri Salisbury arrived at 8:41 a.m., Director of DSD Tricia Nilsson joined via Webex at 8:42 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Bid opening for the FY2020 Pickles Butte Landfill Monitoring Well Abandonment project solicitation of bids: Three bids were received for this project which will be reviewed by Director Loper to make sure they are all responsive. Director Loper will probably come back to the Board next week with

a recommendation at which time a letter will be issued to all the bidders notifying them of the recommendation. The following bids were received:

Layne

\$72,640

Cascade Drilling

\$46,500

Holt Services, Inc.

\$49,750

Consider signing legal notice and Request for Qualification for the 2020 Canyon County Fair Expo Building Project: Mr. Wesley said this is a two-part process; the RFQ is the first part to identify and qualify contractors who meet the qualifications to bid on the project. Cole Architects is working to finalize the construction drawings. Once a group of builders are identified they will move to the IFB process from which the lowest responsive bidder will be chosen. Director Navarro said this process is to try narrowing the pool of candidates for the lowest responsive bid. They are trying to determine contractors/builders who have done projects of similar size and scope and meet budgets and timelines among other qualifications and from that pool of candidates they will ask for a bid. Qualifications are due by 8:59 a.m. on August 18, 2020. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the legal notice and request for qualifications for the 2020 Canyon County Fair Expo Building Project.

Consider approval/denial of indigent decisions and signing of liens: Per the Clerk's statement of findings case no. 2020-808 does not meet the eligibility criteria for county assistance and case no. 2020-0913 does meet the criteria for approval. Commissioner Dale made a motion issue an initial denial and approval with written decision within 30 days on the cases as read into the record. The motion was seconded by Commissioner White and carried unanimously. Liens were presented to the Board for signatures.

Consider signing confirmation of new Southwest District Health member terms for Kelly Aberasturi, Tom Dale and Nate Marvin: Commissioner Dale explained all the counties need to confirm the appointments to the Board. A brief discussion ensued regarding Commissioner Dale's term on the SWDH Board and Commissioner White noted Commissioner Van Beek's comments listed in the calendar appointment regarding this action item. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the confirmation of new Southwest District Health member terms for Kelly Aberasturi, Tom Dale and Nate Marvin.

Consider signing a resolution granting a refund to Kathy Searcy for a land division fee: Director Nilsson said Ms. Searcy submitted an application for a land division, but they were able to do a property line adjustment instead and are recommending \$300 be refunded. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution granting a refund to Kathy Searcy for a land division fee (see resolution no. 20-120).

The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TINA WILSON TO DISCUSS SUNNYSLOPE WINE TRAIL UPDATE

The Board met today at 10:01 a.m. with Tina Wilson for a Sunnyslope Wine Trail update. Present were: Commissioners Pam White and Tom Dale, Tina Wilson for WAED, Keri Smith-Sigman left at 10:38 a.m., Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Martin Fujishij, DSD Planner Dan Lister, Valerie Armas and DSD Director Tricia Nilsson participated via Webex.

Ms. Wilson read a statement into the record stating her concerns regarding special events at wineries. At the end of June Kerry Hill Winery posted an event on Facebook calling it a 'festival' which will include accordion music and some food. The event will be held outside and is limited to 100 guests (It is planned to be a 4 hour event with approximately 25 people attending each hour). Last week the event was noticed by a DSD staff member which triggered a request for the winery to apply and pay for a special event permit.

Discussion ensued regarding the difference between standard practices of a winery vs. an event that would require a Special Use Permit be issued and what the pivotal point is in determining the difference. Director Nilsson explained there is a permit available for special events that would occur outside the realm of a food truck and live music which would be considered part of a winery's standard business practice. The \$550 fee for this kind of permit allows for 6 events over a six month period.

A draft ordinance is in process and discussions have been taking place between DSD and the wineries to find a good compromise to these kinds of situations. Mr. Fujishij feels it really comes down to communication and appreciates the work that's been done on the draft ordinance. The County has been good about recognizing standard practice in wineries. As a winery they have to be somewhat careful in not pushing the limits too far – there is a difference between regular practice and big events. The County has been really good about the administrative approval vs. making the wineries jump thru the hoops of a Condition Use Permit but he's not sure that all the wineries have fully understood the boundaries that they're working within. It's on the wineries to communicate back to the County regarding their event to see if it fits within the confines of their administrative approval. He believes there may be some confusion about the Special Use Permit in that it's for a series of events and that there may be things that can be done as an industry, working in conjunction with DSD and the county to streamline the process and maybe make it a little more cost effective which is being addressed thru the new draft ordinance. He feels they're on the right track in working with the County to come up with some rules that work for everybody so that wineries are considered a good neighbor within the county but still have the ability to do events that are economically viable.

In response to questions from the Board, Mr. Goodsell said that if the Board chooses to take action of waiving these fees for the next 3 months it would have to be an agenda item.

Director Nilsson believes that with the help of legal they can do an emergency ordinance with a term of 3-4 months to come up with different standards similar to what was done with the neighborhood meeting requirement for land use issues. She thinks this could be done and agenda item for Board consideration before the July 25th when the Kerry Hill event is scheduled to take place.

Mr. Lister said that although an application was sent to the winery nothing has been returned yet so at this time there is nothing for DSD to review. Kerry Hill Winery has an approval from 2018 where special events and quasi-public uses are prohibited by condition which they agreed upon unless they go thru the permit process. The reasoning behind the condition is due to the limited number of parking spaces and that the winery is located off a private road that goes thru another person's property, because of these conditions there needs to be a permit in place.

Ms. Wilson explained that in the past the winery has used their field for parking with a parking attendant and with 25 people attending per hour for each of the 4 hours that is under the tasting room total of 30 people allowed.

Mr. Lister said that when the application is submitted they are welcome also submit a fee waiver application.

Ms. Wilson said she would be in contact with the winery today to get the applications completed so they can be submitted to DSD as soon as possible and to update them on the conversation today.

Before the meeting concluded Ms. Wilson gave brief update on what is happening with the Sunnyslope Wine Trail.

The meeting concluded at 11:02 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:32 p.m. for an elected officials meeting to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker, Sheriff Kieran Donahue, Director Nikki Zogg with SWDH, Chief Deputy Coroner Steve Rhodes, Judge VanderVelde for Judge Southworth, Chief Deputy P.A. Sam Laugheed, Prosecuting Attorney Bryan Taylor, EOM Christine

Wendelsdorf, Assessor Brian Stender. Via conference call: Parma Mayor Angie Lee, Notus City Mayor Dave Porterfield, Nampa Mayor Debbie Kling and Deputy Clerk Jenen Ross. The following items were discussed:

Sheriff Donahue:

- IDOC is still on lockdown so they are not taking any inmates at this time which is creating a problem in jail as they have many inmates that need to be transferred. He has reached out to probation and parole to ask that they stop arresting everyone on a probation or parole violation unless it's a public safety risk.
- His office has had several positive cases among both inmates and employees.
- He participated in a conference call yesterday with the hospitals who assured him that they would be able to take sick inmates if necessary.
- They are continuing to work with ADS and Rule Steel on the door/hinge issue within Pod 6.
- It was suggested that the Board could recommend to Misdemeanor Probation to reduce the number of arrests for probation violations. Mr. Laugheed feels it is perfectly appropriate for the Board to advise Director Breach of the situation.

EOM Christine Wendelsdorf:

- EOC did their restructure on Monday and so far it's going really well. Information is flowing a lot better and everyone is working together to get things done in a timely manner.
- Logistics in regard to long-term care facilities seem to be ironed out. She will continue working on a planning process next week if they come to the point people need to be moved.
- She has set up a meeting next week with elections to work on getting PPE for poll-workers.
- She is working to create a plan for alternate facilities if the hospitals were to overfill. They are not to that point but she would like to have a plan in place if it were to happen.
- She asked Judge VanderVelde if he knows what she should be planning for in regard to PPE for jury trials. The judge said he would get in contact with Doug Tyler today about Ms. Wendelsdorf's questions.

In response to a question from Prosecutor Taylor, Judge VanderVelde spoke about his understanding of the logistics in re-opening of the courts.

Director of SWDH Nikki Zogg:

- There has been large increase in numbers over the past few weeks; on average they are seeing about 100 new cases a day. She reviewed tracing of events that a large number of the cases have come from and the demographics being affected.
- Hospitals stays are averaging 2-3 days. Testing capacity is an issue again so most hospitals are not testing asymptomatic people. They are feeling busier and are a bit cautious and nervous as there can be a delay in seeing people come in.

- There are 18-19 long term care facilities within the county that've had outbreaks.
- The Governor has put out new guidelines for schools today and SWDH will provide guidance and support as school starts.

Based on a question from Mayor Kling, conversation ensued regarding the mandating of wearing masks. Ms. Zogg said she would strongly recommend that people wear face coverings while in public, especially in the cities of Caldwell and Nampa due to the high level of community spread that is occurring. In terms of mandating their Board met earlier this week for discussion on this topic and while there was no action in terms of a vote, the discussion and input she received from the board members was that the health district would not mandate face covers but would support cities, counties or businesses that want to institute mandatory face coverings. Mayor Kling asked if SWDH would be willing to put something out that the counties and cities could fall back on or push something out to really help educate people. Ms. Zogg said they are preparing to share the health alert levels to indicate the level of risk or exposure in communities and what measures they should take.

Commissioner White spoke about how the Facilities department is getting calls about using the public meeting room. Ms. Zogg recommends keeping any gatherings to less than 50 people with spacing and cleaning protocols in place. Discussion ensued regarding room accommodations for jury selection and keeping the room reserved for county related activities only.

Commissioner Dale spoke about the progress on the fair expo building project and let the other elected officials know that there will be a meeting next week to further discuss the CARES funding. Commissioner White asked why we will be going to the polls for the next election when numbers are going back up. She has a lot of concerns about poll-workers and liability.

Prosecutor Taylor asked Judge VanderVelde about the Zoom hearings and wondered if equipment will need to be purchased as there doesn't seem to be a consistency among the judges.

The meeting concluded at 2:51 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 10, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
Deputy Clerk Jenen Ross

ABSENT: Commissioner Pam White, Chair
Commissioner Leslie Van Beek

No meetings were held this day.

JULY 2020 TERM

CALDWELL, IDAHO JULY 13, 2020

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

APPROVED EMPLOYEE STATUS CHANGE

The Board approved an employee status change form for Norma Trujillo, a misdemeanor probation officer.

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Tricycle, LLC dba Eastside Tavern for use on July 25, 2020, August 1, 2020, August 8, 2020, August 22, 2020, and August 29, 2020.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved a new Alcoholic Beverage License for Craftsman Unlimited Haircuts, LLC dba Craftsman Unlimited Haircuts. (See resolution no. 20-121.)

MEETING TO DISCUSS PARTICIPATION IN GOVERNOR LITTLE'S PUBLIC SAFETY CARES ACT PAYROLL PROPOSAL AND TO CONSIDER SIGNING A NON-BINDING LETTER OF INTENT REGARDING GOVERNOR LITTLE'S PUBLIC SAFETY CARES ACT PAYROLL PROPOSAL

The Board met today at 9:03 a.m. to discuss participation in Governor Little's public safety CARES Act payroll proposal and consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Prosecutor Brian Taylor, Controller Zach

Wagoner, Sr. System Analyst Steve Onofrei, Chief Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd, Coroner Jennifer Crawford and Deputy Clerk Jenen Ross.

Mr. Laugheed gave a brief overview of the program and the communications that have happened up to this point. This Friday is the deadline to submit a non-binding letter of intent to participate and an estimated allocation amount should be received by July 24th. A final decision as to whether or not to participate will need to be made prior to the final budget being approved. Discussion ensued about the FAQs and the guidelines in that they don't always sync up. Mr. Laugheed said there are still a lot of questions that need answers including operational issues from the Treasurer's standpoint and large financial policy decisions to be made. Today's action is to preserve the county's ability to move forward and gather more information. Commissioner Dale made a motion to sign the non-binding letter of intent regarding Governor Little's public safety CARES Act payroll proposal. The motion was seconded by Commissioner Van Beek and carried unanimously. A copy of the letter is on file with this day's minutes.

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

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOL BEVERAGE LICENSE TO CRAFTSMAN UNLIMITED HAIRCUTS

The board met today at 9:14 a.m. to consider signing a resolution granting a new alcohol beverage license to Craftsman Unlimited Haircuts. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to sign the resolution. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-121). The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TINA WILSON WITH WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT FOR AN UPDATE ON A BIOGAS PROJECT

The Board met today at 10:03 a.m. for a meeting with Tina Wilson, the Executive Director for the Western Alliance for Economic Development. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, WAED Executive Director Tina Wilson, and Deputy Clerk Monica Reeves. Ms. Wilson said she understands the Board wants a report on the TV Renewables project, but she is under a nondisclosure agreement so all she can say is both the sorghum and digester projects are active, and she is speaking with one party or the other on a weekly basis. She said they focused on the digester because they thought that was the quicker way, but that does not mean the sorghum was ever out of the picture. She cannot disclose more information on the public record. Commissioner Van Beek said some of this dialogue was started because of an email from the Prosecutor's Office about some representation issues with the project and she has questions

regarding weed mitigation and fencing around the property. Ms. Wilson said weeds were mitigated and she said until it was brought up in the meeting nobody had told the landowners there was an issue with weeds. The land is being farmed and they thought it was being taken care of. They have built a section of fence, although it is not totally fenced off because until they determine the layout of the site they didn't want to put in a fence that would have to be removed. Commissioner Van Beek said she understood there were some people who had pulled out of the project. Ms. Wilson said she is actively engaged with investors on both projects and that's all she can share, she cannot get into whether there have been changes with who is involved, but the digester and sorghum projects are 100% active. Commissioner Van Beek asked if she could disclose more in executive session, but Ms. Wilson said there are still some things she cannot release. The Treasure Valley Renewables team agreed to provide the Board with an annual report which is due by October 1st and she would feel more comfortable if the Board reached out to them directly because maybe they could disclose more information. She said everything that is being proposed and discussed with this project is within the approved development agreement and zoning, and to her knowledge there is nothing happening outside of those parameters. Commissioner Van Beek said the interest she has was generated because of the comments that were put on public record the last time the Board met with Ms. Wilson. In response to questions from Commissioner White regarding product development, Ms. Wilson said the end product development was determined before they went through the zoning and the development agreement because you have to make sure those agreements conform to what the end product is going to be. Phase 1 and 2 engineering have been completed, the geotechnical has been completed and there have been meetings held each week since January in regards to this project. Commissioner Dale is anticipating the report from Treasure Valley Renewables in October and he understands the difficulty of nondisclosure agreements and he is comfortable with what Ms. Wilson has told the Board. Commissioner Van Beek said there is no intent to do anything other than to get a status update because of the information that was provided at the last meeting. Ms. Wilson said in the beginning they wanted to go with a heavy industrial rezone but the community objected so they withdrew their application and filed a new one for M-1 light-industrial zoning with a development agreement. Not once have they put aside the community's concerns. The meeting concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:31 p.m. for a monthly meeting with the Administrative District Judge and the Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Administrative District Judge Southworth, Trial Court Administrator Doug Tyler, EOM Christine Wendelsdorf, PIO Joe Decker, and Deputy Clerk Monica Reeves. Today's discussion centered on the logistics of when the courts will fully reopen with jury trials, and the rules associated with in-person court. Judge Southworth said the current Supreme Court order authorized criminal jury trials to begin on August 3rd, but Ada County has decided they are not ready to do that and that's something he has been giving consideration to as well given the Court's ability to find jurors and the spike in the number of COVID cases. He has been in

contact with the Supreme Court and although no final decision has been reached, it may be they won't start criminal jury trials in August. The PA's Office is willing to work to get some good deals on cases, however, the cases involving child sex abuse, serious domestic violence, etc., will have to be tried at some date. Doug Tyler said at last check the totals for district court for August were 220; it's not ideal but the Prosecutor's Office and the Public Defender are keeping the misdemeanor cases under control. Judge Southworth said the Idaho Department of Corrections is not transporting people from county jails to anywhere, on riders, retained jurisdictions and there's going to be a limit to what the jail can handle if that continues for any length of time. Inquiries have been made to see if they use the Nampa Civic Center and O'Connor Field house for jury selection, although it is not feasible to use those locations for trials because of the amount of work required to set it up. Mr. Tyler said they are trying to be mindful of the budget but we are going to explore as many things as possible. Christine Wendelsdorf spoke about the need to order PPE - disposable face masks, reusable face shields, disposable gloves, and Plexiglas for use in the courtrooms. She also gave ideas on how to resituate the courtrooms without spectators and she said once they determine which courtrooms they are using she will measure that space. Judge Southworth said they will need help disinfecting the witness stand between witnesses. Ms. Wendelsdorf said they can figure out a way to handle that. With the reusable face shields for witnesses, she suggested we use a bin to toss them in at the end of the day then she can use a UV light to disinfect them. She estimates we will need 40,000 surgical masks, but with the COVID case amount going up she will likely increase the amount of masks. The costs are reimbursable. Mr. Tyler said he wants to do a dry run before an actual jury trial to see how everything will work. On another topic, he has talked to the Controller about hiring some part-time marshals if they can be funded out of the CARES money. The projected end date for the possible new hires would be December 31st. The meeting concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER BOARD OF EQUALIZATION MATTERS

The Board met today at 3:03 p.m. with the County Assessor to consider Board of Equalization matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, and Deputy Clerk Monica Reeves. On this final day of BOE Assessor Stender presented the Board with a few small adjustments and noted that it's normally done in April/May but with the extension of the property tax reduction program they had another 10% increase in applicants and it's been a challenge to process all the applications and so they are finally get to where they can take care of the adjustments. There are also a few other value adjustments that need to be taken care for the cases where they received more information from some parcel owners. Assessor Stender presented a document titled *Assessor Adjustment Spreadsheet No. 2* for the Board's review. Following review and discussion, Commissioner Dale made a motion to authorize the Board to sign the final adjustments for BOE for 2020 (as noted in the Assessor's spreadsheet No. 2). The motion was seconded by Commissioner Van Beek and carried unanimously. The Board thanked Assessor Stender for the assistance his staff provided this year with the notification process for BOE hearings. Assessor Stender said he was glad to assist, but he believes that's a

function the Board's staff needs to resume next year. The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 14, 2020

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

APPROVED CLAIMS ORDER NO. 7/24/20

The Board of Commissioners approved payment of County claims in the amount of \$115,630.29 for accounts payable.

LEGAL STAFF UPDATE AND CONSIDER EXTENDING COVID-19 EMERGENCY DECLARATION

The Board met today at 9:04 a.m. for a legal staff update and to consider extending the COVID-19 emergency declaration. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, EOM Christine Wendelsdorf, PIO Joe Decker, and Deputy Clerk Monica Reeves. Sam Laugheed presented the Board with an extension of the existing emergency declaration. We have had a local disaster declared since March 19, 2020 and out of an abundance of caution, to make sure we never have anybody say procedurally our reimbursement is problematic, we just keep renewing the declaration which will extend it for another 30 days and will help make sure the County has access to funds from the state and federal government. Christine Wendelsdorf said it allows us to move money around a lot more freely so that if we have to make purchases related to COVID we can do that without having to reopen the budget. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the declaration which will extend from July 15 through August 15, 2020 as per the information prepared by legal staff. In response to an inquiry the Board received yesterday about the Anderson Corner property, Brad Goodsell updated the Board on the status of the property. We partnered with DEQ who cleaned the property and they are now monitoring it because it appears the contamination has gone into the groundwater and is migrating onto the adjacent property and that owner has expressed interest in buying the property. There are a lot of other issues with the property including access on the highway and ITD is interested in perhaps taking some of the property for intersection improvements. The County has been in a holding pattern to see what happens, and when he talked to DEQ yesterday he asked if they could provide us with the environmental covenants they intend to require for

anybody who owns that property and they said they would start working on those that way when we get inquiries we can let people know these are the covenants, which would likely dissuade most people from having any interest in the property other than the adjacent property owner. Now it's a waiting game to see where the levels are going to be after this settles down and based on what those levels are the environmental covenants will be determined and will likely include that you cannot access groundwater from the property or have residential housing on the property. There may be other restrictions as well. Commissioner Dale said he spoke to Tim Robertson who is interested in using the property to park trailers and so it might be worthwhile to see if we can get an appraised price and see if the farmer is interested in acquiring it. Commissioner Van Beek asked about the liability involved with the County owning the property and assuming the cleanup costs. Mr. Goodsell said the liability is not really an issue because we acquired the property. Our intent is to partner with DEQ to get it cleaned up so it can be back on the tax rolls eventually. He doesn't know why we would want to do an appraisal at this point because until the environmental covenants are known we can't really put a value on this property so that's why he asked them to provide the covenants and then we can approach the farmer. This property has been auctioned once so it's possible the County could do a private sale, but that's an issue we can discuss at another time. It was sold at one point but then we agreed to rescind the sale afterwards. There are some complicated issues regarding this property. Commissioner Dale will convey to Mr. Robertson that the property is not available at this time. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:36 a.m. for FY2021 preliminary budget workshops. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Judge Southworth, Judge Clark left at 10:00 a.m., TCA Doug Tyler, Assistant TCA Benita Miller, PIO Joe Decker arrived at 10:23 a.m. and Deputy Clerk Jenen Ross. Preliminary budgets were discussed as follows:

Trial Court Administrator 9:36 a.m. to 10:23 a.m.:

- Judge Clark spoke about COVID-19 effect on evictions and potential need for a part-time mediator position to work thru these cases. Commissioner Dale is in favor of moving this position forward as soon as possible but more details will be collected comparing contractor vs. volunteer vs. part-time position.
- Anticipation of an increase in costs related to the restart of jury trials.
- Discussion regarding additional marshal positions which may be covered by CARES monies.
- Possible upgrades to courtrooms at \$25,000 - \$30,000 per courtroom. Costs would come from the Court Facilities fund which is restricted monies that can only be used for courtroom remodels or improvements. There are no property tax monies in this fund.

Commissioners 10:23 a.m. to 11:36 a.m.:

- The following line items were discussed: Computer equipment - \$4800; Copier replacement - \$7713; Reconfigure of desk for incoming Commissioner - \$1000; possible use of CARES monies for a replacement laptop.
- Discussion regarding a contractor for the Capital Improvement Plan, possible additional workstation in the front office and removal and possible replacement of large file cabinets.
- Clerk Yamamoto spoke about how he would like one of his employees as the third person in the Commissioners' Office, someone who reports directly to him. Commissioner Van Beek is not in favor of this change, Commissioner Dale doesn't see that it would make a difference either way and Commissioner White would like additional information.
- Discussion regarding the security position that would fall under a Board department and service the ancillary Board departments. Commissioners Dale and Van Beek are in favor of leaving funding of the Security Department in the budget.
- Outside auditor line item to be increased by \$10,000.
- Mr. Wagoner's recommendation is to keep allotments to Advocates Against Family Violence, Nampa Family Justice Center and Valley Regional Transit the same as FY20.

PIO 11:36 a.m. to 11:39 a.m.:

- No real changes to the budget this year.
- Would like to do updated headshot pictures for elected officials and department administrators.

The meeting concluded at 11:39 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOP MEETINGS

The Board met today at 1:36 p.m. for FY2021 preliminary budget workshop meetings for the County Fair; the Weed and Pest Control Department; and the IT Department. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Fair Director Diana Sinner, IT Director Greg Rast, IT Assistant Director Eric Jensen, IT Business Manager Caitlin Pendell, Operations Manager Don Dutton, IT Development Manager Rick Fisher, IT Project Manager Shawn Adamson, and Deputy Clerk Monica Reeves. Present via Webex: Weed Control Superintendent AJ Mondor (Via Webex), IT employees and Ambulance District Director Michael Stowell. Review of the budgets was as follows:

County Fair

Director Sinner left the bottom line for both the County Fair budget and the County Fair building budget the same as last year. The biggest adjustment was allocating both on revenue and expense for urban renewal funds for projects related to the new fair building. The County will oversee the projects, pay the initial costs upfront and then we will be reimbursed from the URA for the cost of

the site improvement projects (walking path, fence, landscaping around the creek, etc., things that are internal to the site). Controller Wagoner said from an accounting standpoint we have separated the site improvement project from the building structure itself. Urban renewal money is strictly for the site improvements so they have separated those monies so they can submit an invoice to urban renewal on a continual basis that is strictly for reimbursement. Fair revenue for 2018 was \$480,000 and in 2019 it was \$635,000, and those numbers show Director Sinner is doing a great job in managing the Fair activity.

Weed and Pest Control

Major expenditures:

- A new roof estimated to cost \$6,000; shop exterior painting for \$3,500; asking for a half-ton truck and a one-ton truck; a new 6x6 UTV for field use; security cameras; and a defibrillator at a cost \$1,700. (Commissioner Dale encouraged the use of a steel roof rather than an asphalt roof.)

Information Technology

Major expenditures:

- New position – a fulltime System Administrator 1
- Computer replacements for \$35,000; battery backup; network switch replacements; server expansion; storage; and disaster recovery

A bottom line increase from \$4.5 million to \$4.8 million (mainly due to the new position request and increase in service contracts). There was discussion about Chromebooks and the security concerns as well as the need to have synchronized solutions that are in the best interest of the taxpayers.

The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 15, 2020

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

APPROVED CLAIMS ORDER NO. 7/16/20

The Board of Commissioners approved payment of County claims in the amount of \$12,021.80 for accounts payable.

APPROVED CLAIMS ORDER NO. 2021

The Board of Commissioners approved payment of County claims in the amount of \$1,639,206.58 for a County payroll.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Stewart & Christensen dba Stewart's Bar and Grill for use on July 25, 2020 at Deer Flat Ranch.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved a new Alcoholic Beverage License for Paddles Up Ventures, LLC dba Paddles Up Poke. (See resolution no. 20-122.)

FY2021 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:01 a.m. for FY2021 preliminary budget workshops. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor left at 9:44 a.m., Chief Deputy P.A. Sam Laugheed left at 9:44 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Unknown Webex participant, HR Director Sue Baumgart arrived at 10:01 a.m., and Deputy Clerk Jenen Ross. Budgets were discussed as follows:

Prosecutor - 9:01 a.m. to 9:44 a.m.:

- Mr. Taylor said his goal this year is to hold the line and be mindful of the taxpayers.
- They are not going to be requesting any new positions this year.
- Slight increases to lines related to trials (such as experts) as it is just the cost of trials continuing to increase.
- Discussion regarding software line item for the internal case management software.
- Overall the FY2021 budget is similar to FY2020. Discussion ensued regarding the cell phone line item, how the compensation plan is applied including COLA and step increases; Commissioner White wants to see the compensation plan continue and Mr. Wagoner agreed there needs to be an investment in the 'human capital'. They are very closely monitoring revenue and want to be respectful and mindful of the taxpayers. Clerk

Yamamoto wants to make sure the step portion of the compensation plan continues but may propose cutting the equity pool in half this year.

Human Resources – 10:01 a.m. to 10:18 a.m.:

- FY2021 is similar to FY2020.
- A new budget line has been added for risk assessments. Last year they did quite a few “fit for duty” evaluations – both physical and mental assessments. She believes it would be better for this to be pulled out and in its own line item vs. professional fees where it has currently been. \$5000 has been requested for the line item.
- Professional Consultant line item has been increased from \$12,000 to \$22,000 for to leadership development trainings. Due to COVID several classes were postponed and are now falling into FY2021. Monies that were not spent in FY2020 will be rolled to FY2021.
- Bottom line, FY2021 budget is about \$3,000 under last year.

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 10:18 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, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:59 a.m. with no decision being called for in open session. Commissioner White noted for the record that the Treasurer’s budget meeting will be continued to Friday, July 17th at 9:00 a.m.

At the conclusion of the budget workshops and the executive session the following action item was taken up:

Consider signing a resolution granting a new alcoholic beverage license to Paddles Up Poke:
Commissioner Dale made a motion to sign to sign the resolution granting a new alcoholic beverage license to Paddles Up Poke. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-122).

The meeting concluded at 11:01 a.m. An audio recording of the open portions of the meeting are on file in the Commissioners’ Office.

FY2021 PRELIMINARY BUDGET WORKSHOP MEETINGS

The Board met today at 1:37 p.m. for FY2021 preliminary budget workshop meetings for the Assessor's Office and the Development Services Department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Larry Stevenson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson and Ambulance District Director Michael Stowell; Keri Smith-Sigman; and Rachel Spacek from the Idaho Press-Tribune. The review of the budgets was as follows:

Assessor's Office

Major budget changes:

- DMV budget – There is a \$20,000 increase in title fees due to an increase in population; anticipating increase in other revenues as well; requesting an additional employee for the DMV office; upgrades to software; addition of a greeter station (a shed-style building); and \$15,000 for replacement of computer equipment. He is not requesting any wage changes or COLA adjustments.
- Reappraisal budget - He wants to reclassify the office manager position to a business manager position; a former employee has come back to help with increased filings for the PTR program, and he wants to have another person assist with that on a temporary basis rather than hiring a fulltime person. He has budgeted \$80,000 for district court tax appeal cases as well as \$30,000 in estimated appraisal fees and \$5,000 for the person who does an income approach. There is a large expense in the miscellaneous professional services line item for the aerial photography contract; \$50,000 has been budgeted for the mailing of assessment notices; \$117,000 for service contracts; increase in postage costs; \$10,000 for computer replacements as recommended by IT; and a copier replacement; predicts more cost for COVID related expenses (Plexi-glass, etc.) that are reimbursable.

The Board took a brief recess at 2:15 p.m. and resumed the meeting at 2:22 p.m.

Development Services Department

Major budget changes:

- DSD revenues are very conservative due to COVID. She increased the temporary budget for scanning old hearing files that are stored with the Board; request to reclassify the lead administrative specialist (aka office manager) to reflect the position's responsibilities; \$10,000 carryover for Elizabeth Conner's consulting services for the capital improvement plan; increase in the engineers line item; budgeting for abatement issues (followed by discussion); \$2,500 for remodeling the code enforcement office area for more efficient use of space; replacement of computer equipment; and \$3,500 another desktop scanner.

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

JULY 2020 TERM
CALDWELL, IDAHO JULY 16, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Sunbelt Controls in the amount of \$2,950.00 for the Facilities Department
- SHI in the amount of \$272,688.94 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 7/25/20

The Board of Commissioners approved payment of County claims in the amount of \$118,407.88 for accounts payable.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Roots and Company, LLC dba Roots and Company for use on July 25, 2020 at Creekside Affair.

MEETING TO CONSIDER INDIGENT DECISIONS AND MATTERS

The Board met today at 8:51 a.m. to consider indigent decisions and matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: Case Nos. 2020-821, 2020-922, 2020-839, 2020-834 and 2018-1436. 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.

Commissioner Van Beek made a motion to issue final approval with written decisions within 30 days on case nos. 2020-357 and 2020-325. 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 denials with written decisions within 30 days on case nos. 2020-233, 2020-710 and 2020-328.

Commissioner Van Beek made a motion to continue case no. 2020-661 to August 27, 2020 and case no. 2020-392 to September 21, 2020. The motion was seconded by Commissioner White and carried unanimously.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-536

The Board met today at 9:00 a.m. to conduct a medical indigency hearing for case no. 2020-536. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Mark Peterson on behalf of West Valley Medical Center, Andrew Lacayo 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 approve the amount of \$254,247.48 on this case. The hearing concluded at 9:24 a.m. At 9:26 a.m. the Board went back on the record for clarification and motion by White allowing staff 30 days to define the dates of service. The motion was seconded by Commissioner Van Beek and carried unanimously. The subsequent meeting concluded at 9:27 a.m. Audio recordings are on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-326

The Board met today at 9:29 a.m. to conduct a medical indigency hearing for case no. 2020-326. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Bryan Nickels for St. Alphonsus, Timothy Ryan for St. Alphonsus, Applicant and relatives, Interpreter Mercedes Lupercio 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 10, 2020. The hearing concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-457

The Board met today at 9:46 a.m. to conduct a medical indigency hearing for case no. 2020-457. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Bryan Nickels for St. Alphonsus, Timothy Ryan for St. Alphonsus, Applicant and spouse and Deputy

Clerk Jenen Ross. Commissioner Van Beek made a motion to approve the amount of \$33,000. The motion failed for lack of a second. Commissioner Van Beek made a subsequent motion to continue the case to October 8, 2020. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-630

The Board met today at 10:22 a.m. to conduct a medical indigency hearing for case no. 2020-630. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, 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 September 10, 2020. The hearing concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-596

The Board met today at 10:35 a.m. to conduct a medical indigency hearing for case no. 2020-596. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Tyler Powers, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Mark Peterson for St. Luke's and Deputy Clerk Jenen Ross. The applicant and his daughter participated via teleconference. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to September 10, 2020. The hearing concluded at 10:54 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 Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Tyler Powers, Deputy P.A. Brad Goodsell, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue a final denial with written decision within 30 days on case no. 2020-656. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue case no. 2020-638 to September 10, 2020 and case nos. 2019-1185 and 2019-1183 to September 24, 2020. The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CHIEF PUBLIC DEFENDER AARON BAZZOLI TO CONSIDER ACTION ITEM

The Board met today at 11:11 a.m. with the Chief Public Defender Aaron Bazzoli to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Chief Public Defender Aaron Bazzoli, Assistant Chief Public Defender Scott James and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing FY2021 Indigent Defense Financial Assistance Supplement to Compliance Proposal and Application: Mr. Bazzoli explained this application was submitted in May and at the end of June there was a supplement request for additional information which was submitted on July 8th but there was still some additional information requested which is what is before the Board today. The PDC is requesting more transparency on how some of the monies are being spent. Discussion ensued on how the monies have been allocated, the numbers requested on the application and how the monies are accounted for. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the FY2021 indigent defense financial assistance supplement to compliance proposal and application.

The meeting concluded at 11:22 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 11:24 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 11:25 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, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Deputy P.A. Zach Wesley left at 12:05 p.m. and Mr. Mondor participated in the meeting via teleconference starting at 12:10 p.m. The Executive Session concluded at 12:28 p.m. with no decision being called for in open session.

CONSIDER FEE WAIVER REQUEST FOR THE KERRY HILL WINERY, LLC

The Board met today at 1:18 p.m. to consider a fee waiver request for the Kerry Hill Winery, LLC, for a quasi-public use temporary permit. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Director Nilsson said this is an

outcome of an earlier meeting to allow Kerry Hill Winery to have temporary events over the summer. They have submitted their application to have a Basque festival and there are a few other things DSD wants to discuss with them. Commissioner Dale said the County right now just has one fee that covers six events for six months and so the thought was to revamp and modify that requirement and until such time we can consider waiving the fee. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to sign the resolution approving a fee waiver request for Kerry Hill Winery, LLC, in the amount of \$550 which is related to a use permit. (See Resolution No. 20-123.) The meeting concluded at 1:21 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – SHORT PLAT AND IRRIGATION AND DRAINAGE PLANS FOR KNOPP
SUBDIVISION, CASE NO. SD2019-0029

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Jason Knopp for approval of a short plat (preliminary and final plats) with irrigation and drainage plans for Knopp Subdivision, Case No. SD2019-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Jason Knopp, Jon Stosich, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Dan Lister, and Sarah Kimmel. Dan Lister gave the oral staff report. The property was rezoned and received a comprehensive plan amendment in 2019 for a residential use designation. The division is for three lots; the first lot has an existing house and driveway and the other two lots will be served by an access easement. The average lot size is 2.10 acres. The property will be served by individual wells and septic systems. Gravity irrigation will be provided to each lot and drainage will be retained on site and directed to storm drainage ponds. Staff is recommending approval of the request. The P&Z Commission recommended approval subject to five conditions of approval and the applicant has met all the requirements. The highway district needs to sign the final plat, which will be brought back to the Board at a later date. Jason Knopp testified that he will keep his house on Lot 1, and his friend will purchase Lot 3. He has worked with the affected agencies and engineering has been completed. They had to make a few corrections to the final plat which is why it needs to be signed by the highway district. John Stosich is a realtor who has been working with Mr. Knopp and he supports the request. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Board to approve the short plat and sign the findings of fact, conclusions of law and order. The final plat will be signed on July 31, 2020 at 10:00 a.m. The hearing concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

EMERGENCY ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 2:33 p.m. for an emergency elected officials' meeting to discuss COVID-19 updates. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff

Kieran Donahue, Coroner Jennifer Crawford, Prosecutor Bryan Taylor, EOM Christine Wendelsdorf, PIO Joe Decker, Assessor Brian Stender, Clerk Chris Yamamoto, SWDH Director Nikki Zogg, Wilder Mayor Steve Rhodes, and Deputy Clerk Monica Reeves. Present via Skype: Treasurer Tracie Lloyd, Melba Mayor Cory Dickard, Caldwell Mayor Garret Nancolas, Parma Mayor Angie, Greenleaf City Clerk Lee Belt, Lee Dennis Huett, Ruth Brown from the Idaho Press-Tribune, Kirk Carpenter from the City of Nampa. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. Yesterday, Sheriff Donahue scheduled an emergency elected officials' meeting to discuss COVID-19 updates. The Board's staff updated the agenda on July 15, 2020 at 1:49 p.m. to reflect the addition of the meeting to the July 16 agenda. Today, Commissioner Van Beek made a motion to amend the agenda to include the emergency elected officials' meeting to discuss COVID-19 updates. The motion was seconded by Commissioner Dale and carried unanimously. (**There was a bit of a delay with the recording of this meeting which occurred at approximately 2:32 p.m.*) Director Nikki Zogg said they are seeing a very high increase in cases, and the trend tends to be that the hospitalization and deaths proportionately are looking better than they were early on in this outbreak. Due to the volume of cases hospitals are being stretched for resources. She reported on testing resources; SWDH staff will have to double its staffing which is a huge cost; she's heard concerns about PPE shortages; overall things are not great. They will map the areas that are having a high number of cases across the district; Caldwell and Nampa are in the high category where this is a lot of risk for exposure; the death rate is pretty low; and they are doing a lot of screening at long-term care facilities. Christine Wendelsdorf reported there are 269 COVID cases in Canyon County. She is working on a large PPE order and will present it to the Controller next week. Prosecutor Bryan Taylor reported that Judge Southworth issued an admin order suspending jury trials in the third district indefinitely until the Supreme Court provides additional guidance. The Sheriff spoke about how the courts' backlog adds to the jail's backlog which is enhanced by the situation at the Idaho Department of Corrections where they are not taking inmates from county jails anywhere in the state even though those inmates have been sentenced to state prison. We are having to hold on to them indefinitely and that adds to our numbers which limits the numbers we can take in. It's not critical yet but it is problematic. He has a few employees who are out and he reported that the facilities department has been hit hard with nine people out and that is slowing down jail renovations. The Sheriff is sending SILD workers to help at the County Fair site to supplement the facilities team. Commissioner White said the Fair director said they are moving forward but they have a plan in place should they have to cancel or cease the daily animal routine. Sheriff Donahue reported that a team from ADS will be here next week to replace the door hinges in Pod 6. Clerk Yamamoto gave an update on the August and November elections. Polling locations have been secured, all indications are that we will have an in-person election, might change. He estimates they will need 600 poll workers for the November election, but he fears they won't be able to get that many. Sheriff Donahue said masks are not mandated but he strongly encourages people to wear them to slow the spread and to keep the economy open. Commissioner Dale reported on the SWDH board meeting that was disrupted by some people. The health board was strongly encouraged by Caldwell Police Department to reschedule the meeting so they could develop a plan to deal with that type of thing the next time they meet. They hope to reschedule next week. Kirk Carpenter reported on the city's staffing levels that have been impacted by COVID; they are seeing better use of masks in town, but not anywhere near compliance on wearing them on a regular basis; they

are trying to work with the long-term care facilities for those who cannot house the positive cases within their facilities; a facility in Boise opened yesterday and it's strictly for COVID long-term care patients and they are working to educate the emergency departments on how to use that resource and not send positive patients back to the long term care facilities in Canyon County; the Idaho Food Bank will conduct a food distribution event tomorrow at the Idaho Center. Mayor Nancolas said the city has 40 employees who are out because they either testified positive or were exposed to the virus. Several city buildings have been closed with employees working from home. They are taking appointments for specific things. Kirk Carpenter said the City of Nampa closed the NDC building and the Mayor instituted a work from home rotation of leadership in each division; city hall is open and has a skeleton crew. The city offers online and virtual opportunities and they will likely reduce as many community contacts as they can over the next week. Parma Mayor Angie Lee said the city had one employee test positive but that person is back at work after quarantining. Lee Belt from the City of Greenleaf said the city has been able to stay open, and Mayor Holton appreciates the County keeping the information flowing. Melba Mayor Cory Dickard said the city is still open and they are making sure employees are keeping the city running without having much contact with people. Commissioner Dale said it would be good if we could make a statement that we strongly encourage people to protect themselves and wearing masks is one piece to that, people need to disinfect surfaces, wash hands, and stay home if sick. Sheriff Donahue agreed and said we need to take precautions and wear masks and social distance. Clerk Yamamoto made a motion to adjourn the meeting. The meeting concluded at 3:23 p.m. An audio recording is on file in the Commissioner's Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 17, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Motorola Solutions in the amount of \$12,437.74 for the Coroner's Office

APPROVED CLAIMS ORDER NO. 7/17/20

The Board of Commissioners approved payment of County claims in the amount of \$5,408.17 for accounts payable.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Two Horse Saloon dba Two Horse Saloon for use on July 26, 2020 at Lawson Ranch.

FY2021 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:05 a.m. for a FY2021 preliminary budget workshop with the Treasurer. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Treasurer Tracie Lloyd and Chief Juvenile Probation Officer Elda Catalano participated via Webex. Budget items were discussed as follows:

- FY2021 is similar to FY2020 but a bit lower
- Treasurer Lloyd spoke about average interest earnings
- There are no changes to the 'A' budget, however, discussion ensued regarding funding for a temporary position if necessary. Currently there is a Business Manager position that is unfilled but funded so from a budgetary standpoint there would be funds available if temporary help needed to be brought in
- Professional services for BDS (Billing Document Services) may increase as the contract has not been updated in several years
- She is planning to purchase a couple of computers in case they end up having to work remotely and copier replacement as recommended by IT

The meeting concluded at 9:17 a.m. An audio recording is available in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:30 a.m. for FY2021 preliminary budget workshops with Juvenile Probation and Misdemeanor Probation. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, , Clerk Chris Yamamoto arrived at 9:51 a.m., Controller Zach Wagoner, Director of Misdemeanor Probation Jeff Breach arrived at 9:58 a.m., Juvenile Detention Director Sean Brown and Deputy Administrator Shawn Anderson arrived at 10:14 a.m. and Deputy Clerk Jenen Ross. Chief Juvenile Probation Officer Elda Catalano participated via Webex. Budget items were discussed as follows:

Juvenile Probation: 9:30 a.m. to 10:05 a.m.

- Ms. Catalano spoke about funds available from the State / Department of Juvenile Corrections and expenditures associated with those funds.

- She is looking to implement an incentive program to have POs work in the evenings. Per Mr. Wagoner, to this point overtime has not been paid out to the POs as they have managed their schedule to accommodate non-traditional work hours. This fund would be created to accommodate the incentive program to pay out the overtime hours.
- She has requested a quote from IT for a couple of computers that COVID reimbursement funding could be used for, these could possibly be purchased in FY2020 and then the line would be zeroed out for FY2021.
- Family counseling is being increased from \$16,000 to \$20,000; sex offender group counseling is being increased from \$5,000 to \$16,000.
- Fleet has recommended replacement of a van.
- Budgeting \$1,500 for replacement of remaining hand-held radios (11 have already been replaced, 7 are still remaining).

Misdemeanor Probation: 10:05 a.m. to 10:20 a.m.

- Director Breach spoke about the cost of supervision revenue forecast.
- Overall budget has been reduced from last year; he is not requesting any new positions and several line items have been zeroed out or reduced.
- Requesting \$5100 in the small office equipment line for hand-held radio replacement.
- He is hopeful there will be equalization money available to stipend the Senior PO employee who assumes some additional responsibilities.

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

FY2021 PRELIMINARY BUDGET WORKSHOP

The Board met today at 10:28 a.m. for a FY2021 preliminary budget workshop. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale arrived at 10:45 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Juvenile Detention Director Sean Brown and Deputy Administrator Shawn Anderson and Deputy Clerk Jenen Ross. Budget items were discussed as follows:

Juvenile Detention:

- School breakfast program decreased to \$15,000.
- State provided a 3% increase for the clinician so they will reimburse up to \$103,000.
- Increase to housing for out of county juveniles will increase from \$191 to \$215.
- There are 4 unfunded positions in his department due to reduced numbers; they currently have 2 open positions that they will not be filling and will defund. He plans to increase part-time help to offset the unfunded 6 positions.

- Reduction to inmate medical services line; currently it is at \$165,852 but Director Brown has been negotiating with VitalCore and has determined they don't need as much service as is being provided. Right now they are providing 8 hours of services daily but only about 6 hours are really needed. Should reduce the cost by about \$30,000.
- Inmate supplies was increased by \$1500 to purchase new mattresses.

The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Karcher Farms, LLC, and SS Karcher, LLC for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2018-0004 and CR2018-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Todd Lakey, Rob Swifert, Greg Maces, John Sabala, David Palfreyman, Carly Weaver, Brian Rallens, Dave Tuthill, Keri Smith-Sigman, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, Tom Blaisdell, Tricia Cochran, William Morrow, TJ Wellard, Craig Taylor, Andy and Debbie Haumesser, and Rachel Spacek from the Idaho Press Tribune.

Deputy P.A. Zach Wesley reviewed the procedure for today's hearing. There is an application for a comprehensive plan map amendment which would change the designation of 44 acres of commercial to residential, and 45 acres from agricultural to residential, and an application for a conditional rezone with a development agreement that accompanies that request for the comprehensive plan map change. The application was heard by the P&Z Commission on November 15, 2018 and they found the comprehensive plan map amendment did not meet the standards of review found in the Canyon County Zoning Ordinance and they also issued a denial on the conditional rezone application. The Board held a hearing on January 10, 2019 on both applications and at that time the three sitting Commissioners were Steve Rule, Tom Dale, and Pam White. On January 10, 2019 Commissioner Rule made a motion to approve the comprehensive plan map amendment. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Rule then made a motion to approve the conditional rezone with a development agreement subject to certain conditions that were made part of the record that day. That motion was seconded by Commissioner Dale and carried unanimously. (That development agreement is identified as Exhibit #78B.) Because the Board made a decision that was contrary to the P&Z Commission's recommendation a second hearing is required pursuant to Idaho Code Section 67-6509(b), which states: The governing board, as provided by local ordinance prior to adoption, amendment, or repeal of the plan may conduct at least one public hearing in addition to the public hearings conducted by the Commission using the same notice and hearing procedures as the Commission. The governing board shall not hold a public hearing, give notice of the proposed hearing, nor take any action upon the plan, amendment, or repeal until recommendations have

been received from the Commission. Following consideration by the governing board, if the governing board makes a material change in the recommendation or alternative options contained in the recommendation by the Commission concerning the adoption, amendment, or repeal of a plan further notice and hearing shall be provided before the governing board adopts, amends or repeals the plan. Because the Board made a material change in the recommendation of the P&Z Commission that is why we are having this second hearing today.

Jennifer Almeida gave the oral staff report. She read letters into the record from Cheyne Weston, John Kernkamp, Andy Haumesser, Arlene and Michael Robinson, and Vicky Kowalski. The letters noted the following concerns: the agricultural area continues to be well suited for agricultural production, and it produces high yields; the property is outside of the Caldwell area of city impact, which is where development should occur where they can have city services; the Board failed to observe the comprehensive plan, and it ignored opposition from the City of Caldwell, the P&Z Commission, and nearby residents; there are concerns about the impacts to traffic and water quality; the neighbors filed a request for reconsideration to the Board, then filed a lawsuit seeking judicial review and a judge vacated the decision and remanded it back to the Board; the neighbors remain opposed to this project as it is not compatible with surrounding land uses; the comprehensive plan policies and goals were ignored; the City of Caldwell, Canyon Highway District, and ITD were opposed to the project; there were procedural issues and due process was lacking at the underlying hearing; development of this intensity in an area without city services is inappropriate; it needs to be located in city limits or an impact area; there will be negative impacts on wells and the water table as well as the roads; progress should be made in a responsible fashion, farm roads are becoming thoroughfares; and there will be negative impacts to natural resources and the Lake Lowell area. The property consists of 129.76 acres and is currently zoned agriculture. The future land use is commercial and agricultural; it is not located within an area of city impact, however, it is adjacent to Caldwell's area of city impact. The applicant is requesting a comprehensive plan map amendment and conditional rezone. There are 26 platted subdivisions within one mile. The most recent residential plat recordation was 2009 for North Star Subdivision. COMPASS said the proposal exceeds the growth forecast for this area. The applicant is proposing individual septic systems and wells. City services are not available to the property. The portion is located within a nitrate priority area; the remainder is not located within a nitrate priority area. The applicants will have to adhere to SWDH requirements including a nutrient pathogen study which would be required at time of platting. Canyon Highway District indicated it is anticipated to have impacts to the traffic network. The applicant has completed a traffic impact study. The City of Caldwell objects to the request noting the availability of commercial platted properties in the area that are accessible to city services. DEQ recommends the project be served by existing approved wastewater collection systems or a centralized wastewater, and the same would apply for a drinking water system or city systems. Staff has reviewed and found it does not meet the standards of review for the comprehensive plan map amendment or the rezone and is recommending denial.

The following people testified in support of the request:

Todd Lakey stated we are back here because of a legal procedural issue with the previous hearing as determined by the District Court, but not because of the merits of your decision. The decision to approve this application was and is the right decision based on the character of the area and the facts. Mr. Sabala and Mr. Palfreyman went the extra mile as far as studies and factual analysis

to answer the questions that were raised and they made concessions regarding the proposal. They provided a hydrological analysis that shows there will be no significant impact on the aquifer, the neighbors, or the lake. There is a traffic impact study that was provided but this is a platting issue and they can meet the highway district and ITD standards as part of the platting process. There were numerous meetings with SWDH and they provided a copy of the Level II NP study for the Moonstruck Subdivision that also indicated that individual wells and septic systems were appropriate for this project and they said it also applies to the subject property and that individual wells and septic systems are appropriate for this property. The project will be a high quality larger lot estate project that will improve or maintain the existing residential character of the area and provide needed commercial zoning closer to Highway 55 to support economic development and diversify the tax base. Since the previous approval, Valley Wide Cooperative purchased nine (9) acres on the northeast corner. They are an agronomy-based business headquartered in Canyon County and they do business in five states. Most of the property is designated commercial; 83 acres of the 129 acres are designated as commercial. Based on the neighbors' comments and input from the County they agreed to reduce the commercial request and pull it closer to Highway 55. The 83 acres that are designated resulted in only a request for 37 acres closer to Highway 55 for commercial. The 46 acres that are designated agriculture for the proposed low-density residential are surrounded by commercial and residential designations in the comprehensive plan. Residential development is encouraged in or near the impact areas, or within areas that demonstrate a development pattern of residential uses and we meet both of those. There is a clear pattern of residential development in the area. This is low-density development. The subdivisions closest to the property are county subdivisions with lots ranging from .3 to 1.00 acre in size. The only agricultural production operation is across Highway 55 to the north. City services are miles away and if they wait for the city then they will have city development. Not everyone wants city lots. They are proposing a lower density that is very compatible with that character. A lot of the issues raised are platting issues, and platting may result in modifications, but the large majority is not in a nitrate priority area. Valley Wide is looking at a lifestyle store, it's a combination of Legacy Feed and Fuel and smaller nicer D&B Supply type of store. We fit with the comprehensive plan and the zoning ordinance and we ask for the same approval that was granted previously. Mr. Lakey responded to questions from the Board.

David Palfreyman testified that on October 15, 2004 he and his wife acquired this property, and two to three years after the purchase they were approached by the developer of Moonstruck Subdivision who wanted to continue developing in the area, but the Palfreymans were not interested in selling the land. They did not market the land, they were approached by Valley Wide and they indicated they wanted to meet about the site and over a period of time they reached an agreement and they closed on 10 acres of the property at the NE corner of Farmway and Karcher. He said the property will be well developed and the homes will be very nice. They met with the neighbors and agreed to go from one acre to 1.25 acre lots, and they agreed to downsize the amount of commercial. Mr. Palfreyman said his property is 83 acres and 45 acres were under commercial at that time and they compromised to 22 acres on Karcher Farm LLC, and Valley Wide has acquired 10 acres of that. He said Valley Wide has been in business for 100 years as an agricultural cooperative owned by farmers. They employ 350 employees in various states and they are in all types of rural communities in Idaho. They are very conscientious about being compatible to residential use and they support the communities in which they serve through fairs,

rodeos, FFA and 4-H. According to Mr. Palfreyman, there are no issues with nitrates on the Karcher Farms property. He currently leases the ground to long-term farmers in the area.

Brian Rallens is a commercial real estate broker in the valley, and he addressed the demand for commercial property in the county. He believes this is the right place for commercial zoning.

Carly Weaver is the communications specialist for Valley Wide Cooperative, which is an agronomy business and energy business that serve small rural communities. Their plans for this parcel include a farm supply store and a gas pump canopy. There will be no bulk storage of fuels on site; it will just be for consumer gas.

Dave Tuthill gave testimony regarding water availability and he addressed the neighbors' concerns about water availability. He is the owner of Idaho Water Engineering and he worked for the Idaho Department of Water Resources for 33 years. He said there is ample water available for this site. North of Lake Lowell there is an ample supply through the Boise Project Board of Control, and pumping from this aquifer won't affect the lake. Surface water has been brought in. There is an existing water right in addition to the surface water. What they are proposing here is that water will only be diverted for household use. This is a rock-solid stable aquifer. He has reviewed water records in the area and cannot find any area where the water is going down.

John Sabala testified that as a developer he takes seriously the importance of acting responsibly, honest, and being respectful of neighbors. Acting responsibly before you engage in development is really important. It is the responsibility of neighbors to understand their comments or what they may represent/misrepresent is very important. There have been comments that are not representative of what is happening; it's been said there is a lot of traffic on Farmway, but that's not true. Regarding water availability, they hired professionals and they went to SWDH and it answers all the questions about the aquifer and water flow. At the last hearing Commissioner White asked if he planned to flip the property and he said he does not intend to do that. He wants to do it right and to do it right you build a product that is representative of what you want to sell and is conducive to the area. He builds specs and he will sell to people who want to build their own home. He owns 46 acres toward the west and he wants to put 25 lots on his land; Mr. Palfreyman owns the other 83 acres.

Tricia Cochran testified that she is the site manager at the storage facility on Karcher Road and Farmway Road and she supports the subdivision. Traffic is a potential issue; the main access being on Farmway Road larger and recreational vehicles on Farmway, but she's seen most of the issues coming down Karcher Road, not Farmway Road where it's 50 mph towards Orchard Avenue. Commissioner Dale said perhaps the speed limit should be reduced along that stretch of road.

The following people testified in opposition to the request:

Tom Blaisdell stated that everyone in the hearing room is from Boise, yet the residents are obeying the Governor and joining the hearing via Webex. He spoke about traffic concerns, and how additional homes will add to the problem. There is no ingress/egress and people will have to go in and out of Orchard Avenue. He said the applicants need to work with the City of Caldwell and move it across the street if they want to have a big subdivision. There is a gas station less than a mile away and there are a few more down the road. There is a lot of shovel-ready, city service lots already located along Highway 55.

William Morrow is the attorney who represents the West Lake Homeowners Association, and the people who are part of that association are Mr. and Mrs. Weston, John Kernkamp, Mr. and Mrs. Haumesser, Mr. and Mrs. Blaisdell and Mr. Nelson. Mr. Morrow gave an overview of Judge

McKee's decision that affects the Board's deliberations in this case. The Judge found error by the County for failure to consider their request for reconsideration after the decisions were initially made and the Judge found that the failure was a violation of the statutory provision of the land use act, 67-6535(2)(b). The Court held that reconsideration is a mandatory step in the process. The Court ordered the Board to take up the request for reconsideration on any matter not subsumed from the Judge by the new hearing. Today is the new hearing, and everything he has heard so far seems to be based on what was presented before, therefore, nothing so far has been subsumed by this new hearing which means that everything that's in the request for reconsideration is going to have to be addressed when the Board makes an ultimate decision. Specifically, on this point the Court directed that the Board either harmonize its findings and conclusions with the P&Z Commission decisions, or explain the reasons why it has decided the issue differently and it should carefully demonstrate the basis for change whether the differences are due to additional facts or different interpretations on facts, or arise because of differences in policy or application of policy and facts. That is the criteria that is set down by Judge McKee for the Board's review of the reconsideration and the P&Z Commission findings. The Court also said this hearing needs to be plenary hearing which he believes is what's taking place. A plenary hearing is a complete hearing, it's not piece-meal, it's not breaking issues down between development agreements and comprehensive plan or zoning changes; it's a complete hearing of all the issues. Procedurally the District Court requires in this decision that the Board first take up the issue of the comprehensive plan change and then resolve it and then only after that's done take up the issue of the zoning change and resolve it.

Debbie Haumesser gave testimony regarding traffic concerns on Farmway Road which sees heavy traffic from semis, dump trucks, and tractor trailers. In an hour's time she counted 137 vehicles roaring past her house. She said it is not safe for traffic from commercial development and housing development to access onto a road that has a speed limit of 55 mph. She also expressed concern about the impacts this proposal will have on community services, and she said without city water there will be no water for fire suppression.

Andy Haumesser testified that the property owners in this case are residents of Ada County and they don't care how this will affect the lives of those who live in the area; he believes they are looking to make a profit at the expense of residents. He said the Board has an obligation to the citizens who elected them and they need to listen to the opposition expressed by the City of Caldwell, DSD staff, and the P&Z Commission who unanimously recommended against this project. A project of this intensity needs to be in an area served by city water and sewer. The area is plagued with nitrate contamination and he is concerned about the added stress on the ground water supply. Another concern is they do not know what the commercial ventures will be. Commissioner Van Beek asked if the neighbors have talked about what the impact would look like if city services were available because it would triple or quadruple the development on this parcel. Mr. Haumesser said he prefers larger lots and less density, and he is opposed to the commercial zone. They will have underground storage tanks that will have the ability to take an entire tanker load of fuel and that's a minimum of 8,000 gallons for each type of fuel they will have on site. Commissioner Dale said a gas station doesn't take a whole tanker load at once, and generally they don't take 8,000 gallons. The tanks are much safer than they used to be. Commissioner White spoke about the balancing of preserving farm land with personal property rights.

Rebuttal testimony was offered by Todd Lakey. They submitted the technical analysis to address questions of water and waste water. As is often the case they referenced the P&Z Commission decision and as is often the case an applicant responds to the comments that were made at the P&Z Commission hearing and makes adjustments and provides additional information. This is a de novo hearing so you can address those things that were raised. They provided a hydrological analysis because of the comments that were made. They also found the nutrient pathogen study. They didn't have those things at the P&Z Commission hearing. New information has been provided that supports the Board's previous decision of approval. This is a strong aquifer, a lot of water is well supplied and there is no evidence that there will be a negative impact on wells, the aquifer, or the neighbors. SWDH is the expert and they looked at this extensive study which says specifically that nitrates do not migrate off the properties. They will have to do a subdivision engineering report as part of the preliminary plat approval. SWDH is the expert on hydrology and geology and development in the area and they stated this study supports the application for individual wells and septic. They recognize there will be significant traffic, but that's not the issue. The appropriate analysis is the transportation study and review by the highway district and ITD and whether they meet their standard, what are levels of service out there, what levels of traffic do we have, do the intersections meet those standards, and do they need to build additional improvements as far as turn lanes and other things? Mr. Lakey said they acknowledge there are some things they have to do but that is part of the platting and review process. The traffic study shows they can and will meet the ITD and highway district standards and they will be actively involved in that review. The opposition wants low-density type of residential development and the applicants are asking for the same thing that pretty much all of those in opposition have right now. If they wait for the city it will be three to four times more dense, with more traffic, more infrastructure requirements, and it will change the character of the area. They want to preserve the rural residential quality that exists out there and do the same thing to maintain that high quality development that exists out there now. In response to Mr. Morrow's comments, he said we are having the second hearing, it's a brand new hearing that is not restricted in any way, and with that it moots the reconsideration issue because you are backing up before that. They would have another opportunity to address reconsideration if they choose to, but that issue is moot. There have been no negative responses as far as the fire district, and the applicants will meet their requirements and comply with fire flows and other required issues out there. They plan to use a pressurized irrigation system instead of individual wells and septic and that will reduce the water consumption by the residential units. Regarding the commercial aspect, they are talking about 80+ acres that are designated commercial under the comprehensive plan now and they are pulling that back significantly on both sites. There was a lot of testimony that this is a very good location, and Valley Wide chose it for that reason. It's a location for commercial that serves this rural residential type of development that exists out there so it's needed. The issues with waste water will be addressed before they can proceed. Mr. Lakey responded to questions from Commissioner Van Beek. The lot size will depend on the proposed use. There is not a lot of difference between C-1 and C-2, they are very similar, but C-2 is a very appropriate designation on this major transportation corridor. The impact from that commercial development has to be addressed before they can proceed. He addressed the proposed conditions from the opposition. The challenge is they want the infrastructure from the city even though we are outside the city. Curb, gutters, and sidewalks drive up costs but you're requiring lower density to do that. None of the

other rural residential development has that requirement out there. They plan to do paved public streets, drainage swales, and have quality homes with a rural feel – they are not city projects. We don't need a local park in this area as there are park facilities nearby. They will mitigate dust control. There is no indication the aquifer will be negatively impacted so we don't need additional conditions required. It doesn't make sense for a local improvement district in the county. They prefer to preserve dark skies. The neighbors have a list of what they feel are necessary traffic improvements as far as turn lanes and acceleration/deceleration lanes, but that's under the scope of the highway district and ITD and the applicants will act in good faith and meet the requirements of the highway district. If they deem that the access point needs turn lanes they will do that. The neighbors want a minimum residential floor plan size of 2,400 square feet; the applicants' intention is to have larger high-end quality homes and they will have CC&R's that make sure that is the case. The homes will be comparable to those that are out there. The neighbors want a condition that the majority of the homeowners approve any commercial development, but that doesn't make sense. You want commercial approved the same time residential is approved so people know what is there. There has been testimony that there is demand for this type of commercial property and they have given examples. This property has good access. With growth comes demand for commercial services and this type of commercial property tends to serve the rural residential character that's around it.

It was requested that William Morrow be given another opportunity to make comments. Mr. Morrow said it was clear when Mr. Lakey testified that he was advising the Board that it does not need to address the request for reconsideration, but that is contrary what Judge McKee has directed the Board to do. In other words, he gave bad advice; the judge has directed what the Board needs to do in this hearing. Mr. Lakey said that was his legal opinion, and he believes the Board is backing up past the reconsideration. Neither he nor Mr. Morrow is the Board's attorney. Mr. Wesley is the Board's attorney and whatever you do will be pursuant to his advice and in accordance in with the law. Commissioner Dale said we will follow the advice of our attorney and if there is a request for reconsideration following this hearing it will go to our attorney to say how does this fit with the Judge's order and if we need to take that up we will consider it at the appropriate time. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to close public comment. There was discussion about how additional time is needed to review the information that has been submitted in this case. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to July 23, 2020 at 3:00 p.m. for deliberation. The hearing concluded at 4:20 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 20, 2020

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

APPROVED APRIL 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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

CONSIDER SIGNING A RESOLUTION GRANTING A TRANSFER ALCOHOL LICENSE TO EXTRA MILE #196

The Board approved a transfer Alcoholic Beverage License for Jacksons Food Stores, Inc., dba Extra Mile #196. (See resolution no. 20-124.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a refund to Dell Jemmett / JS Farms for a property boundary adjustment fee: Director Nilsson explained they could accomplish the adjustment by amending a previous administrative land division and is requesting a full refund of \$300. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Dell Jemmett/JS Farms for a property boundary adjustment fee (see resolution no. 20-125).

Consider signing a resolution granting a transfer alcohol license to Extra Mile #196: Commissioner Dale said this is just a transfer/change of name and made a motion to sign the resolution granting a transfer of license to Extra Mile #196. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-124).

The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:30 a.m. to conduct FY2021 preliminary budget workshops. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro left at 10:02 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Fleet Director Mark Tolman, Dawn Pence and Ambulance District Director Michael Stowell participated via Webex. The workshops were as follows:

Facilities:

A budget discussion: No changes and working to reduce overtime pay;

B budget discussion: Professional consultant fees for the tent structure to have a full assessment on life left in the structure; Misc. professional services in case an outside contractor is needed for HVAC service; Idaho Power for Pod 6 which is now online and all electric, additionally, as of July 1st there has been an 7.25% rate increase; Elevator maintenance to include one elevator upgrade this fiscal year, there are 9 on the courthouse campus that are antiquated and will soon no longer be serviceable, Commissioner Dale would like to see replacement of 1-2 elevators included each year; Storage rental fees have increased; Satellite and cable TV has had a substantial increase to the box rental price; Monies have been set aside for ongoing training for certain positions; Security related items in order to start working thru the master plan; Janitorial supplies are up due to additional COVID-19 related supplies; Small office equipment as recommended by IT; Capital improvements include sidewalks around the campus, sealcoating and striping, exterior lighting, restroom upgrades, POE clocks in 20 courtrooms, ceiling tile replacements, buildings to be added to the DDC network (system that controls the heating and cooling) and lean-to for the shop. Bottom line is that this year's budget is less than last year. The Facilities portion of the meeting concluded at 10:02 a.m.

Fleet:

B budget discussion: Auto maintenance service increased due regular overspending of that line; Pushing cars bought in 2013 out another year; Service contracts reduced by \$1000; vehicle licenses, radio diagnostic equipment, radar equipment, freight costs, trainings, small equipment; Review of line items that have been reduced; Review of schedule for replacement vehicles for offices and departments and the cost savings; Request for part-time carwash person which would work out to be less than what is paid out for a SILD worker.

The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

AMEND AGENDA - EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1)(D) AND (I), RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND TO COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

The Board met today at 11:06 a.m. for an emergency meeting with officials from Canyon County and the City of Caldwell as well as representatives from Southwest District Health (SWDH). The

meeting took place in the public meeting room of the administration building located at 111 No. 11th Avenue in Caldwell. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Chief Criminal Deputy P.A. Chris Topmiller, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Mike Armstrong, Captain Harold Patchett, Facilities Director Paul Navarro, PIO Joe Decker, Caldwell Mayor Garret Nancolas, Caldwell Police Chief Frank Wyant, Eugene Smith from SWDH, Mike Kane, the Attorney for SWDH, and Deputy Clerk Monica Reeves. Commissioner Van Beek made a motion to amend the agenda to include an Executive Session pursuant to Idaho Code, Section 74-206 (1)(d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner 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. The Board went into Executive Session at 11:07 a.m. The Executive Session concluded at 12:05 p.m. with no decision being called for in open session. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOPS FOR THE CORONER'S OFFICE AND THE SHERIFF'S OFFICE

The Board met today at 1:31 p.m. for FY2021 preliminary budget workshops. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Coroner Jennifer Crawford, Chief Deputy Sheriff Marv Dashiell, Sheriff's Financial Manager David Ivers, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue arrived at 2:18 p.m., and Commissioner Tom Dale arrived at 2:57 p.m. The budgets were reviewed and highlights were as follows:

Coroner's Office – 1:31 p.m. to 1:40 p.m.

Coroner Crawford's only request is for new PC's and a new printer/scanner for the office as suggested by the IT Department. The coroner's workshop concluded at 1:40 p.m.

Sheriff's Office – 1:57 p.m. to 4:25 p.m.

The Sheriff's Office is seeking nine (9) additional fulltime employees:

- 2 additional fulltime staff at DL and two new work stations – this will allow driver's license doors to stay open until 5:00 p.m. (currently they are open until 4:00)
- 4 employees for inmate control, 1 for the supply team, and 2 for courts

When asked to prioritize the new position request, Chief Dashiell said the highest priority would be for jail operations, inmate control, and then driver's license. Courts staffing would be the lowest priority. Controller Wagoner said the cumulative total for 9 positions would be \$540,000 including benefits, but you can reduce that number by a certain amount because they will be displacing two part-time positions under courts/transport. Discussion ensued about revenue projections for

out-of-county housing. The major points for the Sheriff's budget include the new positions, and major decrease in the lease payment for Pod 6, it will go down by \$750,000. Clerk Yamamoto said his bottom line has been we're going to try and move forward into FY2021 with no new positions, but in working with the Sheriff's Office and they are requesting two new employees for driver's license it's hard to say no to that, but we had a very long conversation about the other seven positions. With Pod 6 and the two 12-hour shifts and they went through the numbers required and the people required per team per shift then those numbers started making sense. He holds tough on new positions, however, the Sheriff's Office has a situation where we have to make some exceptions.

The budget meeting concluded just prior to 4:00 p.m., and as the meeting was ending Commissioner Dale asked about use of a courtroom for a Southwest District Health Board meeting. Discussion ensued. The SWDH board meeting will take place on Thursday, July 23 at 10:00 a.m.

The meeting concluded at 4:25 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 21, 2020

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

APPROVED CLAIMS ORDER NO. 7/24/20

The Board of Commissioners approved payment of County claims in the amount of \$146,919.23, \$99,801.90, \$149,134.46, \$68,520.58, and \$72,008.30 for accounts payable.

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Raising Our Bar, LLC, dba Raising Our Bar for use on August 1, 2020, August 7, 2020, August 8, 2020, August 9, 2020, August 16, 2020, August 22, 2020, August 23, 2020, August 29, 2020, August 30, 2020, at Still Water Hollow; and for Continvo LLC dba Goodwood Barbecue Company for use on August 15, 2020, August 21, 2020 and September 17, 2020 at Still Water Hollow.

LEGAL STAFF UPDATE AND CONSIDER AWARDING OFFICER'S BADGE AND DUTY WEAPON

The Board met today at 9:01 a.m. for a legal staff update and to consider a resolution awarding the badge and duty weapon to Deputy David Fudge. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. Chief Dashiell reported that Deputy Fudge announced he is going to retire after 20 years with the Canyon County Sheriff's Office and they are requesting the Board's approval to award his badge and duty weapon. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution. (Resolution No. 20-126.) At 9:06 a.m. Sam Laugheed requested the Board go into 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

Commissioner Dale made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The 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, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:49 a.m. with no decision being called for in open session.

FY2021 PRELIMINARY BUDGET WORKSHOP MEETINGS FOR THE PARKS DEPARTMENT AND THE COUNTY AGENT

The Board met today at 9:52 a.m. to conduct the FY2021 preliminary budget workshop meetings for the Parks Department and the County Agent. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Parks Director Nicki Schwend, and Deputy Clerk Monica Reeves. Via Webex: Jerry Neufeld and Debbie Lowber from the County Agent's Office. The budgets were reviewed as follows:

Parks Department – 9:52 a.m. to 10:33 a.m.

The Board reviewed the budget line-by-line with Director Schwend who reported on upcoming plans for the department. There are no requests for new positions. There was discussion

regarding the recommendations for improvements to the gun range. It was recommended she purchase a truck and replace a lawnmower.

County Agent – 10:34 a.m. to 10:50 a.m.

The Board reviewed the budget with Mr. Neufeld. County Agent contracts for \$55,542 which includes funds for the fair aide, the master gardener program, the U of I reimbursement for each educator's salary, checkbook audit, and the 4-H coordinator position. (He is seeking an \$8,000 increase in that position.) Other increases include: \$500 increase for one more cell phone so staff can take 4-H phone calls; \$2,000 for buildings supplies and materials for vinyl flooring, repair stucco, and paint the building; and \$1,000 for computers. Controller Wagoner said the most significant change is the contribution increase for the 4-H program coordinator. Back in 2011 the County began contributing for this position at roughly \$31,000, and since then our contribution has increased by \$1,200 during that 10-year phase. Now they are asking it to increase by \$8,000 year after year. Clerk Yamamoto asked what the duties of the 4-H coordinator position are in relation to the fair, in particular this year when they are only doing 4-H and FFA. Mr. Neufeld said the 4-H coordinator is a year-round fulltime position and she works with the 4-H extension educator because it's a big program and it takes a lot of people to do that. The fair aide comes on in early June and helps the educator with the agent's office with preparations for the fair. Commissioner Van Beek asked questions regarding funding for the position.

The meeting concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOP MEETINGS FOR THE PUBLIC DEFENDER

The Board met today at 1:35 p.m. to conduct the FY2021 preliminary budget workshop meeting for the Public Defender Department. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Public Defender Aaron Bazzoli, Assistant Public Defender Scott James, and Deputy Clerk Monica Reeves. Commissioner Pam White arrived at 1:53 p.m. The budget line items were reviewed. He is hoping to get to at least \$655,877 again this year. They have asked for one more attorney to make up the amount they are behind, but it may not be realistic. They still have \$113,000 for one attorney position. Commissioner Van Beek had questions regarding the anticipated revenue amounts. Mr. Bazzoli said he is not seeking anymore employees, but if they don't get the grant money for the one employee they will be asking the Board to cover it. If the Public Defense Commission (PDC) says they cannot have a new attorney or support staff member but will provide the same attorney under the grant, he will not ask for another employee. He has talked to the Clerk and Controller about a paralegal who is going to law school in August and her salary is in the \$52,000 range but he'd like to add \$10,000 to that and create it as a new attorney position, but if he gets the attorney position from the PDC he won't do that. The meeting concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 22, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Tacoma Screw Products, Inc., in the amount of \$1,924.42 for the Parks Department

BOARD OF EQUALIZATION MATTERS TO REVIEW PTR APPLICATIONS

The Board met today at 8:30 a.m. for a board of equalization matter, to review property tax reduction (PTR) applications. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Assessor Stender said this is a formality, the Assessor's Office finished their portion of the PTR program and they are a little late but the state tax commission is aware of that. He presented the Board with an initial certification of property tax reduction roll which indicated the following:

- Total number of applicants: 4,576 (which represents a 10% increase over last year)
- Total amount of reduction claim: \$ 4,112,420 (this is the amount the County will see from the Idaho State Tax Commission to help pay for property taxes)

Following Assessor Stender's report, commission Van Beek asked if there has been any new information regarding the CARES Act. A brief discussion followed. He reported his office is looking at the possibility of changing the office hours to 7:00 a.m. to 3:00 p.m. since it's getting hot and people have to stand in line outside. No Board action was required or taken. The meeting concluded at 8:37 a.m. An audio recording is on file in the Commissioners' Office.

FY2021 PRELIMINARY BUDGET WORKSHOP MEETING FOR THE CLERK'S OFFICE

The Board met today at 9:00 a.m. to conduct the FY2021 preliminary 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, Raena Bull and Jess Urresti from the Clerk's Office, Emily Howell from the Recorder's Office, Yvonne Baker and Camille Tilden from the Indigent Services Office, Haley Hicks and Robin Sneegas from the Elections Office, other

employees from the Clerk's organization, and Deputy Clerk Monica Reeves. The budgets for the Clerk's Office were reviewed and significant items are noted below:

Auditor's Office:

- The County Auditor has received over \$600 million in revenue
- FY2021 is a decrease from the 2020 amended budget
- \$5,000 increase in miscellaneous professional services which is for ADP, the payroll service
- Increase to service contracts which includes software contracts for the property tax system and accounting software
- Computer replacement recommendations from IT
- \$8,000 for a new copier

Clerk Yamamoto spoke of how they are short on staff and have not been able to hire the talent they need because they do not pay enough, but they are making do which is a testament to the Controller and his staff.

Recorder's Office

Emily Howell reported on the office's accomplishments and goals.

- Seeking \$4,000 to expand/remodel the vault to create 24 more shelves and 27 more drawers
- Seeking funds for post-binding books
- \$8,000 for a new copier
- \$1.7 million in revenue for the Recorder's Office

Clerk Yamamoto said he does not have an administrative assistant so they will under-fill that position and add another person to the Recording division

Elections Office

Haley Hicks reported on the activities in the Elections Office. The COVID situation and given this is a Presidential election year have both had a tremendous impact on the office. They conducted a successful runoff election from their office as the sole polling location. Clerk Yamamoto said it would be easier if we had all absentee voting rather than an in-person vote in November. He understands the concerns with a mail-in vote but given the circumstances of possibly not being able to get enough poll workers (a minimum of 550), and the concern with using the new equipment for a Presidential election he would prefer all-mail absentee voting. Budget requests include:

- \$23,000 for a new envelope stuffer and an envelope slicer: (The CARES Act could cover the cost of the equipment since it's necessary because of increased mail activity related to COVID)
- \$20,000 for new desks and cabinetry for the office

There was discussion regarding the new elections equipment that was acquired in FY2020. Clerk Yamamoto said he is in negotiations to sell the ES&S 850 tabulators, and prior to COVID there were

two Idaho counties who were interested but that has since changed. Currently there is high interest from Cuyahoga County, Ohio in purchasing both machines and so they are working on a price which he anticipates to be \$75,000. Commissioner Van Beek asked about the \$25,000 for election supplies which includes (thermal rolls for poll pads, the controller and scanner). Ms. Hicks said it covers anything they need to provide to polling sites when it comes to supplies. Commissioner Van Beek asked her to provide a cost comparison for the two different scenarios - in-person voting vs absentee voting, but Clerk Yamamoto believes the request for breakdown information is over the top.

Clerk of the Court:

Jess Urresti and Raena Bull reported on the department's activities. They are requesting \$18,750 for personnel changes. They want to change a Clerk III position to a Clerk IV to act as the district court lead position; and they are asking that the magistrate secretary positions that were transferred from the TCA go from being administrative judicial assistant positions to Clerk III positions. They are sworn deputy clerks and they perform their regular secretarial duties as well as clerk duties. They currently have four magistrate secretaries, however, one is already a clerk position so only three need to be changed.

Indigent Services Office:

Director Baker reported that the department's workforce is being reduced from 12 employees to 7 employees. Overall the applications have decreased by 51%, the approval rate for medical applications have decreased by 14%, the number of involuntary mental hold cases have increased by 13%, the number of cremation applications has decreased by 16%; and the reimbursement payments to the County have decreased by 12%. In FY2020 \$75,000 was budgeted for the Community Clinic and the Canyon Recovery Center, but the initial funds went to the Community Clinic and her proposal is that both entities receive equal amounts, whatever the amount is decided by the Board. There was discussion about the significant expense associated with mental hold cases.

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

MEETING WITH PARKS DIRECTOR REGARDING HISTORIC PRESERVATION COMMISSION FY2021 GRANT RECOMMENDATIONS

The Board met today at 10:29 a.m. for a meeting with the Parks Director regarding the Historic Preservation Commission (HPC) FY2021 grant recommendations. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Parks Director Nicki Schwend, Parks Program Manager July McCoy, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Twelve applications were received from eight different agencies requesting a total of \$123,835.00. The HPC is recommending funding in the amount of \$90,235 for the following 10 potential projects:

American Legion, Joseph H. Murray Post 18 – Nampa American Legion Chateau:

- Chateau water mitigation, repair and mail hall ceiling restoration

- Requested amount: \$45,000
- **Amount HPC recommends: \$45,000**

Canyon County Historical Society

- Photo archiving equipment at the Nampa Train Depot
- Requested amount: \$4,589
- **Amount HPC recommends: \$4,589**

Friends of Caldwell Public Library

- Map and historic document preservation
- Requested amount: \$1,650.00
- **Amount HPC recommends: \$1,650**

Friends of Deer Flat Wildlife Refuge

- Resource management plan
- Requested amount: \$10,000
- **HPC recommends: \$10,000**

Historical Society of Middleton

- Survey of downtown Middleton (Project 1)
- Requested amount: \$3,000
- **HPC recommends: \$3,000**
- Preservation plan for downtown Middleton (Project 2)
- Requested amount: \$5,000
- **HPC recommends: \$5,000**

Melba Valley Historical Society

- Museum exterior wall insulation
- Requested amount: \$14,196
- **HPC recommends: \$14,196**

Nampa Public Library

- Images of Nampa Past photo printing and mounting
- Requested amount: \$1,000
- **HPC recommends: \$1,000**

Warhawk Air Museum

- 360 degree virtual tour operating system upgrade and repairs: Phase 1
- Requested amount: \$3,000
- **HPC recommends: \$3,000**

- Veterans history project website hosting security upgrades: Phase 1
- Requested amount: \$2,800
- **HPC recommends: \$2,800**

- 360 degree virtual tour platform upgrade: Phase 2
- Requested amount: \$9,600
- **HPC recommends: \$0**

- Veterans history project Vimeo conversion and security: Phase 2
- Requested amount \$24,000
- **HPC recommends: \$24,000**

Director Schwend reported that all projects meet the qualifications. Commissioner Dale said they are worthy projects and he made a motion to approve the grant recommendations presented by the HPC. The motion was seconded by Commissioner Van Beek and carried unanimously.

CONSIDER A REQUEST BY PECKHAM LAND TRUST TO CREATE A CAFO SITING ADVISORY TEAM

The Board met today at 11:22 a.m. to consider a request by Peckham Land Trust to create a CAFO (Confined Animal Feeding Operation) siting advisory team. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson and DSD Planner Jennifer Almeida. Staff requested the Board to sign a resolution creating a CAFO siting advisory team to view the property located at 27753 Peckham Rd., Wilder, Idaho, and along with that to sign a letter to the Idaho State Department of Agriculture requesting a CAFO Siting Advisory Team review. Following discussion, Commissioner Dale made a motion to sign the letter and the resolution. (Resolution No. 20-127.) The meeting concluded at 11:34 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY NEIL & SHERRIE FULLMER FOR APPROVAL OF A PRELIMINARY PLAT, FINAL PLAT, AND IRRIGATION PLAN & DRAINAGE PLAN FOR THREE FORKS ESTATES SUBDIVISION, CASE NO. SD2018-0021

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Neil and Sherrie Fullmer for approval of a preliminary plat, final plat, and irrigation and drainage plan for Three Forks Estates Subdivision. Present were: Commissioners Pam White and Tom Dale and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jake Fullmer and Will Mason. Commissioner Leslie Van Beek joined the hearing via Webex at 1:39 p.m. Jennifer Almeida gave the oral staff report. The development consists of four residential lots and is located in an "R-R" (Rural Residential) zone. The subject property is located on the north side of Lake Shore Dr. approximately 1130 ft. east of the intersection of Dearborn Road and Lake Shore Drive. The Planning and Zoning Commission recommended approval of this case on May 16, 2019. All lots meet the two-acre average minimum lot size. The property is designated as residential on the future and use map and is adjacent to existing residential uses which include a platted subdivision along the western boundary. The project contains four residential lots and one private road lot and it will utilize individual domestic wells and septic systems. Pressurized irrigation and an internal private road will serve the four lots. Keller and Associates has reviewed the plats as well as the construction drawings. There were no written objections to the plat, and all signatures have been obtained on the plat mylar. Staff is recommending approval of the preliminary plat, final plat, and the irrigation and drainage plan. Will Mason testified they have met all preliminary plat requirements; they constructed everything on the project prior to bringing it to the Board. 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 approve the preliminary plat and final plat, as well as the irrigation and drainage plan. Chairman White was authorized to sign the final plat. Commissioner Van Beek voiced her support for this project. 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. The hearing concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO RECEIVE COMMENT ON THE TENTATIVE FY2021 BUDGET

The Board met today at 2:33 p.m. to receive public comment on the tentative FY2021 budget. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Civil Deputy P.A. Sam Laugheed, Jaye Jaye Johnson, Claudia Frent, Larry Stevenson, and Deputy Clerk Monica Reeves. Via Webex: ElJay Waite, Robert Turner, IT Director Greg Rast, Jennifer Mercado from the Treasurer's Office, Treasurer Tracie Lloyd, and Rachel Spacek from the Idaho Press-Tribune. Assessor Brian Stender arrived at 3:18 p.m.

Commissioner White referenced emails the Board received from Hubert Osborn and Ron Harriman, both of which were read into the record by Commissioner Dale. The emails questioned: the components of the \$9 million increase, and said claiming to lower the levy by 11% is a reflection of the total budget request and the non-exempt value based appreciated values, and that lacking the new construction totals defies an in-depth look at the true total tax request. Where is the 2020 balance sheet, it calls for transparency. The forgone amount should be disclaimed.

Jaye Jaye Johnson said the budget in brief is supposed to be a simplified version for the public and the one that's online is not in a balanced statement or a financial statement and so there is no way to compare it to previous years. There was a nearly 52% increase in property taxes (\$2 million) year over year yet there is a \$10.6 million fund allocated in case revenue and expenses are not met. You are raising property taxes but you're also saying if the government can't meet expenses we have increased over 10% of what we need just in case we can't budget. Ms. Johnson asked what the other expenses are, and if we had capital expenditures why aren't they line itemed. Why are there salary increases that are automatic to department heads every year and why aren't those transparent? Commissioner Dale said the compensation plan is available and transparent and anyone can ask for it and see the steps that are there for longevity and certifications.

Claudia Frent asked what the Board's stance is on property tax. She spoke about the doubling of property values and how residents need some relief because while levies have gone down property taxes still go up. She said young families cannot afford to buy homes in Idaho any longer, and perhaps a solution would be to bring in property taxes from new home sales or purchases for a bit of a freeze because our economy does not support home prices. Commissioner Dale encouraged Ms. Frent to submit those ideas to the legislature.

Commissioner Van Beek asked what the cumulative total is for the step increase is for all County positions for FY2021. Controller Wagoner said they are still working on developing the 2021 budget and nothing has been included at the moment, but there have been some requests for new positions and certain positions to be upgraded but nothing for a countywide across-the-board increase in compensation. Clerk Yamamoto said with the compensation plan, the longer it goes on attrition starts to work; for instance, with the step program there will be people at the five-year mark who will get an increase in salary, but as people leave their replacements come in at a lower salary so it starts to even out as we go through the years.

Larry Stevenson focused his comments on the Assessor's budget and suggested ways to reduce that budget. He reviewed what he believes are points of inaccuracies on the following line items: operating revenues, salaries and benefits, professional litigation expenses, miscellaneous professional services, and total expenses. Perhaps it's time for taxpayers to call for independent audits starting with the Assessor's Office. (A copy of Mr. Stevenson's written comments is on file with this day's minute entry.)

ElJay Waite submitted a list of 17 questions, a copy of which is on file with this day's minute entry. He said the 16-page budget in brief document that was prepared this last year was a good start and even though there are objections to how it looks he believes it's a document that could provide the Board and document with an ease of discussion where you can talk about what's really gone on in the budget and why it's in its best format. He complimented the Clerk for putting it out. Today he asked the following questions:

How does the 2021 requested budget address the legislature's and taxpayer's efforts to provide property tax relief? He was very concerned about the format of the bill that was presented last year about freezing property taxes, which would be detrimental to the County.

What are the Commissioner's positions on property tax relief and what are they doing to permanently reduce taxes? Commissioner Dale said the Idaho Association of Counties is working on this and the County is giving input at every opportunity. Clerk Yamamoto said at the last legislative session they spent many days at the capitol and offered their services outside of the meetings, but very few of the legislators took them up on that offer. He said they need to include county officials to be part of the committee so they can talk about the complications and nuances of property tax, but they decided not to do that. He does not know where they are going to end up. The Clerk said the County is trying figure out what Governor Little is going to do with the CARES Act money as part of property tax relief, but it's been a "hot potato" and we don't know where it's going to end up but he hopes to have the numbers soon. We are running through our normal budget procedures and then we'll see what the state will do and we will go from there.

What amount of property tax incentives granted to businesses will expire and be added to the 2021 budget? Controller Wagoner said if that property is within an urban renewal agency that is increment value that is not available to the county for property tax purposes. That information will be provided during the budget process.

When will the new revenue projections and new expenses be presented to the Board? Controller Wagoner said they are very closely watching information from the state related to sales tax revenues, and they are anxiously awaiting June's report. The numbers are still being reviewed and prepared. The Clerk's suggested budget is scheduled to be presented on Monday and they will have numbers by then and we'll have a couple weeks until a tentative budget is published so we'll continue to monitor and evaluate those significant revenue sources.

The 2020 budget allocated \$500,000 to a capital construction fund as requested by Commissioner White. How was this amount funded and will it be increased in the 2021 budget? Is there a way we can increase that number annually so that the Board has more opportunity to create capital funding for future projects? In the budget we have ongoing revenues for salaries/benefits for operating supplies, repair and maintenance at certain levels but there is probably a need for more allocation towards capital replacements than is currently in the county budget. Controller Wagoner said we are operating in a different world today than we were a year ago and it's appropriate as we develop the 2021 budget that we carefully evaluate needs and the burden that will be placed on property taxpayers. Clerk Yamamoto said the suggested budget will keep property taxes as low as possible so you will not see an increase in the capital line in his suggested budget. Commissioner Van Beek asked if the Clerk will support the Controller's commitment to the \$500,000, just not exceeding. Clerk Yamamoto said they are not done yet so he is not going to commit to anything, but he thinks we can do the \$500,000 but it won't be more than that. Controller Wagoner said we are hopeful the revenue projections are realized and received, but it's still a process and we are still in the FY2020 budget process. Discussion ensued.

Commissioner Van Beek asked for the Clerk's position on disclaiming forgone. Clerk Yamamoto said he will not disclaim the forgone amount. Controller Wagoner said the only reason forgone is available is because you didn't take it in the first place, so there is a savings there by not taking it and that savings is permanent. You cannot go back and change the property tax levy for prior years. Discussion ensued.

Mr. Waite said we are going to see an increase in new construction revenue and so he strongly suggests the Board consider using a percentage of that every year to add to their capital construction funds because it's under-funded. If you start now small steps will be a big help in the future. Commissioner Dale believes that is a good idea.

How does the 2021 budget address jail overcrowding and new jail facilities? The jail lease started in 2018 in current expense and he noticed now it's in the Sheriff's budget and he thought the construction of buildings and payment of buildings was a Commissioner responsibility and the operation of a building was the Sheriff's so he is concerned that if that money is not transferred back to the current expense fund with the revenues and expenditure that's needed that that money will be absorbed into the Sheriff's budget and it will not be used for its intended purpose. The intended purpose of raising taxes \$2.25 million several years ago was to address jail overcrowding and add beds. He believes the Board should move that amount of property tax and the expense back into the current expense budget so that when it's paid off you'll still have that revenue to move forward and add more beds in the future. Controller Wagoner said currently the lease payment is included in the justice fund. The County has established a justice fund, and the major activity in the justice fund are the Sheriff's responsibilities and because housing prisoners is a Sheriff's responsibility we have included that expenditure in the justice fund. Commissioner Van Beek asked what that would look like if it were put back in current expense. Controller Wagoner said the County will pay the same dollar amount whether it comes from the justice fund or the current expense fund. We can discuss transferring it to a different fund, but we'll still have to make the same payment. Clerk Yamamoto said we were lucky we had the luxury of moving that into the justice fund. We try to do everything we can to keep the current expense unencumbered as much as possible because that's the only fund where we have any leeway. Mr. Waite said the payment has dropped down to \$1.5 million and what was originally requested for jail overcrowding of \$2.25 million, part of that has already been absorbed in the justice fund, it has not be transferred back to the current expense so in order to eliminate any future problems with what this could do he recommends it be transferred back to the current expense fund and we will have that \$700,000 that is necessary for the lease payment to go into the capital construction fund.

Jaye Jaye Jonson asked where can the public find where the planning comes from as far as technology being implemented to streamline costs and eliminate waste. Commissioner Dale said that's a good idea. Two departments have saved a lot of money on contracts and equipment while increasing services.

Treasurer Tracie Lloyd said we all strive to be more efficient and look for innovative ways to save taxpayer money.

Robert Turner spoke about his experience with real estate booms and the subsequent recessions which created a terrible problem for the community where the high property taxes remained in place. He said it was said there is a leeway with justice fund, but those funds shouldn't be in a leeway fund they need to be allocated and if they become a savings then those can roll over year-to-year in the budget and eventually, through a Board vote, they can reallocate those savings to other projects whether it be capital purchases, or building funds or community improvement funds. Having those funds on hand and a very fiscally minded budget is essential. He also spoke about the importance of having performance standards for employees. Commissioner Dale said we do not encourage or allow a budget that has excess money. The elected officials are very careful with their spending, and we look forward to having money left over that goes into fund balance which is basically a savings account and that money is available to be allocated for emergency situations. We try our best to follow those safe and secure, tried and true financial principals. Mr. Turner said the County's website, particularly the property lookup portion, is antiquated when compared to Kootenai County's or Ada County's site. It should be more user friendly.

The hearing concluded at 4:04 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 23, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- D&B Supply in the amount of \$128,086.80 for the Emergency Management Office
- BOE in the amount of \$7,713.00 for the Information Technology Department
- BOE in the amount of \$8,154.00 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 7/24/20

The Board of Commissioners approved payment of County claims in the amount of \$299.32 for accounts payable.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:45 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Case Manager Terri Salisbury, Treasurer Tracie Lloyd arrived at 8:50 a.m. and Deputy Clerk Jenen Ross.

Commissioner Van Beek made a motion to issue a final approval with written decision within 30 days on case no. 2020-536. 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 an initial approval for case no. 2020-969 with a written decision within 30 days.

Commissioner Van Beek made a motion to issue final denials with written decision within 30 days on case nos. 2019-1435 and 2019-1034. 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 initial denials with written decisions within 30 days on case nos. 2020-807, 2020-877, 2020-879, 2020-869, 2020-826 and 2020-871.

Release of liens were presented for Board signatures.

Consider signing the Treasurer's tax charge adjustments by PIN for June 2020: Treasurer Lloyd addressed questions posed by Commissioner White and Commissioner Van Beek. 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 June 2020.

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 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, Tom Dale and Leslie Van Beek, Deputy P.A.

Brad Goodsell, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Elections Supervisor Haley Hicks left at 9:06 a.m., Landfill Director David Loper left at 9:09 a.m., Treasurer Tracie Lloyd, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Consider signing a resolution designating polling locations for the August 25, 2020 election: These polling locations are for the Middleton school levy along with a West Ada school levy. There are 10 locations that have possible eligible voters. Ms. Hicks reviewed the changes to polling locations. 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 August 25, 2020 election (see resolution no. 20-128).

Consider signing notification of lowest responsive bid regarding FY2020 Pickles Butte Sanitary Landfill Well Abandonment Project Solicitation of Bids: Mr. Goodsell said all the bids have been reviewed for compliance and believes they are all responsive. The lowest responsive bid was received from Cascade Drilling, LP. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the notification of lowest responsive bid regarding FY2020 Pickles Butte Sanitary Landfill Well Abandonment Project Solicitation of Bids. A copy of the letter is on file with this day's minutes.

Mr. Goodsell discussed four letters that were received from William Punkoney with White Peterson Attorneys on behalf Golden Gate Irrigation District making claims on tax deed. He explained these claims are premature and no excess funds exist until after the sale of the property if they sell at the tax deed auction. The Board signed a letter prepared by Mr. Goodsell notifying Mr. Punkoney of this information. At the request of Commissioner Van Beek, Treasurer Lloyd reviewed the process for taking a property for tax deed. A copy of the letter is on file with this day's minutes.

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 9:13 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, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Fair Director Diana Sinner, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. The Executive Session concluded 10:01 a.m. with no decision being called for in open session.

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

PUBLIC HEARING – ERICK MCLAUGHLIN'S REQUEST FOR A REZONE, CASE NO. RZ2020-0002

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Erick McLaughlin for a rezone from "A" (Agricultural) to "R-1" (Single Family Residential), Case No. RZ2020-0002. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, Erick McLaughlin, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Ruth Volkert, Tom Gorski and Callie Gorski. Dan Lister gave the oral staff report. The 5.26 acre property is located at 24433 Hartley Lane, Middleton. In 2009 a conditional use permit (CUP) was approved for the same request and at that time Mr. McLaughlin requested the property be divided into four lots with three one-acre lots and one 2.5-acre lot, but the CUP expired because they didn't do the platting that was required at that time. This time the applicant is only requesting that it be divided into two lots although he doesn't want his ability for future splits to be taken away. On May 28, 2020, the Planning and Zoning Commission recommended denial of the request because they believe a rural residential zoning is more appropriate in this area. Development will come later through the platting process. Staff is recommending approval of the rezone. Following his report, Mr. Lister and Director Nilsson responded to questions from the Board. Erick McLaughlin gave testimony regarding irrigation access, specifically that there will be no Black Canyon irrigation going down Cowboy Lane, as it has nothing to do with this parcel. He has been using his ingress/egress on Hartley Lane since 1992. He stated that anything he splits will fall into the CC&R's which will make them responsible for the road maintenance which is already there. According to Mr. McLaughlin the road, power, and irrigation were addressed in 2006. He has planted hundreds and hundreds of trees on his property for privacy and to make it nice for the area. In 2009 the neighbors didn't object, but now they are objecting which he finds surprising. His request is to do one 1-acre parcel and one 4.25 acre for his house. Tom Goreski testified that his concerns were addressed in a previously submitted letter regarding development, the infrastructure of the current road, and irrigation. Callie Goreski testified that her biggest concern was more urbanization; the neighborhood is beautiful and they were concerned about there being multiple homes. She appreciates Mr. McLaughlin planting so many trees on the property. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public comment. Commissioner Van Beek said it looks like the agencies who have weighed in do not have any objections, and due diligence will be done during the platting stage. She likes this project and what the applicant is proposing. Commissioner White said it sounds like it will be a beautiful area and will be a legacy to his family. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the findings of fact, conclusions of law, and order and the ordinance for Case No. RZ2020-0002. (See Ordinance No. 20-019.) The hearing concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:34 p.m. for an elected officials meeting to discuss COVID-19 updates. Present were: Commissioners Tom Dale (left at 2:20 p.m.) and Leslie Van Beek, Commissioner White joined at 2:00 p.m. and left at 2:31 p.m., Sheriff Kieran Donahue, PIO Joe Decker, EOM Christine Wendelsdorf, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, Mayor of Wilder Steve Rhodes, Assessor Brian Stender, Director of SWDH Nikki Zogg joined at 1:40 p.m. and Deputy Clerk Jenen Ross. Nampa City Mayor Debbie Kling and Kirk Carpenter for the City of Nampa participated via teleconference. The following updates were provided:

- Sheriff Donahue:
 - Update on Pod 6 door hinges
 - He has about 10 employees affected by COVID-19
 - IDOC is still on lockdown so the jail is holding approximately 80 state inmates
- EOM Christine Wendelsdorf:
 - Working on a PPE order and reviewed agencies and departments the order will encompass and what will be included in the order. The order will be place on two POs for a total of \$873,507.26, this will be reimbursable thru the CARES monies
 - All PPE will be shipped to the county so Ms. Wendelsdorf can distribute and track
- SWDH Director Zogg:
 - One employee has tested positive and 8 others have had contact with that employee
 - Between 7/15 and 7/22 Canyon County has gone from 2000 cases to 3473; From 7/17 to 7/19 there have been 26 hospitalizations and 2 deaths in Canyon County; 16 long-term care facilities have had outbreaks; provided a review of where they're seeing cluster outbreaks
 - Discussion regarding vaccine test trials and margin of error on tests
- Commissioner White:
 - With help from Joe Decker the Board is planning to put out a statement regarding face coverings stating that the County is not making retailers require face coverings as perceived; Mr. Decker read the statement into the record
- Commissioner Dale:
 - The SWDH Board voted to approve the recommendation of face coverings but not a mandate

- Sheriff Donahue expressed his appreciation of his team during the meeting along with the City of Caldwell and Caldwell PD
- Controller Zach Wagoner:
 - Awaiting further information on the Governor's property tax proposal
- Treasurer Tracie Lloyd:
 - The tax study group will meet on the 21st to look at how property taxes are handled in Idaho and the legislative meeting will happen the following Wednesday; subcommittees will be put together for additional input
- Assessor Brian Stender:
 - Update on items his office has been working thru including reappraisals
- Chief Deputy P.A. Sam Laugheed:
 - 3rd District Court administrative order states that all jury trials have been suspended indefinitely for the time being
- Kirk Carpenter:
 - 36 employees are either in quarantine or affected by the virus in some way
 - Looking to place a PPE order for city employees and are working with citizens to practice social distancing orders or use a face coverings when necessary
- Mayor Steve Rhodes:
 - All of their city offices are still open although encouraging citizens to pay their utility bills either online or use the drop box at city hall
 - The fire department call volume was down but is going up again; CCAD provides all their PPE

Sheriff Donahue moved to adjourn the meeting at 2:38 p.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE THE PUBLIC HEARING REGARDING A REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE

The Board met today at 3:02 p.m. to go on the record reschedule the deliberation regarding the request by Karcher Farm, LLC and SS Karcher, LLC, for a comprehensive plan map amendment and conditional rezone. Present were: Commissioners Pam White and Leslie Van Beek, Todd Lakey, David Palfreyman, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida and TJ Wellard. Commissioner Van Beek said she requested additional time to review the

information and ask questions. The Board decided to reschedule the matter to Wednesday, August 5, 2020 at 10:30 a.m. The proceeding concluded at 3:04 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 24, 2020

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

ABSENT: Commissioner Tom Dale, Vice Chairman

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- HP, Inc., in the amount of \$8,200.00 for the Information Technology Department
- Titan HQ in the amount of \$12,000.00 for the Information Technology Department
- Premier Wireless Solutions in the amount of \$4,210.00 for the Sheriff's Office

CONTINUATION OF PUBLIC HEARING – REQUEST BY ROY BRUMBAUGH AND SHEILA MARCHBANKS FOR A REZONE, CASE NO. RZ2019-0038

The Board met today at 8:38 a.m. to conduct a public hearing in the matter of a request by Roy Brumbaugh and Sheila Marchbanks for a zoning amendment (rezone) of Parcel R29982010 from "A" (Agricultural) to "R-R" (Rural Residential). The vacant 30.35 acre property is located adjacent to the Pump Road and Locust Lane intersection. Present were: Commissioners Pam White and Leslie Van Beek, Melanie Steinhaus, Darin Taylor, Sean Conner, Hethe Clark, Victor Thompson, Sebastian Keith, Audrey Hawker, GB Burningham and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Dan Lister, Matthew Johnson, and Stephen Collias. Today's hearing was continued from June 8, 2020 to allow for the submission of the following additional information: A copy of the P&Z Commission findings of fact, conclusions of law, and order; water table information; and information about potential development of the site. According to Dan Lister a letter was provided by Darin Taylor, who is representing the applicant, and it provides more conceptual plans. Staff is recommending approval of the application without a development agreement because the area is commensurate with the development to the north, the south, and the east, and with the development that has been approved in the past and recently through a rezone. Agricultural use has been shown on this property, but the maps are showing the soil characteristics have more severe issues when it comes to type of crops you can grow. It

is shown as non-prime farmland. Mr. Lister said a lot of the concerns raised by Matthew Johnson and the adjacent neighbors could be addressed at the platting stage where they would have a forum via hearings before the P&Z Commission and the Board. Staff believes this subdivision is commensurate with the existing lot sizes and dwelling in the area. Mr. Lister responded to questions from the Board following his report.

The following people testified in support of the request:

Darin Taylor gave testimony regarding the density, layout and well log information. There is a two-acre average minimum lot size for this property and if there are no roads or dedications along Pump Road and Locust Lane it would be 15 lots, but it will go down from there. He referenced well log information.

Sean Conner testified that he and his wife want to live in this subdivision and they will make sure it is a quality project that is beautifully designed and will impact the agricultural character as little as possible. They would like to have 14 lots, but if it's 13 that will be okay. They submitted the site plan after the hearing and were using it as a general design for concept, but they didn't want to stick to that layout necessarily but rather give an idea of what was available on the property. Larry Richardson, who builds custom homes, will be the builder for most of the lots. They are only looking for a rezone, and are not looking to make other decisions at this point. He will make sure the homes they build do not obstruct views of the neighbors. Mr. Conner responded to questions from the Board.

Hethe Clark stated he is working with Mr. Conner and Rubics Land Holdings. This is a pretty simple application and is in accord with the comprehensive plan which designates the area as residential, but it is not shrouded in mystery which is the way it's been portrayed by some of the opponents. Based on rural residential zoning it has to be an average of two acres with setbacks and bulk standards. The outside number of lots they can have is 13-14. Preliminary plat and final plat hearings are required and that's when they will come in with the engineering and design that would satisfy a lot of question that have come up. A maximum of 14 homes will not have negative impact on the character of the area; it matches the character of the area. There will be no negative impact to public service providers. The word *speculation* keeps being raised, but we do not discriminate on who the applicant is or who might own it in the future. The only question is whether the standards have been met, and they have. In regards to the question about whether this needs to go back to the P&Z Commission, that is a question of interpretation of the code. The only new information that has been provided has been at the request of the P&Z Commission or the Board. It is still just a rezone request to rural residential so there is no reason to remand this back.

The following people testified in opposition to the request:

Matthew Johnson said his client has become more comfortable now that Mr. Conner, Mr. Taylor and Mr. Clark are involved as they are taking this development idea seriously and if those people had been in place at the beginning a lot of this may have been unnecessary. But, the information has come at the eleventh hour and that gets to the core procedural concern: it's a rezone application in an area that's in transition between agriculture and residential and it raises an

important question of how agricultural land is protected. This is a viable piece of agricultural land and the only reason it's out of production now is the heirs who inherited the property ended the farm lease on it. Mr. Johnson said his client would be interested in acquiring or leasing the land for farm use so the idea that it's not viable is a misstatement, and that was a big reason why the P&Z Commission recommended denial. If the development proposal had been more complete early on that could have been addressed at the neighborhood meeting. At present his client's position remains that this application should be denied as it's presented and he fully anticipates the more professional development group that is now handling it could bring it back with a much better conceptual plan to address concerns and allow for a reasonable period to comment instead of this sandbagging at the eleventh hour. He recommends denying this or the alternative that it be remanded back for development so that it's coming back for appropriate opportunities for input.

Stephen Collias wants the request denied because it's a speculative application and approval should be subject to the sale concluding in development commencing within two years. This is precious land for agriculture. No water study has been done and he said it's almost dangerous to allow individual septic systems and wells without having more knowledge of the water situation. City services should be provided to this project. Mr. Collias said he would be glad to buy this agricultural land for agricultural use.

Rebuttal comments were offered by Darin Taylor and Hethe Clark. Mr. Taylor said he represents the contract purchaser of the property and the issue is whether it's orderly growth and what does the owner want to do with the land. Denying the request or remanding it back is unnecessary and out of process; this request is consistent with the comprehensive plan. Mr. Clark said the County does not change the outcome of an application based on who the applicant is or who may live there, and that has been a major component of the opponent's argument. Whether the agricultural use is viable is not a rezone standard; the rezone standards focus on the comprehensive planning and the planning for this area is residential. In response to Mr. Johnson's client wanting to purchase the land, Mr. Clark said this is not a chance to use the public process to try to work your way in to try to acquire something for your own benefit. The applicant has provided far more information than would typically be provided at this stage in the process.

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 she does not have a reason to deny the application because of the level of diligence the applicant has brought in. Commissioner White said it is consistent with the comprehensive plan and she noted the importance of personal property rights. The P&Z Commission denied it because they didn't have a conceptual plan, but they found it compatible in the other areas. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the zoning amendment and rezone in Case No. RZ2019-0038 and sign the findings of fact, conclusions of law, and order as well as the ordinance. (See Ordinance No. 20-020). The hearing concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

REVIEW QUARTERLY JAIL INSPECTION REPORT

The Board met today at 10:13 a.m. to receive and review the quarterly jail inspection report. Present were: Commissioners Pam White and Leslie Van Beek, Captain Harold Patchett, Lt. Dale Stafford, and Deputy Clerk Monica Reeves. Given the COVID-19 pandemic the Board did not conduct a physical inspection/tour of the jail this quarter. The standard form the Board uses on its inspection/tour was sent to Captain Patchett and he provided responses to the 20 questions, a copy of which is on file with this day's minute entry. Captain Patchett and Lt. Stafford responded to questions from the Board, and reported on the fulfillment of maintenance requests and the work that has been done, the jail population, staffing, the medical service provider, and the recent report from the Idaho Jail Standards Coordinator. Additionally it was reported that ADS is addressing issues they have been having in Pod 6 with door hinges. Following comments the Board signed the inspection form. The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY CLAIRE & JOANNE LEAVITT TRUST FOR A CONDITIONAL REZONE, CASE NO. CR2019-0019

The Board met today at 11:04 a.m. to conduct a public hearing in the matter of a request by Claire and Joanne Leavitt Trust for a conditional rezone, Case No. CR2019-0019. Present were: Commissioners Pam White and Leslie Van Beek, TJ Wellard, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Brayden Dunning, and Kyle Dunning. Jennifer Almeida gave the oral staff report. The applicants are requesting a conditional rezone of approximately 30.00 acres of parcel R33546010 which is approximately 63.68 acres from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone – Rural Residential) zone. They want the rezone to allow two (2) 15-acre parcels with a residential building permit to each. Staff has found that as restricted by the development agreement and the creation of two 15-acre parcels it would still meet the intent of agriculture as the majority of the land outside of the home site will be retained for agricultural use. The Planning and Zoning Commission recommended approval of the request on June 10, 2020. Staff has found it meets the standards of review for a conditional rezone and as restricted by the development agreement. TJ Wellard testified that Mr. Leavitt lost his wife and moved to Utah to be closer to his family. He sold the house and listed the farmland for sale. The Dunnings are in the process of purchasing the land and they want to make this their home. Mr. Dunning has two sons who would be living on the property with him and they want to convert this into wine grapes. Their proposal would split off the two 15-acre pieces and build a house on each parcel and they will restrict the area where they want to build. The remainder of the acreage will remain in agriculture. They will abide by all conditions and everything will go through the proper processes. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner White said this is a straightforward case with the applicants voluntarily entering into a development agreement to keep it in agricultural use. Commissioner Van Beek appreciates the willingness to have a development agreement and she said the request fits with the current use of the area. Upon the motion of Commissioner White and the second by

Commissioner Van Beek, the Board voted unanimously to approve the request for a conditional rezone and sign the written decision on August 10 at 9:30 a.m. The hearing concluded at 11:22 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 27, 2020

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

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 Mark McMinn and Elizabeth Leonard.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Pam White and Leslie Van Beek, Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for June 2020 and quarterly report for April 1 to June 30, 2020 in today's minutes.

MEETING WITH ROGER BATT TO CONSIDER SPONSORSHIP REQUEST

The Board met today at 10:01 a.m. with Roger Batt to consider a sponsorship request. Present were: Commissioner Pam White and Leslie Van Beek, Via Webex: Assessor Brian Stender and Roger Batt and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider approval/denial of sponsorship request for the 2021 Treasure Valley Legislative Ag Tour:
Mr. Batt said this is the big tour that's done every 7-8 years with legislators. The tour will be held at the end of August. Previously the county provided a sponsorship of \$2500 and they are requesting the same this year. Mr. Batt provided a reviewed of the agenda for the tour. Upon the

motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve the sponsorship request.

PUBLIC HEARING – REQUEST BY JAMES AND GRETCHEN MANNING FOR A CONDITIONAL REZONE, CASE NO. CR2020-0002

The Board met today at 11:02 a.m. to conduct a public hearing in the matter of a request by James and Gretchen Manning for a conditional rezone, Case No. CR2020-0002. Present were: Commissioners Pam White and Leslie Van Beek, James Manning and other interested persons, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and DSD Director Tricia Nilsson. Dan Lister gave the oral staff report. The applicant wants to split off one portion of the existing pasture of 11 acres to have a dwelling. The code allows for a secondary dwelling, however, it's difficult to obtain financing for a secondary residence and a lot of times banks request it be divided off. The application is to rezone the property for one division for a house. The development agreement has restrictions to retain most of the pasture in agricultural uses. Two letters of support were received from nearby neighbors, and agency comments have been received. Both the P&Z Commission and staff have recommended approval of the request subject to a development agreement being signed. Following his report, Mr. Lister responded to questions from the Board. James Manning testified in support of the request. The initial plan is to live next door to his parents. They have a hobby farm and hope to help their parents take care of the land. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the request by James and Gretchen Manning and to sign the findings of fact, conclusions of law, and order, as well as the ordinance (Ordinance No. 20-021.) and development agreement (Agreement No. 20-104.) The hearing concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

RECEIVE THE CLERK'S SUGGESTED BUDGET FOR FY2021

The Board met today at 1:31 p.m. to receive the Clerk's suggested FY2021 budget. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Sheriff Kieran Donahue, Sheriff's Financial Manager David Ivers, Chief Civil Deputy P.A. Sam Laugheed, Assessor Brian Stender, PIO Joe Decker, Sr. System Analyst Steve Onofrei, Court Training and Dev. Manager Raena Bull, Court Operations Manager Jess Urresti, Rachel Spacek from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Present via Webex: Treasurer Tracie Lloyd, Director of Misdemeanor Probation Jeff Breach, Michael Stowell and Steve Bladdos from the Ambulance District, Parks Director Nicki Schwend.

Clerk Yamamoto thanked all of the offices and departments for their work on the budget. This has been a very odd budget year mostly due to COVID-19 and the resulting CARES Act and so they have a lot of questions as to how everything will work out mechanically, but he believes they have developed a very good budget under the circumstances.

Controller Wagoner presented the Board with a handout, a copy of which is on file with this day's minute entry. Key highlights from the Clerk's suggested budget include:

Property Tax Relief

- Property tax freeze (County only, does not include cities, schools, other taxing entities)
- Not taking the \$1.6 million in allowable 3% increase
- Not taking \$2.1 million that's available through the new construction process
- Utilizing \$9.8 million in CARES Act public safety funding

Expenditure Budget Decrease

- \$1.95 million decrease from FY2020 budget
- 12 fulltime positions that are unfunded in FY2021 budget
- Overall decrease in personnel budget from FY2020 to FY2021

Capital Investments

- \$9.2 million for vehicles, machinery and equipment investments
- \$1.2 million for continued investment in our employees, continuation of the compensation plan
- \$575,750 for new and reclassified positions

Canyon County FY2021 Property Tax Proposal

		Clerk's suggested FY2021 proposal
FY2020 property tax dollars levied:	\$54,119,386	\$54,119,386
<u>Potential Available increases:</u>		
3% allowable increase	\$1,644,629	zero 3% increase
New construction increase	\$2,101,519	zero new construction increase
Previous years forgone increases	\$5,988,720	zero utilization of forgone
Total available increases	\$9,734,868	no property tax increase
Less CARES Act public safety funding:		<u>\$(9,833,925)</u>
Net FY2021 property tax dollars levied:		\$44,285,461
This will result in a substantial decrease in our property tax levy rate		
FY2020 property tax levy rate:		0.003545093
Estimated FY2021 property tax levy rate:		<u>0.002603740</u>
		-26.6%

*The property tax levy rate is estimated to decrease 26.6% from last year. It's a combination of holding the line, freezing property taxes, and the application of the CARES Act public safety funding. These amounts are specific only to the County's property tax levy.

There was a reviewed of the suggested property tax levies by fund: \$44,285,461. The most significant change is in the justice fund levy which has been decreased to \$8.9 million and that amount will be supplemented by the CARES Act funding.

Canyon County's fiscal year 2021 suggested operating expenditure budget is \$102,798,286, and of that amount \$68,209,180 is budgeted for salaries and benefits and \$34,589,106 is budgeted for other operating expenditures. Both decreased from FY2020 to FY2021.

Noteworthy activity in FY2021 budget:

\$1.2 million for approved step advancements in the compensation plan with no COLA

\$575,750 budgeted for new and reclassified positions

- 2 driver's license customer service positions, 6 deputy sheriff positions, and 1 landfill fee collector position

Carry over of \$500,000 in capital investments funding and an additional \$500,000 added in FY2021 to bring the total available amount to \$1 million

\$9.2 million total dollars budgeted for capital investments in vehicles, equipment, machinery and improvements

Suspension of property tax funding for the following functions:

Historical society levy projects, the Boise Valley Econ. Partnership, the 4-H program coordinator, and the security department

Remove reserve line items in the justice and tort funds - \$300,000 total

Forego the IT disaster recovery project - \$100,000

Forego the Crossroads Museum mezzanine project and reducing gun range project from \$46,200 to \$20,000 for a total reduction \$71,200

Forego the \$50,000 requested for overtime allocation in Juvenile Probation

Mr. Wagoner responded to questions from Commissioners White and Van Beek regarding the suggestions, and discussion ensued pertaining to the compensation plan.

There was a review of the Clerk's suggested expenditure budget by office/department. (See pages 5 through 9 of the handout.) Discussion ensued. There was a review of suggested budget expenditures by function. The largest share, 45% of the \$102 million budget is for public safety activities; 32% is for general government services; 10% for health, welfare, and indigency, followed by 7% for public works; and 6% for culture and recreation. There was a review of funding sources, and in FY2021 only 43% of the suggested budget is from property tax and 29% is from intergovernmental funding sources (largely from the CARES Act public safety monies).

The total County budget is \$102,798,286, with nearly \$55 million in revenue from sources other than property; \$44 million from property tax; and a use of fund balance of \$3.5 million. That amount is substantially different than we've seen in prior years when there was roughly \$10 million of fund balance to balance the budget. Because our revenues other than property tax are up, and because we have a budget that is very well put together it's getting closer to actuals. To only use \$3.5 million of fund balance on a budgetary basis is territory we have not been in for a long time and it shows good use of revenues and good budget practices. They are not estimating \$3.5 million in fund balance will be used, this is merely an exercise to balance the budget. They are hopeful they're not actually going to use it.

Following the presentation Commissioner Van Beek had questions about the requests for vehicles, personnel changes, and capital improvement projects that were not included in the budget. She also asked the Clerk to talk about not taking new construction. Clerk Yamamoto said there are two things he tries to do: 1) take care of the property taxpayers and 2) take care of the employees because happy employees best serve the public. With the cuts that were made and the CARES money we could forego the new construction money and that sends a powerful message. At the last legislative session there was a lot of talk but nothing happened and so he wants Canyon County to have a strong voice when it comes to property tax and how we handle things. The state needs to step up and do some things. Of the \$3.66 million in indigent, \$2.25 million of that is for involuntary mental holds, but given Medicaid expansion and the waivers he doesn't see that that should be coming to the County so he wanted to take that \$2.25 million out of the budget, but he decided against it. His point is Canyon County is making a supreme effort to send a message that we are here for the taxpayers. There are not many taxing entities that will forego new construction, but he saw a way where we did not have to take it and that is the proper thing to do. Commissioner White asked where his comfort level is with the fund balance and the Clerk said he does not want to drop below 33%. In response to questions from Commissioner Van Beek there was discussion regarding the personnel budget and attrition. She asked the Controller for his thoughts on revenue sourcing for meeting the need for public safety. Controller Wagoner said we are allocating significant resources to public safety, and we are finding a way to add \$500,000 to that capital investments lines. The most important thing right now is to leave the money in the people's pockets. Clerk Yamamoto said 100% of that \$1 million is property tax. We spend sales tax and grants first, and we spend property tax last and so anything that goes into that capital improvement line is strictly property tax dollars. Commissioner White expressed her appreciation to the elected officials and department heads for recognizing that this has been a difficult year and budgeting accordingly. The Board will meet again in one week to review the budget. The meeting concluded at 2:41 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 28, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Positive Promotions in the amount of \$437,194.60 for the Emergency Management 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: Commissioners Pam White and Leslie Van Beek, Parks Director Nicki Schwend left at 9:23 a.m., Sgt. Rob Whitney left at 9:11 a.m., Communications Assistant Manager Melinda Chynoweth left at 9:11 a.m., Elections Supervisor Haley Hicks, Clerk Chris Yamamoto, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom left at 9:17 a.m., Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approving Idaho Public Safety Communications Commission FY2021 Dedicated Enhanced Emergency Communications Grant Fee Fund Application: Ms. Chynoweth said this grant would pay for the router and system for text 911 in Canyon County to assist citizens who are deaf, hard of hearing or have speech issues. Additionally, it would also help pay the service fee for a certain amount of time. Discussion ensued regarding limited service that is provided outside of Canyon County. The requested grant amount is for approximately \$16K. Ms. Chynoweth provided a breakdown of the costs for the system. Mr. Blocksom said he did not identify any issues with this grant and that this is a rather straightforward grant. Chief Dashiell gave a brief overview of how the system works. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the Idaho Public Safety Communications Commissioner FY2021 Dedicated Enhances Emergency Communications grant fee fund application.

Consider signing School Resource Officer agreement with Vallivue School District: Chief Dashiell said this is a simple renewal of last year's agreement; there are no changes to service or cost. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the School Resource Officer agreement with Vallivue School District (see agreement no. 20-101).

Consider signing School Resource Officer agreement with Melba School District: Chief Dashiell said this is a renewal but there is some change in language. Mr. Blocksom noted an email has been sent to the Board lining out the differences between this contract and the one signed with Vallivue School District. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the School Resource Officer agreement with Melba School District (see agreement no. 20-102).

Consider signing memorandum of agreement with Idaho's State Historic Preservation Office: Mr. Wesley explained this MOA will allow Parks staff and HPC members to attend trainings. This is an amended agreement to attend conferences via teleconference or video conference. Director Schwend said these training are required to maintain the Certified Local Government status for the Historic Preservation Commission. Upon the motion of Commissioner Van Beek and second

by Commissioner White the Board voted unanimously to sign the memorandum of agreement with Idaho's State Historic Preservation Office (see agreement no. 20-103).

Mr. Goodsell spoke about inquiries that have been received on two different properties, one in Caldwell and the Anderson Corner property. The City of Caldwell has indicated that they are interested in the parcel located there. In regard to the Anderson Corner property, there is updated information that needs to be shared with the Board at a later meeting. In the meantime, Mr. Goodsell has prepared draft responses which he has left for Board review. If approved staff can format and forward to the appropriate parties.

EXECUTIVE SESSION – PERSONNEL MATTER, 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 Van Beek made a motion to go into Executive Session at 9:26 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) (f) and (i) regarding personnel matters, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation 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 P.A. Mike Porter, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell, Parks Director Nicki Schwend, Clerk Chris Yamamoto, Elections Supervisor Haley Hicks and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:15 a.m. with no decision being called for in open session.

At the conclusion of the executive session the following action item was taken up:

Consider signing a resolution transferring property to the Idaho Department of Corrections: Mr. Porter said that this resolution is in regard to a K9 that the county has had for 3 years and is biting his handler. The Corporal supervising the K9 unit doesn't believe the K9 can be trained out of the behavior and has found a new home for the K9 with the Idaho Department of Corrections as a perimeter dog. Mr. Porter noted that IDOC will be assuming all liability and expenses for the K9. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution transferring property to the Idaho Department of Corrections (see resolution no. 20-129).

The meeting concluded at 10:18 a.m. An audio recording is on file in the Commissioner's Office.

FY2021 PRELIMINARY BUDGET WORKSHOP

The Board met today at 10:22 a.m. for a FY2021 preliminary budget workshop for the Landfill. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Landfill Director David Loper and Deputy Clerk Jenen Ross. Director Loper said compared to last year tonnage is up about 6.6%. Various budget lines were reviewed, specific items of note included the possibility of addition personnel for the scale house, automation of both scale houses, increase to the credit card fee account, wood waste removal, water right development, replacement of 2 vehicles and the compactor which is currently being built. Conversation ensued regarding the total cost for the replacement vehicles, there will be follow up with Director Tolman regarding this. The meeting concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER HARDSHIP APPLICATION FOR JOSE PADILLA

The Board met today at 11:02 a.m. to consider a hardship application for Jose Padilla. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Deputy P.A. Brad Goodsell, Jose Padilla, and Deputy Clerk Monica Reeves. Treasurer Lloyd said after receiving Mr. Padilla's application, his ex-wife paid the one year of taxes so he is okay for one more year. The tax deed is not going to occur tomorrow and he will have another year to figure things out. She stressed the importance of Mr. Padilla completing the necessary paperwork. Mr. Padilla said he doesn't have access to the paperwork; he is disabled and doesn't earn an income and he hasn't filed for taxes or had a bank account for a long time. He's had trouble with his application for disability and was disqualified for having a home. Commissioner Van Beek said the Board is unable to help Mr. Padilla until he follows through and completes the required paperwork and she suggested he contact the indigent office and request assistance in completing the application. Commissioner White told Mr. Padilla that his tax situation has been taken care of for this year (once his ex-wife paid the property taxes). No Board action was taken. The meeting concluded at 11:14 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM

CALDWELL, IDAHO JULY 29, 2020

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

APPROVED CLAIMS ORDER NO. 2022

The Board of Commissioners approved payment of County claims in the amount of \$1,732,831.13 for a County payroll.

APPROVED CLAIMS ORDER NO. 7/29/20

The Board of Commissioners approved payment of County claims in the amount of \$109,298.65 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- National Business Furniture in the amount of \$2284.20 for the Parks department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 8/27/20 for the Engle wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Los Mariachis Restaurant #2 to be used 8/1/20 for the Sarai Madera wedding.

HEARING TO CONSIDER THE ISSUANCE OF TAX DEEDS AND CONSIDER ACTION ITEM

The Board met today at 10:01 a.m. for a public hearing to consider the issuance of tax deeds and consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd, Sr. Deputy Treasurer Tonya May, Deputy P.A. Brad Goodsell, Deputy Treasurer Tara Lehman and Deputy Clerk Jenen Ross. Today's hearing is to consider properties delinquent since 2016. Treasurer Lloyd reviewed the process for noticing and notification to property owners that delinquent taxes are due. There are two properties that the owner has indicated payment has been mailed but it still has not been received by the Treasurer's Office. Ms. Lloyd believes it would be reasonable to wait until 3:00 today to see if the payment is received, if it has not been received by that time the properties would be taken for tax deed. The owners will still have the opportunity to redeem even if the property is taken for tax deed. Commissioner White made a motion to adopt

the written findings of fact and conclusions of law, and directing the County Tax Collector to issue tax deeds on certain delinquent properties. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek made an additional motion that in the event the county does not receive payment on PINs 37401018 0 and 37401019 0 as outlined by the Treasurer that it moves forward otherwise taxes will be due as outlined in the presentation today of approximately \$2500. The motion was seconded by Commissioner White and carried unanimously. If the owners redeem after the property is taken for tax deed they will be responsible to pay all four years of delinquent taxes, estimated current year taxes and any fees. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM
CALDWELL, IDAHO JULY 30, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Elevate Technology in the amount of \$27,388.07 for the Information Technology department
- BOE in the amount of \$45,000.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 7/30/20

The Board of Commissioners approved payment of County claims in the amount of \$870.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 8/10/20

The Board of Commissioners approved payment of County claims in the amount of \$21,822.08 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 8/27/20 for a Thirsty Thursday event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 8/20/20 for a Thirsty Thursday event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 8/13/20 for a Thirsty Thursday event.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 8/6/20 for a Thirsty Thursday event.

MEETING TO CONSIDER INDIGENT DECISIONS, LIENS AND OTHER MATTERS

The Board met today at 8:46 a.m. to consider indigent decisions, liens and other matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0894, 2020-895, 2020-890, 2020-867, 2020-886 and 2020-892. 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.

Liens were presented for Board signatures.

The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTER

The Board met today at 8:51 a.m. to consider an indigent matter. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross. Director Baker spoke about case no. 2019-927 that they are requesting a partial release of lien on. This

case has been approved and there is a reimbursement account. In a verbal agreement with a friend the applicant split off a portion of her property. The friend has been making improvements to the property and has been making payments to purchase the parcel. They are now in a civil lawsuit in order for him to purchase the property, however, he is unable to do that with the county lien in place. They are proposing payment of \$2500 for the county to prepare and enter into a partial release so this portion of the property may be purchased by the friend; a lien would remain on the applicant's parcel. The reimbursement account is at about \$74K and the \$2500 payment would be applied to the account. Director Baker said that the Board can sign the release today but it would not be effective until it is recorded which wouldn't happen until payment is received. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the release of lien. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-372

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2020-372. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Lisa Bueseth 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 deny the case with a written decision within 30 days. The hearing concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-487

The Board met today at 9:15 a.m. to conduct a medical indigency hearing for case no. 2020-487. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Lisa Bueseth 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 deny the case. The hearing concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:27 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously continue case no. 2020-655 to August 27, 2020.

Commissioner Van Beek made a motion to issue a final denial on case no. 2020-131. The motion was seconded by Commissioner White and carried unanimously.

Neither the hospital nor the applicant appeared for case no. 2020-634 and upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue a final denial with written decision within 30 days.

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

PUBLIC HEARING TO TAKE COMMENT REGARDING CANYON COUNTY AND MOTOROLA SOLUTIONS, INC., FOR POINT-TO-POINT MICROWAVE RADIOS AND RELATED EQUIPMENT, SOFTWARE, AND SERVICES FOR THE SHERIFF'S OFFICE

The Board met today at 10:06 a.m. for a public hearing to take comment regarding Canyon County and Motorola Solutions, Inc., for point-to-point microwave radios and related equipment, software, and services for the Sheriff's Office. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. The action item was considered as follows:

Public hearing to take comment regarding Canyon County and Motorola Solutions, Inc., for point-to-point microwave radios and related equipment, software, and services for the Sheriff's Office: Mr. Blocksom said two weeks ago a notice was approved for sole source procurement and today is the deadline for any concerns to be expressed. No one appeared today to offer comment. The agreement is still being worked thru with Motorola and Mr. Blocksom anticipates it to be finalized in September. They are waiting until the FY2021 budget is approved in order for monies to be allocated for the next year. At the request of Commissioner Van Beek, Chief Dashiell reviewed the reasons to go sole source. The hearing concluded at 10:12 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 10:12 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Mr. Wesley addressed an email from Commissioner Van Beek regarding the Department of the Interior's request for a suggested location for a monument – Mr. Wesley feels this can be forwarded to Juli McCoy at the Parks Department to distribute to the Historic Preservation Commission.

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

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 Van Beek made a motion to go into Executive Session at 10:17 a.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 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 11:07 a.m. with no decision being called for in open session.

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

PUBLIC HEARING – REQUEST BY ROBERT AND NANCY WEIKEL FOR A REZONE, CASE NO. RZ2019-0042

The Board met today at 1:36 p.m. to conduct a public hearing in the matter of a request by Robert and Nancy Weikel for a rezone of Parcel R38017010 from an "A" (Agricultural) zone to an "R-1" (Single Family Residential), Case No. RZ2019-0042. Present were: Commissioners Pam White and Leslie Van Beek, Robert and Nancy Weikel, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and DSD Director Tricia Nilsson. Dan Lister gave the oral staff report. Mrs. Weikel requested a full rezone to an R-1 zone with six lots; 4.7 acres surrounding her existing house and the rest would be divided off acre to acre. Staff advised her to request a development agreement because the R-1 zone could ultimately allow up to 10 lots and staff didn't feel that was commensurate with the area. She agreed to restrict it to six lots as shown on her conceptual plan with an average lot size of 1.7 acres. This is in an area designed to allow for future growth outside the impact area where it is possible that the city may want to expand their impact area that way. This property is in a nitrate priority area and it has best suited soil for agricultural use. The applicants will have to go through base flood requirements so that development meets flood plain standards with base flood elevation data. They must meet the requirements of Canyon Highway District or obtain a variance. The P&Z Commission wants it to remain as rural residential, but staff recommends approval subject to conditions. Additionally, staff conducted a site visit and found there are public nuisances on the site based on outside storage. As part of the platting process the applicants will work on abating the nuisance issue. Board discussion ensued regarding water issues as well as the abatement issues that need to be addressed. Nancy Weikel testified that they hope to sell a few acres to help pay off what they have and be able to manage their property. They need to store their hay and equipment and in order to do that they have been looking at large buildings but it's not feasible to do it right now so they want to sell off a few acres in order to manage what they have. They want to give a lot to their son and to their daughter, as well as some lots too. The developer to the south has one-acre lots and he said if the Weikels can get closer to one-acre lots he may be interested in them which is why they requested one-acre lots. Commissioner Van Beek had questions about how the property will be maintained and she wants a commitment that it won't become an abatement issue. Mrs. Weikel said that can be written

into the agreement. Mr. Lister said there is not a violation on the property, staff noticed during a site visit that there are some agricultural uses out there which wouldn't count as a nuisance, but there are abandoned cars and storage that needs to be fixed. It's not a large amount so it shouldn't be too difficult to abate prior to any platting approvals. Mrs. Weikel said they will remove some of the items which consist of construction materials and farming materials. Commissioner White had questions related to the requested number of lots. Robert Weikel testified that the cleanup can be done in a week. He owned a construction company for 40 years and has bunks of plywood and wood and a good bit of the material consists of farm implements. 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 Van Beek and the second by Commissioner White, the Board voted unanimously to approve the conditional rezone for Case No. RZ2019-0042 from "A" (Agricultural) to "R1" (Single Family) and to approve the FCOs as well as the ordinance and the development agreement. (See Ordinance No. 20-022 and Agreement No. 20-105.) The hearing concluded at 2:08 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION HEARING - AMALGAMATED SUGAR COMPANY

The Board of Commissioners, sitting as a Board of Equalization, met today at 3:00 p.m. with Assessor Stender regarding Amalgamated Sugar Co., LLC. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender and Deputy Clerk Monica Reeves. Assessor Stender said he asked for an extension from the Idaho State Tax Commission on the Board of Equalization deadline for eight specific parcels for Amalgamated Sugar Company. A copy of the order signed by Commissioner Tom Katsilometes from the Idaho State Commission is on file with this day's minute entry, and it states that Canyon County Board of Equalization is extended until July 30, 2020. The parcels owned by Amalgamated Sugar are very complex in nature. The Assessor has an outside party who calculates the value every year on an income approach and Greg Himes works on the cost approach, and normally they have the information they need before they send assessment notices, however, this year Amalgamated Sugar went through some restructuring and they are now totally farmer owned. The financial information took a little longer to receive and assessment notices were sent indicating a \$100 million increase from the prior year. The total value was \$344 million (company-wide in Idaho and Oregon). In between the time they received the information and now, they have more information which helped the Assessor reduce the value. Of the \$295,650,000, which is allocated to the Idaho properties, Canyon County's value to distribute is \$69,648,900, which is down from \$81 million. Discussion ensued. Assessor Stender recommended the Board uphold the value changes on four parcels. Commissioner Van Beek made a motion to accept the new assessed value which is down from \$81 million to \$69,648,900 on the following four parcels: 31032000 0, 30977000 0, 31296000 0, and 62222153. The motion was seconded by Commissioner White and carried unanimously. A copy of the 2020 protest valuation forms for each parcel is on file with this day's minute entry. The meeting concluded at 3:13 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2020 TERM
CALDWELL, IDAHO JULY 31, 2020

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

MEETING TO CONSIDER SIGNING THE FINAL PLAT FOR KNOPP SUBDIVISION

The Board met today at 10:00 a.m. to consider signing the final plat for Knopp Subdivision. Present were: Commissioner Pam White, Commissioner Leslie Van Beek participated by phone, DSD Planner Dan Lister, Jason Knopp and Deputy Clerk Jenen Ross. Mr. Lister provided a packet yesterday showing all the conditions have been met and all signatures for the plat have been obtained. He then answered questions regarding a letter received from the Boise Project Board of Control and the Road User's Maintenance agreement. Mr. Knopp addressed questions about easement requirements. Commissioner Van Beek made a motion to close the public testimony, Commissioner White clarified for the record this was not a public hearing and there was no testimony. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the final plat for Knopp Subdivision, case no. SD2019-0029. The meeting concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JULY 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 30th day of October, 2020.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Tom Dale
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK
By: J. Ross, Deputy Clerk

CALDWELL, IDAHO AUGUST 3, 2020

APPROVED CLAIMS ORDER NO. 8/10/20

MEETING WITH CLERK AND CONTROLLER TO REVIEW THE FY2021 BUDGET

Page 1 of 80

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 4, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CLAIMS ORDER NO. 8/10/20

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

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

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

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

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

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

The Board met today at 9:01 a.m. with county attorneys for legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 9:15 a.m., IT Director Greg Rast left at 9:15 a.m., Elections Supervisor Haley Hicks left at 9:15 a.m., Election Technician Kylie Marks left at 9:15 a.m., Deputy P.A. Mike Porter 9:18 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart left at 9:22 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The following people testified in support of the request:

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

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

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

The following people testified in opposition to the request:

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 5, 2020

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

APPROVED CATERING PERMIT

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED CLAIMS ORDER NO. 8/10/20

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

MEETING WITH CLERK AND CONTROLLER TO REVIEW FY2021 BUDGET

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

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

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

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 6, 2020

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

APPROVED CLAIMS ORDER NO. 8/6/20

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

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

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

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

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

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

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

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

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

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

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

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

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

MEETING WITH ELECTED OFFICIALS TO DISCUSS COVID-19 UPDATES

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

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

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

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

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

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

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

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

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

MEET WITH CLERK AND CONTROLLER REGARDING THE FY2021 BUDGET

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 7, 2020

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

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

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

CONSIDER AUGUST 7, 2020 AGENDA ITEMS

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 10, 2020

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

CONSIDER SIGNING AUGUST 10, 2020 AGENDA ITEMS

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 11, 2020

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

APPROVED LIQUOR CATERING PERMIT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 12, 2020

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

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CLAIMS ORDER NO. 8/25/20

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

APPROVED CLAIMS ORDER NO. 2023

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

CONSIDER INDIGENT DECISIONS

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 13, 2020

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

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

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

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

APPROVE EMPLOYEE STATUS CHANGE FORM

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 14, 2020

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

ABSENT: Commissioner Pam White, Chair

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

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

APPROVED LIQUOR CATERING PERMIT

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 17, 2020

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

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 8/25/20

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

APPROVED MAY 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

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

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

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

initially in 2019 when it began it was only extended to two people who are rated 100% service connected disability. This past year legislation expanded the program to people who are also paid at 100% and that's the group Ms. Bowman falls in to. Due to COVID, the filing deadline for this program was extended from April 15 to June 15, and had Ms. Bowman's application been received on time the Assessor would have estimated she would have received a state benefit of \$1,320 toward her taxes. They sent the application to the state but they weren't interested in considering a late application and that's what brought her here today. Treasurer Lloyd reported there are no taxes due at this time. Commissioner Van Beek said because there are no taxes due, and because we have a Veteran who served our country she is inclined to grant the amount that would have been granted by the state. Commissioner Dale is willing to apply grace to this situation and grant the exemption. It will be a hardship exemption. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to exempt \$1,320 of the 2020 taxes. The meeting concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

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

At 3:00 p.m. Commissioner Dale made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Caldwell Economic Development Director Steve Fultz, Deputy P.A. Brad Goodsell who participated via conference call, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:18 p.m. with no decision being called for in open session.

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 18, 2020

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

ABSENT: Commissioner Pam White, Chair

APPROVED CLAIMS ORDER NO. 8/25/20

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

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

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

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

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

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

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

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

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

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

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

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

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 19, 2020

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

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

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED CATERING PERMIT

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

APPROVED CATERING PERMIT

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 20, 2020

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

APPROVED CLAIMS ORDER NO. 8/21/20

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

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

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

One lien was presented for Board signature.

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

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, DSD Director Tricia Nilsson left at 9:16 a.m., Elections Supervisor Haley Hicks left at 9:08 a.m., Assistant Fleet Director Dawn Pence left at 9:13 a.m., Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom left at 9:13 a.m., HR Director Sue Baumgart left at 9:29 a.m., and Deputy Clerk Jenen Ross. Benefits & Training Coordinator Nicole Ahlstrom participated via Webex left at 9:29 a.m. The action items were considered as follows:

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

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

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

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

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

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

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

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

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

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

EMERGENCY ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

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

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

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

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

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

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

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

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

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

AUGUST 2020 TERM
CALDWELL, IDAHO AUGUST 21, 2020

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

APPROVE EMPLOYEE STATUS CHANGE FORM

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

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

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

MEET WITH HEIDI CALDWELL FROM WICAP

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 24, 2020

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

APPROVED CLAIMS ORDER NO. 9/10/20

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 25, 2020

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

APPROVED CLAIMS ORDER NO. 9/10/20

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

APPROVED CATERING PERMITS

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

MEETING REGARDING FY2021 BUDGET DISCUSSION

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

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

Commissioner Van Beek reviewed her tax relief proposals as follows:

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

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

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

AUGUST 2020 TERM
CALDWELL, IDAHO AUGUST 26, 2020

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

APPROVED CATERING PERMITS

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CLAIMS ORDER NO. 9/10/20

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

APPROVED CLAIMS ORDER NO. 2024

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

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

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

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

FY2021 BUDGET HEARING

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

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

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

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

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

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

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

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

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

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

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

Public comments were offered as follows:

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 27, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED CLAIMS ORDER NO. 9/10/20

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

MEETING TO CONSIDER INDIGENT DECISIONS

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-655

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-515

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-259

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-365

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

INDIGENT MATTERS

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

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

Commissioner Dale made a motion to issue a final approval on case no. 2020-391 with written decision in 30 days. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue case no. 2020-154 to November 19, 2020.

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

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

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

Commissioner Dale made a motion to go into Executive Session at 10:17 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding acquisition of an interest in real property, records exempt from public disclosure and attorney-client communication and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Facilities Director Paul Navarro left at 10:23 a.m., Assessor Brian Stender and Chief Deputy Assessor Joe Cox arrived at 10:24. The Executive Session concluded at 11:07 a.m. with no decision being called for in open session.

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

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

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

Conditions of Approval

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 28, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

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

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

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

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

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

AUGUST 2020 TERM

CALDWELL, IDAHO AUGUST 31, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CLAIMS ORDER NO. 9/10/20

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

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

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

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

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

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

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

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

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

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

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

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

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

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

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

THE MINUTES OF THE FISCAL TERM OF AUGUST 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 22nd day of December 2020.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Tom Dale
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: M. Reeves, Deputy Clerk

SEPTEMBER 2020 TERM
CALDWELL, IDAHO SEPTEMBER 1, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc. in the amount of \$3,000 for the Information Technology department

APPROVED CLAIMS ORDER NO. 566153 TO 566202

The Board of Commissioners approved payment of County claims in the amount of \$76,172.91 for accounts payable.

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

The Board met today at 8:30 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 and Deputy Clerk Jenen Ross. Director Navarro updated the Board on the following:

- The Parks office remodel is complete and they should be moving in this week. They anticipate the temporary office being sent back within the next week.
- The project to bring power to the gun range is in process. Idaho Power started placing poles and doing their overhead work yesterday. An Eagle Scout group will help lay fencing fabric the third week in September. They will also be coordinating with Landfill Director Loper to reshape some of the lanes.
- The fiber optic pull and fencing projects will begin soon at the fairground.
- The jail remodel is complete to the extent they are able to get done. ADS is working to get the door issues in Pod 6 resolved.

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 SIGNING A RESOLUTION GRANTING CTI-SSI FOOD SERVICES LLC A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE 63-602NN

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider signing a resolution granting CTI-SSI Food Services LLC a property tax exemption pursuant to Idaho Code 63-602NN. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender left at 9:16 a.m., Chief Deputy Assessor Joe Cox left at 9:16 a.m., Facilities Director Paul Navarro, Fair Director Diana Sinner, Deputy P.A. Brad Goodsell left at 9:16 a.m., Deputy P.A. Zach Wesley, DSD Planner Julianne Shaw left at 9:16 a.m., Gordon Bates with Golden Gate Highway District No. 3 left at 9:16 a.m. and Deputy Clerk Jenen Ross. Director Nilsson participated via Webex and left at 9:16 a.m.

This exception includes a condition to settle past disputes with CTI which were negotiated with the Assessor's Office. A letter was received from CTI accepting the terms and conditions of this exemption along with an email the letter was attached to. Additionally, a letter from the Golden Gate Highway District No. 3 was received. Mr. Cox said this will be a good project for the whole county and spoke about CTI's plan. Gordon Bates offered comment on behalf of Golden Gate Highway District No. 3 stating they are not opposing this exemption. Commissioner Dale made a motion to sign the resolution granting CTI-SSI Food Services LLC a property tax exemption pursuant to Idaho Code 63-602NN. The motion was seconded by Commissioner Van Beek. A vote was taken on the motion with Commissioners Dale and Van Beek voting in favor of the motion. Commissioner White is not in support of this exemption. The motion carried in a 2-to-1 split vote.

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 9:17 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 9:17 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. Zach Wesley, Fair Director Diana Sinner, 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.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER, RESOLUTION, ORDINANCE, AND DEVELOPMENT AGREEMENT REGARDING THE REQUEST BY KARCHER FARM, LLC AND SS KARCHER, LLC

The Board met today at 9:44 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order, a resolution, an ordinance and a development agreement regarding the request by Karcher Farm, LLC and SS Karcher, LLC, for a comprehensive plan map amendment and a conditional rezone, Case Nos. OR2018-0004 and CR2018-0002. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Todd Lakey, David Palfreyman, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida. Zach Wesley reviewed the draft documents with the Board noting how the findings and conclusions made their way from the Board's deliberation into written form, and how they dealt with all the other considerations, including the district court decision and the request for reconsideration, and the P&Z Commission's decision. As part of the review Mr. Wesley responded to questions from the Board. The Board will consider the written documents on September 9, 2020 at 10:00 a.m. The meeting concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL BY JOHN CARPENTER OF A CONDITIONED APPROVAL OF A HOME BUSINESS, CASE NO. AD2020-0029APL

The Board met today at 10:23 a.m. to conduct a public hearing in the matter of an appeal by John Carpenter of a conditioned approval of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Julianne Shaw, John Carpenter, Holly Reising, Emily Watson, Jeanie Hetrick, Brock Obendorf, Jim Jolly, Mark Munson, Aimee Barbieri, Kelsey Stutheit, and Deputy Clerk Monica Reeves. Julianne Shaw gave the oral staff report. The DSD Director conditionally approved an application for the provision to conduct a hot yoga studio within an existing residence at 27205 Wingsetter Lane in Parma. The request was processed as a home business improvement as it exceeded the allowed square footage to be classified as a home occupation permit. An appeal of the home business permit was submitted by John Carpenter. Staff has forwarded a recommendation of denial of the appeal with a modification to the conditions of approval for the yoga loft. Ms. Shaw reviewed the reasons for the appeal which include the following:

1. Access
2. Number of yoga sessions per day
3. Enforcement of conditions

She said each of the items have been reviewed and addressed in the staff report. The Director has amended the home business permit conditions of approval to more clearly address the requirements of the County code. Ms. Shaw reviewed the conditions of the Director's approval of

the home business (the yoga loft) as contained in the staff report. Ms. Shaw and Director responded to questions from the Board following staff's report. John Carpenter testified in support of his appeal. He built a home on the property in 1999 and it was served by a gravel road until 2008 at which time they paved it. The basis for his initial complaint was simply that he was unaware of the home business until he saw a sign on his parents' property advertising a yoga studio. There have been strangers looking at the sign and traffic on the lane at 5 a.m. and later in the day. Important points to him include: 1) the project has to comply with state and county laws and that would be the width of the driveway, 2) have basic operations, 3) one customer vehicle per yoga class, 4) the hours of operation are between 8-5, M-F. He wants them to be clear on the hours, the hours were on the weekend too. He said the road has not been talked about and part of the problem is traffic on a one-lane road. He and Jim Jolly spent a lot of time trying to work this out. He hasn't complained about the people driving by since May because he doesn't want to call code enforcement, he'd rather have something that works for everyone and harmony in the neighborhood. He wants the road to be a width that is useable by all parties. County requirements call for 20 feet, but the fire department said it has to be 26 feet with some pullouts. Why don't we disconnect the driveways and put a driveway on the west boundary on his property and then take it over. Jim and Holly were on board with that and they talked about sharing the cost, but the estimated cost of \$40,000-\$60,000 was too much for them so Mr. Carpenter ended up filing an appeal. Holly Reising testified that her intention for opening a business was to keep it small, modest, and community-related. She guides 12 students up to times a week, and she has no plans to expand her studio business. She capped her class and has done carpooling to limit traffic on the property. The studio is an 18 x 20 room above the garage. She put a flag and flyers at the end of her driveway in November and she regrets that. She is really proud of what she has and she'd hate to see it go. She has an online scheduling system that is powered through an application program (Vigaro.com) which is public and it shows that her hours have been consistent since May with the hours being M-F, 8-5. She abides by the conditions that were imposed. There are no random hours, they are the same every week. When she was approached by the County she wanted to do the right thing. Commissioner Dale said Ms. Reising is only using 11% of her home for her yoga studio which is not anywhere near 25%, and if the ordinance allows up to 25% of the home to be used for home occupation without having to get a permit then why are we here? You don't need a permit and all of this is unnecessary. Ms. Shaw said as a new planner she just accepted it. She looked at the home occupation and reviewed the code and didn't catch that nuance so it's her fault. Commissioner Dale said this is a home occupation, not a home business and it doesn't matter how many houses are on the driveway or how wide it is. If this is a home occupation by definition then they don't need a permit and we need to end this hearing. Director Nilsson said staff felt it was home occupation and they thought it might be a bit beyond the keeping of the residential character. Most home occupations don't have more than one person coming at a time and staff felt that with classes it would be beyond the residential character. She is happy to look at the option Commissioner Dale suggested, knowing more about what this is. She was glad to hear Mr. Carpenter say he thought the conditions were appropriate but the real issue today is the private road, and it's between the parties to resolve. Commissioner Dale said this is not a situation that required a conditioned approval and if doesn't require a conditioned approval then all of these conditions are irrelevant. Director Nilsson said it would be good to hear testimony and rebuttal but then continue this hearing to a later date so staff can consult with the

Prosecutor's Office. The following people testified in support of Ms. Reising's yoga class: Emily Watson, Jeanie Hetrick, Brock Obendorf, Jim Jolly, and Mark Munson. John Carpenter offered rebuttal testimony. To Commissioner Dale's point he said there is a laundry list of things that have to do with home occupation and home business. You have to consider whether this has a negative impact on the neighbors. He is pursuing the appeal because he wants certain conditions to be met. If they kept to the hours discussed today and they had an adequate lane he would have no issue with it. He wants to see the home business stick because the conditions are good, and the driveway needs to be taken care of in one manner or the other. He said the County is at fault and if they had told his dad that he had to widen all of Wingsetter Lane they would have flipped the house and fronted it off of French Lane which has a lot of frontage. He said if the County had been clear with Jim Jolly and Holly Reising from the get-go we would have saved a lot of time on this issue. He wants clarity on this issue and he doesn't want to spend more time talking about it. Mr. Carpenter said if they abide by the conditions and the driveway is widened to 20 feet he will be happy. He does not want a liability issue and he doesn't want to take care of it himself down the road. He will help pay for the drive to be relocated and to widen it to 20 feet, as long as this issue can be put to rest. Commissioner Van Beek asked why this wasn't addressed according to code at the time the houses were built so that the road was standard. Director Nilsson said at the time of the conditional rezone a few years ago there was an easement reduction on the west side of the property and she's puzzled about why that was sought if that third house was already intended to take access of Wingsetter Lane because it would have been the third house that triggered the private road requirements. She will do some research and see what conditions were applied on the building permit. Commissioner Van Beek asked where was the oversight in the presentation of this that brought it to the Board. Director Nilsson said it was an appeal of an administrative decision and those appeals come to the Board. She will do more research to learn why staff decided to call it a home business, but she believes it's because they felt it was a little more intense than a typical home occupation, but she will look at the ordinance standards. 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 White and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to September 22, 2020 at 3:00 p.m. so Director Nilsson can do some research and speak with Deputy PA Zach Wesley about the issue raised by Commissioner Dale regarding the necessity for having this hearing. The hearing concluded at 11:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS INDIGENT BURIALS AND CREMATIONS

The Board met today at 1:30 p.m. to discuss indigent burials and cremations. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, Controller Zach Wagoner, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. Commissioner Van Beek spoke about a phone call she received from John Van Manen expressing his frustration with costs associated with unclaimed cadavers. She has spoken with Director Baker who explained there had been some conversations about revising the process hoping to eliminate some of issues

that have happened in the past. Mr. Goodsell provided a background on the process, he said it is not a new issue and it's not an issue that's been ignored. About 3 years ago, the Coroner, Treasurer and medical indigency met to figure out a protocol to get everyone on the same page. At the time the former Coroner had money in the budget to pay for burials so sometimes that office paid for them or sometimes medical indigency paid for them but there wasn't a lot of coordination. Out of these meetings a flow chart was developed, letters were sent to funeral homes indicating the plan of the county and asking for input; once that input was received a second letter was sent out letting everyone know of the county's plan. The letter also asked that if the funeral home wanted to be added to the rotation list they fill out an included application so that they understood what the law was and that they had reasonable expectations when a body is picked up. Once Coroner Crawford took office she thought it would be a good idea to send the six funeral homes that do business in the county another letter reinforcing what had been sent out prior making sure everyone was aware of the law regarding what the county pays and obligation of the Coroner. Based on a question from Commissioner Van Beek, Mr. Goodsell explained that the funeral homes have incentive to pick up cadavers because most of the time they will receive payment from the family. In the case of an unclaimed cadaver, they will often receive payment from either the county thru medical indigency or they may get paid thru the estate. There is always the risk that they may not receive payment but that is the balance to being on the rotation and receiving payment for other cadavers that are claimed. Commissioner Van Beek said that Mr. Van Manen's email indicated that they pick up 20-30 indigent bodies each year. Ms. Baker said she would like some additional clarification regarding that number as she doesn't know what he means when he says 20-30 indigent cases. She can say how many applications her department receives and specifically how many from Nampa Funeral Home. In a fiscal year they normally do not even receive 30 applications total. For fiscal year 2020, to date, her department has received 22 applications for all area funeral homes. Of those 22 cases 10 have been approved, 11 have been denied and of those denials 7 of those have been over-asset. Treasurer Lloyd believes that last year she had one public administrator case that was unclaimed. There seems to be some confusion by the funeral homes which is why they have to agree that they understand what the law is to be put on the rotation list, the law says 'If there is not sufficient property belonging to the estate to pay the necessary expenses of burial or cremation the expenses are a legal charge against the county', that is the only time it's a legal charge against the county. Additionally, in regard to the case that has brought this issue forward, there seems to have been some miscommunication or misunderstanding between the county and Mr. Van Manen. Mr. Van Manen believed the case was referred to his funeral home and that it was going to public administration but this was inaccurate. There was the opportunity to file an application to indigent services but that was never done.

Commissioner Van Beek asked Ms. Baker about the Ada County process. Ms. Baker said that she does like the process used by Ada County but isn't sure it would work in Canyon County. One of the things they do in Ada County is that the local funeral homes will not accept a deceased body until they know exactly where they will be paid from which puts the burden on the Coroner to do an investigation. It will then be sent to either the Treasurer's Office for public administration or to

the indigent services office if there are not assets identified. They probably also have a much larger staff and more ability to store deceased persons. Mr. Goodsell added that the Ada County process is different although he doesn't know that it's necessarily better. It does require a lot more resources and may be easier on indigent services as they'd have more information to act on. Mr. Goodsell feels Canyon County has a pretty good process based on the resources that the Board has allocated.

At the request of Commissioner Van Beek, Treasurer Lloyd spoke about how the public administration process works. Mr. Goodsell said there are not very many instances where the Treasurer needs to be involved, it's usually two circumstances: 1) there are assets that need to be safeguarded or 2) when there is property that can only be distributed thru a probate hearing. Ms. Baker spoke about the frustration her department hears from the funeral homes, the responsibility of the indigence office is to identify the resources, not determine how to obtain the resources. The funeral homes are looking to the indigence department for help in getting those resources. Ms. Baker feels it would be helpful for the funeral homes to understand what their options are, that they do take a risk when they are in the rotation. They don't like taking that risk, they want to know where that payment is coming from – either the family or they feel the county should pay. Commissioner Dale pointed out that when they sign the commitment letter with the county to be on the rotation they are accepting the risk. Mr. Goodsell said there are only a couple areas where the Board can do anything – the Board can't change the law as to when indigence pays, however, it can change the way county looks at medical indigency, or if no one signs up to be on the rotation the county can change how much they pay for a burial, to incentivize people to join the list.

Commissioner Dale suggested creating some educational materials that can be provided to the funeral homes in the hope of eliminating some of their confusion. Mr. Goodsell doesn't want to put the county in a position of giving them legal advice as what their rights are as creditors. Commissioner Dale asked if it was good or a bad idea to have a meeting with the funeral homes to get their input. Mr. Goodsell feels that it should be resolved with those who've agreed and signed the letter with the Coroner's Office as it's been clearly outlined in the letter and commitment. The meeting concluded at 2:33 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS AND CONSIDER APPROVING FINALIZED ASSISTANT FLEET DIRECTOR JOB DESCRIPTION

The Board met today at 2:35 p.m. to discuss and consider approving the finalized assistant fleet director job description. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Fleet Director Mark Tolman, Fleet Administrator Dawn Pence, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Director Tolman is doing some

restructuring within the department to help with chain of command and to allow them to have a succession plan and an emergency succession plan. The Board previously met on this issue and requested it be reviewed by HR to make sure it met all qualifications. Director Baumgart said she reviewed the job descriptions and made a few edits. Commissioner White said she was told the employee is already doing the tasks but not getting paid for it which she finds concerning. Additionally, she wants the assurance we are not creating a gap in the compensation plan with this action. Zach Wagoner said the plan is position-driven and we need to ensure that positions that have similar levels of responsibility and qualifications need to be paid a similar wage. We also need to be careful not to create a position for a specific person. Commissioner Van Beek asked how frequently job descriptions are reviewed because she wants to make sure they are kept up-to-date. She also requested a copy of the compensation plan. Controller Wagoner said the 2021 compensation plan is in the 2021 budget, but the 2021 salaries have not been formally approved by the Board yet. Commissioner Van Beek wants the rubric for plan, she wants to see the years in place versus the steps to get there, and the first five-year percentages that are weighted for that. She said it's important the Board needs to understand that step plan and rubric. She supports the change in job description being considered today. Commissioner White asked if the new description will create a vacancy in the fleet department. Director Tolman said he is adding the position in place of the existing PCN and it will complete the department's structure. Commissioner White wants to see how Director Tolman envisions the rest of his employees moving into the future. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to adopt the change of job title and job description of the senior administration fleet and fuel analyst to an assistant fleet director with the appropriate salary attached. (Resolution No. 20-144.) The meeting concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 2, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks 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 Zach Barrier, juvenile detention assistance supervisor.

APPROVED CLAIMS ORDER NO. 566292 TO 566292

The Board of Commissioners approved payment of County claims in the amount of \$142,500.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 566296 TO 566301

The Board of Commissioners approved payment of County claims in the amount of \$224.70 for accounts payable.

APPROVED CLAIMS ORDER NO. 566275 TO 566291

The Board of Commissioners approved payment of County claims in the amount of \$11,310.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 566254 AND 566295

The Board of Commissioners approved payment of County claims in the amount of \$1,753.96 for accounts payable.

APPROVED CLAIMS ORDER NO. 566293 TO 566293

The Board of Commissioners approved payment of County claims in the amount of \$1,197.65 for accounts payable.

APPROVED CLAIMS ORDER NO. 566203 TO 566253

The Board of Commissioners approved payment of County claims in the amount of \$62,027.13 for accounts payable.

APPROVED CLAIMS ORDER NO. 566255 TO 566274

The Board of Commissioners approved payment of County claims in the amount of \$6,102.08 for accounts payable.

CANVASS ELECTION

The Board canvassed the August 25, 2020 Election results today which are on file with this day's minute entry.

PUBLIC HEARING – REQUEST FOR BY BRODIE GRAHAM AND REINIE TAGLIAPIETRA FOR A PLAT VACATION, CASE NO. VAC2019-0001

The Board met today at 10:02 a.m. to consider a request by Brodie Graham and Reinie Tagliapietra for a plat vacation that affects approximately 3.2 acres of Lot 2, Block 1, of Deersky Ranch Subdivision (Parcel R30194101). Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Kate Dahl, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and Reinie Tagliapietra and Brodie Graham. Dan Lister gave the oral staff report. The request is for a plat vacation, a property boundary adjustment between a platted and an un-platted parcel. Mr. Graham is working with Mr. Tagliapietra to

acquire 3.2 acres from the platted parcel which is in Deer Sky Ranch Subdivision and to move it onto his un-platted parcel. Staff found the request to be consistent with County code and state law and is recommending approval of the request. Certification is required for the County Treasurer certifying that all taxes have been paid for the portion of parcel that is being un-platted, and a record of survey must be recorded. Once the conditions have been met a resolution will be presented for the Board's review at a later date. Brodie Graham testified that Reinie Taglapietra has agreed to sell the portion of property to him so it can be used as a horse riding arena for his daughters. Mr. Taglapietra concurred with Mr. Graham's comments. 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 and to sign the findings of fact, conclusions of law and order for Case No. VAC2019-0001. A resolution will come back before the Board at a later date. The hearing concluded at 10:19 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:20 a.m. with the Development Services 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, DSD Planner Kate Dahl, and Deputy Clerk Monica Reeves. Topics of discussion included the following:

- Budget and personnel update

The department has seen an increase in publication costs with land use hearings being separated out and Director Nilsson is seeking Board direction on whether to add that cost to the application fee. She will come back with a more specific proposal. Commissioner Dale said he foresees the County offering a Webex alternative into the future and planning that to be a permanent part of our hearing process. A fee adjustment seems appropriate.

- P&Z Commission recruitment and joint meeting, and review of 2019 decisions

The Board wants to schedule interviews of the three candidates who have submitted applications. Director Nilsson recently provided the Board and the P&Z Commission with a summary of the cases presented to both bodies and the resulting recommendations and decisions. Want to package up the BOCC staff report for the five cases where the decisions differed from P&Z recommendation. To better understand what cases we are seeing and why... It is important to have joint meetings, it should be an annual meeting between the Board and the P&Z Commission. Will meet in the administration building public meeting room.

- Parma Rural Planning Assistance requested services

Kate Dahl updated the Board on her efforts in working with the City of Parma on the comprehensive plan, and development issues. She will send the Board a scope of work

including the estimated number of hours, which is way below what a fulltime employee/consultant would cost. A formal contract for the services will be forthcoming. Kate has as start date of October 1st.

- Proposed ordinance amendments:
 - a. Hillside requirements
 - b. Private roads
 - c. Winery standards
 - d. Produce stand standards
- Farmland Investment
- Commissioner Van Beek asked questions regarding noticing for public hearings, and the potential for preserving the Map Rock area due to its historical significance. Director Nilsson said staff is working to include language about in-person testimony, and she will do some research on the Map Rock issue.

The meeting concluded at 11:10 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 3, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- WASP Barcode Technologies in the amount of \$3,990.00 for the Information Technology department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Slicks Bar to be used 10/17/20 for a sunset flower picking event.

APPROVED CLAIMS ORDER NO. 566294 TO 566294

The Board of Commissioners approved payment of County claims in the amount of \$3,620.00 for accounts payable (Fair petty cash).

INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions and matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0975, 2020-0976, 2020-0911, 2020-1076, 2020-1054, 2020-0974 and 2020-0972 and 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.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue continuances as follows due to the September 24, 2020 hearing date being vacated: Case no. 2020-821 continued to October 8, 2020 and case nos. 2019-1185, 2019-1183 and 2020-879 continued to October 22, 2020.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:00 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, Fair Director Diana Sinner left at 9:27 a.m., Deputy P.A. Mike Porter left at 9:22 a.m., Deputy P.A. Zach Wesley, Chief Deputy Sheriff Marv Dashiell left at 9:22 a.m., Sgt. Kelley Anderson left at 9:02 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Idaho Department of Parks and Recreation Boating Safety Grant Request for reimbursement/close out report: Sgt. Anderson explained this is a recurring grant that is applied for each year. It is a matching grant of \$20,568 for a total of \$41,136.00. The grant itself has already

been signed, this is just the request for reimbursement. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Idaho Department of Parks and Recreation Boating Safety Grant request for reimbursement/close out report. A copy of the request/report is on file with this day's minutes.

Consider signing Amendment No. 1 to agreement for Inmate Health Care Services with VitalCore Health Strategies, LLC: Chief Dashiell explained that prices have risen a bit since the original contract was signed last year. The increase is due to supplies and lab costs as well as a bookkeeping matter on the dental side of things. They have done an evaluation of the personnel in the juvenile detention center and the jail. One position wasn't being utilized in the juvenile detention center but was being used in the jail so an adjustment was made to accommodate that change. The increase this year is \$110K which is about what was expected. Adjustments have been made to both the juvenile detention center and CCSO budget lines. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign amendment no. 1 to agreement for inmate health care services with VitalCore Health Strategies, LLC (see agreement no. 20-119).

Consider signing Project Funding Implementation Agreement with Urban Renewal Agency from the City of Caldwell: Mr. Wesley said this was signed last week but it was determined that the attached budget was an old budget so this is the revised version with the updated budget number. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the project funding implementation agreement with the Urban Renewal Agency from the City of Caldwell (see agreement no. 20-118).

Consider recommendation from selection committee of qualification statements submitted for Fair Expo Building Project Request for Qualifications: Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to move this action item to September 8, 2020

Mr. Wesley spoke about an email exchange regarding the need to update the legal notice that is published for the Commissioners' land use hearings. There needs to be some additional language to clarify that the meeting room is open. Language will be added noting that the county will be following the guidance of the health district so in-person seating capacity will be limited to 17 guests, include information about participation via Webex and that written comment is accepted. Commissioner Dale asked if this same language will be used for P&Z meetings, Mr. Wesley said his understanding is that P&Z use the meeting room in the administration building but that it has not been open to the public yet and they are continuing to do things via Webex. The Board is supportive of the revisions to the notice.

The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY BURKE & KATHY DEAL FOR A REZONE AND SHORT PLAT FOR KALOS PLACE SUBDIVISION; CASE NOS. RZ2020-0003 & SD2020-0004

The Board met today at 10:01 a.m. to consider a request by Burke and Kathy Deal for a rezone and short plat for Kalos Place Subdivision, Case Nos. RZ2020-0003 and SD2020-0004. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Katie Deal, and Burke Deal. DSD Director Tricia Nilsson arrived at 10:14 a.m. Dan Lister gave the oral staff report. The request is to rezone a three-acre parcel to R-1 to divide the property into two lots for the Kalos Place Subdivision located on Quartz Lane. It is an un-platted subdivision located between two other subdivisions. The applicants obtained a conditional use permit in 2007 but it expired and now the process has changed and a rezone is required to plat the property. Both the P&Z Commission and staff recommended approval of the requests. The applicant has agreed to adhere to conditions imposed on the project. Following his report, Mr. Lister responded to questions from the Board. Katie Deal testified in support of the requests. We have a road and water users' agreements and the CC&R's have been recorded. Mr. Lister said there are still a couple of conditions that need to be met so the final plat signing will be considered at a later date. 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 rezone for Case No. RZ2020-0003 and amend the ordinance and sign the findings of fact, conclusions of law, and order for Case No. SD2020-0004. (Ordinance No. 20-028). The hearing concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 4, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office –approved claims from home
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – Out of the office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 566302 TO 566302

The Board of Commissioners approved payment of County claims in the amount of \$9,747.98 for accounts payable.

No meeting were held this day.

SEPTEMBER 2020 TERM
CALDWELL, IDAHO SEPTEMBER 8, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Positive Promotions in the amount of \$68,068.00 for the Emergency Management department
- Signature Structures, LLC in the amount of \$8,500.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 566337 TO 566338

The Board of Commissioners approved payment of County claims in the amount of \$598.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 566105 TO 566152

The Board of Commissioners approved payment of County claims in the amount of \$276,375.17 for accounts payable.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for July 2020 in today's minutes.

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 Tom Dale and Leslie Van Beek, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following:

- The Weed and Pest fiber optic project is continuing to move forward; once fiber optic is in place they'll be able to install cameras.
- They are working with the Parks department for a "technology overhaul". Cameras are being installed at several Parks' locations and an audio/video system at Celebration Park classroom areas.

- An email was sent to the Board along with Department Administrators regarding password change recommendations.
- The impact fee collection system went live in DSD on August 1st. So far it is working well with only a few minor adjustments necessary.
- They are continuing with asset tagging. Several areas are already complete and they continue to work with departments to get everything tagged.
- Director Rast is working with both the City of Caldwell and the City of Nampa regarding their fiber optic connectivity back to the county.
- Discussion ensued regarding a letter received from ICRMP, cybersecurity and ransomware.
- 10 projects have been closed out recently and he will plan another time to review those with the Board.

The meeting concluded at 8:56 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 Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell left at 9:34 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley left at 9:38 a.m., Director of Court Operations Denise Kennel left at 9:16 a.m., Court Operations Manager Jess Urresti left at 9:16 a.m., Landfill Director David Loper left at 9:34 a.m., Chief Juvenile Probation Officer Elda Catalano left at 9:38 a.m., David Ivers and Harold Patchett arrived at 9:18 a.m. and left at 9:41 a.m. and Deputy Clerk Jenen Ross. Weed and Pest Director AJ Mondor and Rachel Spacek with the Idaho Press participated via Webex.

Consider extending the COVID-19 emergency declaration: This declaration extension makes it possible for the county to access federal monies related to COVID-19 expenditures. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the extension of the COVID-19 emergency declaration.

Consider recommendation from selection committee of qualification statements submitted for Fair Expo Building Project Request for Qualifications: Directors Navarro and Sinner, with the help of Paradigm Consultants, met with a committee to review and evaluate the submissions. There are four of the eight companies they'd like to move forward to the IFP (Invitation for Bids) stage. Two of the contractors did not have much local experience or didn't have similar working projects, two others have some work experience but not as much as some of the others and there were some issues with the references that impacted their scores. Four companies did not lose any points in the evaluation process and are the four the committee would like to move forward. A letter will be sent to each of these companies letting them know which companies qualified during the RFQ stage, there will then be an objection period and after that they will start the IFB process with an

offer extended to the four qualified companies to do a low-cost bid on the project. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board accepted the recommendation from the selection committee.

Consider signing independent contractor agreement for interpreter services with Eliza Laumatia and Mike Smith dba Eversmith Inc.: Mr. Blocksom and spoke briefly about the 48-hour notice clause at the request of Commissioner Van Beek. Ms. Kennel said the budget for this service has been greatly reduced partially due to COVID but also because of better planning and scheduling of interpreters. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreements for interpreter services with Eliza Laumatia (see agreement no. 20-121) and Mike Smith dba Eversmith, Inc. (see agreement no. 20-122) It was noted for the record that two of the names read into the record were not properly agendized so they will need to be added to the agenda at a later date.

Consider signing assignment and assumption of ground lease and consent and release: Mr. Goodsell gave a background of this situation. There is a radio tower located on county property currently owned by Radio Paging Service. A while back there was an issue with the power supply and Radio Paging Service entered into an agreement with SpeedyQuick in order to repair the line and allow SpeedyQuick to take over the tower, however, they also need the county to sign the agreement. The action today will allow the operation and management of the tower to change from Radio Paging Service to SpeedyQuick. In review of the contract it was discovered that Radio Paging Service had gotten behind on lease payments to the county but they have since gotten caught up and Director Loper has worked with the Auditor's office to get a process in place to avoid this in the future. Commissioner Van Beek made a motion to sign the assignment and assumption of ground lease and consent and release. The motion was seconded by Commissioner Dale and carried unanimously (See agreement no. 20-120).

Consider signing memorandum of agreement to support the Community Based Alternative Services and The Substance Use Disorder Services programs: Mr. Wesley said this is to facilitate funding of community-based drug treatment. The county has received this funding for 11 years and there are no significant changes to the agreement this year. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the memorandum of agreement to support the Community Based Alternative Services and The Substance Use Disorder Services programs (see agreement no. 20-128).

Consider signing ratification for jail housing billing agreement with Ada County: This is the standard annual agreement for jail housing. There are no changes from previous contracts and the current daily rate is \$80/day. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the ratification for jail housing billing agreement with Ada County (see agreement no. 20-123).

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

Note for the record: As properly noticed the Board met today at 9:00 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 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure 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 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. Dan Blocksom, Weed and Pest Director AJ Mondor and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:03 a.m. with no decision being called for in open session.

Consider signing release of liability for work performed for Union Pacific Railroad Company: This is for weed spraying on the right-of-way for the Union Pacific Railroad Company. There is still some information necessary in this contract as far as the exact location and timeframe which needs to be added to the 'described as' section at which time the Board will sign the release. Commissioner Van Beek made a motion to approve the release of liability for work performed for Union Pacific Railroad Company with information following from legal and Director Mondor on location and scope of work. The motion was seconded by Commissioner Dale and carried unanimously. A copy of the release is on file with this day's minutes.

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

PUBLIC HEARING REGARDING INTENT TO DONATE SURPLUS PROPERTY TO THE ADAMS COUNTY SHERIFF'S OFFICE

The Board met today at 10:32 a.m. for a public hearing regarding intent to donate surplus property to the Adams County Sheriff's Office. Present were: Commissioners Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Sheriff Donahue provided background information on this request and spoke about the good working relationship with Adams County. Director Tolman said a 2013 Interceptor vehicle will be donated. There really isn't much of a loss to Canyon County as the vehicle isn't worth a whole lot; most of the equipment will remain with the vehicle as it won't fit the restyling of the new Interceptor vehicles. No one appeared to offer comment nor were any written comments received. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to close public comment. Mr. Blocksom said that the resolution that was signed on August 20, 2020 would become effective after today's hearing and all that is needed today is to finalize the action. Commissioner Van Beek made a motion to finalize the action of the intent to donate this vehicle

to Adams County. The motion was seconded by Commissioner Dale and carried unanimously. See resolution no. 20-139. The meeting concluded at 10:39 a.m. An audio recording is on file in the Commissioners' Office.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 11:00 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed this week's schedule with staff. Commissioner Van Beek addressed issues she wants to discuss with the HR Director including: an update to the personnel manual; make sure job descriptions are up-to-date; how is the oversight of HR going in terms of what their onsite and offsite presence is going. There was discussion about using a temp-to-hire service to fill the vacant front desk position in the Commissioners' Office. Staff will contact HR about assisting with the use of a temp service. The Board reviewed generic letters that will be sent to the agencies who requested funding for FY2021. Commissioner Van Beek wants to make sure the facilities staff is able to complete the small remodel project in the Commissioners' front office area before the end of the year. The meeting concluded at 11:16 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 9, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Best Buy in the amount of \$5,505.63 for the Information Technology department

APPROVED CLAIMS ORDER NO. 566303 TO 566336

The Board of Commissioners approved payment of County claims in the amount of \$44,035.16 for accounts payable.

APPROVED CLAIMS ORDER NO. 566342 TO 566378

The Board of Commissioners approved payment of County claims in the amount of \$79,092.46 for accounts payable.

APPROVED CLAIMS ORDER NO. 2025

The Board of Commissioners approved payment of County claims in the amount of \$1,616,584.00 for a County payroll.

MEETING TO CONSIDER ACTION ITEMS RELATED TO THE REQUEST BY KARCHER FARMS, LLC AND SS KARCHER, LLC

The Board met today at 10:01 a.m. to consider action items related to the request by Karcher Farms, LLC and SS Karcher, LLC. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Attorney Todd Lakey, other interested parties and Deputy Clerk Jenen Ross. Rachel Spacek with the IPT participated via Webex.

Mr. Wesley said there are a couple items to be considered by the Board this morning, they are as follows:

Comprehensive plan map amendment OR2018-0004 which includes exhibits 102, a 2019 letter for Marrow & Fischer Attorneys at Law and exhibit 103 which is a map and legal descriptions of the parcels showing residential and commercial parcels. And, Conditional Rezone CR2018-0002 which includes the development agreement as an exhibit. At the conclusion of this meeting the development agreement will be given to Development Services staff to collect signatures and then it will come back before the Board for signatures.

These documents are in substantial substance the same documents that were discussed on September 1, 2020. Mr. Wesley brought a couple changes to the Board's attention: 1) there was a parcel split while these proceedings were pending – parcel R32917011 was the original parcel but a part of that parcel was split off and sold, the sold parcel is now known as parcel R32917011A which is referenced throughout the document. After action today, that parcel will be entirely commercial and C-2 zoned in the rezone. In exhibit OR2018-0004, page 7, 10A, they've added a couple of policy considerations from the comprehensive plan map, specifically noting Economic Development Policy No. 1 and Land Use Goal No. 1 and Land Use Policy Residential No. 2. In the previous meeting there was discussion regarding the storage units, whether they pre-dated the comprehensive plan map and which is addressed in Section D. The storage units were zoned commercial before the comprehensive plan map was adopted, but they were not constructed until 2018.

Commissioner Van Beek spoke about the reasons she was able to find support for this decision when she originally did not.

Mr. Wesley said the documents reflect the deliberation that was previously had by the Board on August 5, 2020 and are in substantially the same form as the draft documents that were presented on September 1, 2020.

Commissioner Dale made a motion authorizing the Board to sign the findings of fact and conclusions of law and order regarding case no. OR2018-0004. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Dale made a motion to authorize the Board to approve and sign the findings of fact and conclusions of law and order for case no. CR2018-0002. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Wesley said that Ms. Almeida will need to finalize their documents, including the development agreement, and collect signatures and then it will be brought back to the Board.

The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:02 a.m. with the Director of Human Resources 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, Deputy P.A. Mike Porter left at 11:15 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing amendment no. 1 to employer service agreement with JobScore Inc.: Mr. Porter said this is an update to the contract that was entered into a year and a half ago as a recruitment tool. There is a 3% increase to the contract this year. Ms. Baumgart said it is going well and spoke about some of the new features JobScore offers and the improvements that have been made. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign amendment no. 1 to the employer service agreement with JobScore Inc. (see agreement no. 20-124).

Director Baumgart updated the Board on the following:

- Blue Cross is offering a 90-day extension for 90-day prescription refills and asked for assertion from HR if the county would like to participate. The Board is in favor of this, no formal Board action is necessary and Ms. Baumgart can handle this as the administrator.
- Delta Dental is not going to ask for a rate increase, since there is no increase it will just be an auto-renewal and will not be brought to the Board.

- Director Baumgart indicated that she has responses to Commissioner Van Beek's email from yesterday regarding the personnel manual, update on their work-log, what their employees are doing, employee positions/titles, the compensation plan meeting and the Directors understanding of that. Conversation ensued regarding the compensation plan and designed use of the equity program. Commissioner Van Beek is concerned that there has not be adequate time to review the compensation plan and equity pay.
- The personnel manual is complete on HR side and is with legal for review. Mr. Wesley said he will talk with Mr. Porter and Mr. Laugheed as to where that's at in the process.
- Director Baumgart said her office workload is pretty heavy right now. There are a lot of COVID related leave requests coming in so they are working closely with elected officials, directors and supervisors on intermittent leave. Her office in particular is working on a rotating in-office/remote schedule but everyone is working and she checks in with her staff daily.
- They are trying to schedule flu shots with the health screenings this year in order for them to be done by appointment.

The meeting concluded at 11:53 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING THE TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR AUGUST 2020

The Board met today at 11:53 a.m. to consider signing the Treasurer's tax charge adjustments by PIN for August 2020. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. There was question about the adjustment to the Church of God account, Commissioner Van Beek was able to contact Jennifer Mercado in the Treasurer's Office via email who indicated that the Board approved the cancellation of the taxes on August 7th. 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 August 2020. The meeting concluded at 12:02 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 10, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Motorola Solutions in the amount of \$10,547.54 for the Trial Court Administrator
- Smart Deploy in the amount of \$1,382.40 for the Information Technology department
- ZoHo – Manage Engine in the amount of \$16,612.00 for the Information Technology department
- Carolina Software in the amount of \$18,831.05 for the Solid Waste department

APPROVED CLAIMS ORDER NO. 566379 TO 566394

The Board of Commissioners approved payment of County claims in the amount of \$32,280.74 for accounts payable.

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, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

Commissioner Dale made a motion to issue a final approval on case no. 2019-0050. The motion was seconded by Commissioner Van Beek and carried unanimously.

Case no. 2019-1302 does not meet the eligibility criteria for county assistance. Commissioner Van Beek made a motion to issue a final denial with written decision 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 initial denials with written decisions within 30 days on case nos. 2020-0995 and 2020-0921.

Liens and lien releases were presented to the Board for signatures.

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 8:54 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue a final approval with written decision within 30 days for case no. 2020-596.

Case nos. 2020-700 and 2020-804 have been withdrawn by the hospital and upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to uphold the initial determinations of denials on the cases.

The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:02 a.m. to consider an indigent matter. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross. Director Baker spoke about case no. 2019-1099 explaining to the Board that the applicant is on the verge of bankruptcy and in an effort to avoid that has offered a settlement payment of \$955.53 which is 10% of the outstanding amount owed of \$9555.26. The total amount paid out was \$9580.26 with one payment of \$25 being made so far. Commissioner Dale would like to see a few more payments made before forgiveness is offered. Commissioner Van Beek wondered the timeframe the Board has to make a decision which Ms. Baker said she would inquire about. Further discussion ensued about how a county lien may or may not be affected by a bankruptcy and other repercussions. Ms. Baker said that the monthly payment could be reduced if necessary. She will collect some additional information to present to the Board at a later time. The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-326

The Board met today at 9:16 a.m. to conduct a medical indigency hearing for case no. 2020-326. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Attorney Bryan Nichols for St. Alphonsus, Applicant, spouse and daughter, Interpreter Delia Gonzalez 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 10:04 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-630

The Board met today at 10:08 a.m. to conduct a medical indigency hearing for case no. 2020-630. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan

Blocksom, Deputy P.A. Tyler Powers, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Attorney Bryan Nichols 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 continue the case to November 5, 2020. The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2020-392 AND 2020-662

The Board met today at 10:30 a.m. to conduct a medical indigency hearing for case nos. 2020-392 and 2020-662. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, 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 issue denials on case nos. 2020-392 and 2020-662. The hearing concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:41 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Tyler Powers, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Commissioner Dale made a motion to continue case nos. 2020-638 and 2020-365 to November 5, 2020 and case no. 2020-9 to December 17, 2020. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:42 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 10:50 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, Director of Indigent Services Yvonne Baker left at 10:55 a.m., Case Manager Kelsee Hale left at 10:55 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing designated examiner agreement with Lawrence Banta, M.D.: Director Baker explained this a standard agreement and that Dr. Banta preforms exams on involuntary holds. This year his fee has increased from \$100 to \$125. Upon the motion of Commissioner Dale and second

by Commissioner Van Beek the Board voted unanimously to sign the designated examiner agreement with Lawrence Banta, M.D. (see agreement no. 20-125).

Consider signing Request for Qualifications for design and engineering services related to Celebration Park East End RV Improvement: Mr. Powers explained that this is to authorize the request for qualifications for the design and engineering services required to create the plan in order to move forward with construction of the project. A scope of work is attached which outlines the expectation of the end result. At the request of the Board Mr. Powers outlined the general project requirements noting that this RFQ is specific to the design and engineering services, not the entire project. Commissioner Dale made a motion to sign the request for qualifications for design and engineering services related to Celebration Park East End RV Improvement. The motion was seconded by Commissioner Van Beek for discussion to allow for additional information about the request and Board questions. A vote was taken on the motion with the Board voting unanimously to sign the request for qualifications.

Consider signing legal notice for Request for Qualifications for design and engineering services related to Celebration Park East End RV Improvement: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the notice related to the request for qualifications.

Consider signing Solicitation of Interest - Celebration Park East End Archaeological Resources Survey Consultant: This project is related to the RV Improvement project in order to identify any resources in the area since excavation will be done and they do not want to disturb anything that may be archaeologically significant. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the solicitation of interest for the Celebration Park East End Archaeological Resources Survey Consultant.

The meeting concluded at 11:09 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JEFF & AMY BARNES FOR A SHORT PLAT FOR BARNES ESTATES SUBDIVISION, CASE NO. SD2020-0012

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Jeff and Amy Barnes for a short plat for Barnes Estates Subdivision, Case No. SD2020-0012. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Amy Barnes, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister Jeff Barnes. Dan Lister gave the oral staff report. The property was rezoned in 2019, but in order to obtain a building permit a plat hearing is necessary. It is a one-lot subdivision. The City of Nampa has reviewed the request. The P&Z Commission recommended approval of the request. Staff is recommending approval based on a number of conditions. Director Nilsson responded to questions from the Board. Amy Barnes testified that their plan is to build their residence on the lower piece. She also responded to comments that were submitted by Laura Cromwell. Following testimony, Commissioner Dale made a motion to close public comment. The motion was

seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve and sign the findings of fact, conclusions of law, and order. The motion was seconded by Commissioner Van Beek and carried unanimously. The final plat will be considered at a later date. The hearing concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A RESOLUTION GRANTING AN EXTENSION TO VARIOUS SCHOOL DISTRICTS FOR LEVY CERTIFICATION, AND A NOTICE OF UNSCHEDULED REVENUE HEARING FOR FISCAL YEAR 2020

The Board met today at 2:36 p.m. to consider signing a resolution granting an extension to various school districts for levy certification, and a notice of unscheduled revenue hearing for fiscal year 2020. Present: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Steve Onofrei said ten (10) taxing districts have submitted letters requesting to extend today's due date for seven working days, to Monday, September 21st. Discussion ensued. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to adopt the resolution granting a seven working day extension in the filing of the levy certification for the City of Nampa, City of Caldwell, City of Melba, Caldwell School District, West Ada School District, Kuna School District, Homedale School District, Melba School District, Marsing School District, and the Middleton School District pursuant to Idaho Code 63-803(3). The seven working day extension extends the deadline for property tax certification to the County Clerk to September 21, 2020. (See Resolution No. 20-145.) Zach Wagoner said the unscheduled revenue is largely associated to the federal Coronavirus (COVID) relief funds; it's an accounting housekeeping exercise they generally do towards the end of the fiscal year to formally adjust the FY2020 budget. The County is receiving unanticipated revenue, not from property tax, but from federal award sources. We have also spent unanticipated monies as well so it will be a net zero accounting exercise. The expenses have occurred largely in the emergency management budget and the Auditing Department is proposing a \$950,000 increase in the emergency management budget with \$900,000 for Coronavirus relief funds and \$50,000 for homeland security funds for an all hazard mitigation plan. There is also an increase in \$20,000 in the facilities department from Coronavirus relief funds for the purchase of cleaning, sanitizing, and disinfecting materials. Commissioner Van Beek asked about the other County departments that have used relief funds and whether they will be reimbursed. Controller Wagoner said the other departments have underspent their line items and there's not a need to increase their budget. We are still receiving reimbursement for those expenses but from an accounting or bookkeeping standing we don't need to increase those departments' budgets because they are able to cover it through the total allotted budget for 2020. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to publish the notice of hearing setting a date of September 23, 2020 at 10:00 a.m. at which time the Board will hear from residents on adjustments to the current expense fund. The meeting concluded at 2:51 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS RENOVATIONS TO THE COMMISSIONERS' MEETING ROOM

The Board met today at 3:00 p.m. to discuss renovations to the Commissioners' Meeting Room. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Facilities Paul Navarro, Lance Campbell, Brandon Barker, and Deputy Clerk Monica Reeves. Discussion included: replacing the portable tables in the BOCC meeting room; keep the room as a multi-purpose room. Facilities staff will design two tables on large locking casters so the tables can be moved. The estimated cost will be under \$1,000. Director Navarro will finalize the drawings for the Board's front office area where modifications will be made to the front desk area, including revisions to the front gate/door. The meeting concluded at 3:17 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 11, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Henricksen Butler in the amount of \$1,865.00 for the Prosecuting Attorney's Office

RESCHEDULE PUBLIC HEARING TO CONSIDER A REQUEST BY ANSON ECHOLS FOR A PRELIMINARY PLAT AND FINAL PLAT FOR ECHO ESTATE SUBDIVISION, CASE NO. SD2020-0009

The Board met today at 9:32 a.m. to go on the record to reschedule the public hearing regarding the request by Anson Echols for a preliminary plat and final plat for Echo Estate Subdivision, Case No. SD2020-0009. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to reschedule the hearing to September

17, 2020 at 10:00 a.m. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 14, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grainger in the amount of \$1,890.00 for the Parks department

APPROVED CLAIMS ORDER NO. 566485 TO 566504

The Board of Commissioners approved payment of County claims in the amount of \$22,598.45 for accounts payable.

APPROVED CLAIMS ORDER NO. 566505 TO 566519

The Board of Commissioners approved payment of County claims in the amount of \$16,560.31 for accounts payable.

APPROVED CLAIMS ORDER NO. 566471 TO 566484

The Board of Commissioners approved payment of County claims in the amount of \$9,379.34 for accounts payable.

APPROVED CLAIMS ORDER NO. 566417 TO 566470

The Board of Commissioners approved payment of County claims in the amount of \$30,070.26 for accounts payable.

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 9:30 a.m. for a monthly meeting with the DSD Director. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding 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. Zach Wesley, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:03 a.m. with no decision being called for in open session.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND TCA 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 Tom Dale, Commissioner Leslie Van Beek joined at 1:40 p.m., Judge Southworth, Lead Court Marshal Jim West, TCA Doug Tyler and Deputy Clerk Jenen Ross. The following items were discussed:

- Courts are planning to start criminal jury trials in mid-October. At this time they are planning to convene a workgroup to work thru the logistics of jury selection and making sure they are following all social distancing and sanitizing guidelines. Civil trials won't be taken up until December.
- A brief discussion was had about potentially hiring 4 temporary part-time marshals thru the end of December using CARES Act monies. Mr. West spoke about a couple potential candidates and high-profile trials that are upcoming.
- Judge Southworth thinks court operations will continue to use Zoom as it's an efficient way to conduct business and feels there are less failure to appear issues.
- Judge Schiller's will be retiring soon so interviews will be happening on September 23rd to fill the open spot.
- Mr. West spoke about the purchase of some additional radios.

The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

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

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 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:

- Kathy Kershner will be retiring on October 5th so Director Schwend will work with HR to start the search to fill the position.
- 'Remember the Ladies' is the current exhibit at Celebration Park which will be up for a year.
- They have been working on moving into their new offices.
- Programs Coordinator Amelia Barton has been working with IT to create virtual field trips.
- There is a lot of activity happening at Celebration Park including the BLM improving Victory Lane Rd., and Facilities working on a number of projects including location of the camp host, getting poles for sun sails fixed so the stop leaning, concrete repairs and additional signage.
- A PO was presented to the Board for an AED for the Lake Lowell office

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

PUBLIC HEARING – REQUEST BY BORCHERT FAMILY TRUST FOR A CONDITIONAL REZONE, CASE NO. CR2020-0003

The Board met today at 10:09 a.m. to conduct a public hearing in the matter of a request by Cory Barnes on behalf of Borchert Family Trust for a request for conditional rezone from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone – Rural Residential) zone, Case No CR2020-0003. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Julianne Shaw, Cory Barnes, Douglas Borchert, and Deputy Clerk Monica Reeves. Samantha Barnes was present via Webex. Julianne Shaw gave the oral staff report. The Borchert family owned three original parcels; administrative land divisions and building permit transfers have taken place over time leaving the 53.8 acre parcel without a building permit or split. The existing home site is occupied by the grandfather who is willing to portion off a 1.7 acre parcel for Cory Barnes to construct a home. The split will be allowed once the rezone and platting are approved along with the development agreement that restricts all future development of the remaining farm. There are multiple platted subdivisions within a mile of the property. Staff is recommending approval of the conditional rezone from agricultural to a conditional rural residential rezone for a potential for one residential lot on 1.7 acres of the subject property. Doug Borchert was prepared to offer testimony regarding the trust, and he spoke of how he plans to live on the property as a farmer. Cory Barnes testified that he worked and farmed the land and it means a lot to have the opportunity to own a portion so he can build a house for his family. In order to preserve the agriculturally zoned land, he was told he needs to take the 4.22 acres, including the existing home, and that is what he intends to do and from that rezoned property he will split the existing residence and the new property for his family. Ms. Shaw said Mr. Barnes does not need to split off the 4.2 acres, the existing residence is allowed on an agricultural parcel; the only area that needs to be split off is the 1.7 acres. Mr. Barnes said he was under the assumption he had to take the farmhouse in order to secure the exclusively ag-zoned property.

He didn't know they were back to only taking the 1.7 acres. He asked if that removes the requirements they would have to meet for the entire 4.2 acres as far as the city setbacks. Ms. Shaw said that still has to happen because the whole 53.8 acres is rezoned. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the request by the Borchert Family Trust and to sign the findings of fact, conclusions of law and order, as well as the ordinance and development agreement for Case No. CR2020-0003. (Ordinance No. 20-029 and Agreement No. 20-126.) The hearing concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS CARES ACT FUNDING

The Board met today at 3:00 p.m. to discuss the CARES Act funding and whether to opt in or opt out of the program. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Chief Civil Deputy PA Sam Laugheed, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Assessor Brian Stender, PIO Joe Decker and Deputy Clerk Monica Reeves. Present via Webex: Steve Onofrei and Rachel Spacek from the Idaho Press-Tribune. Sam Laugheed said the Board and other elected officials are in receipt of attorney-client communication, privileged information from the PA's office that they have worked hard to keep in that privileged context, and while there is no problem having a discussion on the open record he doesn't want there to be surprises for the elected officials about what legal would say and so if we want to have an executive session to discuss that part that would be a good idea. The Executive Session was held as follows:

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

Commissioner Dale made a motion to go into Executive Session at 3:04 p.m. pursuant to Idaho Code, Section 74-206(1) (d) to discuss records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner 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, Clerk Yamamoto, Controller Wagoner, Prosecutor Taylor, Chief Civil Deputy PA Laugheed, Treasurer Lloyd, Assessor Stender, Sheriff Donahue, PIO Joe Decker, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:34 p.m. with no decision being called for in open session.

Discussion followed on the open record and those present included: Commissioners White, Dale and Van Beek, Clerk Yamamoto, Controller Wagoner, Prosecutor Taylor, Chief Civil Deputy PA Laugheed, Treasurer Lloyd, Assessor Stender, Sheriff Donahue, PIO Decker, and Deputy Clerk Monica Reeves. Ms. Spacek from the Idaho Press-Tribune was present via Webex. Sam Laugheed said on September 2nd new guidance was issued that was a marked change from the March, April

22, and June information. The Idaho Attorney General's letter of September 3 is a good public document that can be referred to that says with this update it appears the Treasury has definitively answered a question about whether this presumption can apply to the different prongs of the test and so the guidelines now say what they would need to say, the question is whether those guidelines are enough compared to the law and whether the financial incentive is enough, whether the operational things can be done, and whether the certification that may be necessary and the audit we could get from the relevant supervisors. Things have changed but not all the questions have been answered. The Board is still left having to balance the legal, financial, policy, and operational matters to come to a conclusion. The CARES Act provides that funds can only be used to cover costs that are necessary expenditures incurred due to a public health emergency, and a presumption applies under that if the work is substantially dedicated to public safety (it can for a substantially different use) it can be considered necessary. The second prong is for a substantially different use. The third prong is the expenses were incurred between March and December 30, 2020. There is a presumption and guideline and the FAQ's on the Treasury website that say the government can presume these public safety employees meet the substantially dedicated test, and if the presumption applies, that the work by these employees is substantially different than what had been accounted for and so there is a presumption we can use to get there but that underlying question is if the relevant government entity says that it's not comfortable with it. Sheriff Donahue does not believe the County should participate in the program. He cannot certify that the public safety work, whether it's jail, patrol, etc., is substantially different now than before COVID. It would be a breach of his code ethics, integrity and the truth to say that we would fall into that category. He is not in favor and he won't have his office be a part of it. (Sheriff Donahue left at 3:40 p.m.) Clerk Yamamoto said the intent of the CARES Act funds is to cover COVID costs and with the September 2 information from the Treasury there are nearly two pages of eligible expenditures, but property tax reduction is not on that list. If you have substantially dedicated you can presume that you can use the entire amount, but we cannot prove we have a substantially different use. Commissioner Van Beek said it's been proposed that the State of Idaho could simply take municipal government out of that and handle it directly. There appear to be continued tripping points where if we cannot get the language to say what it means and mean what it says then it becomes problematic for the taxpayer regardless of the amount of incentive so as decision makers that's fair for the community to hear that elected officials are trying to figure out how to use this without getting bit. Where it breaks down is the dichotomy between what the Office of the Inspector General (OIG) is saying and what the Treasury Department is saying. She said everyone in this room today has the taxpayers' interests at heart. Controller Wagoner said the County is very interested in protecting the property taxpayer and we showed that with our recently adopted budget, we did not take our 3% increase and we did not take new construction increase. There has been conflicting direction from the guidance issued by the Treasury compared to the guidance from the Office of Inspector General. Presumption versus substantiated are two entirely different hurdles. This would be a part of a single audit and they would be looking for documentation for support for verification that these payroll expenses were a direct response to the public health emergency and Sheriff Donahue has spoken very clearly to that today. He said the County is utilizing nearly \$1 million of CARES Act monies for unanticipated expenses for teleworking, sanitizing, protecting employee and public's health. Prosecutor Taylor said it might be prudent for the Board to send a letter to the Governor indicating there are too many

unanswered questions so we are declining the invitation at this stage but we know the Governor wants to do property tax relief and Canyon County will help him deliver that to citizens through a state credit and let the Governor dictate that. Clerk Yamamoto said the worst case scenario is that the OIG, whose job is to investigate fraud and abuse says we had an invalid use of the money and we have to pay it back. Sam Laugheed said from his perspective the worst thing that could happen is the County shows a disregard for the rule of law in favor of expedience. Tracie Lloyd said we all want to provide property tax relief and every time the FAQ's come out she goes back to the original CARE Act and wonders why we have to play with the words – it's pretty simple when reading the act. She would love to provide tax relief, but she has to look at what the law says. She believes it's wrong to bring this kind of liability to the taxpayers. Commissioner Dale said in the beginning he was in favor of this, but as we have gone through the process he is listening to the experts and he falls on the side of caution and he wants to pass on this program. He asked Sam Laugheed to draft a letter where the County respectfully declines the program for the reasons discussed today. Mr. Laugheed will work with Joe Decker on communication, but the Board doesn't have to take any action to not opt in. Commissioner White thanked everyone for weighing in on this topic. Clerk Yamamoto said opting out of this program will be unpopular with most of the citizens, but due to liability associated with this he believes it's the right thing to do. Assessor Stender agrees with what has been said today. The meeting concluded at 4:11 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 15, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP Inc., in the amount of \$2,000.00 for the Treasurer's Office

APPROVED CLAIMS ORDER NO. 566339 TO 566341 AND 566395 TO 566416

The Board of Commissioners approved payment of County claims in the amount of \$20,432.08 for accounts payable. *NOTE: Commissioner Van Beek denied claims on pages 65-76 for charges to Michael's Craft Stores in the amount of \$734.58.

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, Chief Deputy Sheriff Marv Dashiell, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving award of officer's duty badge and weapon to Deputy Thomas Shearn: Chief Dashiell said Deputy Shearn is retiring after 23 years with the county and the Sheriff is requesting award of his badge and duty weapon. At the request of Commissioner Van Beek, Chief Dashiell gave a brief review of Deputy Shearn's time with the county. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving award of officer's duty badge and weapon to Deputy Thomas Shearn (see resolution no. 20-146).

Consider signing FY2021 Canyon County / Norman Family Trust lease agreement: This is for lease of the CCNU building which is shared with the FBI metro task force. The amounts remain the same as last year and the county receives partial reimbursement from the FBI. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the FY2021 Canyon County/Norman Family Trust lease agreement (see agreement no. 20-127).

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

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

The Board met today at 10:01 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, Director of Juvenile Detention Sean Brown, Mental Health Clinician Chelsea Schwickert and Deputy Clerk Jenen Ross. The following items were discussed:

- Director Brown introduced Ms. Schwickert to the Board and gave an overview of her role interacting with the staff and juveniles. Ms. Schwickert also gave a brief review of her background and her role interacting with the juveniles and families. She provided some state juvenile statistics and spoke about the training she offers the staff.
- The population continues to fluctuate; currently there are only two out-of-county juveniles in the facility.

- A long-term supervisor left in early August but Sean Barrier has moved into that position. Currently there is one full-time and two part-time positions that he'd like to fill; the two part-time people will be for weekend help.
- School has started for juveniles in the facility. The Cabin writing program will still happen but will be virtual.
- Over 1000 lbs. of produce from the garden has been donated. A \$500 grant will help with more garden beds along with donations from Zamzows for fertilizer.
- Contracts with other counties for housing are coming due and will be presented to the Board once received. The only change this year is that the daily rate will change from \$191 to \$210.

The meeting concluded at 10:18 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 10:18 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, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross.

Ms. Catalano spoke about the following items:

- The truancy event didn't take place this year but they received more donations than ever before, an all-time high. She has been working to identify kids that are the most in need and trying to find a creative way to recognize the organizations for their donations.
- Last year a grant for \$45K was received from the Idaho Department of Juvenile Corrections for the Institutionalization of Status Offenders in order to help manage kids that run away from home or are out past curfew. Due to COVID the majority of the grant wasn't used which was recognized by the state and they have extended the grant and made the funds available thru September 2021.
- Their workload has gone down slightly and they are tracking cases that are being dismissed.

Director Breach spoke about the following items:

- Recently had a PO go thru the new POST training.
- The IDJA Conference will be held virtually this year and every PO was awarded a scholarship to attend.
- Annual evaluations are being worked on he anticipates them being complete by the end of the month.
- Review of caseload numbers: 1198 active probation cases, 520 on bench warrant status, 299 in the community service program.

- Spoke about protocols in place to maintain COVID safe practices.

The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR BOULDER CREEK SUBDIVISION, CASE NO. SD2019-0004

The Board met today at 11:02 a.m. to consider the final plat for Boulder Creek Subdivision, Case No. SD2019-0004. Present were: Commissioners Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida reported that the final plat and construction drawings were reviewed by Keller and Associates who has approved and signed the final plat mylar. The applicant's engineer has submitted certification that irrigation, road and drainage improvements have been constructed per the approved plans. The preliminary plat conditions have been met and all required signatures have been obtained. Staff is recommending approval. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Boulder Creek Subdivision, Case No. SD2019-0004. The meeting concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 16, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$3,349.00 for the Sheriff's Office
- The Blind Gallery in the amount of \$1,875.00 for the Facilities Department
- Henriksen Butler in the amount of \$16,418.95 for the Prosecutor's Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Slicks Bar to be used 10/2/20 and 10/3/20 for at the Milking Barn in Nampa, and for County Line Wine Company to be used on 9/19/20 at White Willow Estate in Star.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 17, 2020

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

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Garrett Vande Vooren, an employee in the Solid Waste Department.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Northwest Power Systems in the amount of \$9,320.02 for the Facilities Department
- BOE in the amount of \$14,523.00 for the Information Technology Department
- SHI in the amount of \$2,913.00 for the Prosecutor's Office

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, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross.

Commissioner Van Beek made a motion to issue initial denials with written decisions within 30 days on the following cases as they do not meet the eligibility criteria for county assistance: 2018-1111, 2020-994, 2020-997, 2020-998, 2020-1075 and 2020-1029. The motion was seconded by Commissioner Dale and carried unanimously.

Case no. 2020-1102 does meet the criteria for county assistance and upon the motion by Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue a final approval on the case as read into the record.

A subordination agreement was presented for Board signature for an applicant looking to purchase a home. The case number was never noted for the record.

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

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

The Board met today at 9:00 a.m. with county attorney for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Sheriff Marv Dashiell, Director of Court Operations Denise Kennel left at 9:03 a.m., Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing independent contractor agreements for interpreter services with Cristina Moldovan Do Amaral and Rania Hijazeen: These contracts are similar to contracts that were signed last week and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreements for interpreter services with Cristina Moldovan Do Amaral and Rania Hijazeen. See agreements nos. 20-129 and 20-130.

Consider signing communications system and services (microwave replacement) agreement with Motorola: The state central control site is being upgraded and in order for the county to connect and be compatible the system will need to be upgraded. Costs for the upgrade will come from the E911 fund and they are hoping for completion early in the summer of 2021. Chief Dashiell spoke about the product and service they've received from Motorola and that the Sheriff's Office has been very happy working with them. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the communications system and services (microwave replacement) agreement with Motorola (see agreement no. 20-131).

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

PUBLIC HEARING – PRELIMINARY PLAT AND FINAL PLAT FOR ECHO ESTATE SUBDIVISION, CASE NO. SD2020-0009

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Anson Echols for preliminary plat and final plat approval for Echo Estate Subdivision, Case No. SD2020-

0009. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Jennifer Almeida, Anson Echols, Josh Beach, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The property is zoned CR-RR and it contains one 2.35 acres. The property is located close to rural residential zoning and agriculturally zoned properties. Keller and Associates reviewed the preliminary and final plats for conformance and they have signed the final plat mylar. The Planning and Zoning Commission approved the preliminary plat on July 16, 2020. Staff is recommending approval of the request. Ms. Almeida responded to questions from the Board following her report. Anson Echols was available to answer questions if needed. No other testimony was offered. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to public testimony. Commissioner White made a motion to sign the findings of fact, conclusions of law and order, and to approve the preliminary plat and final plat for Echo Estate Subdivision, Case No. SD2020-0009. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS THE USE OF CARES MONIES FOR COURT MARSHAL POSITIONS

The Board met today at 11:03 a.m. to discuss use of CARES monies for temporary court marshal positions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, TCA Doug Tyler, and Deputy Clerk Monica Reeves. TCA Tyler is seeking approval to hire four (4) temporary part-time marshals through the use of CARES monies. The new hires will assist with the upcoming jury trials and with getting court patrons connected to Zoom meetings on the second floor. Controller Wagoner said these are eligible expenditures for CARES Act monies as they are incurred as a direct result of COVID-19. They were not in our original budget, they are new and additional expenses to help facilitate court proceedings in a safe manner. They are reimbursable through the CARES Act. There was discussion about the process for accepting the CARES funds and the Controller responded and said we don't have to adjust the budget to accept cash; we will request a cash reimbursement. Commissioner Dale asked if there is any capacity within the Supreme Court to pick up some of these costs if the CARES Act deadline is not extended. TCA Tyler said the Supreme Court has been juggling CARES Act funding and they dedicated a lot of it to senior judge time to mediate cases to try to avoid trials and to have coverage when there are trials. He thinks money is available but he doesn't yet know what the priority will be. They have indicated a willingness to help facilitate jury trials. Discussion ensued regarding courtroom use and utilization of space. Commissioner Dale supports the request to use CARES funds for the temporary positons. Mr. Tyler reported on the unlawful detainer mediation program. The meeting concluded at 11:21 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 18, 2020

PRESENT: Commissioner Pam White, Chair – Worked from home
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – Out of the office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER FOR GRAND JURY

The Board of Commissioners approved payment of County claims in the amount of \$1,124.5 for grand jury.

APPROVED CLAIMS ORDER NO. 566747 TO 566765

The Board of Commissioners approved payment of County claims in the amount of \$11,092.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 566635 TO 566685

The Board of Commissioners approved payment of County claims in the amount of \$20,510.51 for accounts payable.

APPROVED CLAIMS ORDER NO. 566766 TO 566784

The Board of Commissioners approved payment of County claims in the amount of \$38,465.89 for accounts payable.

APPROVED CLAIMS ORDER NO. 566686 TO 566746

The Board of Commissioners approved payment of County claims in the amount of \$107,320.55 for accounts payable.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 21, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Uline in the amount of \$1,156.51 for the Elections Office

SIGNED DUPLICATE COPY OF ALCOHOLIC BEVERAGE LICENSE

The Board signed a duplicate copy of an Alcoholic Beverage License for Fun and Ann Yee dba Orphan Annie's. The original license was signed on May 14, 2020, but was misplaced by the applicant.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 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 the schedule with staff. There was discussion regarding COVID and the cancellation of the County's annual trick-or-treating event which has been held in the administration building, as well as discussion regarding today's 11:00 meeting pertaining to equity pay. Commissioner Van Beek said she wants all people to feel comfortable and be able to ask questions and get clarification. She also said directors should submit their requests for equity pay to the Board for review. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:32 a.m. to conduct a public hearing in the matter of a request by Subdivision Maker, Inc., on behalf of Dale and Kathi Lee for a preliminary plat and irrigation and drainage plan for Oaklee Estates Subdivision, Case No. SD2020-0003. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson, Darin Taylor with Subdivision Maker, Jamie Sharpe, Colleen Matosich, Jim Matosich and Dale and Kathi Lee and Deputy Clerk Jenen Ross. Present via Webex: DSD Planner Dan Lister, Philip Goelz.

Dan Lister gave the oral staff report. The applicant is requesting approval of a preliminary plat for Oaklee Estates Subdivision. This hearing was tabled on August 31, 2020 for several reasons, one of which was the final letter from Canyon Highway District as there were questions about the stub road to Kemp Rd. There were also questions about the addition of the 25' wide emergency secondary access required by the fire district along lot 2, block 2. Since the original hearing a letter has been received from Canyon Highway District No. 4 indicating that what was presented at the last hearing is all they are going to provide. They've gone thru their final decision and they still want to keep the stub road and the same conditions that the previous letter indicated and have

approved the preliminary plat subject to those conditions. Middleton Fire District did submit a letter stating that they are fine with the 25' easement that goes thru parcel 2 for the secondary access, however, Mr. Lister noted it does have to meet the county easement requirements which is actually 28' wide. The applicant has submitted an application for an easement reduction as well as a property boundary adjustment, both of these items are in process in Development Services. DSD has reached out several times to Black Canyon Irrigation District but haven't received any comments. Communication was received from Colleen Matosich regarding the distance between her property and the five other lots and Darin Taylor provided pictures that some of the landscaping was in disarray and that no special setbacks should be required as part of this preliminary plat. The plat before the Board this morning is not the most current version, Mr. Lister believes Mr. Taylor is working on the most current revisions. It will be up to the Board to either continue the hearing in order to get a clean copy of the preliminary plat with a revised easement or staff has provided a draft copy of the FCOs if the Board wants to approve today. The only real change that will happen is that the easement will be resized from 25' to 28', the rest are conditions by other agencies. In the draft FCOs staff provided conditions that would address the easement size and review by the fire and irrigation districts. There are mechanisms in place that the construction plan and final plat will be correct which would be demonstrated thru those conditions. Based on a question from Commissioner Dale about staff recommendation, Mr. Lister said they always want a clean plat, however, the only revisions to be made are the easements and secondary access but with conditions those revisions could be made to ensure they show on the final plat and the construction plans so it's not anything major that would require this be delayed.

Commissioner Van Beek said that the Board was still receiving information on this case until minutes before the hearing began and although she is in favor of hearing comments today she will not support incomplete information.

Darin Taylor with Subdivision Maker offered testimony in support of the request he spoke about conditions imposed by the highway and fire districts, distance measurements of the property boundaries and overgrown weeds throughout the landscaping.

Mr. Lee addressed questions posed by Commissioner Van Beek regarding what they've envisioned for this property. Each lot would have pressurized irrigation so he would expect lawns or pastures and substantial housing. There will be a water users association, architectural requirements and CC&Rs. He noted that the berms around Willow Creek Estates No. 1 are only on 3 sides and not adjacent to his property. There are essentially no berms on Willow Creek Estates 2 or 3. The Lee's plan to continue living on the property.

Jamie Sharpe and Colleen Matosich offered testimony in opposition to the request.

Ms. Sharpe expressed her concerns about the density that is planned and believes it will greatly affect their subdivision and obstruct her view. She would like to see trees vs. fencing.

Ms. Matosich is frustrated because the additional exhibits weren't on the website for review so they have no idea what the letters from the highway or fire districts say. She would like to have less impact on their way of life and their privacy. She said the weeds that Mr. Taylor spoke of are

actually on the Lee's side of the property line. She feels any homeowner in the new subdivision would want to have some separation from her subdivision. She is concerned that they will see lights or have to look at the back of an outbuilding if there is no separation between the subdivisions. She understand the rights of the Lee's and what they're trying to do but she'd hoped it would be more neighborly and said that there has never been a meeting with the neighborhood of Willow Creek Ranch Estates No. 1. She would like to see some kind of landscape break.

In response to a question from Commissioner White, Mr. Lee said he had not really considered a landscape break because he thinks that anyone who buys those lots would be doing something on the back themselves – either fencing or trees.

Rebuttal testimony was offered by Mr. Taylor. The section of land in question regarding the unkempt weeds is owned by the Sharp's according to Mr. Taylor, it was acquired from the HOA. He stated there was a neighborhood meeting held with notification going to neighbors within 600' as required.

Mr. Lister clarified that for a subdivision a neighborhood meeting is not required per Canyon County code. The rezone in 2016 required a neighborhood meeting but the subdivision itself, per the ordinance, does not require a neighborhood meeting. This property is in a nitrate priority area so a nutrient pathogen study was done that included a soil analysis and the evaluation of the ground water levels which all came back positive with no need for restrictions. The lot count and layout of the subdivision were based on the results of the nutrient pathogen study which were submitted to both Southwest District Health and DEQ. If it is decided that a berm is desirable along the easy boundary the Lee's may request that both the Smart's and the Matosich's participate in the cost for installation of pressurized irrigation and landscaping. The Lee's will absorb the cost of putting in the berm itself.

Mr. Lister reiterated that there was no neighborhood meeting requirement although normal noticing of 300' was done along with notice to the affected agencies such as the school district. A nutrient pathogen study was done and SWDH provided a letter stating they found it to be acceptable. The minimum requirements of the county's subdivision code have been met and it has been demonstrated that the lots will have proper septic and well. Most of the concerns are based on lots sizes and performance with the area school district but these were things that happened during the rezone stage at which point the R-1 zone was approved and there were no conditions added. The school district was notified but did not provide any comments so it is assumed that they don't find this subdivision to be an impact. In regard to landscaping, staff reviewed concerns from the neighbors. Due to the setbacks in place there is a fair amount of distance between the Oaklee Estates property and the Matosich and Smart properties. Due to this amount of space staff didn't see that there was any nexus to require any type of special landscaping or fencing. The only change to the plat before they Board is an easement, they are going to change it from 25' to 28'. If this is a big deal to the Board this hearing will need to be continued but staff did provide conditions of approval that would require them to have that completed to county and fire district standards prior to approval of any final plat. In regard to the

landscaping, if it had to go in, that would change the plat. He is not sure if the Board would want to see it as a common area so it's taken care of by an association or how that would be done and how it would affect the drainage on each property. Based on a question from Commissioner White, Mr. Lister said Canyon Highway District No. 4 did approve the plat that is before the Board today with conditions that have been applied in the FCOs. The fire district also approved a secondary access location which is part of the conditions in the FCO.

Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously.

Following board comments and deliberation Commissioner Dale made a motion to sign the preliminary plat, noting the change to the easement distance, and the findings of fact and conclusions of law and order. The motion was seconded by Commissioner Van Beek and carried unanimously.

The hearing concluded at 11:10 a.m. An audio recording is on file in the Commissioners' Office.

DISCUSSION REGARDING EQUITY PAY

The Board met today at 11:15 a.m. for a discussion regarding equity pay. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Facilities Director Paul Navarro, DSD Director Tricia Nilsson, Fair Director Diana Sinner, PIO Joe Decker, Public Defender Aaron Bazzoli, Solid Waste Director David Loper, Director of Misdemeanor Probation Jeff Breach, Chief Probation Officer Elda Catalano, and Deputy Clerk Monica Reeves. Present via Webex: Weed Control Director AJ Mondor, Fleet Director Mark Tolman, IT Director Greg Rast, Parks Director Nicki Schwend, and HR Director Sue Baumgart, Debbie Lowber from the County Agent's Office. Clerk Yamamoto spoke of how the equity fund is intended to address unique circumstances and extraordinary items, such as when somebody performs outside of their job description, or if an exempt employee puts in a tremendous amount of overtime. He strongly considered eliminating the equity fund in its entirety because he saw abuse with how it was utilized, however, he decided to cut the 1% equity fund in half. The fund is not intended to be used for bonuses. Controller Wagoner spoke about how the equity pool is a tool to aid with retention and investment in personnel and it needs to be applied thoughtfully and judiciously in unique circumstances to show a recognition of appreciation for doing something above and beyond the ordinary. Commissioner Van Beek said she's asked for up-to-date job descriptions because some are out of date. She would like to recognize the employees who go above and beyond their duties, perhaps by having an employee spotlight area in the courthouse lobby. Commissioner Dale said he supports the equity pool part of the compensation plan which has never been intended as a bonus plan; it's to address the anomalies that arise such as when someone leaves employment and there is a period of time where there is a hole in the workforce and often there are one or two employees assigned to pick up those duties that are not being met. That is above and beyond the job description of that person and that needs to be compensated.

for fairly and that is what the equity pool is intended to address. The requests should come before the Board for review before they are awarded to make sure it is being used the way it is intended. Commissioner White had questions of HR Director Baumgart on the process of updating job descriptions. Director Baumgart said department heads are responsible for updating job descriptions and HR works with them to assist with that task. Discussion ensued on how equity pay should be allocated and how offices and departments should not use the one-half percent allotted to them to be divided amongst the employees. A department head admitted to using it incorrectly and was glad to get the information so he can understand how it will be used in the future. There was discussion about the acknowledgment of using the pool as a retention tool and how perhaps some could view it as a bonus. Commissioner Dale said there is a vast difference between a bonus and extra pay for extra work. Commissioner Van Beek does not see a problem with rewarding people for doing exceptional work. She hopes the job descriptions are up-to-date enough so we know what the employee is doing so that the scope of work can meet the pay scale. The final signatory on that, however it is divided up, comes to the Board which is charged with understanding it and signing off on it. Clerk Yamamoto reiterated that the equity fund was not set up to pay bonuses. Aaron Bazzoli said the compensation plan is not a merit-based system it's based on years of experience and maybe we need a directive that states the only circumstances where equity pay will be allowed. Equity is a one-time thing, but he has concerns about throwing off the compensation plan. Commissioner White said doing an excellent job does not mean you have to use the equity pay and if you don't use it that doesn't mean your staff isn't excellent. Treasurer Lloyd said equity pay is to show that someone has done an excellent job on a project, or they had to perform another job. If a person is exceeding their job description it's up to the elected official the following year to get that position adjusted. You have to look at the position, not the person to ensure equity throughout the County. Commissioner Dale said if someone is doing the work of another person in addition to their own work they deserve to be compensated fairly. Clerk Yamamoto said in the past there was such disparity between offices/departments for the same job and that's why the compensation committee was created. If you have a director that gives money to everyone in their department it messes up the plan and throws it out of whack. The equity pool is to fix anomalies when there was a mistake in the pay and to take care of unique circumstances and if someone is doing somebody else's job in all likelihood they should be compensated for that but it should be vetted. He does not want the equity fund used "willy-nilly" otherwise it will be eliminated from the Clerk's suggested budget. Commissioner Van Beek suggested a wage pause given the current economic climate. She also had questions about the criteria for giving lead pay, such as how is it determined and assigned. Paul Navarro spoke about the system at the state level where position reclassifications were done in lieu of equity pay. Tricia Nilsson said it would be helpful to have some bullet points on the inter-web or in the HR paperwork from the compensation committee that includes the guidelines that be followed. The Board agrees. The meeting concluded at 12:05 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT AND GRADING AND DRAINAGE PLAN FOR KIMBER RIDGE SUBDIVISION, CASE NO. SD2019-0042

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Dennis Jones for a preliminary plat and grading and drainage plan for Kimber Ridge Subdivision on Parcel R37886012, Case No. SD2019-0042. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Kurt Smith, Tracie Jones, Patricia Alvey, Dennis Jones and Deputy Clerk Monica Reeves. DSD Planner Dan Lister participated via Webex. Dan Lister gave the oral staff report. The parcel was rezoned to rural residential in 2018. The P&Z Commission recommended approval subject to conditions. Staff reviewed the plat with the county engineer and found it to be consistent with the code. The plat is a 48.59 parcel with an average lot size of 3.3 acres. The project will be completed in two phases. Mr. Lister reported on agency comments as well as the testimony at the underlying P&Z Commission hearing. Staff recommends the Board approve the preliminary plat with conditions of approval. Mr. Lister responded to questions from the Board following his report.

The following people testified in support of the request:

Kurt Smith gave testimony about the plat as the project engineer. The applicants agree with the staff report and proposed conditions. They have revised the plat to show a 60-foot access for Lots 1 and 2 for Phase 1, and they will meet the requirements of the highway district. Discussion ensued regarding fire code and a note on the plat. Mr. Smith responded to questions from the Board following his testimony. Commissioner Van Beek does not support the overreach to put the cost of the developer as it pertains to fire code. Mr. Lister it's not a plat note at this point, it's a condition that the fire district review it at the final plat stage and at that point there can be discussions about whether they want a plat note.

Tracie Jones testified that she and her husband own the project but they are not developers. Their goal was to subdivide and build their home and give their kids a few lots and sell a few lots. They had to rezone the property since the original owner had let the zoning lapse. Once they rezoned the property and had professionals involved they realized the project was much more than they anticipated. They listened to neighbors' concerns and decided that 14 lots would be a better alternative.

Dennis Jones testified about lot sizes in nearby subdivisions.

Patricia Alvey testified that she and her husband have been looking for property in a peaceful rural setting and this project offers what they are looking for.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale supports the request as it does not take any agricultural ground out of production. Commissioner Van Beek likes the project and their applicants plan to offer something different in the market. She does not want further restrictions placed on the applicants. Following the Board's deliberation, Commissioner Van Beek made a motion to approve the preliminary plat as well as the grading and drainage plan for Kimber Ridge Subdivisions and to sign the findings of fact, conclusions of law, and order. The motion was

seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 22, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – Out of the office
Commissioner Leslie Van Beek
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 566520 TO 566586

The Board of Commissioners approved payment of County claims in the amount of \$58,951.48 for accounts payable.

APPROVED CLAIMS ORDER NO. 566587 TO 566634

The Board of Commissioners approved payment of County claims in the amount of \$47,258.05 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Motorola Solutions in the amount of \$835,000 for the Sheriff's Office
- The Cobble Company in the amount of \$1,451.20 for the Sheriff's Office
- Intermountain Wood Products in the amount of \$1,306.00 for the Prosecutor's 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 Leslie Van Beek, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing legal notice of entering into personal services contract with Lawrence Banta, M.D.: Mr. Blocksom explained that this contract was signed last week but that notice needs to be published showing the county has entered into a contract. Upon the motion of Commissioner Van

Beek and second by Commissioner White the Board voted unanimously to sign the legal notice of entering into personal services contract with Lawrence Banta, M.D. The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER SIGNING A RESOLUTION GRANTING A TRANSFER ALCOHOL LICENSE TO RAGAZZA DI BUFALO

The Board met today at 9:30 a.m. to consider signing a resolution granting a transfer alcohol license to Ragazza Di Bufalo. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. The former owners of the Orphan Annie's restaurant are transferring their license to the owner of Ragazza di Bufalo who now occupies the building. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution transferring the license to Ragazza di Bufalo (see resolution no. 20-147). The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:05 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner reviewed the following items with the Board:

- A handout was provided showing numbers for the 2020 Canyon County 4-H/FFA Expo including show animals numbers, sponsorship revenue and wristband admission revenue.
- Discussion ensued regarding changes that were made due to COVID-19 and the things that really worked and may be kept in place.

Commissioner Van Beek made a motion to continue the meeting to 10:45 a.m. today. The motion was seconded by Commissioner White and carried unanimously.

The Board went back on the record at 10:45 a.m. to continue the monthly meeting with the Fair Director and a request was made to go into executive session.

EXECUTIVE SESSION – PERSONNEL MATTER

The request to go into executive session was made 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) (b) regarding personnel matters. 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, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:07 a.m. with no decision being called for in open session.

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

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

The Board met today at 1:33 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Chief Public Defender Aaron Bazzoli participated via Webex. The following items were discussed with the Board:

- Review of FY2020 budget to date; line items discussed included doctors, psycho/sexual evaluations, postage, interpreter fees, transcript fees, software and machinery for a new copier. Mr. Bazzoli anticipates being under budget at the end of the fiscal year.
- Review of monthly case type counts comparing 2018 to 2019 and 2019 to 2020.
- Discussion regarding new hires/new positions and reworking to job responsibilities within the office.
- Regular meetings are happening with courthouse personnel and court personnel for discussions on how to safely conduct trials.
- Compensation plan increases: certain members are lead attorneys and secretaries who have responsibilities beyond their job description. Along with those who have made step increases in the compensation plan.

The meeting concluded at 2:04 p.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:05 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Landfill Director David Loper, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The following items were discussed with the Board:

- Waste amounts were up 8.02% in July and 3.33% in August; Fiscal year 2020 was up 7%.

- Planning and Zoning Commission meeting for the CUP/Site Certification will take place on October 15th.
- The Household Hazardous Waste event took place on September 9th at the Idaho Center with 450 customers showing up.
- The process to abandon PB-4 began yesterday and should be completed by the end of the week.
- They are looking for a new water source for dust control.
- Fly over of the landfill is scheduled for September 30th.
- Discussion ensued regarding an incident with a dozer in early September in which the machine tipped over. The operator was not injured and there was very little damage done to the machine.
- Inmate worker program: due to COVID-19 the program has been suspended. In the meantime, they've utilized the community service program and the SILD program.
- Timber Creek Recycling is submitting a change order to their contract to increase their pick up fee from \$21.00 to \$27.50. Director Loper believes there needs to be a discussion on increasing the clean wood, sheetrock and green waste fees. Commissioner Van Beek asked Director Loper to create some options for the Board to consider.

The meeting concluded at 3:01 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CORRECTED ORDINANCE FOR THE BORCHERT FAMILY TRUST CONDITIONAL REZONE, AND POSTPONE THE PUBLIC HEARING REGARDING JOHN CARPENTER'S APPEAL OF A HOME BUSINESS, CASE NO. AD2020-0029APL

The Board met today at 3:04 p.m. to consider signing a corrected ordinance for the Borchert Family Trust conditional rezone case, and to postpone the public hearing regarding John Carpenter's appeal of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale participated via conference call, DSD Planner Julianne Shaw, and Deputy Clerk Monica Reeves. Ms. Shaw reported that when the Borchert Family Trust conditional rezone case was approved she mistakenly referenced the case as being a rezone rather than a conditional rezone. Today she presented the Board with an amended ordinance which references the conditional rezone, Case No. CR2020-0003. Commissioner White made a motion to sign the amended/corrected ordinance. The motion was seconded by Commissioner Dale who gave permission to use his stamp. The motion carried unanimously. (See Ordinance No. 20-029, previously recorded on 9/15/2020.) Ms. Shaw also requested the Board postpone the John Carpenter appeal hearing to a later date so she can meet with legal counsel. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to postpone the John Carpenter case to October 9, 2020 at 9:00 a.m. The meeting concluded at 3:08 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 23, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Neopost USA, Inc., in the amount of \$23,421.00 for the Elections Office

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 9/25/20 at the Hands of Promise Campus, Idaho Youth Ranch for a charity event.

APPROVED CLAIMS ORDER NO. 2026

The Board of Commissioners approved payment of County claims in the amount of \$1,752,135.01 for a County payroll.

APPROVED CLAIMS ORDER NO. 566785 TO 566812

The Board of Commissioners approved payment of County claims in the amount of \$17,388.57 for accounts payable.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Zach Wesley arrived at 8:52 a.m. and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-1115, 2020-1049, 2020-1081, 2020-1030 and 2020-1052. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials.

Commissioner Van Beek made a motion to issue an initial approval on case no. 2020-1105 and final approval on case no. 2020-0638 with written decisions within 30 days. The motion was seconded by Commissioner White and carried unanimously.

Liens were presented for Board signatures.

Director Baker brought for the Board's consideration a settlement offer on case nos. 2019-0077 and 2019-607 belonging to the same applicant. A settlement amount of \$26,426.10 has been offered as part of a subrogation case. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to accept the proposed offer. Director Baker said that this settlement offer will also be presented to the CAT Board for their approval.

The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

AMENDMENT TO THE AGENDA: CONSIDER NEWLY UPDATED TREASURY GUIDELINES
REGARDING CARES ACT (POSSIBLE ACTION ITEM TO FOLLOW)

The Board met today at 10:04 a.m. to consider an amendment to the agenda to discuss the newly updated Treasury guidelines regarding CARES Act funding with a possible action item to follow. Present were: Commissioners Pam White and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Assessor Brian Stender, Sr. System Analyst Steve Onofrei, Caldwell Finance Director Carol Mitchell, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, Nampa Mayor Debbie Kling, and City of Nampa employees Doug Racine, Edward Karass, and Michelle Camper. Sam Laugheed said on September 22nd it was brought to our attention there were new FAQ's issued by the Office of Inspector General (OIG) in the Treasury that prompted the need for the Board to have a meeting without the typical 48 hours' notice so we used this same timeframe as the previously agendaized meeting but there needs to be a vote to amend the agenda to have a discussion about the new CARES guidelines and FAQ's and a potential action item. The item was added to the agenda yesterday afternoon. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to amend the agenda to include the discussion for CARES, the FAQ's and include a potential item based on the content of the discussion today. Mr. Laugheed created a one-page timeline of the law, the guidelines, and the FAQ's, which is on file with this day's minute entry. Clerk Yamamoto said it's been a real rollercoaster with the passage of the CARES Act by Congress and Governor Little's program for the state of Idaho which included \$10 million for property tax relief. He thinks this is a poor program that's been poorly administered, but with the change in guidelines it would appear that the Board could opt into this program without fear of the OIG saying it was a fraudulent use of the money. He still has issues with it but it's largely a matter of semantics based on the verbiage of "necessary expenditures", "substantially dedicated" and the presumptive clause. Due to the new FAQ's coming out from OIG he brought it back to the Board for further exploration. Treasurer Lloyd said it's not as simple as it looks because the CARES Act provides that payments from the fund may only be used to cover costs that are necessary expenses incurred due to the public health emergency with respect to the COVID disease, that were not accounted for in the budget as of March 27, 2020, and were incurred during March 1 through December 30. She has a hard time seeing where taking the money is proper. As the tax collector she will

administer the decision that is made, but her opinion has not changed; she still believes it is NOT an appropriate use of funds. Commissioner Van Beek had questions regarding the legal ramifications. Sam Laugheed referred to the one-page handout addressed earlier. The law passed by both houses of Congress has not changed since March. Since that time it has been interpreted by guidelines that we are not subject to public comment or review, but we are just an administrative agency interpreting the law and in those guidelines we are subject to FAQ's which are not the law and not subject to anything other than the administrative agency's own decision making. The law has been the same, the guidelines have changed and the FAQ's have changed. The guidelines and FAQ's can change. It's more difficult to change the law. Under this administration and this agencies in this context we have seen them change how they interpret the law and as of September 2nd and now September 21st, it has been very favorable to the payroll public safety plan but it's still not the law. We can rely on it in good faith. The guidelines won't be a defense because they can change but they are proof we are acting in good faith. At the end of the day Canyon County would be on the hook. The state has made it clear that this a voluntary program we can opt into which is a strong defense for the state. Discussion ensued on how the funds are used to ensure compliance with the law. Controller Wagoner said it is very specifically limited to public safety payroll and the County will be subjected to a single audit. These are federal monies and we have to properly account for it and prove that the employees are public safety employees and we have to verify that we paid them. It would be an administrative burden to require the Sheriff's employees to track their time in 15-minute intervals and to try to create a payroll system to account for that. The wording from the Treasury states: *As an administrative convenience, in light of the emergency nature of circumstances you may presume that public safety payroll is substantially dedicated to the COVID-19 response.* Sheriff Donahue said he's been opposed since the beginning and his position has not changed. It is completely unethical and dishonest and he will not instruct personnel to be fraudulent in their claims of verification or clarification that they are doing something out of the ordinary and above their normal duties due to COVID because they are not. He will not go along with this because he thinks it's dishonest. Controller Wagoner said because this is an emergency situation he doesn't have to document public safety payroll personnel every 15 minutes. We may presume that they are substantially dedicated to the COVID response; it is eligible for federal reimbursement. Clerk Yamamoto said the dilemma is whether to give more weight to the CARES Act law or the FAQ's from the OIG and the Treasury. Carol Mitchell said the City of Caldwell from the very beginning has stood against taking this funding as their position is to follow the law/Act and ask whether it's ethical, moral and is it the right thing to do. She said it will be up to the city council to decide if we are going to reconsider their stance but at this point in time she is not recommending the city reopen its L-2 and proceed forward with a vote to participate. The fire and police chiefs cannot identify their duties have changed in any way whatsoever so she is not going to support this to the council. According to Ms. Mitchell, Mayor Nancolas is not in favor of opting in to the program. Mayor Kling said the new guidance has come late and we have the challenge where the CARES Act says one thing and the Treasury and OIG say another which makes it very difficult. The city tracks its COVID use, and the actual COVID interaction does not equate to the \$9 million they would receive and that makes it difficult. The council voted 5 to 1 to not accept the funds. Doug Racine said with the most current guidance he does not have a bar that prevents him from moving forward in terms of what the single audit impact would be. Prior to this guidance he had a concern but just from a

mathematical/numerical perspective the guidance today doesn't prevent him from accepting it if that was the will of the Mayor and Council. Assessor Stender said there is a property tax working group and they are in the legislature trying figure out a way to facilitate tax reduction for all citizens. It could be a yo-yo if nothing comes about to alleviate the tax burden next year. Clerk Yamamoto said if the County opted in \$10 million would stay in the community and if the cities opt in the number staying in the local economy would be around \$25 million. Mayor Kling said if the County opts into the program they city will consider it, but she doesn't know where the vote will go. The soonest they can have a meeting is Friday morning. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to continue the discussion to 4:00 p.m. this afternoon when Commissioner Van Beek, who had to leave for another appointment, could be present. The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER THE BUDGETING OF UNSCHEDULED REVENUE

The Board met today at 11:19 a.m. to consider the budgeting of unscheduled revenue. Present were: Commissioner Pam White, Clerk Chris Yamamoto, Controller Zach Wagoner, Commissioner Tom Dale (via Webex) and Deputy Clerk Monica Reeves. Controller Wagoner said this is the CARES Act monies which have been spent to reconfigure office spaces, install Plexiglas, purchase disinfecting and sanitizing supplies, etc., and they are reimbursable under the CARES Act. We need to open and adjust certain budgets to reflect new revenue, and unanticipated expenditures. There will be increases both on the revenue side and the expenditure side in the FY2020 budget.

	FY2020 Adopted Budget	FY2020 Budget Adjustment	FY2020 Amended Budget
Current Expense Fund			
Emergency Management	\$138,987	\$950,000	\$1,088,987
Facilities	\$3,942,51	\$20,000	\$3,962,531

Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to include the unanticipated revenue as identified by the Controller. (Resolution No. 20-148.) The meeting concluded at 11:23 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 PLANNING AND ZONING COMMISSION CANDIDATES

The Board met today at 1:34 p.m. for an Executive Session to interview and evaluate candidates for the Planning and Zoning Commission. Commissioner White made a motion to go into Executive Session at 1:34 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, DSD Director Tricia Nilsson, Candidate David Eicholtz, and Deputy Clerk Monica Reeves. Mr. Eicholtz left at 1:54 p.m. Candidate Sheena Wellard arrived at 2:35 p.m. and left at 3:09 p.m. Candidate Scott Brock arrived at 3:10 p.m. and left at 3:29 p.m. Candidate Nicko Demeter arrived at 3:30 p.m. and left at 3:47 p.m. The Executive Session concluded at 3:56 p.m. with no decision being called for in open session.

CONTINUED DISCUSSION RE: NEWLY UPDATED TREASURY GUIDELINES REGARDING CARES ACT
(POSSIBLE ACTION ITEM TO FOLLOW)

The Board met today at 4:03 p.m. for a continued discussion regarding the newly updated Treasury guidelines regarding the CARES Act, with the possibility of opting into the program. Present were: Commissioners Pam White and Leslie Van Beek, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Sr. System Analyst Steve Onofrei, Caldwell Finance Director Carol Mitchell, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, Assessor Brian Stender, and Rachel Spacek from the Idaho Press-Tribune. Clerk Yamamoto presented the Board with an example of a property in Middleton and one in the City of Nampa depicting values and tax savings, a copy of which is on file with this day's minute entry. Speaking specifically of Canyon County, the taxes have gone down without the Governor's program. Discussion ensued regarding taxable values and levy rates. Carol Mitchell said the City of Caldwell will have special council meeting tomorrow at noon, but her stance and Mayor Nancolas's stance have not changed with the new information. They still believe this is not following what the CARES law states. Commissioner Van Beek said she doesn't see the value of putting our staff through the exercise of capturing the benefit for a savings of \$25 a month. She is not in favor of opting in to the program. Commissioner Dale said by the word of the Sheriff we know the activities of public safety for Canyon County is neither substantially dedicated to COVID and it is not substantially different than what they had normally done on a year-to-year basis. He is not in favor of opting in. He is in favor of true property tax reform that is ongoing and sustainable and he looks forward to the legislature find a solution to a statewide problem. Commissioner White is leery about opting in and she is not in favor of it. Commissioner Van Beek asked if anybody knows how Ada County got to a level of comfort to opt in to the program. Further discussion ensued about property tax. Commissioner White said we all stand on one premise and that is the property taxpayers need relief but this is not the way we see it going through. *(A motion of the Board was not necessary as the County has functionally already opted out.)* The meeting concluded at 4:52 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 24, 2020

PRESENT: Commissioner Pam White, Chair - Out of the office
 Commissioner Tom Dale, Vice Chairman - Out of the office
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

No meetings were held this day.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 25, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
 Commissioner Tom Dale, Vice Chairman – Out of the office
 Commissioner Leslie Van Beek – Out of the office
 Deputy Clerks Monica Reeves/Jenen Ross

No meetings were held this day.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 28, 2020

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

APPROVED CLAIMS ORDER NO. 566902 TO 566937

The Board of Commissioners approved payment of County claims in the amount of \$43,671.32 for accounts payable.

APPROVED CLAIMS ORDER NO. 566938

The Board of Commissioners approved payment of County claims in the amount of \$18,705.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 566863 TO 566901

The Board of Commissioners approved payment of County claims in the amount of \$373,907.77 for accounts payable.

APPROVED CLAIMS ORDER NO. 566862

The Board of Commissioners approved payment of County claims in the amount of \$13,118.90 for accounts payable.

APPROVED CLAIMS ORDER NO. 566813 TO 566849

The Board of Commissioners approved payment of County claims in the amount of \$31,823.88 for accounts payable.

APPROVED CLAIMS ORDER NO. 566850 TO 566861; AND CLAIM NO. 566659

The Board of Commissioners approved payment of County claims in the amount of \$66,380.66 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Les Schwab Tires in the amount of \$13,584.31 for the Solid Waste Department
- Fence-Material.Com in the amount of \$49,265.58 for the Facilities Department

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale participated via conference call, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei, DSD Director Tricia Nilsson left at 9:11 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution granting a refund to William and Kristin Spicer for a withdrawn application: Director Nilsson said staff has been working with the applicants but they didn't like the options available to them for relocation of their building and have withdrawn their application. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a refund to William and Kristin Spicer for a withdrawn application (see resolution no. 20-151)

Consider signing a resolution setting the levy rates for all Canyon County taxing districts: Mr. Onofrei gave a brief overview of how levy rates are set. Canyon County has 60 taxing districts and he reviewed each request and each public notice noting that none of the taxing districts have exceeded the amount they are allowed to ask the taxpayers for. Commissioner Van Beek made a motion to sign the resolution setting the levy rates for all Canyon County taxing districts. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-149).

The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A RESOLUTION CHANGING THE TITLE, SALARY AND JOB DESCRIPTION OF ONE POSITION IN THE ASSESSOR'S OFFICE

The Board met today at 1:39 p.m. to consider a resolution changing the title, salary, and job description of a position in the Assessor's Office. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale via conference call, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Demi Etheridge from HR, and Deputy Clerk Monica Reeves. Joe Cox said as technology has changed some jobs have evolved to new positions where employees have to have a lot more technical skills and so they want to address a job description and reward the person who has stepped up and made the Assessor's Office more independent. The job description will go from an office manager position to a business manager position. It is a hybrid position that will be required to rewrite applications so they can pull information from assessment software and have more autofill features. They will also have additional responsibilities and be required to manage personnel. The Assessor has a \$10,000 line item which will be used as compensation for the position which will have a start date of October 1st. The HR Director has reviewed the job description, salary range, and resolution for accuracy. Following discussion, Commissioner Dale made a motion to adopt the resolution changing the title, salary, and job description from an office manager position to a business manager position for the Assessor's Office. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office. (Resolution No. 20-150.)

MEETING WITH INDIGENT SERVICES DIRECTOR TO DISCUSS ESTABLISHING INCOME AND EXPENSE ALLOWANCES IN DETERMINING MEDICAL INDIGENCY AND TO CONSIDER AN ACTION ITEM

The Board met today at 2:01 p.m. with the Indigent Services Director to discuss establishing income and expense allowances in determining medical indigency and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale participated via teleconference, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Director Baker provided a document to the Board outlining the monthly allowable expenses. She explained the only real change this year is to the imputed minimum wage that's used; this year it will be \$9.32/hr. based on information from the Idaho Department of Labor.

Commissioner Van Beek made a motion to sign the resolution establishing the income and expense to be considered in determining medical indigency. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-152). The meeting concluded at 2:19 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: EVALUATE PLANNING AND ZONING COMMISSION CANDIDATES

Commissioner Van Beek made a motion to go into Executive Session at 2:31 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) for a personnel matter and to review records exempt from public disclosure to evaluate Planning and Zoning Commission candidates. 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 and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 2:45 p.m. The Executive Session concluded at 3:30 p.m. with no decision being called for in open session. A resolution of appointment will be forthcoming.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 29, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order(s):

- Lowe's in the amount of \$2,292.00 for the Facilities Department
- Amazon Capital Services in the amount of \$2,133.68 for the Elections Office

APPROVED CLAIMS ORDER NO. 566813 TO 566849

The Board of Commissioners approved payment of County claims in the amount of \$142,458.91 for accounts payable.

MEETING TO CONSIDER ACTION ITEM

The Board met today at 8:32 a.m. to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale participated via Webex, Deputy P.A. Brad Goodsell, Mike Murgoitio with Timber Creek Recycling, Landfill Director David Loper joined via Webex at 8:40 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider change order no. 1 to wood waste removal agreement with Timber Creek Recycling LLC to increase price per ton effective October 1, 2020: Mr. Goodsell gave a background on the process and contract of using Timber Creek Recycling. Mr. Murgoitio provided information as to the reason for the increase and what he uses some of the recycled materials for. The price this year will increase from \$21.00 to \$27.50. Director Loper spoke about his experience with Timber Creek and that he's been really happy with the service that has been provided. Commissioner Dale made a motion to sign change order no. 1 to wood waste removal agreement with Timber Creek Recycling LLC to increase price per ton effective October 1, 2020. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 20-132). 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 TO CONSIDER AND 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, Commissioner Tom Dale via teleconference, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action item was considered as follows:

Action item: Consider signing invitation for bids for the Canyon County Fair Expo Building construction project: Mr. Wesley explained that the final documents for bid are not ready from Cole Architects yet but hoping they will be ready around mid-October. The PAs Office will work with Board staff to coordinate new dates.

EXECUTIVE SESSION – PERSONNEL MATTER, 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 (i) regarding personnel matter, 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 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 and Leslie Van Beek, Commissioner Tom Dale participated via teleconference, Deputy P.A. Zach Wesley, Fair Director Diana Sinner (present from 9:05 a.m. to 9:25 a.m.), DSD Director Tricia Nilsson (present from 9:25 a.m. to 10:00 a.m.) 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 TO CONSIDER A REQUEST BY NORTHSTAR RANCH DEVELOPMENT, LLC FOR A PRELIMINARY PLAT, DRAINAGE AND GRADING PLAN FOR MONUMENT PLACE SUBDIVISION, CASE NO. SD2019-0006

The Board met today at 10:08 a.m. to conduct a public hearing in the matter of a request by Northstar Ranch Development, LLC, for a preliminary plat, and a drainage and grading plan for Monument Place Subdivision, Case No. SD2019-0006. Present were: Commissioners Pam White and Leslie Van Beek, Todd Lakey, Mark Butler, Paul McNamara, Derritt Kerner, Karl Pedersen, Charles Peebles, Drayth Sielaff, Heath Van Patten, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jennifer Poirier, Trevor Soggs, Ursula Warden, and Danny Feltenberger. Commissioner Van Beek disclosed that she had had communication with Ursula (Radke) Warden who asked questions regarding the process for this case and so she disclosed limited information to Ms. Warden. She forwarded the email communication to DSD staff which should be included in the record. Commissioner Van Beek said her communication with Ms. Warden will not impugn her ability to go forward with this case. (She also believes Ms. Warden had communication with more than one Commissioner regarding this case.) She noted that not only has she not been able to review the voluminous information that was included in the record at a late hour, she also has questions about the questions that were asked by Ms. Warden. Jennifer Almeida gave the oral staff report and reviewed the late exhibits that were submitted. The subject property is 54.92 acres located within Middleton's impact area. It is not located within a floodplain. The applicant is seeking approval of a preliminary plat, drainage and grading plan. The property is zoned CR-R1 and is subject to a development agreement which was part of the rezone that was approved for the project in September of 2019. All lots meet the average minimum lot size of one acre. The subject property is designated as residential on the Canyon County Comprehensive Plan, and it is an area anticipated for residential uses. The property is adjacent to CR-RR zoning as well as CR-R1 zoning. The property is adjacent to platted subdivisions on the west and north boundaries. Keller and Associates has reviewed the preliminary plat package for conformance with County code and has recommended that the preliminary plat be approved with conditions as outlined in their letter identified as Exhibit 5. The conditions have been included as recommended conditions of approval by staff as well. The applicant has submitted a preliminary geotechnical report, hydrology report, and storm water drainage calculations. A grading and drainage plan as well as a slope stabilization

and revegetation plan were submitted as required by County code. Access to the site will be via Blessinger Road. Internal public roads will provide access to each residential lot. Canyon Highway District has reviewed and approved the preliminary plat, and the applicant has gained approval of a variance from the highway district. The project will be served by individual septic systems and wells. The property does not have irrigation water rights and individual domestic wells can be utilized to irrigate up to one half acre of each lot. The Farmers Union Ditch Company has reviewed the plat and drainage plans and in their letter they indicated they have an easement along the Farmers Union Canal, 25 feet from the top of the bank. Middleton Fire Protection District has reviewed the preliminary plat and approved the wildfire interface plan as required by the development agreement for the rezone. Staff is recommending approval of the plat finding that it meets the zoning ordinance and Idaho code requirements. Staff has provided recommended conditions of approval as found in Exhibit 1 of the staff report. Commissioner Van Beek asked questions for staff pertaining to the enforcement of the wildfire interface plan, the steep slopes, impact on the drainage swale, the drip system for the septic systems, and the fire code pertaining to fire flow.

The following people testified in support of the request:

Todd Lakey testified the engineer and staff have recommended conditions of approval that the applicant is satisfied with. The P&Z Commission unanimously recommended approval subject to conditions, which the applicant agrees with. He said the P&Z Commissioner requirements as far as the preliminary plat are met, and they conform with the County ordinance and state code and also with the conditional rezone conditions the Board included, as well as the development agreement for the project. Mr. Lakey said today's hearing is not the hearing to revisit the land use or the site plan although some of those in opposition seek to do that. This is the opportunity to review the technical requirements of the plat. He said his clients have gone the extra mile in a number of areas particularly the extension of Blessinger Road to the south, to meet the "Christmas list" of the highway district in wanting connection in that area for many years, and the emergency access they are providing to the north for connectivity and to reduce the fire response times. They initially presented those two options on lot sizes on the south in regard to that drain and the Commissioners selected the larger lot size and that was preferable to the applicant as it reduced the liability regarding that drainage of the common area that used to exist there. They are following the site plan that was selected and approved by the Board. Since the rezone they have completed the geotechnical study and submitted that report; it included a soils analysis and a well log review and according to that report the property can be developed as proposed in the preliminary plat. They also performed the hydrology study, completed the subdivision engineering report. Southwest District Health (SWDH) has not reviewed it yet, but they do perform a review and they sign off on the final plat, not the preliminary plat. The report shows they can move forward with what they have proposed. All the studies support the project as laid out in the preliminary plat. They have submitted the wildfire interface plan that was approved by the fire district, and it will be enforced by the CC&R's. They will meet the highway district requirements as far as extending Blessinger Road. They approved the slope variation from 6% to 8%, similar to what's been approved in the area before. The P&Z Commission added Condition No. 6 regarding piping some of the drainage swales to help promote the efficiency in some of those drainages. On the common lots, Lot 10 and Lot 28, are the stubs they provided for connectivity to the subdivision

to the west off the culdesacs. He said it shows some of the inconsistency with neighbor input they have been trying to deal with. They initially provided those to provide connectivity which some seem to want, but the majority of those who testified last time didn't want that connectivity so the P&Z Commission put in a requirement that the applicant post those as private property and fence them on one boundary and the applicant is willing to do that. He said they were worried about people coming from the proposed subdivision into their subdivision, but they were put there to help people from their subdivision get over to Blessinger Road. Commissioner White asked about people recreating on the land. Mr. Lakey said that is part what they talked about initially where some people felt like their recreation area (riding ATV's and hiking) was being taken away, but frankly that was trespassing in the past. This is private property and they were doing that without permission so the applicant is trying to facilitate some continued use of that but at the end of the day some of those neighbors said they didn't want connectivity. Commissioner White asked if there will be pathways or walking trails. Mr. Lakey said those were little connections to the project but the neighbors said they don't want that. The applicants agree with the P&Z Commission's recommendation and are happy to fence those off and mark them as private property. The previous reference was in regards to the drain where they increased the lot size and removed the common area, and that was their preference of the two options provided. The other condition the P&Z Commission had was to include an operation and maintenance manual for the drainage swales and areas in the CC&R's and he said they are going to do that. Commissioner Van Beek asked follow-up questions regarding the fenced portion of common areas. Mr. Lakey again said today's hearing is not to revisit the lot size, or site plan or land use and then he responded to the questions. The lots on the southern boundary range in size from 1.7 to 2.4 acres and they designed the project to have fewer lots on that western boundary and that was part of the site plan, not what they are here to address today. The questions about wells, septic, and soil types have been evaluated and analyzed in the reports that have been submitted from the geotech report to the hydrology report and to the subdivision engineering report. They have conducted extensive studies to answer the questions from neighbors. SWDH has final buyoff on the final plat and they have to sign off on it or the applicant doesn't get to move forward as proposed. In response to a Commissioner Van Beek's question about lot size, Mr. Lakey said the lots were smaller previously but they selected the option to take away the common area and increase the lot size. They had a request from a neighbor to move their private road to the south, but the applicant cannot be required to do that. Commissioner White asked if Blessinger Road will be completed at the expense of the developer. Mr. Lakey said yes it will, they are doing the emergency access but they only have one-half of that right-of-way to the north so they are connecting it all the way to the property line but for a small sliver of property to the north where the landowner was not being reasonable about selling. The highway district seemed to be favorable in pursuing some effort on their part to obtain that little piece of property to make that final connection. According to Mr. Lakey, the applicant is doing 99% of it with an emergency access. Discussion ensued regarding common lots, and the wildfire interface plan. Commissioner Van Beek said there is a concern with the access walkway onto Zenith Lane and it has to do with their agricultural operation. In reviewing an exhibit, Mr. Lakey said the blue dots represent the connecting pathways the neighbors didn't want connected. Commissioner Van Beek asked if he has addressed the special transitional overlay area from the Star comprehensive plan. Mr. Lakey said he has not addressed Star's comprehensive plan in the preliminary plat as this project is

subject to Canyon County's comprehensive plan. He has not covered that because we are not here today to discuss land use. Mark Butler spoke about character references of those who have worked on this application. Initially the developers met him and talked about being a partner on the project and they had that concept for a while and then Todd Lakey came on. Mr. Butler said he is not a paid consultant for the developers, he is here testifying about his land use experience. The developers are going beyond what most do. He's never seen a developer build so much arterial offsite to deal with fire department issues and connectivity issues like this project and that holds a great amount of value in trying to provide a level of comfort with regard to all the engineering issues because it seems like most of the questions and concerns would be engineering and he agrees with that. This application was submitted eight months ago and they worked about a year before that on other items. All agencies will have to provide approval. Mr. Butler spoke about the detailed engineering provided by Derritt Kerner noting that in a different/previous application in the City of Eagle they spent six hours working on details of dumpster enclosures. He said P&Z Commission John Carpenter scrutinized this item with engineering. Mr. Butler then spoke about his work experience. He has 30 years of planning experience, 12 years on the government side and then he started working on the side of developers in 2000 and during that time he was an Eagle City Councilman for four years, and served on the Eagle Urban Renewal Agency for four years, the Eagle Design Review for nine years, and many other committees. Since 2000 he has been qualified to testify on land use and constitutional laws that relate to land use in the 3rd, 4th and 5th District Courts in the State of Idaho. He has done some development but mostly adaptive reuse in buying old buildings in downtown Eagle in trying to keep the character and bring them into current standards. Commissioner Van Beek asked if he feels there has been any conflict of interest on his part between his interest in the comprehensive plan and his development background and this subdivision. Mr. Butler said he does not. He was hired to work on the Star comprehensive plan, and he wrote it all and during that process they had an amazing neighborhood turnout and after about a year when it ended up in front of the city council only one person, a farmer from Star, was the only person who had a concern. They had great public outreach. He knows what the special transition overlay is but it's not part of this meeting and he'd rather not get into it because it's not part of today's hearing. Commissioner Van Beek asked Mr. Butler if he feels like the five points outlined for that by the opposition are relevant to this decision. The five points are as follows in italics:

Development adjacent to the special transition overlay area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned.

Mr. Butler said in reading on it talks about the buffer that would be required, and would not be required unless the lots are not intended to be redeveloped. The portion does not apply.

Site layout is to provide for a transition in density and lot sizing with all policies regarding compatibility herein applying

Mr. Butler said in his opinion he believes the City of Star would most likely approve this in accordance with their plan, they would look at these lots as being large – one to two-acre lots – being rural in nature. It also talks about lots that are on well and septic being compatible with other ones even though the others could be 5, 10, 20, & 40. They look at this kind of development as a rural development. When they talk about urban and urban transition next to rural, they are

talking three units per acre and more. This is rural next to rural so in his opinion this would not be in conflict with Star's comprehensive plan and the specific language in the special transition overlay area.

Modified street sections such as with no curbs, gutters, or sidewalks should be encouraged for adjacent compatibility where deemed appropriate.

Mr. Butler said he wrote that because if a development comes in next to an existing rural development like Hillsdale Estates where those owners didn't want to see urban roadways (curbs, gutters, sidewalks) immediately transitioning into a rural roadway so they wanted the character of rural to remain rural.

When residential development is planned with lots that directly abut lots with a special transition overlay an appropriate transition is to be provided for the two abutting residential types

Mr. Butler said the comprehensive plan is a guide, it goes on to talk about when you have densities of urban style densities of three, four, or five units per acre adjacent to rural, it's not compatible when you have that type of thing which they do not have here that you need some sort of buffer, so it either said a one-to-one lot or, he believes in the code they adopted a 20-foot landscape buffer so there are different ways to buffer but that does not apply to this project because this is not an urban development next to rural, it's rural and rural.

Larger setbacks should be required for new lots planned to abut existing special transition overlay area lots.

Mr. Butler said what they adopted in the code based up on that guidance in the comprehensive plan was that one of the options for proper transition is, for instance in Hillsdale Estates, if they had a 30-foot backyard and they are one unit per acre, somebody comes in with three units per acre next door they didn't want somebody with an urban development with a 15-foot backyard next to a rural development with a 30-foot backyard and so they thought that would be a good way to provide a transition. Commissioner Van Beek said Mr. Butler was actively involved in developing these concepts but the concepts maybe, to some extent, are not applicable or taken out of context or at least needed clarification in context of this current proposal. Mr. Butler said the comprehensive plan language you read is applicable in Star or in the impact area to any application. That language would support this development in his opinion 100%. Commissioner Van Beek asked him to talk about the topography, and the concern with the extension of Blessinger Road and some of that blindness on the hills. Is there any mitigation for that? Mr. Butler said the 8% they are allowed to go on the slope is still very minimal; a 10% slope is standard. The guidance in the language that Canyon Highway District has is 6% but in cases of heavy hillsides you can ask to go more and they have allowed the applicant to go 8% which is very reasonable and workable with fire departments. He said they had the applicant run this road straight which cost them a lot of money. They wanted to curve up the hill but the curves would have provided more sight issues, and a straight road is clean and clear. The safety of this road is far better than Can-Ada Road where the grade reaches 16%, and Middleton Road through the Galvin property which is about

16%. Commissioner Van Beek referred to the groundwater concern raised by Mr. Warden and she asked Mr. Butler to address the aquifer recharge map in that area. Mr. Butler said that would have to be addressed by Derritt Kerner the engineer. Paul McNamara testified that he is very proud of the thorough package they have put together for this project. He envisions the subdivision will be very inviting with family residences with wide open spaces and nicely wrapped in white ranch fencing. It will look like higher-end subdivisions within the neighboring area but more affordable for people. It will have custom home that will be compatible with the area. Following his testimony Mr. McNamara responded to questions from Commissioners Van Beek and White. Derritt Kerner with Rock Solid Civil is the design engineer for this project and he responded to engineering questions. They have gone well beyond what you typically see with a preliminary plat for wells, septic, drainage, and roadways, especially with the Blessinger Road extension because they had to make sure that was viable with the highway district and built to their standards and safe in order for this project to go through. Blessinger Road will be extended from the south, and that includes a large portion, two-thirds of a half mile that will be built offsite. They will acquire the right-of-way as soon as they achieve preliminary plat approval and will acquire that right-of-way and the whole section of Blessinger Road will be built which he believes a lot of people are happy about. There will be fire department emergency access. The highway district will have to acquire a portion of right-of-way in order to connect this and it's on their plan for next year, but it will take a little bit of time for them to get the funding and make that happen. Regarding drainage, he said the Farmers Union Canal and the Farmers Union jurisdiction ends a half mile to the east and then Drainage District No. 2 has jurisdiction across the project. Farmers Union has asked them to keep them privy to the development and the applicant will do that, and they will remove old pipes and replace them with a 48-inch diameter pipe. They worked out a drip system with SWDH. Houses will be at the top of the hill and septic and well will be separated appropriately; some lots will have to have a drip system on steeper slopes. Discussion ensued regarding the drip system. Trevor Soggs testified that he owns 7.5 acres to the east with the drainage running through his property. He recently installed a 36-inch culvert with Drainage District No. 2's approval so with this project proposing a 48-inch pipe it will be larger than required. He believes the project will be compatible with area and he is hopes to still be able to walk the area on the roads/sidewalks the developer provides. He said the landowners should be able to use their land for what they want, not to provide recreation for other people.

The following people testified in opposition to the request:

Ursula Warden testified that the reason some of these questions continue to come up is because they filed as an HOA with their attorney a reconsideration request last holiday season and they never got a response from the County as to it being denied, or the reasons for it being denied which is poor on the County's part to not respond to its constituents. They have audio and the typed notes from the last meeting and the two do not match, and there are comments made under oath that are outright lies starting with Mr. Lakey saying they did look at the Star comprehensive plan and it was in line with Canyon County's plan and that is documented. She said it's a conflict of interest for Mark Butler, who worked on the Star comprehensive plan and then purchased property in this area knowing the Star comprehensive plan he created and made it overlay with Canyon County's and so it is a conflict of interest. This entire process continues to be one-sided in favor of the developer, in fact, they can barely hear any of today's hearing because

of moving papers and making noises and a poor connection and that in and of itself is one-sided that the public's hearing and participation doesn't matter as much as the developer's. She reached out to the Canyon Highway District a couple weeks ago, and the school district/the school superintendent, and the busing company after the last P&Z Commission hearing because it was alluded to that the bus stops were going to somehow come down their private road because there is no connector and because they will lose the stops on the top of Blessinger Road due to the steepness and connecting it through. All three agencies told her they were not aware of this development and had serious concerns about steepness. There is only one child who rides the bus in the neighborhood and she has special needs and they have concerns about how she will get to the bus and where they will stop. The bus company said they want to see the plans because it affects where the busses stop which then in turns impacts whether or not those buses go down their road. The sewer and water district responded to her a couple weeks ago and said they have not approved a plan and the reason lot sizes matter is because on those steep lots there is not a lot of buildable space which means those houses are going to be narrow and close together on the top of the hill. A drip system is great but on a narrow steep lot where is the buildable space and the space for the second drain field? Those are issues that haven't been answered yet. She said no one in their neighborhood uses ATV's to drive on the property, all the ATV's come from the newer neighborhoods behind and in front of them, and she wants the record to show they do not recreate on that land with ATV's. Also, they did not ever state that they wanted a connected walkway. That might have come up in the initial meeting two years ago when Mr. Butler met to get a feel for the neighborhood and one of the neighbor's kids, who used to walk to the school bus but no longer lives out there, used to walk the hill to get there. No one in the neighborhood currently walks to a bus stop up there, and the special needs child wouldn't use the connection because she comes from a different direction. Ms. Warden said there is so much stuff that is inaccurate and is the opposite of what Mr. Lakey and Mr. Butler have said at the initial meeting, which again she has audio of but it does not match the documented record. Their biggest issue as the HOA is that the process is disconnected and they have been using the Star plan and other neighborhoods that didn't get approved initially to justify what they are doing here and now that we are past that initial part they are going back and saying "we didn't do that, or that wasn't relevant, or this is not true" and that is an outright lie. They are saying sewer and water has approved a plan, but it hasn't been approved and they are saying the highway district has their plan worked out too but the highway district told her nothing has been approved yet, and they have said they reached out to the school district, but she talked to the superintendent who isn't even aware of the subdivision and she major concerns with it. Ms. Warden asked how they can keep pushing forward when things have not been shored up, it's wrong and it's wrong that the Commissioners don't even have the wherewithal to respond to their reconsideration. She said they are not anti-development, they would happily have development if it was appropriate and it matched the initial P&Z Commission hearing and the first Board of Commissioners' hearing based on everybody's numbers of a 1.98 average of two acres with the appropriate lot size and yet here we are so they can make a bang for their buck and put in a road that is not going to be all the way completed. The traffic this neighborhood will bring and not be able to get all the way through Blessinger will cause a nightmare for the residents. They have had two more fires, and the road is narrow and eroding away and the developers have no plans to widen the road or make it safer. This is unacceptable and the way you commented on it during last meeting with *"oh, developers*

have a right to develop”, but we bought here first and our right to live here supersedes the right to develop. She is appalled at the comments that were made and she will release them to the public if the Board doesn’t start taking this seriously, and again, they do not match which she finds nefarious. Commissioner Van Beek asked Ms. Warden if any of her questions have been answered and whether the report her husband provided differed from what was contained in the staff report. Ms. Warden said it’s in his letter and it’s in the initial Board of Commissioners’ minutes. He did a geospatial analysis of the lot sizes and it did match with that 1.98 acre which would be appropriate for this area, but then because the developers say they can get away with doing less than the two-acre average. She does not feel she got an answer; we talked about drainage/slope and we have concerns about the sewer and the septic. They want to know where the buildable lots are, where the drain fields are, where the second drain fields are going because it’s their understanding you have to have a backup drain field and on steep narrow lots she’s not sure where they going to put that. They have fire concerns because they had two fires this past summer that got out of control because new neighbors weren’t maintaining all the property the right way. She said CC&R’s won’t do anything. She asked why the canal district hasn’t commented on this project, and she wants to know who is responsible for maintaining the trimming and shrubbery. She also said Commissioner Van Beek is the only one who has asked any thoughtful questions regarding concerns from the neighbors which is very telling of where the interest lies on this panel. In response to questions from Commissioner Van Beek, Director Nilsson addressed the CC&R’s and the placement of septic systems and drain fields. Once a final plat is approved those details are worked out for each individual lot with the developer and SWDH. It’s dependent on where it can go, where they wish to place the dwellings, but it’s done on a lot-by-lot basis and then there’s a diagram produced for each lot. SWDH issues a preliminary septic permit and then there’s a final permit prior to certificate of occupancy for the dwelling so there’s not an overall development specific location of septic systems, it’s done on a lot-by-lot basis with the developer and the representative. They bring in their initial septic permit with their application for a building permit so that SWDH knows where they intend to put their building, and then there’s a condition on the building permit for a final inspection by SWDH that DSD requires prior to issuance of a certificate of occupancy. It’s a two-step process. The septic permit has a diagram of where the drain field is and any secondary drain field, location of the wells, and any other features that are needed to know that affect the placement of the septic systems. CC&R’s are a private agreement, the County does not enforce them, it is up to the HOA. The only conditions DSD enforces are conditions on the plat or in the conditional rezone decision.

Rebuttal testimony was offered by Todd Lakey

Mr. Lakey said they meet the requirements of the preliminary plat, the county code, and state code. The highway district has reviewed and approved the preliminary plat. They have worked with SWDH and they sign off on the final plat. He believes those who have testified in opposition do not understand the difference between the land use and platting and ultimately the development of the project. As far as the comprehensive plan, this is a plat, it’s not land use so that was part of his response but he will touch on that briefly. As he recalls the land use stage when we were talking about the rezone itself he talked about the Star comprehensive plan and the Middleton comprehensive plan and the County’s comprehensive plan and the fact that this is

less dense than some of those potential options if it were to go into Star or Middleton. As Mr. Butler said we are less dense than potentially what could be out there, and this is a transition between urban development that may come from a city and county development that exists out there now. This is platting, this is not land use. Commissioner Van Beek said she wants to address Ursula Warden's concern during the reconsideration process. She feels bad there was some misunderstanding about the time frames and legally it is allowed to run out, but she doesn't necessarily support that and she always asks to look at reconsideration requests. She emailed Mr. Lakey and asked him to clarify information she believes is a tripping point for people opposing this and it has to do with the Willowbrook Subdivision. She pulled the audio file and listened to it and reviewed comments, and Mr. Lakey provided a four-page rebuttal in response to that hearing. Todd Lakey said yes, but he was focusing on the plat not trying to jog his memory on the land use. Commissioner Van Beek wants staff or Mr. Lakey to pull that and include it as part of this record because it's significant in explaining some of the density questions. She asked him to talk about why this wasn't looked at as a 1.98 acre as recommended by the P&Z Commission. Mr. Lakey said again this is not a land use hearing. They looked at it in the land use context compiling all of those potentials out there. Willowbrook was a conditional rezone and was approved with conditions as far as density goes with connection on Blessinger Road and other requirements. The cities plans, if they come out this direction, are much more dense so they looked at this as compatible with everything that could potentially be going on out there and then also in line with Sage Canyon, the most recent subdivision contiguous to the northeast, and so that's where they came up with the proposed lot sizes and looking at the topography, and the extra things they are doing on this project to make it a positive project. They will be doing very high quality custom larger estate-type homes that will fit with the area. Those are all the criteria they put in to determine what they did, and they tried to be responsive to some of the comments in the design and layout. Commissioner Van Beek said the timeframe was too short, that was a very good piece of information and again it showed diligence on the part of the Board in evaluating some of those comments she's heard come up numerous times. Commissioner White asked about bus stops. Mr. Lakey said he doesn't believe there is a requirement under the ordinance for that, but they are open-minded to it, but there is not a condition for that in the preliminary plat. Derritt Kerner responded and said no, they have not incorporated bus stops. It's not a typical route to give this plan at this phase to the school district, but they are open-minded. He does remember some coordination about building two dead-end culdesac roads and where those busses will likely continue down Blessinger. They currently stop on the far southeast corner (where they will be extending Blessinger Road) and so they will drive on the new Blessinger Road that they are going to build and likely down to the ends of those culdesacs and pick up students. Todd Lakey said they anticipate school buses but they haven't designed a covered bus stop in the plan. Commissioner White said she hopes it would be in the notes to look at that and see what is required and how it will work. Derritt Kerner said with the addition of extending the roadway network for the highway district, they're going to give the bus routes more road in order to access the students internal to the development and getting the bus closer the developments around this project that currently walk a great distance to the bus stop. Mr. Lakey said part of the context for some of those comments were their desire not to have those connections that we are going to be blocking off. Previously there were children in the adjacent subdivision that may have wanted to walk up those roads to catch buses, but he thought he heard they are no longer there and that's one of the

reasons they are not in favor of those connections they have designed that they are now going to be fencing off and labeling as private property. He said they have been in regular communication with the highway district, they've walked the site and approved the variance and the preliminary plat. They have worked with SWDH, but we are not saying they are done. They sign off on the final plat and ultimately they have to get a septic permit when somebody chooses where they will locate their house. The required reports have been done and the scientific analyses have been done and they support the application from our perspective. The wildfire interface is something nobody else has out there, this is new and it is the extra mile they are going so they are going to be a safer subdivision from a fire perspective than others that exist, including the neighbors that are opposed. There is a 200-foot setback for the septic systems, as per SWDH standards. They comply with the ordinance requirements and agree with the proposed conditions. They have done extensive analysis of the factors involved and will have those agencies approval before they can build homes and septic systems. Commissioner Van Beek referred to the argument presented in the request for reconsideration and said they have taken it from the comprehensive plan, which she supports. The P&Z Commission's recommendation for denial had to do with the agricultural component and her question is this: is it actively farmed? You cannot farm ground on a 20% slope. How much of the 54 acres is actually farm ground because that is how they built their argument? Mr. Lakey said recognizing this is a land use question again. The ground does not have irrigation water rights, it's sloped and in native vegetative sagebrush – it hasn't been farmed, it's not ground that's been in active ag production. He anticipates in the past it may have been used for grazing, but not for active agricultural operations. The document referred to came after the rezone hearing and would have been part of the process had they pursued a judicial review. It is not part of the plat. Commissioner Dale said this is a public hearing to look at the preliminary plat, drainage and grading plan. This is not a consideration of zoning. 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 this is a case where there's been preparation on both sides and she likes the process of being able to make a well-grounded argument that meets the standard of review. She did not initially vote in favor of this decision; she felt the recommendation from the P&Z Commission was the right decision and she still has some reservations about the slope and area and the concerns that are out there but she would like the opportunity to put her reasons on record as she weighs this and what she can and cannot consider. In the preliminary plat she sees some late exhibits coming in with things she has tried to articulate. It was very nice that Mr. Butler was here to help provide some clarification on that with his planning background. She likes for the DSD Director to weigh in with the process, and it's hard to get that process of when the timing comes in and she's heard many times that they will have to prove that up to the entities that provide the permitting in order for it to go forward. She does not necessarily like the way a drip system works, but that's not her area of expertise so she has to rely on the expertise of people rendering decisions, namely SWDH. She appreciates the testimony of the engineer today. She appreciates Todd Lakey's comments that in the representation of the applicant they have tried to meet and exceed the standards of performance for this subdivision which she understands some people may not like, but this valley is changing and in that her question is relevant on the agricultural portion of that because she is favor of evaluating reconsiderations and that was true on this one, although it did not happen but in looking back at the reasons that were outlined in the process of change she used the comprehensive plan and it

would be hard to apply that across the board to this particular piece of ground so if we are looking at best and highest use would you take a piece of ground that is not prime ag farm ground and turn it into rural? That also is an argument that Mr. Butler helped provide, that and the Star transition overlay. This is rural to rural because if we were doing urban density you would have three or four homes to help offset the cost of putting in the infrastructure that will hopefully be seen as a benefit. There is a market for this kind of development, and her question is relevant on the size of the acreage on 1.8 acres because with no water rights if you put a larger acreage you will get fuel for fire and CC&R's are only as good as the people enforcing them. By minimizing to the extent that we can still safely provide services with individual well and septic, the house takes a ½ acre and you have a ½ acre of dry scape and then they follow those zones and the wildfire plan. That didn't have to be done but it was done and it provides clear guidelines for mitigating the risks. She argued against having sprinkler systems saying that people should know where they are buying and they will pay for it in their insurance premiums but this developer is saying he is willing to put those in at a cost and having said that is the basis for her argument in the event that this goes to court. She is only here to evaluate the merits of the arguments she has been presented; she cannot argue on "I want the view, I don't like somebody coming next to me". She cannot make an emotional argument, but she can make an argument based on findings of fact, conclusions of law which she has done using the attorney's argument for this reconsideration. She finds that the applicant has gone above and beyond in exceeding the standards of performance for presenting a package to the Commissioners that demonstrates good faith in putting something into Canyon County. She would not be inclined if this were a subdivision that would have to be subsidized but given the components of this, the infrastructure, the fire sprinklers, the septic system, it's going to attract people that have the income to support that kind of development. In looking at the shift that's happening to the residential sector you have to have people where you market higher-end homes and that is an argument that's been presented today that she, strictly on the basis of the merit of the argument, would support this as presented. Commissioner Dale said this has been in process for a long time and he really appreciates the efforts of this developer and all the people involved who have gone above and beyond to make sure they can provide the type of development that would do the most good. We are to consider whether or not the preliminary plat, drainage and grading plans meet the requirements. This meets all the requirements, this is not a land use discussion although those discussion points are interesting and relevant to a certain degree. He is in favor of this project and believes it will be a benefit and provide a market segment that is needed out there. Commissioner Van Beek appreciates Mr. Butler and she appreciates the opposition's comments. In having Mr. Butler provide testimony about his years of experience she believes it does not represent a conflict of interest to have someone use their professional skills. She believes there has not been any violation of ethics in having a purchase knowing the comprehensive plan. She knows a lot about land development in Canyon County but that should not mean she couldn't look at areas she considers desirable and purchase. She took his comments in good faith there was not a violation. She would like the applicant to have a copy of it because it was so well written and addressed her pointed questions. She likes to be diplomatic but to the point in fielding some of those that she thinks would help those in opposition. Commissioner White said when we bring this hearing to the measure of its merits and what's been presented and the information we have, both sides presented their testimony and she appreciates that. She thanked everyone for participating whether by WebEx

or in person and said it's a privilege to be able to handle the business of land planning in this fashion. Things that assist the Board are comments from the people and many times we do get the remarks that we don't hear or don't listen, but we do hear the comments, we read the emails and put it all into context with the comprehensive plan and the land planning laws, rules, and ordinances to come to a decision that is defensible and transparent. With the things that are proposed she wants to make sure the child with special needs will have a way to access the bus in an easy manner. There have been two fires out there and with the wildfire interface plan she believes it will make this area of Canyon County something to be looked at and used as an example. She appreciates Mr. Butler's expertise and said he made it clear why he is here and she thanked him for that. She has tremendous respect for what he has done and how he was prepared to give testimony that was defensible. She does not have a problem with approving and making the decision that we as the Board of Canyon County Commissioners are charged to make, and then she made a motion to approve the request by Northstar Ranch Development, LLC, for a preliminary plat, drainage and grading plan for Monument Place Subdivision, Case No. SD2019-0006 and to sign the findings of fact, conclusions of law and order. Commissioner Dale seconded the motion and said he really appreciate the comments that have been made by the Commissioners, Mr. Lakey, Mr. Butler, and Ms. Warden. He said he doesn't always ask a lot of questions, but he did read through the materials and most of the questions were answered. (Due to technical difficulties it was hard to hear Commissioner Dale's comments at this point.) The motion carried unanimously. The hearing concluded at 12:04 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2020 TERM

CALDWELL, IDAHO SEPTEMBER 30, 2020

PRESENT: Commissioner Pam White, Chair - Out of the office
 Commissioner Tom Dale, Vice Chairman – Out of the office
 Commissioner Leslie Van Beek – Out of the office
 Deputy Clerks Monica Reeves/Jenen Ross

No meetings scheduled today.

THE MINUTES OF THE FISCAL TERM OF SEPTEMBER 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 5th day of January 2021.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Tom Dale
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK
By: M. Reeves, Deputy Clerk

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 1, 2020

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

APPROVED CLAIMS NO. 567020

The Board of Commissioners approved payment of County claims in the amount of \$1,705.00 for accounts payable.

APPROVED CLAIMS NO. 567058

The Board of Commissioners approved payment of County claims in the amount of \$49,265.58 for accounts payable.

APPROVED CLAIMS NO. 566939 TO 566991

The Board of Commissioners approved payment of County claims in the amount of \$34,902.97 for accounts payable. **Commissioner Van Beek indicated her approval with an outstanding question for cost justification on the purchase of the Samsung TV invoice 4707890/PO16-4515 in the amount of \$5,505.63.*

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Overhead Door of Idaho in the amount of \$3,675.00 for the Facilities Department
- Hanson Janitorial in the amount of \$2,899.40 for the Sheriff's Office
- Priority Dispatch in the amount of \$3,420.00 for the Sheriff's Office

APPROVED LIQUOR CATERING PERMITS

The Board approved a liquor catering permit for County Line Wine Company, LLC for use on October 10, 2020 at Hathaway House, and on October 17, 2020 at Smith's Barn; and a permit for Raising Our Bar for use on October 4, October 10, October 11, October 17, October 18, and October 24, 2020 at Still Water Hollow.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:47 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale participated via teleconference, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-1124, 2020-1134, 2020-1060, 2020-1050, 2020-1031, 2020-1121 and 2020-1051. 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 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER 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, Commissioner Tom Dale participated via Webex, Director of Indigent Services Yvonne Baker (left at 9:07 a.m.), Court Operations Supervisor Denise Kennel (left at 9:11 a.m.), Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, CCSO Dispatch Roxanne Wade and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Computer Arts Inc. master service agreement: This is for the software that is used in Indigent Services and the agreement is similar to what has been signed in previous years. Director Baker spoke about how other options for a software services have been explored but for various reasons they are not viable options. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Computer Arts Inc. master service agreement (see agreement no. 20-135).

Consider signing independent contractor agreement for interpreter services with Michael Schell: This is a template contract that is similar to others that have recently been signed. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement for interpreter services with Michael Schell (see agreement no. 20-134).

Consider signing 2020 Idaho Public Safety Communication Commission Program grant award document: Mr. Powers explained the grant award amount is \$16,605 based on an application made by CCSO. Ms. Wade said she shared some of Mr. Power's concerns regarding the wording with the Idaho Public Safety Communication Commission and they indicated they were going to review some of the wording and statutes in regard to what IPSCC has in their contract. Mr. Power's explained that as far as any legal concerns go it all seems to be purely administrative oversight and some of the statutes that are referenced have been repealed and replaced so they just need to be updated in the document. The only real liability to the county would be the amount of the grant. Discussion ensued as to whether there is a timeframe to return the grant paperwork and when a revised document may be received. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue this action item to Tuesday, October 6, 2020.

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

PUBLIC HEARING – REQUEST BY DAVID AND VERA SLAGEL FOR A CONDITIONAL REZONE, CASE NO. CR2020-0006

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by David and Verna Slagel for a conditional rezone of Parcel R29025010B from "A" (Agricultural) to "R-R" (Rural Residential), Case No. CR2020-0006. Present were: Commissioners Pam White and Leslie Van Beek, David Slagel, Verna Slagel, and Deputy Clerk Monica Reeves. Present Via Webex: Commissioner Tom Dale, DSD Planner Dan Lister and DSD Director Tricia Nilsson. Dan Lister gave the oral staff report. The property does not have a building permit available so the applicant has to go through this process to obtain one. He will keep 13 acres in agricultural use and will place the accessory structures and the main dwelling on the dry ground that's not used for agricultural purposes. Mr. Lister reported on the history of the property as well as agency comments. Staff is recommending approval subject to the conditions of the development agreement. The legal descriptions in the agreement and the ordinance were not prepared by staff so the applicant needs to sign a release before either document can be presented to the Board for signature. David Slagel testified that he wants to build a house on the three acres (dry area) where a shop is already located. Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Van Beek made a motion to sign the findings of fact, conclusions of law and order and to agendize the signing of the ordinance and development agreement. The motion was seconded by Commissioner Dale and carried unanimously. (Commissioner Dale authorized the use of his stamp on the document.) The hearing concluded at 10:12 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS COUNTY'S FLOOD PLAIN ORDINANCE

The Board met today at 2:37 p.m. to discuss the County's flood plain ordinance. Present were: Commissioners Pam White and Leslie Van Beek, TJ Wellard, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, DSD Director Tricia Nilsson and Keri Smith. Keri Smith and TJ Wellard requested the meeting to discuss a situation they encountered in which the County's flood plain ordinance overlooked some issues. They are seeking amendments to the ordinance regarding the process to establish base flood elevation; flood protection elevation; and the requirement for flood vents. Their concern is that there is no added benefit by having these higher standards in the ordinance when people can circumvent the County and go through FEMA. Discussion ensued. Ms. Smith and Mr. Wellard spoke of how DSD staff's hands are tied and so they propose working with staff on proposed ordinance amendments. Director Nilsson said it would be helpful to have the specific amendments they are proposing and so she offered forward them the redline version of the ordinance for their comments. Any ordinance amendment would take a minimum of four months to get two hearings scheduled and conducted. The Board is open to reviewing some proposed ordinance amendments. No Board action was required or taken

today. The meeting concluded at 3:25 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 2, 2020

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

APPROVED CLAIMS NO. 567021 TO 567057

The Board of Commissioners approved payment of County claims in the amount of \$113,219.22 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Grainger in the amount of \$3,222.94 for the Weed Control Department

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Raising Our Bar for use on October 6, 2020 at Still Water Hollow.

APPROVE VACATION LEAVE TO SICK LEAVE TRANSFER FORMS

The Board approved vacation leave to sick leave transfer forms for Diana Sinner and Jodi McAbee.

APPROVE EMPLOYEE STATUS CHANGE FORM/KEY & SECURITY ACCESS REQUEST FORM

The Board approved an employee status change form and key & security access request form for Keana Wininger, an interpretive specialist.

APPROVED JUNE 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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

CONSIDER OCTOBER 2, 2020 AGENDA ITEMS

The Board met today at 9:00 a.m. to consider the October 2, 2020 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Elections Supervisor Haley Hicks, Deputy P.A. Mike Porter, Kathy Frost from DSD, PIO Joe Decker, Tina Holmquist, Carrie Johnson, and Sendy Martinez from the County Agent's Office, and Deputy Clerk Monica Reeves. Present via Webex: Nicole Camarda, Commissioner Tom Dale who joined at 9:02 a.m., and Rachel Spacek from the Idaho Press-Tribune. The items were considered as follows:

Consider proclamation declaring National 4-H Week in Canyon County:

Commissioner Van Beek read the proclamation into the record. Carrie Johnson and Sendy Martinez spoke on behalf of the County Agent's Office. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the proclamation proclaiming October 4 through the October 10, 2020 as National 4-H Week in Canyon County.

Consider resolution designating polling locations for the November 3, 2020 election:

Clerk Yamamoto reported on the amount of work and coordination efforts the Elections Office is doing to prepare for the November 3 election. Topics included: social media announcements, training of poll workers, volunteering efforts, early voting locations, absentee ballots, a drop box location at the Elections Office, and the logistics of providing voting opportunities for those who are COVID-19 positive where people will hopefully call ahead and then go to their specified location and stay in their car and vote. (Staff has disinfectant, PPE, and 1600 styluses available.) Clerk Yamamoto addressed the common question of why the Elections Office cannot automatically mail out absentee ballots to the voter base: it is against the law. To get an absentee ballot you must request one. The Clerk also addressed the number of polling places of which there are 21, and he provided maps for the Board's review. The Elections Office balanced the logistics and took into consideration how far voters will have to drive. There are over 105,000 registered voters in Canyon County and he anticipates they could see 40,000 people who vote early thereby paring down the number of voters on Election Day. Early voting starts on October 19; O'Connor Field House in Caldwell will open on October 13 for early voting. Commissioner Dale thanked the Clerk and his staff for their work and said the information presented today is a lot different than what a lot of emails the Board received were assuming. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution designating polling locations for the November 3, 2020 election. (See Resolution No. 20-153.)

Consider resolution granting a refund to Nancy Jolin on behalf of Dennis Jolin for a withdrawn application:

Kathy Frost reported that Mr. Jolin applied for a variance and then passed away and his daughter is settling his estate. The family is not going forward with the variance request so they are seeking a refund of \$550. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution granting a refund to Nancy Jolin on behalf of Dennis Jolin for a withdrawn application. (See Resolution No. 20-154.)

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

MEETING TO CONSIDER SIGNING DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The Board met today at 9:46 a.m. to consider signing the Domestic Violence Awareness Month proclamation. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale joined the meeting at 9:54 a.m., Sheriff Kieran Donahue, PIO Joe Decker, Sgt. Cary Salazar and Deputy Clerk Jenen Ross. Sheriff Donahue said this is something that has happened for several years to bring attention to domestic violence. The Domestic Violence Awareness event will take place at 10:00 Monday in Justice Park and he requested one of the Commissioners to read the proclamation that day. Invites have been sent to mayors and legislators and they will debut new patrol vehicles that represent domestic violence awareness. Discussion ensued regarding the uptick in domestic violence since the beginning of COVID with people sheltering at home and no outside resources for reporting. Commissioner Van Beek made a motion to sign the Domestic Violence Awareness Month proclamation. The motion was seconded by Commissioner White and carried unanimously. Sheriff Donahue read the proclamation into the record. The meeting concluded at 9:58 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ROGER HOWELL FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NOS. OR2020-0006 AND RZ2020-0013

The Board met today at 10:03 a.m. to consider a request by Roger Howell for a comprehensive plan map amendment for Parcel R37692011A from "Agricultural" to "Residential", and a rezone from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone, Case Nos. OR2020-0006 and RZ2020-0013. Present were: Commissioners Pam White and Leslie Van Beek, Roger Howell, William Mason, Jay Howell, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale and DSD Planner Dan Lister. Dan Lister gave the oral staff report. The parcel was created through a conditional use permit in 2006, however, the conditions were not fully met and therefore the building permit associated with it has expired. In order to divide the parcel and get one building permit a rezone is required. Staff is recommending denial of both requests because the findings have to show this area has changed in a way that would promote a residential designation, but it has not changed. There is nothing that would promote residential development in that area. This has the potential of setting a precedent and could trigger others to go residential which would create a residential hub in an area not anticipated to have residential uses. Staff is recommending an option be considered instead that a conditional rezone to an RR (rural residential) zone be considered, it would be conditioned to only allow one division and one of the lots would have to be over five acres. It would give two developable lots and that decision would not have to go through a comprehensive plan map amendment or platting process. Mr. Lister said the Board could continue this hearing to rehear it as a conditional rezone and we could re-notice it and have a development agreement with it. Roger Howell testified his father purchased the property in 2006 and had a split through a CUP for one building permit and he was

not aware there was a five-year limitation on it. When Mr. Howell acquired this property the question became what do he and his brother do with it, and they decided they would both like the option of building a home out there one day, but in the meantime can they put it to use? They made attempts to find an agricultural activity that would make sense for them. They would like four building lots. Mr. Howell said it is zoned for agricultural use, but it doesn't seem to be the highest and best use. They prefer an R-1 designation to have flexibility but if they have to go with some other form of zoning there are a couple options that would work for them where at the very least he and his brother could each build a home there at some point. William Mason gave testimony re the concept plan. Dan Lister said with the RR option it would be considered a conditional rezone and it would allow up to four lots, but it will mostly likely be three lots due to the requirements of Southwest District Health. He said the Board can either deny the request today and then start the process as a conditional rezone, or table this matter and request it come back as a conditional rezone with a development agreement. The applicant will have to pay \$385 for the application and re-noticing process, and a new hearing will be held then they can apply for a land division. 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 this is a unique piece and she recognizes the challenges associated without, however, the area is predominantly agricultural and we don't want a domino effect. She supports staff's recommendation. Commissioner Dale supports the option proposed by staff. The property is underutilized because of its size and shape and the slope makes it difficult for a large-scale farming operation. He is in favor of delaying action or tabling the matter until the applicant has time to work with staff on the conditional rezone and development agreement and come back to the Board. Commissioner White also wants to table this matter so the applicant can talk work with Mr. Mason on a conceptual drawing for a conditional rezone with a 2-acre average lot size, not to exceed two residential lots, and one lot has to be over 5 acres. Commissioner White made a motion to table the hearing to November 18, 2020 at 1:30 p.m. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 10:46 a.m.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 5, 2020

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

APPROVED CLAIMS NO. 567171 TO 567215

The Board of Commissioners approved payment of County claims in the amount of \$55,910.02 for accounts payable.

APPROVED CLAIMS NO. 567216 TO 567238

The Board of Commissioners approved payment of County claims in the amount of \$17,290.25 for accounts payable.

APPROVED CLAIMS NO. 567104 TO 567113, and 567163 TO 567164

The Board of Commissioners approved payment of County claims in the amount of \$419,902.26 for accounts payable.

APPROVED CLAIMS NO. 567114 TO 567170

The Board of Commissioners approved payment of County claims in the amount of \$26,581.91 for accounts payable.

APPROVED CLAIMS NO. 567087 TO 567103

The Board of Commissioners approved payment of County claims in the amount of \$20,845.00 for accounts payable.

APPROVED CLAIMS NO. 567325 TO 567335

The Board of Commissioners approved payment of County claims in the amount of \$8,803.42 for accounts payable.

APPROVED CLAIMS NO. 567059 TO 567086

The Board of Commissioners approved payment of County claims in the amount of \$33,033.81 for accounts payable.

APPROVED CLAIMS NO. 567239 TO 567266

The Board of Commissioners approved payment of County claims in the amount of \$31,606.11 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- WCP Solutions in the amount of \$24,360.00 for the Information Technology Department
- Case Management in the amount of \$16,000.00 for the Information Technology Department
- Idera, Inc., in the amount of \$7,969.50 for the Information Technology Department
- ESRI, Inc., in the amount of \$46,450.00 for the Information Technology Department

APPROVED SICK LEAVE TO VACATION LEAVE TRANSFER FORMS

The Board sick leave to vacation leave transfer forms for Ryan Dowell, Scott Gatewood, James Kouril, and Mark Tolman.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:34 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action items were considered as follows

Consider approving FY2021 compensation plan and salaries: Mr. Wagoner said that before the Board today is the FY2021 salaries and equity pay amounts. They are consistent with what was approved in the FY2021 budget. The compensation plan for 2021 did not include a COLA (cost of living adjustment) but it does include step increases for eligible and qualifying employees. There were zero increases to elected officials. The numbers presented today have been reviewed by auditing, human resources and elected officials and/or department administrators. If approved they will be effective as of today and would appear on the October 23rd paychecks. The document being considered today was sent to the Board for review last Thursday and there have been no revisions since that time. Commissioner Van Beek does not feel that the Board has had the opportunity to discuss the various awards of equity pay. Commissioner White said all the numbers were approved in the FY2021 budget and asked Commissioner Van Beek if it is more the methodology used in awarding equity pay that is in question. Discussion ensued regarding the Department Directors understanding of equity pay allocation and three particular Directors who did and did not make revisions to their department allocations. It was noted that one of those Directors did assign equity pay to himself and Commissioner Dale requested that it be removed. Commissioner Van Beek does not feel that the Board is in unison and doesn't believe one Director should be allowed to use equity pay based on misinformation additionally she believes the step-increases should be reviewed by the Board as it is the duty of the Commissioners. Commissioner White disagrees, she feels she's received the necessary information and does not want to disregard the compensation plan although it continues to be a work in progress. Commissioner Dale spoke about how he feels the equity pay works, and is satisfied with the response he received from the Director. He thinks we need to move forward with this, there has been discussion previously and more discussion today and he does not believe this Board has been deficient in exercising its authority and responsibilities, it is time to move forward knowing the appropriate revisions will happen next year. Commissioner Dale made a motion to sign the FY2021 compensation plan and salaries. The motion was seconded by Commissioner White. Commissioner Van Beek objected to approving the FY2021 compensation plan and salaries. The motion carried in a 2-to-1 split vote. See resolution no. 20-157.

Consider approving new and reclassified positions for FY2021: Mr. Wagoner noted all of the positions were part of and approved in the FY2021 budget. He then provided a review of the reclassified positions. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the resolution approving new and reclassified positions for FY2021. See resolution no. 20-158.

Consider approving FY2020 operating transfers and reimbursements: Controller Wagoner spoke about how this is credit/debit accounting exercise for the juvenile justice fund and the landfill enterprise fund. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the FY2020 operating transfers and reimbursements. See resolution no. 20-156.

Copies of the all the documents reviewed today are on file with this day's minutes.

Consider signing a resolution granting a new alcoholic beverage license to Double Barrel Bar & Grill: Commissioner Dale sees no reason not to sign this license and upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Double Barrel Bar & Grill. See resolution no. 20-155.

The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 6, 2020

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

APPROVED CLAIMS NO. 2101

The Board of Commissioners approved payment of County claims in the amount of \$1,620,612.22 for a County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Amazon.com in the amount of \$2,025.00 for the Facilities Department
- Police Service Dogs in the amount of \$10,900.00 for the Sheriff's Office

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

The Board met today at 8:30 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, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Director Navarro provided a brief review and photos of some of the projects his crew has been working on, including the Celebration Park visitation center concrete pad, outdoor showers, camp host RV pad and sun sail posts.

Update on the Fair Expo building: As of September 29th the drawings were only 75-80% complete and Director Navarro was not ready for them to go out for bid, additionally comments have not yet been received back from the City of Caldwell. Once the drawings are complete and comments are received they will put the drawings out in November and hope to break ground in late December or early January. Also, once a steel building is ordered it is several weeks before it's received and would not be completed by the 2021 Fair. Directors Navarro and Sinner would like to have a soft opening of the building after Fair next year and have some time to "live" in and learn the building prior to having thousands of people in it for the Fair. Director Navarro shared photos with the Board and provided an outline of the items that can be achieved by the Facilities staff and would not need to be included in the bid. He anticipated a 35% savings by utilizing county staff.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:01 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, Controller Zach Wagoner (left at 9:22 a.m.), EOM Christine Wendelsdorf (left at 9:33 a.m.), PIO Joe Decker (left at 9:33 a.m.), HR Training and Benefit Coordinator Nichole Ahlstrom (left at 9:09 a.m.), Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley (left at 9:09 a.m.), Clerk Chris Yamamoto (left at 9:22 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020 Preventative Health service agreement: Ms. Ahlstrom explained this is the company that is used to provide the health screenings and flu shots. There is no cost to the county, it's just a convenience for employees and everything is billed thru insurance. This year it will be a flu shot only clinic with sign-up times although sign-ups for the health screenings will also be offered. A blanket pre-authorization has been done for Blue Cross/Blue Shield which covers most county employees but Preventative Health will bill other insurance providers if they are provided with the proper information. Upon the motion of Commissioner Dale and second by Commissioner

Van Beek the Board voted unanimously to sign the 2020 Preventative Health service agreement (see agreement no. 20-138).

Consider signing 2020 engagement letter and single audit engagement letter with Eide Bailly:

Mr. Laugheed has reviewed the documents for legal issues which are virtually the same as other documents that have been signed with Eide Bailly in the past and there is no legal reason not to sign. Mr. Wagoner reviewed the role and scope of work provided by Eide Bailly and that if an entity receives in excess of \$750K in federal awards it triggers the necessity of a single audit, which the county did receive in CARES ACT monies. Discussion ensued regarding CARES monies, allowed use, guidelines and entities that have opted in. Eide Bailly has been the county auditor for approximately 7 years and the Auditor's office is very happy with the service they've provided. Commissioner Dale made a motion to sign both of the engagement letters with Eide Bailly. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement nos. 20-136 and 20-137).

Consider extending the COVID-19 emergency declaration: Mr. Laugheed said this declaration allows the county to maintain eligibility for disaster monies. So far the county has received approximately \$1M reimbursement. No big expenses are anticipated but Ms. Wendelsdorf would like to see it in place in case something is needed. Her understanding is that Canyon County is still in the orange category due to the high number of hospitalizations. This declaration will be good thru November 5, 2020. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the extension of the COVID-19 emergency declaration. Ms. Wendelsdorf spoke about the preparation that'd been to for court to begin.

Commissioner Van Beek asked about email that was received from Rudy Soto and Paulette Jordan. Mr. Laugheed said his understanding is that Clerk Yamamoto met with Mr. Soto which satisfied his concerns.

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 9:33 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 10:05 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.

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D); INTERVIEW AND CANDIDATE EVALUATION FOR COMMISSIONERS' OFFICE SENIOR ADMINISTRATIVE SPECIALIST POSITION

The Board met today at 10:28 a.m. for an Executive Session to interview and evaluate candidates for the Commissioners' Office Senior Administrative Specialist position. Commissioner Dale made a motion to go into Executive Session at 10:28 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 White. 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, and Deputy Clerks Jenen Ross and Monica Reeves. Belinda Von Tonder joined the session via Webex from 10:30 a.m. to 10:55 a.m. Molly Heiss joined the session from 11:16 a.m. to 11:50 a.m. The Board took a lunch break at 11:59 a.m., and resumed the session at 1:35 p.m. Diana Ratliff joined the session from 1:40 p.m. to 2:05 p.m. Shirley McMasters joined the session from 2:25 p.m. to 2:41 p.m. Rachel Hranac joined the session from 2:46 p.m. to 3:01 p.m. The Executive Session concluded at 3:09 p.m. with no decision being called for in open session.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 7, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$365,842.00 for the Sheriff's Office/Fleet Department
- Mountain Home Auto Ranch in the amount of \$32,076.00 for the Sheriff's Office/Fleet Department

APPROVED CLAIMS NO. 567275 TO 567324

The Board of Commissioners approved payment of County claims in the amount of \$19,186.84 for accounts payable.

APPROVED CLAIMS NO. 567268 TO 567312 AND 567336 TO 567337

The Board of Commissioners approved payment of County claims in the amount of \$59,886.85 for accounts payable.

APPROVED LIQUOR CATERING PERMITS

The Board approved a liquor catering permit for Local First for use on October 10, 2020 at White Willow Estates.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORMS

The Board approved commuter vehicle authorization forms for Garrett McRae and Leslie Johnson.

MEETING WITH THE TRIAL COURT ADMINISTRATOR FOR DISCUSSION REGARDING HIRING OF A TEMPORARY JUDICIAL ASSISTANT USING CARES MONIES

The Board met today at 9:03 a.m. with the Trial Court Administrator for discussion regarding hiring of a temporary judicial assistant using CARES monies. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Southworth, TCA Doug Tyler, Assistant TCA Benita Miller, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Judge Southworth explained they have one employee who will be going out on maternity leave soon and they would like to bring back a previous employee, Dona Butler, to cover those duties on a temporary basis. Ms. Butler will be doing the additional duties that have been caused by COVID changes in the courts. In the past covering a maternity leave would be absorbed by others but due to the added duties related to COVID they will need additional help. Controller Wagoner said this temporary help qualifies for use of CARE monies. The temporary help would only be thru the end of December at this point. The Board is supportive of bringing on temporary help.

Discussion ensued regarding juries and summons of jurors. Commissioner Dale wondered if the length of juror service can be changed from one month to a lesser timeframe.

The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JAMES NEWELL FOR A ZONING AMENDMENT AND SHORT PLAT FOR VALLEYVIEW RANCH SUBDIVISION #3, CASE NOS. RZ2020-0009 AND SD2020-0015

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a request by James Newell for a zoning amendment and short plat for Valleyview Ranch Subdivision #3, Case Nos.

RZ2020-0009 and SD2020-0015. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson and DSD Planner Dan Lister. Dan Lister gave the oral staff report. The property is located within the Valleyview Ranch Subdivision; the property next door is Valleyview Ranch No. 2 which came before the Board earlier this year for the same type of rezone and division. The applicant is dividing a five-acre parcel into two 2.5-acre lots. Most of the area is zoned agricultural; the future land use designation is rural residential. Staff is recommending approval of the rezone application and the short plat, subject to conditions which the applicant has agreed to. The applicant was not present for today's hearing and no other persons were present for the hearing. The final plat will have to be scheduled to a later date. Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Dale made a motion to sign the findings of fact, conclusions of law and order, and the ordinance to allow for the zoning amendment and short plat for Case No. RZ2020-0009 and SD2020-0015. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-031.) The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 8, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Intermountain Communications in the amount of \$446,693.64 for the Emergency Management Office

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:57 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a final approval on case no. 2019-0577.

Commissioner Dale made a motion to issue initial denials with written decisions on case nos. 2020-1068, 2020-1061, 2020-1072, 2020-1070 and 2020-1073. The motion was seconded by Commissioner White and carried unanimously.

Liens were presented for Board signatures.

The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-457

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for case no. 2020-457. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Dan Blocksom, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Dr. Dammrose participated via teleconference (left the meeting at 9:56 a.m.), Applicant and relative and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to approve the amount of \$639,314.95 but not the amount of \$33,354 on the case. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-826

The Board met today at 10:14 a.m. to conduct a medical indigency hearing for case no. 2020-826. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Dan Blocksom, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Elizabeth Evans with Portneuf Medical Center via teleconference left the meeting at 10:32 a.m., Applicant and relatives 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 December 17, 2020. The hearing concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-906

The Board met today at 10:38 a.m. to conduct a medical indigency hearing for case no. 2020-906. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Dan Blocksom, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Timothy Ryan with St. Alphonsus, Interpreter Grace Almeida, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to place the case into suspension. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-895

The Board met today at 10:49 a.m. to conduct a medical indigency hearing for case no. 2020-895. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Dan Blocksom, Case Manager Kelsee Hale, Director of Indigent Services Yvonne Baker, Attorney Bryan Nickels for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue the case to December 3, 2020. The hearing concluded at 10:53 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 10:55 a.m. to consider indigent matters. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared on the following cases: 2020-821, 2020-154 and 2020-886. 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.

Commissioner Dale made a motion to place case no. 2020-807 into suspension. The motion was seconded by Commissioner White and carried unanimously.

Case no. 2020-259 meets the eligibility criteria for final approval and upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a final approval with written decision within 30 days.

A subordination agreement was presented for Board signatures.

The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING REGARDING ISSUES RELATED TO THE CARES ACT

The Board met today at 11:12 a.m. for an elected officials' meeting to discuss issues relating the CARES Act and the Governor's property tax proposals, specifically in relation to the Treasurer's duties as far as including information on the tax notices. Treasurer Lloyd said the County did not take CARES Act funding, but the City of Nampa did and they received a three percent (3%) administrative fee totaling just over \$277,000 to administer the funds. When the question was raised about whether the city can be billed, she was informed she can submit a letter to the state for reimbursement under the original CARES Act disbursement, but it is not appropriate to bill the

City of Nampa for those charges. She finds it interesting that she's the one who administers it but the city is getting the benefit of the administrative fee. Discussion ensued about tracking and accounting for the County's time, the importance of maintaining the integrity of the billing, and the possible messaging. Treasurer Lloyd said her job is an administrative role and it needs to be neutral; the County did not take the 3%, or the forgone amount, or new construction, and we did what the Governor asked entities to do – and more. Commissioner Dale would support a message that makes it clear to taxpayers the reason the County did not take funds is because we felt it was a matter of integrity and honesty as far as certifying that the funds are for public safety. The County could not honestly say it incurred \$9-\$10 million extra costs that were not anticipated due to COVID. Commissioner Van Beek said there is information from the Office of Inspector General (OIG) and the Treasury and even the Clerk saying we could do it, so how do we get to that simple reasoning without a dissertation of here's the reasons we have argued this for six months. Sheriff Donahue concurs with some type of messaging, but said it needs clarification. Sam Laugheed said there isn't much time for decisions to be made and based on experience we get conflicting direction and things can change. The state has the ability to put limitations on the use of the money and if we were to not say anything it could compromise Nampa's ability to receive the money so some sort of message is necessary. If there's an executive order from the Governor or a directive from the state tax commission then our hands are tied, but if they are leaving it open-ended then we have the flexibility to come up with language on an insert and a link to other information, and that seems like a safe place to put our energy right now pending an executive order or direction from state tax commission. Commissioner Van Beek likes the combination of the simplicity of the message of what the County did to reduce the budget. Treasurer Lloyd said the message needs to be simple, fair and neutral. Clerk Yamamoto is leaning towards doing nothing because there is the possibility of creating more problems for ourselves. Assessor Stender said Canyon County is not receiving any benefit of the money but yet the Treasurer is being directed to put information on the tax bill which opens the door for future requests for inserts. He said the state could have written checks and we wouldn't have this headache. The County didn't take the new construction component in our budget process and we deserve credit for holding tight. Controller Wagoner said calculating levy rates is an incredibly complex process and for the City of Nampa they had to use three different taxable values to determine their levy rate. This is immensely complex and it's all we can do to get tax bills out in a timely manner to collect \$200 million to keep local governments running and our priority should be getting correct notices out in a timely manner. Any new wrinkle we try to incorporate is going to increase what is already a difficult process. If the City of Nampa would like to utilize some of that \$277,000 to communicate to their residents, they are welcome to use the money for that. The Clerk agrees. Treasurer Lloyd said she thought about reaching out to the City of Nampa and giving them the information so they can send it to their residents and leave her out of it. Clerk Yamamoto said he is not in favor of including an insert with the tax bill unless we have a direct order from the state requiring us to do something; he feels it will create more problems than it will fix. He said we can address these things during the legislative session this winter. Prosecutor Taylor agrees and said we should do what is statutorily obligated under the Treasurer. Sheriff Donahue agrees with the Clerk and Prosecutor and he believes the tax notices should be sent out as normal. Coroner Crawford agrees with what the experts choose to do. Treasurer Lloyd said she's had interaction with Alex Adams and she doesn't want to appear to be confrontational, she wants to do what she is charged to do

which is administer the tax billing and collecting and to do it in a fair and unbiased way. Mr. Laugheed added that if we had something in writing from the state tax commission that would control what we do. The meeting concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:37 p.m. for an elected officials meeting to discuss COVID-19 updates. Present were: Commissioner Tom Dale, Sheriff Kieran Donahue, PIO Joe Decker, Director of SWDH Nikki Zogg, EOM Christine Wendelsdorf, Chief Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd and Judge Southworth. Participating by teleconference: Commissioner Pam White, Coroner Jennifer Crawford, Nampa Mayor Debbie Kling, Kirk Carpenter with the City of Nampa, Lee Belt with the City of Greenleaf and Deputy Clerk Jenen Ross. The following updates were discussed:

Sheriff Kieran Donahue:

- There have been no real charges in regard to the jail. IDOC took custody of 24 inmates yesterday.

EOM Christine Wendelsdorf:

- Courtrooms have been outfitted for trials to begin on October 19th. She is continuing collect PPE for courts and elections and preparing for whatever the fall and winter may bring.

SWDH Director Nikki Zogg:

- They are starting to see a slight increase in cases. Positivity rate has been around 5-6% but have seen it increase slightly to 7%. Ideally the positivity rate should be below 5%.
- Schools are doing a really good job at mitigation strategies, one school has had a cluster outbreak, but other schools are just seeing sporadic outbreaks.
- The health district has received some quick result tests which will provide a result in 15 minutes but they are being reserved for certain groups at this time.
- They are working to put together a "rapid team" in case there were an outbreak they needed to get to quickly.
- They are keeping a close eye on hospitalizations. Currently they are pretty low but there are some smaller communities coming to the Treasure Valley for treatment.

Judge Southworth:

- Jury trials are set to begin on October 19th.

Clerk Chris Yamamoto:

- Spoke about some of the things they've seen in elections leading up to November 3rd.

- Poll worker training took place last week; they had to add an extra day due to the number of people that showed up to volunteer.
- There will be 5 early voting locations available vs. just one, and any voter can use any location. On Election Day voting will be precinct specific.
- Absentee ballots will be opened and scanned one week before Election Day tabulation will not start until Election Day.

Brian Stender:

- There will be a system change at the DMV over the weekend.

Clerk Yamamoto motioned to adjourn the meeting. The meeting concluded at 2:22 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 9, 2020

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

APPROVED CLAIMS NO. 10/9/20 AND 10/23/20

The Board of Commissioners approved payment of County claims for accounts payable as follows: Claim #567374 in the amount of \$402,144.50, Claims #567338 through #567373 in the amount of \$63,434.17, and Claims #567375 through #567411 in the amount of \$50,396.51.

APPROVED EMPLOYEE STATUS CHANGE

The Board approved an employee status change form for Debie Schelhorn, a landfill fee collector.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- WCP in the amount of \$1,144.08 for the Information Technology Department

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Slicks Bar for use on November 5, 2020, November 27, 2020, November 28, 2020, December 3, 2020, December 10, 2020, and December 17, 2020 for various events.

APPROVED SICK LEAVE TO VACATION LEAVE TRANSFER FORM

The Board approved a sick leave to vacation leave transfer form for Demi Etheridge.

RESCHEDULE PUBLIC HEARING – APPEAL BY JOHN CARPENTER OF THE CONDITIONED APPROVAL OF A HOME BUSINESS, CASE NO. AD2020-0029APL

The Board met today at 9:01 a.m. to go on the record to continue the hearing in the matter of an appeal by John Carpenter of the conditioned approval of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Planner Julianne Shaw (via conference call), and Deputy Clerk Monica Reeves. The hearing was continued from September 22, 2020, and staff requested the matter be rescheduled to October 20, 2020. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to reschedule the hearing to October 20, 2020 at 2:00 p.m. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING BIOLOGICAL CONTROL WAIVER FORM FOR THE COUNTY WEED CONTROL DEPARTMENT

The Board met today at 9:15 a.m. to consider approving a biological control waiver form for the County Weed Control Department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Dan Blocksom, and Deputy Clerk Monica Reeves. Weed Control Superintendent AJ Mondor was present via Webex. The discussion focused on the noxious weed control and enforcement release and waiver. Dan Blocksom he drafted two different options for the Board to consider after he previously sent a legal memo on this topic. The first option is a generic enforcement waiver and is for use if someone received notice about their property and they did not or could not do anything about the weeds so the County will enforce it and that's when, potentially, the waiver would be used. Or, the County can offer an alternative and put a special bug (biological control agent) on the property and work with the landowner if they are willing to sign the generic form. The second option is a very specific form and it has the same idea as the generic waiver but it's very specific to one property. Director Mondor said the biological control agent has been approved by the USDA and the Idaho State Department of Agriculture and there is a waiting list for the bugs. There was discussion about the forms and when they would be used by the weed control department. Commissioner Van Beek would like the detailed information to be attached to the form when the department is using the biological control agent in order to make sure there is full disclosure with the property owner. Commissioner Dale said it's not necessary for Director Mondor to notify the Board every time the department sprays, mows, or uses a biological control agent. Director Mondor said he would only use the form in the more complex situations and in that case the Board should be looped in. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to

approve the generic form as suggested by the legal department. Dan Blocksom will add a reference to the form that explains more about the bugs/biological control agent. The meeting concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:47 a.m. to consider several action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend, Facilities Director Paul Navarro left at 11:56 a.m., Deputy P.A. Zach Wesley, HR Director Sue Baumgart and Deputy Clerk Jenen Ross.

Consider signing addendum to request for qualifications for design and engineering services related to Celebration Park East End RV improvement: Zach Wesley said no questions were received and a pre-proposal conference was scheduled last week but no one showed. One change is being made to the RFP so that the conference is voluntary vs. mandatory in an effort to attract proposers. Director Navarro and Laura Barbour have reach out to a couple of firms to float the RFP in hopes of getting a response. Proposals are scheduled to be opened next Thursday. Mr. Navarro thinks lack of interest could be due to very specific requirements in the RFP and may not have been advertised well. Director Schwend further clarified what they're looking for. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the addendum to request for qualification for design and engineering services related to Celebration Park East End RV improvement.

Consider approval of commercial film/photo permit in Canyon County Parks for Minus Plus Productions: Mr. Wesley explained a permit is required to film within Canyon County Parks and this company is wanting to film a tourism video for the scenic byway. Legal doesn't have any concerns and insurance has been provided. Ms. Schwend noted that the dates in the application are a little off but she is working with them to coordinate the exact dates of filming. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the commercial film/photo permit in Canyon County Parks for Minus Plus Productions. A copy of the permit is on file with this day's minutes.

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

Note for the record: As properly noticed the Board met today at 11:47 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 12:00 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure 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, Deputy P.A. Zach Wesley, HR Director Sue Baumgart and Deputy Clerks Monica Reeves and Jenen Ross. The Executive Session concluded at 12:15 p.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 agreement with the Robert Half Company for placement of temporary employee:

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the agreement with the Robert Half Company for placement of temporary employee (see agreement no. 20-139)

The meeting concluded at 12:16 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 13, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$2,158.08 for the Information Technology Department

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Goodwood Barbecue Company for use on November 13, 2020 at Still Water Hollow.

APPROVED SICK LEAVE TO VACATION LEAVE TRANSFER FORMS

The Board approved sick leave to vacation leave transfer forms for Laura Barbour, Linda Hall, Ross Garven, Jose Orozco, Sherri Root, Angie Martinez, Adrian Chavez, Craig Olsen, Myron Emly, Michael Thompson, Diana Sinner, Alan Oates, and Mark Navarette.

FILE IN MINUTES THE TREASURER'S MONTHLY REPORT FOR AUGUST 2020

The Board filed the Treasurer's report for the month of August, 2020.

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

The Board met today at 8:31 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, Assistant Director of IT Eric Jensen, Business Manager Caiti Pendell and Deputy Clerk Jenen Ross. The following items were discussed with the Board:

- The jail has requested two additional iPads for mobile arraignments; in total they have 11 devices – 3 are mobile and 8 are stationary.
- 24/7 surveillance and recording of the opening of absentee ballots is in place and will begin on October 26th.
- Director Rast spoke about additional cameras that have been added around several county locations including parks, DMV, weed and pest and the new expo building at the fairgrounds.
- In response to a question from Commissioner Van Beek, Director Rast spoke about TVs that were purchased for Celebration Park.
- Zach Wagoner has requested a report on impact fee collection so IT will be working with DSD to generate that report.
- Asset tagging is continuing; currently they are working on the elections department and departments under the Board. All new equipment is tagged as it comes in.

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 9:00 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 9:02 a.m., Deputy P.A. Zach Wesley, IT Director Greg Rast left at 9:02 a.m.,

Assistant IT Director Eric Jensen left at 9:02 a.m., IT Business Manager Caiti Pendell left at 9:02 a.m., DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing resolution classifying records of the Information Technology Department and authorizing the destruction of financial records: Ms. Pendell said this is the annual resolution for file destruction. This is for financial records that mirror auditing records for 2015. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records for the Information Technology Department and authorizing the destruction of financial records (see resolution no. 20-159).

Consider signing Canyon County Rural Planning assistance contract for the City of Parma: Director Nilsson said Kate Dahl has been working with the city and mayor on a variety of tasks the county will help with including fee schedules, forms and initial parts of their comp. plan. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Canyon County Rural Planning assistance contract for the City of Parma (see agreement no. 20-142).

Consider signing Canyon County/Nampa Fire Protection District/City of Nampa Intergovernmental Agreement and Joint Powers Agreement for the collection and expenditure of development impact fees for fire district services systems improvements, first amended and reformed:

Consider signing Canyon County/City of Middleton/Caldwell Rural Fire Protection District/City of Caldwell Intergovernmental and Joint Powers Agreement for the collection and expenditure of development impact fees for fire district systems improvements first amended and reformed:

Mr. Wesley said this is essentially what has already been entered into. The changes are to the parties involved. The Nampa Fire District requested that the City of Nampa be added to the agreement since they are the entity that manages the fire district.

The Caldwell Rural Fire Protection District has indicated that the City of Middleton is part of the rural fire district and now that the City of Middleton has imposed their own impact fees it puts it all into one agreement.

Discussion ensued regarding the county's collection of impact fees. Director Nilsson briefly reviewed the logistics of restarting the conversation about impact fees and the need for the county to have a CIP before anything can be done. Commissioner White would like see this move forward before the end of the year. Director Nilsson would like to at least start having meetings in order to get a scope of work so that it can be budgeted for in FY2022. Further discussion was had as to how impact fees can be collected and applied.

Commissioner Dale made a motion to sign the agreement between Canyon County/Nampa Fire Protection District/City of Nampa (see agreement no. 20-141) and the agreement between Canyon County/Caldwell Rural Fire Protection District/City of Caldwell (see agreement no. 20-140). The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing a resolution granting a new alcoholic beverage license to Taqueria Mexico Chiquito:

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Taqueria Mexico Chiquito (see resolution no. 20-160).

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

MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER AN 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 DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Discussion items were as follows:

- Building permit comparisons between 2019 and 2020 (a copy of the document is on file with this day's minutes). Approximately \$370K was returned to the general fund.
- Spoke about staff members who have recently received additional certifications and succession planning for the Building Official position. Director Nilsson would like to update the website to highlight staff credentials.
- She would like to do a customer service survey and with assistance from HR will monitor the surveys in case specific employees are mentioned.
- Other discussion topics included the WAED website, Adventure Trail, land use issue from several years ago that was recently brought to the Board's attention, abatement issue that Eric Arthur has been working on regarding a dilapidated house, abatement issue that was discussed a few months back concerning a home surrounded by garbage and the clean-up effort, the CAFO/expansion request by Peckham Road Trust which will be heard by P&Z in early December.

Consider appointing Sheena Wellard and Scott Brock to the Planning and Zoning Commission: Term will commence on October 16, 2020 and is set to expire on December 1, 2021. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing Sheena Wellard (see resolution no. 20-161) and Scott Brock (see

resolution no. 20-162) to the Planning and Zoning Commission. Director Nilsson will reach out to each of them extending an invitation to the joint meeting tomorrow night.

The meeting concluded at 10:06 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 10:33 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, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following:

- They are preparing for the upcoming wellness fair. This year both the wellness screenings and flu shots will be by appointment only. The screening will include antibody testing and the flu shots are at no cost.
- Open enrollment will begin on November 1st and run thru November 15th.
- Walktober is happening now.
- HR is fully staffed but they are still doing a rotating schedule.

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

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 14, 2020

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

APPROVED CLAIMS NO. 567439 THROUGH 567464

The Board of Commissioners approved payment of County claims in the amount of \$25,493.34 for accounts payable.

APPROVED CLAIMS NO. 567494 THROUGH 567495

The Board of Commissioners approved payment of County claims in the amount of \$46,550.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Independent Pipe & Steel Corp. in the amount of \$16,518.09 for the Facilities Department
- Sunshine Window Cleaning in the amount of \$2,655.00 for Facilities Department
- WCP in the amount of \$1,062.36 for the Information Technology Department
- White Cloud Communications in the amount of \$6,339.00 for the Solid Waste Department

APPROVED LIQUOR CATERING PERMITS

The Board approved liquor catering permits for Capital City Event Center and County Line Brewing for use on October 23 and 24, 2020 for wedding events at Creekside Affair and Stillwater Hollow.

JOINT MEETING BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND THE PLANNING AND ZONING COMMISSION

The Board met today at 5:09 p.m. to for a joint meeting with the P&Z Commissioner and staff from the Development Services Department. The meeting took place in the public meeting room at the Administration Building. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek; DSD Director Tricia Nilsson; P&Z Commissioners: Rick Fried, Rob Sturgill, Sheena Wellard, Patrick Williamson, Scott Brock, John Carpenter, and Sandy Levi; DSD Staff: Kellie George, Jennifer Almeida, Kate Dahl, Juliann Shaw, and Randall Faulkner; and Deputy Clerk Monica Reeves. The following topics were discussed:

- The P&Z Commission is still conducting public hearings via Webex due to concerns about crowd control given the COVID situation
- Open meeting law/transparent meeting law
- Regulatory takings
- Upcoming training session to be scheduled in January
- Discussion regarding zoning ordinance criteria and comprehensive plan review
- Discussion regarding development occurring in the middle of farm ground, and whether there is any potential for limiting growth, or for having a capacity for infrastructure
- Strong opposition citing traffic issues; County has no authority over roads, but officials depend on reports from ITD
- Impact fees

The meeting concluded at 6:18 p.m. No Board action was required or taken. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM
CALDWELL, IDAHO OCTOBER 15, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- MRSA-UV, LLC in the amount of \$22,444.34 for the Sheriff's Office
- Savage Range Systems in the amount \$6,745.00 for the Sheriff's Office

APPROVED CLAIMS NO. 567465 TO 567493

The Board of Commissioners approved payment of County claims in the amount of \$107,380.17 for accounts payable. **Commissioner Van Beek indicated her approval on this batch of claims except for the claim related to purchase order #4486 in the amount of \$22,444.34.*

APPROVED CLAIMS NO. 567496 TO 567547

The Board of Commissioners approved payment of County claims in the amount of \$46,670.84 for accounts payable.

APPROVED CLAIMS NO. 567412 TO 567438

The Board of Commissioners approved payment of County claims in the amount of \$61,527.66 for accounts payable.

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:45 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2021-0010 and 2020-1077. 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. Liens were presented for Board signatures. 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 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioner Pam White, Tom Dale and Leslie Van Beek, Chief Juvenile Probation Officer Elda Catalano left at 9:13 a.m., CCSO Communications Manager Roxanne Wade left at 9:03 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:08 a.m., Facilities Director Paul Navarro, Deputy P.A. Tyler Powers, Deputy P.A. Zach Wesley arrived at 9:03 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020 Idaho Public Safety Communication Commission Program Grant Award

Document: Chief Dashiell explained that in the last meeting regarding this document there were some concerns about outdated statutes noted. Roxanne Wade has been in communication with the grant administrator and it is a housekeeping matter on their part but it shouldn't affect the content or context of the purpose of the grant or the funding source. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2020 Idaho Public Safety Communication Commission Program Grant Award Document.

At the request of Commissioner Van Beek, Chief Dashiell spoke about a PO for Savage Range Systems and why the purchase is not being made with monies from a grant as originally planned. Additionally, he provided information on the need for this purchase.

Consider signing Canyon County use facility agreement with Family Advocates: Ms. Catalano explained that Family Advocates is wishing to provide a Family Strengthening Parent & Teen Group program. There is no cost to juvenile probation or the county although her department will help identify families that have been court ordered or could benefit from the program. They have requested to use of the training room for the program; discussion between Ms. Catalano and Family Advocates has occurred in which they have decided on layout of the room and usage times; staff will be onsite at all times Family Advocates are in the building. The program is 8 weeks and scheduled to begin on October 28th. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Canyon County use facility agreement with Family Advocates (see agreement no. 20-143).

Qualification statement openings, selection process begins for request for qualifications for design and engineering services related to Celebration Park East End RV Improvement: One proposal was received from Cole Architects on October 14, 2020. The proposal will be forwarded to the review committee. A copy of the proposal is on file with this day's minutes.

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

CONSIDER FINAL PLAT FOR VALLEYVIEW RANCH NO. 3, CASE NO. SD2020-0015

The Board met today at 10:03 a.m. to consider the final plat for Valleyview Ranch No. 3, Case No. SD2020-0015. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, James Newell, and Deputy Clerk Monica Reeves. Ms. Almeida reported all conditions have been met and the required signatures are on the mylar. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the final plat for Valleyview Ranch No. 3. The meeting concluded at 10:05 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING THE DEVELOPMENT AGREEMENT FOR KARCHER FARM, LLC AND SS KARCHER, LLC

The Board met today at 11:16 a.m. to consider the development agreement for Karcher Farm, LLC and SS Karcher, LLC. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida requested the matter be postponed to a later date in order to make sure the ordinance and resolution associated with this application are in order. She noted that the conditions put forth by the Board are listed in the development agreement, which has been signed by the applicants. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, Board voted unanimously to reschedule the meeting to October 23, 2020 at 9:00 a.m. The meeting concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 16, 2020

PRESENT: Commissioner Pam White, Chair – out of office (approved claims remotely)
 Commissioner Tom Dale, Vice Chairman – out of office (approved claims remotely)
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS NO. 567548 TO 567577

The Board of Commissioners approved payment of County claims in the amount of \$1,126,005.49 for accounts payable.

No meetings were held this day.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 19, 2020

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

APPROVED CLAIMS NO. 10/23/20

The Board of Commissioners approved payment of County claims for accounts payable as follows: Claims #567727 through 567771 in the amount of \$60,337.28, Claims #567607 through 567663 in the amount of \$142,675.65, Claims #567772 through #567778 in the amount \$2,464.00, Claims #567788 and #567799 in the amount of \$8,024.52, Claims #567578 through #567606 in the amount of \$75,741.82, Claims #567779 through #567787 in the amount \$7,227.00, and Claims #567664 through #567726 in the amount of \$18,551.88.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$1,379.00 for the Information Technology department
- Derby Industries in the amount of \$10,213.12 for the Sheriff's Office

APPROVE SICK LEAVE TO VACATION LEAVE TRANSFER FORMS

The Board approved sick leave to vacation leave transfer forms for the following employees: Ashley Erickson, Jeff Breach, Gisela Moreno, and Esmeralda Romo.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed this week's schedule with staff. There was discussion regarding the processes for accountability for purchase orders and claims for payment. Commissioner Van Beek is in favor of having meetings to consider purchase orders that are submitted in order to give the Board a chance to ask questions of departments/office about the proposed purchases. Rather than having more

meetings, Commissioner Dale proposed that we keep with the current process of having purchase orders reviewed in the daily folder, and in the event questions arise a meeting could then be scheduled. Commissioner Van Beek would like purchase orders to include budget and line item information to help streamline the review process. She then spoke of an issue that occurred last year regarding the process where an additional payment was made to the Canyon Community Clinic. Commissioner Dale said the issue was discussed last year and was addressed this year in the FY2021 budget process. Commissioner Pam White arrived at 8:45 a.m. and a review of the calendar continued. The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TRIAL COURT ADMINISTRATOR TO DISCUSS AND CONSIDER SIGNING IDAHO SUPREME COURT LETTER OF SUPPORT

The Board met today at 9:00 a.m. with the Trial Court Administrator to discuss and consider signing Idaho Supreme Court letter of support. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Judge Southworth, Trial Court Administrator Doug Tyler, Assistant Trial Court Administrator Benita Miller left at 9:18 a.m., Director of Court Operations Denise Kennel, Court Training & Development Manager Raena Bull and Deputy Clerk Jenen Ross. Judge Southworth explained that at their administrative conference last spring one of the priorities to be set for the Supreme Court is two new magistrate judges and one new district judge for Canyon County. The Supreme Court requires a letter stating that the Board of Commissioners and the county are willing to provide the support services necessary. There is courtroom space available to accommodate three additional judges, the biggest expense to the county would be in personnel; each magistrate judge would need an in-court clerk along with one administrative assistant. Controller Wagoner said that he and Ms. Kennel spoke last week and determined they would need 5 Court Clerk III positions to handle the increased workload; one district in-court clerk, three magistrate in-court clerks and one court clerk III secretarial/administrative type position. Mr. Wagoner noted that there would also be impacts to the public defender's office, the prosecuting attorney's office and possibly the trial court administrator's office in terms of personnel. He believes that the county's personnel contribution on an annual basis would be approximately \$1.5M once all the various components are factored in. Judge Southworth has indicated that the magistrate judges need help more urgently than district court. If the county were to choose to go with just the two magistrate judges it could reduce the personnel contribution by about a third, reducing it to approximately \$1M. Judge Southworth would like to see approval for all three judges and then the Supreme Court can make the decision as to whether the district courts can hold on a little longer. In response to a question from Commissioner White regarding workload, Mr. Tyler explained that the workload is affected by a number of things including whether a deal was made prior to the hearing or if someone isn't able to make it into court but they still have to plan courtrooms for a certain amount of cases per day. He said the same holds true for the court clerks in that they have to plan to have a clerk for

each judge; additionally, there is a fair amount of work that has to be done outside of the courtroom. At the request of Commissioner Van Beek, discussion ensued regarding how COVID has affected court operations. It is believed that Zoom will remain a helpful tool in court operations along with iPads that are used in the jail, however, there are only certain things that can be done virtually. Ms. Kennel explained that with Zoom they have to have two clerks in the courtroom – one to run Zoom and the other to operate the recording device and do the court work. Normally they would ask for one clerk per judge but if they were to get two new judges they would need at least three court clerks. Ms. Kennel spoke briefly about some of the responsibilities of the clerks. Commissioner Dale said he would be in favor of a pared-down request for maybe just two judges. Judge Southworth said they are more in need of magistrate judges vs. district judges and Mr. Tyler said that the numbers indicate they need three judges but understands that there are constraints on county resources. Commissioner White asked Mr. Wagoner to provide more concrete numbers for each scenario that was discussed. A sample letter was provided by email to the Board for review prior to the meeting. The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS COVERED LOAD ORDINANCES

The Board met today at 9:36 a.m. to discuss covered load ordinances. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter arrived at 9:38 a.m., Chief Deputy Sheriff Marv Dashiell, Director of DSD Tricia Nilsson, Jon and Margie Watson and Deputy Clerk Jenen Ross. Ms. Watson explained that trucks hauling unsecured gravel on certain roads has been a problem for several years and she feels it is becoming a real safety issue. Discussion ensued regarding loads being covered, gravel being filled above the sideboards, enforcement and potential solutions. Chief Dashiell said he would be in contact with the gravel operations tomorrow to start the conversation about taking more care to make sure the trucks are properly loaded and debris is cleaned from the fenders. He said that CCSO has a good working relationship with the highway districts and ISP and could work in conjunction with them to reduce the issue of flying gravel. This meeting was for informational purposes only. No Board action was taken or necessary. The meeting concluded at 10:24 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. for a meeting 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:

- They are working to get the marine equipment winterized
- Patrol units along with the animal control vehicles have been ordered for this year
- He is continuing to work with offices and departments to make sure they are getting the right vehicle for their needs
- Approximately 12 vehicles are being prepared to be auctioned

The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 20, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- BOE in the amount of \$7,963.00 for the Information Technology Department

APPROVED LIQUOR CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Clearwater Canyon Cellars for use on November 19, 2020 at Still Water Hollow for a catering event.

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

The Board met today at 9:08 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Tom Dale, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing real estate lease agreement between Canyon County and West Valley Humane Society: Zach Wesley said this is a renewal of a lease that has been in place for several years. There are no significant changes from previous years. The budget numbers were confirmed with the

Controller – for FY2021, \$200K was budgeted for support and is paid in monthly increments and \$100K is allocated to the facilities budget for maintenance of the building. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the real estate lease agreement between Canyon County and West Valley Humane Society (see agreement no. 20-144).

Consider signing Treasurer's tax charge adjustments by PIN for September 2020: Commissioner Dale made a motion to sign the Treasurer's tax charge adjustments by PIN for September 2020. The motion was seconded by Commissioner White and carried unanimously.

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 10:00 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 Sean Brown, Deputy Director of Juvenile Detention Shawn Anderson and Deputy Clerk Jenen Ross.

The following updates were provided to the Board:

- Shawn Anderson has been promoted to Deputy Director
- Population has fluctuated between 18 and 25 this month with the average stay being 14 days
- A Transition Coordinator with the Caldwell School District is working to get the GED program restarted and the detention center reinstated as a GED test center next month; the other thing being discussed is getting some of the detention center staff certified as test proctors
- The school teacher working with the detention center took the year off due to COVID so an aide has been provided on a full-time basis for the schooling
- The Cabin writing program has restarted virtually
- The smoking cessation program took place last week; a health education program provided by SWDH is being considered but they are still evaluating the logistics
- One new person has been hired as well as a couple of part-time people
- The State inspection was done recently via Zoom; they were commended for their report writing
- When necessary juveniles under IDJC purview are being held at the detention center and Mr. Brown will be meeting with them tomorrow to discuss programming

The meeting concluded at 10:18 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 10:18 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 Juvenile Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Assistant Director of Misdemeanor Probation Oneida de la Bretonne and Deputy Clerk Jenen Ross.

Chief Juvenile Probation Officer Elda Catalano updated the Board on the following:
Elda:

- Currently they have 283 juveniles under their supervision. 15 are at the Department of Juvenile Corrections, 72 are in the diversion program and the remaining are either on informal adjustment or probation. Staff preformed 642 face-to-face contacts
- Employee performance reviews are being conducted which should be completed by the end of December
- 3 Staff members are attending a virtual sex offender training conference
- IJJ (Idaho Juvenile Justice) conference was moved from Sept to Nov. Five staff will be attending virtually on scholarship
- Last year a grant was accepted for status offenders but due to COVID it was not spent and the deadline was extended to the end of September 2021

Director Breach updated the Board on the following:

- Introduced Ms. de la Bretonne to the Board
- Case numbers have been on a downward trend over the past 3 months
- Director Breach has been asked to be on the Grants Review Counsel as the Misdemeanor Probation Administrator representative; he also participates on another committee working to update the standards and obligations that each county probation department operates under
- In the process of adding two new drug testing facilities, both of which offer testing at half the price of other facilities

The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL BY JOHN CARPENTER OF A CONDITIONED APPROVAL OF A HOME BUSINESS, CASE NO. AD2020-0029APL

The Board met today at 2:00 p.m. to conduct a continued public hearing in the matter of an appeal by John Carpenter of a conditioned approval of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, John Carpenter, Jim Jolly, Holly Reising, and Deputy Clerk Monica Reeves. There were no Webex participants for today's hearing other than the Commissioners. Today's hearing was continued from September 1, 2020 so that Director Nilsson could contact legal regarding Commissioner Dale's question about the necessity of having this hearing. (*The hearing was subsequently rescheduled from September 22 and October 9 to today's date.*) Director Nilsson said at the September 1st hearing there were two items the Board requested so an addendum report was prepared which addresses: 1. *Why this use did not qualify as a by-right home occupation.* There is a standard for home occupation that it has to not require additional off-street parking spaces and because of the number of people coming to the yoga studio it did require additional parking so that moved it out of home occupation into a home business. 2. *The dimensions of the private road and issues around the private road that serves the properties.* The road does not meet standards. It does have 26 feet off the approach at French Road and it narrows to the first driveway to 13 feet, but it needs to be a minimum of 20 feet, but staff believes the fire district would like it to be wider. Staff has received another complaint about operating outside the hours and so we need to hear from the parties. John Carpenter said there were conditions that included agency requirements and hours of operations, but neither of those items have been adhered to. Holly Reising said the hours of operation are M-F, 8-5; but she is also holding classes on Saturdays. Regarding the road, the onus is on the business to come up with solutions, not Mr. Carpenter. Jim Jolly said there is ample parking and he questioned how the yoga studio does not qualify as a home occupation. Director Nilsson said it was determined when the application that it was a home business based on the number of cars coming in. Mr. Jolly said that has changed and now they are carpooling and there is plenty of parking. Zach Wesley said with a home occupation if you meet the definition under the ordinance then you can use that as a matter of right in certain zones. A home business requires going through this process for approval. One of the significant differences between a home occupation and a home business that is applicable to this case is that the home occupation cannot require additional off-street parking and so this is a home business under the County's ordinance because they have patrons and that could require off-street parking. Home occupation would be something where you are working from home but not generating any customers/patrons who are coming to the home, i.e., a call operator. If customers come in it's a home business. Commissioner Dale said it sounds like there is ample parking on site for what they are doing; there's one car per session and there are four parking spaces at one dwelling and three more at the other for a total of seven, without going off-street. Director Nilsson said in looking at the application it noted student parking which led staff to think there is additional parking for students. It wasn't indicated whether it was existing or proposed. Discussion ensued regarding the standards relating to parking and vehicles on site, and the difference between home occupation and a home business. DSD needs to see a site plan with available parking identified and the number of cars that come to the home at regular scheduled times. Holly Reising said she thrives on consistency; classes are offered Monday through Friday and those times have not changed since February. She does offer yoga on Saturdays but it's not a class, it's free. They still carpool on Saturdays. Ms. Reising indicated she will provide a site plan. John Carpenter stated he complained to the County because classes were

happening at 5:30 a.m. and late at night and there was zero concern for the neighbors. He complained and Director Nilsson ruled it as a home business. He said the only reason people are carpooling is because it's a condition, and if the County takes away the home business they will no longer have the condition of carpooling. He wants Ms. Reising to be transparent about the hours of operation. The road is not wide enough for cars to pass, and the burden to improve the road is not on him. He said the County messed up by not requiring a road users maintenance agreement when the second house was built, and they messed by not requiring the road to be 20 feet. The responsibility of road maintenance should be shared by the parties who are using it. Director Nilsson said staff received a recorded road users' maintenance agreement for that building permit, but DSD does not referee private agreements between parties. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close public testimony. During the Board's deliberation there was a review of the ordinance as it relates to home occupation, road improvement issues, the need to have the parties come to some form of agreement on the hours of operation, and the road users' maintenance agreement. Following comments by Deputy PA Zach Wesley, and further discussion by the Board it was decided to require a mediator in this case. Commissioner Van Beek made a motion that the parties engage a mediator to help mitigate some of the issues that would bring resolution to both sides and that allows the road users' maintenance agreement to be fulfilled so that all parties are using the road and would allow the yoga to continue as a viable business in Parma. Commissioner White seconded the motion and said there will be a maintenance agreement and the two parties will come together and a schedule will be put in place that offers flexibility. Commissioner Dale believes it skirts the fundamental issue of whether this is a home business or a home occupation and that needs to be resolved one way or the other and if they can work it out that is fine, although he doesn't know that that is the best way to go because it involves some expense on both sides. Commissioner White said the two issues that have to be mediated are going to exist regardless of the title be it a home occupation or a home business. Regardless of that the road is inadequate. The Carpenter family needs to know what is going on with the business schedule. Commissioner Dale said if the Board determines it does not qualify as home occupation and it has to continue under the use permit as a home business then the hours can be set and regulated, and the road agreement could be mandated as well. Commissioner Dale was opposed to the motion. The motion carried by a two-to-one split vote. Mr. Wesley asked the Board to set the matter for a date for Legal and DSD to bring a mediation order with the statutory framework in it. The Board continued the hearing to October 23, 2020 at 11:00 a.m. The hearing concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Dale made a motion to go into Executive Session at 3:36 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving trade or commerce in which the County is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with

Commissioners Dale, 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, Steve Fultz from the City of Caldwell, Chief Deputy Assessor Joe Cox, Deputy P.A. Brad Goodsell who joined via conference call, and Deputy Clerk Monica Reeves. The Executive Session concluded at 4:01 p.m. with no decision being called for in open session.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 21, 2020

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

APPROVED CLAIMS NO. 2102

The Board of Commissioners approved payment of County claims in the amount of \$1,857,473.44 for a County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHE, Inc., in the amount of \$15,489.96 for the Information Technology Department
- Oracle, Inc., in the amount of \$2,000.00 for the Information Technology Department
- Paessler AG in the amount of \$1,381.25 for the Information Technology Department
- Dell in the amount of \$14,355.45 for the Sheriff's Office
- Faro Technologies in the amount of \$5,626.69 for the Sheriff's Office

MEET WITH EMERGENCY OPERATIONS MANAGER REGARDING STORAGE FOR PPE

The Board met today at 1:34 p.m. with the Emergency Operations Manager regarding storage for PPE (person protective equipment). Present were: Commissioners Pam White and Tom Dale, Sheriff Kieran Donahue, EOM Christine Wendelsdorf, Fleet Director Mark Tolman, Controller Zach Wagoner and Deputy Clerk Monica Reeves. Ms. Wendelsdorf is requesting permission to lease some warehouse space to store PPE. Currently, the supplies are stored on pallets at multiple locations, some of which are not owned by the County, and for the sake of efficiency, security and distribution they need to find another location. The current practice has been to rent moving trucks, trailers, and drivers with some of the work being done on nights and weekends. Director

Tolman estimates they will need around 30,000 square feet. The County is currently paying \$30,000 a year for the storage we have and if we go with a larger space perhaps there is an option to coordinate the storage places. It would be preferable if the space was in Caldwell, but that may not be possible. Sheriff Donahue said the Facilities Director needs to be brought into this discussion to see if he is agreeable to consolidating warehouse space. The County has an opportunity to purchase a hyster and trailer for \$36,400 which includes the cost of having it shipped from Twin Falls. Controller Wagoner believes that expense would be covered by CARES Act monies. There was discussion about a possible lease situation to be paid in one lump sum, but the Board needs Legal to weigh in. Discussion ensued about the logistics of hauling, moving, and transporting equipment. Commissioner White asked if we need to get bids, but Controller Wagoner said with the price being under \$50,000 we won't have to get bids. Commissioner Dale said we will not need to put a realtor under contract, we'll just need to contact someone. Sheriff Donahue wants Legal to review what's been discussed today and so the Board will address it tomorrow morning at the legal staff update. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 22, 2020

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

APPROVED CLAIMS NO. 567800 TO 567843

The Board of Commissioners approved payment of County claims in the amount of \$59,896.74 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- C&B Trailers in the amount of \$15,715.00 for the Emergency Management Office
- Dillon Toyota Lift in the amount of \$26,900.00 for the Emergency Management Office
- HP Inc., in the amount of \$1,856.00 for the Information Technology Department
- HP Inc., in the amount of \$3,544.00 for the Information Technology Department
- ~~Mountain Home Auto Ranch in the amount of \$47,215.00 for the Emergency Management Department~~ – *This purchase order was approved on October 22, 2020 but was later voided and replaced with a separate purchase order on a later date.*

APPROVED LIQUOR CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar for use on November 5, November 6, November 14, November 21, and November 22, 2020 at Stillwater Hollow for a catering event.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, 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 White the Board voted unanimously to issue an approval on case no. 2020-0655.

Commissioner Dale made a motion to issue denials on case nos. 2021-0001, 2021-0011 and 2020-1098. The motion was seconded by Commissioner Van Beek and carried unanimously.

Liens were presented for Board signatures.

The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-869

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for case no. 2020-869. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Tyler Powers, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Mark Peterson for St. Luke's, Tara Roberts with 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 continue the case to December 3, 2020. The hearing concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-1185 AND 2019-1183

The Board met today at 9:22 a.m. to conduct a medical indigency hearing for case nos. 2019-1185 and 2019-1183. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Tyler Powers, Deputy P.A. Dan Blocksom, Director of Indigent Services Yvonne Baker, Attorney Bryan Nickels for St. Al's 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 9:25 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:28 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared for the following cases: 2020-839, 2020-907, 2020-804, 2020-891 and 2020-879. 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.

Director Baker spoke about case 2007-561 which is an approved case but the applicant wants to refinance their house but the bank has requested a subordination agreement. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the subordination agreement.

The meeting concluded at 9:30 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 10:01 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. Zach Wesley arrived at 10:11 a.m. left at 10:22 a.m., EOM Christine Wendelsdorf, DSD Director Tricia Nilsson left at 10:22 a.m., Fleet Director Mark Tolman, CCSO Senior Administrative Specialist Margaret Spurgeon left at 10:11 a.m., Assessor Brian Stender left at 10:07 a.m., GIS Land Records Supervisor Sarah Sluss left at 10:07 a.m., Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing amendment to the agreement dated July 7, 2014 with Pictometry International Corp.: Ms. Sluss explained this amendment is to add a 4th flight at the reduced 2014 pricing; the original contract only included 3 flights. The 4th flight will be approximately \$116K but the cost is shared with the cities of Caldwell and Nampa and the highway district making the cost to the county about \$91K. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the amendment to the agreement dated July 7, 2014 with Pictometry International Corp. (see agreement no. 20-145).

Consider signing Federal Annual Certification Report and Annual Equitable Sharing Agreement for the Sheriff's Office and City-County Narcotics Unit: Ms. Spurgeon explained that this report is completed annually in order to keep the narcotics unit compliant so the Sheriff's Office can conduct co-cases with federal agencies and receive shared assets for operating expenses. She then

responded to questions posed by Commissioner Van Beek. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Federal Annual Certification Report and Annual Equitable Sharing Agreement for the Sheriff's Office and City-County Narcotics Unit (see agreement no. 20-146).

Director Nilsson and Mr. Wesley are looking for Board direction regarding the emergency ordinance that was adopted in April to provide a neighborhood comment period in lieu of face-to-face neighborhood meetings. Per state law this ordinance expires after 182 days which is next Tuesday and the law does not allow for it to be continued. The options would be to do an interim ordinance or permanent ordinance. Director Nilsson's suggestion is to provide in the permanent ordinance an option for people to do one or the other (either a face-to-face meeting/comment session or use an online platform to collect comments). Instead of a pre-application meeting the applicant would send their proposal out to the same list of people that would be invited to a face-to-face meeting with an opportunity for neighbors to offer written comment. Those comments would then be collected and submitted with the formal application to the county. After additional discussion regarding the logistics of adding the online option to the ordinance, Director Nilsson said she will draft the revised ordinance which will then be reviewed by Zach Wesley and make its way thru planning and zoning. She doesn't anticipate it would even make it to planning and zoning until early next year.

A follow-up discussion was had to a conversation that was had yesterday regarding PPE storage, warehouse space lease and the procurement of trailers. Ms. Wendelsdorf has over 200+ pallets of PPE that are currently being stored in several different locations that she is in need of one storage space for. With everything being stored in different locations it is becoming difficult to properly track the supplies and the distribution is inefficient. One idea is to find one large storage space that could be used for both PPE storage and storage of county items since the storage unit currently used by the county is full. Commissioner Van Beek said that based on a conversation she had with Facilities Director Paul Navarro she doesn't understand the need for an additional trailer or forklift. Ms. Wendelsdorf explained that the logistics of coordinating between herself, fleet and facilities is very cumbersome and inefficient. With access to her own resources, Ms. Wendelsdorf feels she would be able to handle requests within a day vs. taking several days or weeks having to coordinate everyone. Director Tolman said that forklift operation certification is done every year so getting Ms. Wendelsdorf certified to operate the machine wouldn't be an issue. In regard to the type of forklift to be purchased he said it would be a better fit for what they are doing. The equipment fleet currently has doesn't have tires that are effective for the surfaces being driven on, additionally the trailers are sustaining damage as they are not designed for hauling pallets. Commissioner Dale asked if these purchase would qualify for use of the CARES monies. Mr. Wagoner said that there is an option to submit paperwork for pre-approval to confirm the expenses would be reimbursable however the process can take 1-2 weeks. Commissioner Van Beek would like to see this purchase go thru the pre-approval process. Mr. Laugheed said he believe formal Board action would come in the form of approval of the purchase orders and/or reimbursement claim. He noted for the record that all of the individual components are under the \$50,000 which is one of the exceptions to formal procurement as is the emergency circumstance. Controller Wagoner, Mr. Laugheed and Ms. Wendelsdorf are confident these expenses are COVID

related and will be reimbursed and Mr. Laugheed said he is not sure the route of pre-approval is necessary. With that information, Commissioners White and Dale are comfortable in moving these purchases forward without the pre-approval process. It was also suggested that Ms. Wendelsdorf work with Mr. Navarro regarding storage facilities.

The meeting concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request to approve the preliminary plat, irrigation plan drainage plan for Weatherby Estates Subdivision, Case No. SD2019-0053. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Marianne Robinson, "Eddie" an interested citizen, and Deputy Clerk Monica Reeves. Mathew Graham participated via Webex. Jennifer Almeida gave the oral staff report. Matthew Graham gave testimony as the design consultant from T-O Engineers. In response to questions from Commissioner White about subdivision improvement requirements, Mr. Graham said the City of Nampa told him that a deferral of the subdivision improvements means they will never be put in, and a waiver means the improvements will be put in in the future when the property is annexed into the city. He said the developer has requested a waiver of subdivision improvement requirements, which will be put in in the future. The city engineering department was in favor of the waiver but it was denied by the city council. Commissioner Dale said the definitions are backwards because a waiver means you don't ever have to do it, and a deferral means you defer it to a future date. Discussion ensued about the plans for subdivision improvements. Neutral testimony was offered by Tammy Schuyler and Marianne Robinson who raised the following concerns: a desire for larger estate-type lots, light pollution, negative impacts from multiple wells and septic systems, irrigation and the maintenance of the irrigation ditch so that the current water delivery will continue. Rebuttal testimony was offered by Mr. Graham. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale asked staff to add a plat note to make sure people understand there is an airport flight path/pattern nearby and there will be noise involved and they cannot complain about it. Director Nilsson suggested the Board strike Condition No. 7 which states "*The development shall comply with the city of Nampa requirements, including, but not limited to, installation of curb, gutter, sidewalk, streetlights and landscaping.*" Commissioner White said she is only against curb, gutter and sidewalk, but she thinks the lighting should be addressed within the CC&R's and also that the landscaping (grass) goes to the pavement. Commissioner Dale instead suggested language be included that says the improvements shall be deferred until the property is annexed. Director Nilsson suggested the Board add Condition No. 10 that requires the applicant to coordinate with City of Nampa on the appropriate plat note to recognize the proximity to the Nampa airport. Commissioner Van Beek said she does not want to override what the City of Nampa deems in their area of impact in the future, and she is not in favor of removing a landscaping requirement. Commissioner White wants to make sure the applicant and the City of

Nampa are on the same page as far as waivers/deferring improvements. Director Nilsson said we need to get clarification on whether the city approved a waiver or a deferral and she suggested the matter be continued so staff can contact the city. Commissioner Van Beek wants to make sure the water source continues with integrity. Commissioner Dale said he supports the parties working together on the water issue but he said the County cannot mandate that. Following the Board's deliberation Commissioner Dale made a motion to continue the hearing to November 2, 2020 at 9:00 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 3:10 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 23, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Information Technology in the amount of \$2,400.00 for the Trial Court Administration Office/Family Court Services Sheriff's Office

MEET WITH THE COUNTY ASSESSOR TO DISCUSS AN UPGRADE TO THE QUEUING SYSTEM AT THE DMV

The Board met today at 8:30 a.m. with the County Assessor to discuss an upgrade to the queuing system at the DMV. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, IT Director Greg Rast and Deputy Clerk Jenen Ross.

Assessor Stender gave a background on the necessity of this system. Due to space constraints within the DMV they do not have the capacity to have people waiting inside the building and maintain social distancing. With winter coming they would like to have the option for people to wait in their vehicle until their appointment time. The system being considered today will be able to accommodate people waiting in their vehicle along with the option to make an appointment

with text notification of your appointment. Ideally, Assessor Stender would like to hire a temporary person to work as a greeter/check-in person but for right now they are using the staff available to check in with people in an effort to be as efficient as possible. With the new state system being implemented he has already lost several employees due to tension and issues that have occurred. Based on a question from Commissioner Van Beek, Assessor Stender spoke about the logistics of having both walk-in customers and customers who have made appointments. Mr. Rast explained this is considered a critical project and his department is making it a priority. Discussion ensued regarding some of the issues that are being encountered at the DMV with the new system, stressors to the staff and other ways that could be or have been tried to make things easier and more efficient for both the staff and the public. Assessor Stender said this is a project that CARES monies will be used for as it is a result of changes that had to be made due to the pandemic. Chief Dashiell said on the driver's license side they are going to piggyback on this system with the Assessor's Office as they are facing some of the same challenges. In total there will be three purchase orders coming before the Board for this project – IT will need to purchase a server to run the system and then both the Assessor's Office and Sheriff's Office will have purchase orders for the actual system. At the request of Commissioner Van Beek, Assessor Stender and Chief Dashiell reviewed the on-going costs for the system. The anticipated roll out is still to be determined but Director Rast has requested that Nemo-Q be onsite when it happens. Commissioner Dale made a motion to approve moving forward with acquiring purchase orders for a new queuing system at the DMV. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO KARCHER FARM, LLC AND SS KARCHER LLC:
RESOLUTION FOR THE COMPREHENSIVE PLAN MAP AMENDMENT, AN ORDINANCE FOR THE
CONDITIONAL REZONE, AND A DEVELOPMENT AGREEMENT

The Board met today at 9:15 a.m. to consider matters related to the conditional rezone and the comprehensive plan map amendment for Karcher Farm, LLC, and SS Karcher, LLC, Case No. CR2018-0002 and Case No. OR2018-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida reported that the request, along with a development agreement, was approved by the Board back in August. The development agreement has now been signed by all the property owners and is ready for the Board's signature. She noted that the Board added two conditions which were in addition to what staff had recommended. Commissioner Van Beek had questions of staff regarding some of the conditions. Following discussion Commissioner Dale made a motion to authorize the Board to sign the resolution for the comprehensive plan map amendment, the ordinance for the conditional rezone, and the development agreement for this application. Commissioner Van Beek seconded the motion with the consideration that we have the opportunity for review what the fire restrictions will look like at the platting stage. The motion carried unanimously. (See Ordinance No. 20-032,

Resolution No. 20-163, and Agreement No. 20-147). The meeting concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING THE RESOLUTION REGARDING A VACATION OF CASE NO. VAC2019-0001 FOR BRODIE GRAHAM

The Board met today at 9:30 a.m. to consider the resolution regarding a vacation of Case No. VAC2019-0001 for Brodie Graham. Present were: Commissioners Pam White, Leslie Van Beek and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Dan Lister reported the resolution is for a portion of Lot 2, Block 1 of Deer Sky Ranch Subdivision which is being adjusted out to an un-platted lot. The Board previously approved the request and there were two conditions that were required to be met prior to signing the resolution and those have been met. Commissioner Dale made a motion to authorize the Board to sign the resolution to vacate approximate 3.2 acres of Lot 2, Block 1 of Deersky Ranch Subdivision, Parcel R30194101 to be adjusted into Parcel R30194 which is an un-platted parcel. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 20-164.) The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO RECEIVE AND REVIEW QUARTERLY JAIL INSPECTION REPORT

The Board met today at 10:00 a.m. to receive and review the quarterly jail inspection report. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Captain Harold Patchett, Lt. Dale Stafford, Lt. Martin Flores and Deputy Clerk Monica Reeves. Due to COVID the Board has not been touring the jail in person so it meets with jail staff to review the inspection report form each quarter. The Board reviewed the responses to the questions on the form. Captain Patchett and staff spoke about the protocols the jail staff follows regarding COVID precautions; the status of the remodel work that's being done; jail population; he addressed an inmate grievance that was filed; spoke of the work being done to address the door hinges in Pod 6; plans for a staff recognition event and staffing levels. Staff also responded to questions from the Board regarding the operation of Pod 6. The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A REQUEST BY JOHN CARPENTER FOR APPEAL OF A CONDITIONED APPROVAL OF A HOME BUSINESS, CASE NO. AD2020-0029APL – SIGN ORDER FOR MEDIATION

The Board met today at 11:01 a.m. for the continuation of a public hearing regarding John Carpenter's appeal of a conditioned approval of a home business, Case No. AD2020-0029APL. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Today's hearing was continued from October 20, 2020 so that Zach Wesley could prepare a draft mediation order, which he reviewed with the Board this morning. Following review and comment, the Board signed the

Order for Mediation which gives the parties one week to select a mediator from the list maintained by the Idaho Supreme Court. The parties will have 35 days to wrap up the mediation process. The meeting concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 26, 2020

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

APPROVED CLAIMS NO. 567895 AND 567844 TO 567894

The Board of Commissioners approved payment of County claims in the amount of \$16,470.19 and \$114,847.31 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Nemo-Q LP in the amount of \$7,809.00 for the Sheriff's Office
- Nemo-Q, LP in the amount of \$10,725.00 for the Information Technology Department and the Assessor's Office

PUBLIC HEARING – GLENN AND ROBIN SEYMOUR'S REQUEST FOR A PLAT VACATION

The Board met today at 1:30 p.m. for a public hearing in the matter of a request by Glenn and Robin Seymour to vacate plat note #4 on the Lansing Meadows Subdivision final plat, Case No. VAC2020-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Robert Hamlin, Glenn Seymour, Robin Seymour, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Kevin Bishop and David Snow. Dan Lister gave the oral staff report. The plat note restricts lots to a 26-foot front, side, and rear setback. The applicants' property is located at 8966 New Castle Road in Middleton, however, the vacation will affect properties within Lansing Meadows Subdivision. On July 1, 2020, the P&Z Commission recommended denial of the requested plat vacation. Glenn and Robin Seymour have replaced Robert and Sharlene Hinshaw as the project applicant. The Hinshaws applied because they had issues with an accessory structure they wanted to place on the property and there were 26-foot setbacks and they realized 16 lots had similar structures that did not abide by the setbacks at the

time so they submitted a plat vacation to alter it to 50-feet and then later they wanted to get rid of the plat note altogether. Mr. Lister gave a history of the development in Lansing Meadows Subdivision including the restrictive setbacks and the resulting inconsistencies, and he spoke of the confusion and concerns raised at the P&Z Commission hearing. October 13, 2020 Glenn Seymour submitted information including 33 petitions of support from property owners. In addition, Lansing Meadows Homeowners Association provided a letter and minutes showing the majority vote by the HOA to support the plat vacation request. According to Mr. Lister the P&Z Commission had a difficult time making a decision and they ultimately denied the request. Staff recommends approval of the request and found it to be consistent with the subdivision code and state law requirements. Mr. Lister and Director Nilsson responded to questions from the Board following the staff report. Glenn Seymour gave testimony in support of his request noting there 23 property owners who built within the restriction and removing the plat note #4 will clear up 20 of those. Kevin Bishop is the HOA President for Lansing Meadows Subdivision and he testified the intent is to control the subdivision through the architectural committee and the HOA. At the P&Z Commission hearing there were concerns that the requested vacation was going to change what the HOA could control. There is a lot of housing discrepancies that were done by the original builder and the plat note was not being enforced and those who moved in later assumed they were in compliance based on waivers by the architecture committee, which evidently they had no authority to grant because of plat note #4. The HOA wants this approved so they can be in compliance but also have the option to approve waivers that are applied for. There may be a couple of houses that may be violating county ordinances even after this is approved and because it was approved beforehand they would like to have a grandfather clause that does not require them to make any changes or be in violation. The HOA had an annual meeting in August and discussed the results of the P&Z hearing and how it affected them, and after a subsequent meeting was held 37 HOA members voted in favor of removing the plat note. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale is in favor of the request. There are procedures in place for a subdivision to alter plat notes and they have gone through that procedure and obtained the votes needed and there is no reason not to grant this plat vacation request. There are already 23 properties that have taken advantage of building within that 26 feet and in fairness the others should have that same option. This does not negate the County's setback ordinance or having to go through the HOA to obtain the necessary clearances and permits. Commissioner Van Beek supports the request given staff's recommendation and the testimony of the HOA President. Mr. Lister said the plat vacation resolution needs to be reviewed by legal counsel so it will come before the Board at a later date. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the request and authorized the Board to sign the findings of fact, conclusions of law and order for Case No. VAC2020-0001. Regarding Mr. Bishop's about the four nonconforming properties, Mr. Lister said they will be considered legal nonconforming uses, but if they ever make alterations they will have to meet today's setbacks but until then it is allowed through the approval that was done "back in the day." The hearing concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 27, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Bonneville Blue Precision Solutions in the amount of \$28,934.00 for the Solid Waste Department
- HP, Inc., in the amount of \$1,881.00 for the Information Technology Department
- HP, Inc., in the amount of \$3,880.00 for the Information Technology Department
- BOE in the amount of \$1,300.00 for the Information Technology Department
- SANS: Security Awareness in the amount of \$5,340.00 for the Information Technology Department
- SHI, Inc., in the amount of \$8,668.00 for Information Technology Department
- Carousel Industries in the amount of \$10,351.06 for the Information Technology Department
- Coble Promotions, LLC in the amount of \$14,529.00

APPROVE VACATION LEAVE TO SICK LEAVE TRANSFER FORMS

The Board approved vacation leave to sick leave transfer forms for Samantha Landis, Cherno Jagne, Greg Rast, Anita Hollis, Karen Serratos, Don Dutton, Eric Jensen, Kenny Jack, and Mike Davidson.

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. Brad Goodsell left at 9:15 a.m., Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom left at 9:05 a.m., Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown left at 9:07 a.m., Controller Zach Wagoner left at 9:15 a.m., Treasurer Tracie Lloyd left at 9:15 a.m., Director of Court Operations Denise Kennel left at 9:05 a.m., Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing legal notice of entering into personal services contract(s) for various professional services: Mr. Blocksom explained these are renewal contracts and this is to provide notice that they *may* go over \$10K this year. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the legal notice of entering into personal services contract(s) for various professional services.

Consider signing independent contractor agreements for interpreter services with Tatiana Nazareo and Paul Tu: These contracts are similar to other interpreter contracts that have been signed recently. Ms. Kennel noted for the record their languages and that they are both certified. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the independent contractor agreements for interpreter services with Tatiana Nazareo (see agreement no. 20-148) and Paul Tu (see agreement no. 20-149).

Consider signing Canyon County Juvenile Detention housing agreements with Elmore County and Boise County: Director Brown said the only change to the agreements is that the daily rate from \$191 to \$210. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign Canyon County Juvenile Detention housing agreements with Elmore County (see agreement no. 20-150) and Boise County (see agreement no. 20-151).

Consider signing resolution authorizing inclusion of certain charges, other than property taxes, on tax notices as authorized by Idaho Code: Brad Goodsell said that this is something that happens annually. Requests are received from other taxing entities to add certain charges to the tax roll. Requests were received from the City of Caldwell and City of Nampa which comply with the statutory requirements. Discussion ensued regarding the specifics of the requests. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the inclusion of certain charges, other than property taxes, on tax notices as authorized by Idaho Code (see resolution no. 20-165).

Mike Porter said that by 5:00 p.m. tomorrow the County has the opportunity to respond to the Public Defense Commission's latest proposed rules that would go before the legislature for adoption in the next session. Yesterday Mr. Bazzoli forwarded to Mr. Porter a draft of his letter and last week Mr. Porter's legal opinion was provided to the Board along with a proposed letter from the County.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure 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 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. Zach Wesley, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 a.m. with no decision being called for in open session.

The meeting concluded at 9:27 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH THE PUBLIC DEFENSE COMMISSION RE: THE PROPOSED DRAFT RULES

The Board met today at 10:35 a.m. with members of the Public Defense Commission (PDC) regarding the proposed draft rules. Present were: Commissioners Pam White and Leslie Van Beek, Chief Public Defender Aaron Bazzoli, and Deputy Clerk Monica Reeves. Present via Webex: Representative Darrell Bolz, Eric Fredericksen, Jennifer Roark, Tammy Zokan, Kathleen Elliott, and Erik Lehtinen. Mr. Bazzoli said the Prosecutor's Office has submitted proposed written changes/objections to the rules and he will be submitting his comments in writing which are different from what the Board of Commissioners might be looking at. A lot of the questions come from the role of the executive director in the public defense roster and the limitations on who can be on it, who can be assigned, who qualifies, and who remains on the roster in terms of their qualifications. He said a lot of the questions arising from the rules are related directly to the role that the Prosecuting Attorney has with the Board as their legal advisors. Kathleen Elliott said there was concern that the executive director would have too much power over the Board. The executive director oversees the roster and right now their rules require they have a roster of compliance and a roster of noncompliant people. Their concern is making certain that they know who is practicing indigent defense in Idaho and that they are complying with the standards. The requirement for who is on the regular public defender roster are quite minimal: you have to be a member of the Idaho State Bar and you have to be compliant with the rules, and so they have changed the language so that it's clear it's not some discretionary thing. As far as the prosecution, they want to make sure the counties have freedom to ensure there is no interference from the judicial or political branches. They want to make sure defending attorneys can do what they have to do for their clients and meet the constitutional standards. Ms. Elliott said the PDC is not trying to usurp the counties authority. They recognize there is case law regarding the prosecutor's role but prosecutors have conflicts at times, for example, should the Prosecutor be negotiating what his adversaries in the courtroom are getting get paid? That is something to back off of and think about. She said it was determined at the trial level that indigent persons were not being provided with constitutional representation and the PDC was told they have to implement standards and so they spent a great deal of time doing that. They are partnering with counties to try and

understand the concerns and how can they change the language to help, but there are some things that have to be faced and that is we have not typically provided proper defense and they need to make sure we are doing that and as part of that they need to know who is providing indigent defense in the state of Idaho. It is a cornerstone of the lawsuit against the state. Ms. Elliott responded to questions from Commissioner Van Beek. Discussion ensued about the difficulties in trying to create one standard that fits 44 counties. Ms. Elliott encouraged counties to talk with the PDC and tell them what we need so they can go to the legislature and ask for resources to meet the standards. Mr. Bazzoli said a question that seems to be of concern to the Board is the idea of the process of if there is a willful deficiency and the authority of the PDC to come in and allocate county resources to what they have unilaterally determined to be a willful deficiency without any ability to challenge that. Ms. Elliott said the statute addresses this as do the current rules. They have wanted to be much more transparent and make it clear how the process can be appealed. If counties will not comply and say they will not reach compliance then the last ditch effort is the state commission can contract to address that deficiency, but she doesn't see that happening because counties are working with the PDC and they are making strides in their partnerships. She said they had rules that people struggled to understand and they are trying to make them more concise and be transparent in how they do it. Discussion ensued regarding contracts for independent counsel, vertical representation, and workloads. Commissioner White said the Board will issue its responses to the proposed rules by tomorrow's deadline. The meeting concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:33 p.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners 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:

- There is potentially a new set of proposed rules going around that they do not have access to yet regarding some of the concerns that have been raised.
- A new attorney has been hired with the Public Defense Commission funding that was received.
- A revised job description will be coming before the Board sometime soon to change a paralegal position to a social worker job description.
- With the roll back to stage 3 they have been predominantly doing court hearings thru Zoom. Most attorneys are doing their Zoom meetings outside of the office so it's a little quieter, however, they are still meeting with all clients that are in jail face-to-face. They have actually had a good response from their clients in appearing for court, using Zoom seems to be more convenient for many of them. Jury trials were supposed to resume in mid-October but they have been delayed the past two weeks due to the upward trend in COVID cases.

- Discussion regarding office staffing and logistics of COVID safe practices and how they are keeping up with all their clients and court appearances.
- Came in under budget for FY2020.
- Looking at a new database support system – there will be another meeting with another vendor next week.
- Continuing education classes remain moving forward.
- Renovations are being done to the office in order to accommodate some growth.
- Discussion was had regarding the E-defender program.

The meeting concluded at 1:51 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 2:01 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, Landfill Director David Loper, Controller Zach Wagoner and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following:

- Waste amounts were up 22.73% in September, FY20 was up approximately 8.5%.
- CUP/Site certification: this application was heard at Planning and Zoning on October 15th. The CUP was approved and can now move forward with the state and health district process for site and operation certification.
- Abandonment of PB-4: the abandonment is complete and they have final reports. The new well is not showing any signs of contamination.
- FY20 flyover happened on September 30th.
- Inmate worker program: with COVID-19 the program was changed and they currently are not getting work release inmates at the landfill. They have been working with SILD and so far that has been going well.
- Purchase order for CAT Compactor GPS Systems: this equipment allows them to measure grades of the landfill without having to manually survey regularly. There was a quote provided for approximately \$20K but after the quote was received it was decided it would be beneficial to wire both compactors for the unit so that it can be moved between the machines. Originally, there was a unit with a 10" screen that was available at a discounted cost. It was later discovered that the 10" screen was too large and caused blind spots for the operator therefore a 6" screen is a better fit, however, the smaller screen is not available at the discounted cost. Due to this change the project went over the budgeted amount by about \$8900. Based on comments and concerns expressed by Commissioner Van Beek discussion ensued regarding the timing of when the quote was received and

explanation of the cost/changes in the budget line item. Controller Wagoner said that he doesn't see any issues with the changes. Director Loper operates very large pieces of equipment with huge amount of liability, safety and security of employees are of the utmost importance. He doesn't feel that decisions of this magnitude should be made on a projected estimated line item in a budget, they should be made on homework. In Mr. Wagoner's opinion Director Loper has made the right choice for the safe and efficient operation of that equipment.

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

SIGN LETTER TO THE PUBLIC DEFENSE COMMISSION REGARDING COMMENTS ON PROPOSED RULEMAKING

The Board signed a letter to Kathleen Elliott, the Executive Director, of the Idaho State Public Defense Commission regarding the proposed rules currently contemplated by the Public Defense Commission. (A signed copy of the letter is on file in this day's minute entry.)

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 28, 2020

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

APPROVED CLAIMS NO. 567896 AND 567925 AND 567926 AND 567947

The Board of Commissioners approved payment of County claims in the amount of \$193,055.79 and \$36,988.21 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mountain Home Auto Ranch in the amount of \$47,215.00 for the Emergency Management Department. (This purchase order replaces PO #4505)

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

The Board met today at 9:03 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Director Sinner updated the Board on the following:

- Fair:
 - The fair will take place July 29 – August 1, 2021
 - The mainstage act has been confirmed
 - Sponsorship commitments are at 96% of budget for FY2021
 - 4-H/FFA Livestock – will continue with modified layout and possible change to staging of animals/scheduling
 - Market livestock sale – there has been discussion regarding the modified format of in-person and virtual sale
 - COVID strategy discussion regarding the number of people on the grounds
- Fair Building Rental:
 - A barrel racing event took place on October 21st which was the first event since March; they worked with SWDH to ensure all COVID protocols were in place and followed
 - Barrel race events will continue through mid-January
- Fair Advisory Board – strategic plan development:
 - Last year there were three areas that they worked thru: capital improvements, financials in regard to attendance/revenue and guest experience
 - In recent months the immediate focus has shifted to COVID strategy
- Expo Building:
 - A roundtable discussion was had last week with the City of Caldwell to review their comments and address some concerns they had

The meeting concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:33 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 brought to the Board's attention that they've had 4 poll workers at the O'Connor Fieldhouse test positive for COVID-19 and 5 more have called in sick and been encouraged to get

tested. Discussion ensued regarding the authority to issue a limited mask mandate in relation to the election and the polling locations. Commissioner Dale thinks that something needs to be done by the Board to mandate that masks be worn inside county buildings. However, the polling locations are not county buildings so he wonders if the Board would have the authority to enforce a mandate in those buildings. Mr. Decker said that there are masks available at the polling locations – they are encouraging use but not requiring masks be worn. Mr. Decker and EOM Christine Wendelsdorf are headed to a couple of polling locations today to make sure things are properly spaced; he anticipates with the story in the media about the positive COVID cases they will be under a microscope. Commissioner Dale reiterated that he is at the point he is willing to do something about a mask mandate for all county buildings and wondered what the authority would allow over the poll workers as they are working for the county.

The annual Halloween event will be taking place this week with just a few county offices and departments taking part. The Sheriff's Office will continue with their Trunk-or-Treat event in Justice Park. Commissioner White spoke to Sheriff Donahue who indicated that everyone will be in masks and gloves. She indicated that he feels strongly that this pandemic has been really hard on kids and they need a little normalcy and that this event will probably have less exposure than kids walking from door to door on Halloween night.

Discussion ensued regarding the PSAs being put together. Mr. Decker indicated that the three Spanish PSAs are complete and out, he believes it will begin airing on Telemundo this week; he spoke about the other agencies that will be distributing the videos. There is a push to get information out to the Latino community as adequate information has been lacking.

The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE WEED & GOPHER SUPERINTENDENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:02 a.m. with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Weed and Gopher Superintendent AJ Mondor and Deputy Clerk Jenen Ross. Director Mondor updated the Board on the following:

- They are starting to move owl boxes. This year they received 50-60 requests for owl boxes.
- Most of the spraying of weeds is complete for the year.
- Discussion ensued regarding an issue with a problematic address – Mr. Mondor has resolved the issue.
- His department is fully staffed. They've budgeted for a seasonal position but haven't had to use it.
- Mr. Mondor has spoken with Eddie Owens, the new manager at Deerflat Wildlife Refuge, who has indicated he is serious about getting the weeds taken care of there. They will be

meeting on November 5th to further discuss the situation and Mr. Mondor wondered if it would be possible to donate his seasonal position to work the weeds at the wildlife refuge. Mr. Owens has indicated that he has budget for the chemical but not personnel. The Board requested that Mr. Mondor come up with a plan to be presented to the Board after their November 5th meeting.

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

OCTOBER 2020 TERM

CALDWELL, IDAHO OCTOBER 29, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell EMC in the amount of \$1,709.02 for the Information Technology Department
- Amazon in the amount of \$2,996.00 for the Information Technology Department
- National Tactical Officers Association in the amount of \$1,722.00 for the Sheriff's Office
- HP, Inc., in the amount of \$4,150.00 for the Sheriff's Office
- Defense Technology in the amount of \$1,790.00 for the Sheriff's Office

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-1119, 2020-1104, 2020-1069, 2021-0003 and 2020-1123. 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.

Director Baker spoke about case no. 2020-392, the case was originally denied by the Board as it was believed there may be tribal insurance available. It has now been determined that there is no other resource available and the applicant meets the criteria for approval. Commissioner Dale made a motion to approve the case. 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 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, Controller Zach Wagoner left at 9:10 a.m., Deputy P.A. Brad Goodsell left at 9:15 a.m., DSD Director Tricia Nilsson, Building Official Dave Curl, Sr. Deputy Treasurer Tonya May left at 9:15 a.m., Deputy Treasurer Tara Lehman left at 9:15 a.m., Deputy P.A. Zach Wesley and Deputy P.A. Tyler Powers arrived at 9:04 a.m. and left at 9:20 a.m. and Deputy Clerk Jenen Ross. HR Director Sue (left at 9:35 a.m.) and Benefits and Training Coordinator Nicole Ahlstrom (left at 9:31 a.m.) joined via Webex at 9:21 a.m.

Consider signing memorandum of agreement with Advocates Against Family Violence for medical and non-medical indigent care in Canyon County: Controller Wagoner said this is consistent with what was budgeted for in the FY2021 budget. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the memorandum of agreement with Advocates Against Family Violence for medical and non-medical indigent care in Canyon County (see agreement no. 20-152).

Consider signing resolution declaring certain properties as not necessary for county use and authorizing sale thereof: Mr. Goodsell explained that the county is obligated to auction certain properties acquired by tax deed. The auction is scheduled for November 18, 2020. In order to do that the Board needs to declare that these are surplus properties authorizing the sale and order that a notice be published. Upon the motion of Commissioner Van Beek and second by Commissioner Dale 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. 20-166).

Consider signing notice of surplus property auction: This is just the notice letting the public know of the auction of surplus property. Commissioner Dale made a motion to sign the notice. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing notice of grant of real property to other political subdivision or taxing district: Mr. Goodsell explained that Idaho code allows the Commissioners to grant these properties to other governmental entities. Notice has been received from the Caldwell Housing Authority that they have interest in a property and there is a small piece of property that the City of Caldwell has interest in. The Board is required to publish a notice they intend to do this; a hearing will be held on November 18, 2020 to take any public comment. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the notice of grant of real property to other political subdivision or taxing district.

Mr. Goodsell brought to the Board's attention that there may need to be some additional conversation as to how the auction will be conducted in order to adhere to COVID-19 safety protocols.

Consider signing Solicitation of Interest - Celebration Park East End Archaeological Resources Survey Consultant: Mr. Wesley explained this is for the east end RV improvement project at Celebration Park. Funding for the project will be paid thru the grant not to exceed \$5000. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the solicitation of interest for the Celebration Park East End Archaeological Resources Survey Consultant.

Notice of ranking and/or supplemental presentation (if necessary) for request for qualifications for design and engineering services related to Celebration Park East End RV Improvement: Mr. Wesley said only one proposal was received. Directors Navarro and Schwend met as a committee and are opting to go with Cole Architects, the sole proposer. The county has worked with this firm on other projects and Director Navarro is comfortable working with them. The next step in the process is for the Board to issue a letter letting Cole Architects know they've been selected which is scheduled to happen tomorrow. After that the county can enter into contract negotiations.

Mr. Wesley explained to the Board that copays can now be paid/reimbursed thru the HRA. The Health Board Trustees agreed to include copays as part of the HRA plan. In order to make the changes effective Flores only requires an email from the HR Director. Ms. Baumgart said that Controller Wagoner is very supportive of this change and Mr. Wesley said there is no legal reason for this not to happen. The Board consensus is to move forward with this change so Director Baumgart will be in contact with Flores.

Commissioner Dale spoke about items that come from the health board meeting earlier this week. He read some of the comments from citizens that have been received at the health district regarding COVID-19 and the use of masks. A presentation was given by an environmental department due to complaints about the length of time it is taking SWDH to inspect septic systems and get permits issued. Some of the issues that have surround the delay is that several employees have left the health district and others were diverted to COVID related issues. They have been able to hire some people and should get the timing back on track soon. Discussion ensued regarding

ground water and some of the issues that have been brought to the environmental services department.

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 9:47 a.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, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Building Official Dave Curl and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:10 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 2020 TERM

CALDWELL, IDAHO OCTOBER 30, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – Out of the office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS NO. 567984 TO 568029 AND 2010 (JURY FY21)

The Board of Commissioners approved payment of County claims in the amount of \$84,319.36 and \$982.43 (for FY21 Jury) for accounts payable.

APPROVE VACATION LEAVE TO SICK LEAVE TRANSFER FORMS

The Board approved vacation leave to sick leave transfer forms for Ellen Tingstrom and Ellen Cahalan.

APPROVED JULY 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

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

CONSIDER NOTICE OF AWARD RECOMMENDATION FOR REQUEST FOR QUALIFICATIONS FOR DESIGN AND ENGINEERING SERVICES RELATED TO CELEBRATION PARK EAST END RV IMPROVEMENT

The Board met today at 9:03 a.m. to consider issuing a notice of award for the request for qualifications (RFQ) for design and engineering services related to the Celebration Park east end RV improvement project. Present were: Commissioners Pam White and Tom Dale, Deputy PA Zach Wesley, Deputy PA Tyler Powers, Facilities Manager Paul Navarro, and Deputy Clerk Monica Reeves. The review committee has recommended the County work with Cole Architects, who was the only firm to submit a response, on this project. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to award the RFQ for design and engineering services to Cole Architects for the project at Celebration Park. The signed letter of notification is on file with this day's minute entry. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FY2021 COOPERATIVE AGREEMENT WITH VALLEY REGIONAL TRANSIT

The Board met today at 11:00 a.m. to consider signing the FY2021 cooperative agreement with Valley Regional Transit. Present were: Commissioners Pam White and Tom Dale, Kellie Badesheim with Valley Regional Transit, Jason Jedry with Valley Regional Transit, Controller Zach Wagoner arrived at 11:06 a.m. and Deputy Clerk Jenen Ross. Ms. Badesheim explained that this year VRT has changed their allocation methodology and want to make sure that all their local governments understand how that has changed. The topics discussed were as follow:

- FY2021 Assumptions
- Local cost allocation methodology
- Resiliency action plan guiding principles
- CARES funding
- Cooperative agreements
 - *A copy of the presentation is on file with this day's minutes*


Mr. Jedry spoke briefly about the cooperative agreement, the agreement indicates that the county has allocated \$39,299 in funding to Valley Regional Transit for FY2021; Controller Wagoner confirmed that this matches the county's budgeted amount. Additionally, there was discussion about the contact for Canyon County. Commissioner Dale will remain the contact until January 11,

2021, after that date Commissioner White will be the point of contact. In response to a question from Mr. Jedry, the Board agreed they would like to see a quarterly ridership report and Commissioner Dale would like to see how the new on-demand program is working. At the conclusion of the discussion points Commissioner Dale made a motion to sign the FY2021 Cooperative agreement with Valley Regional Transit. The motion was seconded by Commissioner White and carried unanimously (see agreement no. 20-153). Commissioner White asked for a report as to where/how exactly Canyon County's allocation will be spent. The meeting concluded at 11:35 a.m. An audio recording is on file in the Commissioners' Office.


THE MINUTES OF THE FISCAL TERM OF OCTOBER 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 4th day of February, 2021.

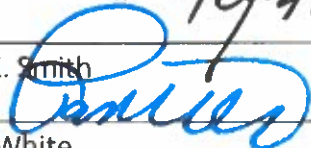
CANYON COUNTY BOARD OF COMMISSIONERS




Leslie Van Beek



Keri K. Smith



Pam White

ATTEST: CHRIS YAMAMOTO, CLERK, BY:  _____, Deputy Clerk

NOVEMBER 2020 TERM
CALDWELL, IDAHO NOVEMBER 2, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- American Time in the amount of \$5,179,00 for the Facilities Department

APPROVED CLAIMS ORDER NO. 568214 TO 568217

The Board of Commissioners approved payment of County claims in the amount of \$27,992.39 for accounts payable.

APPROVED CLAIMS ORDER NO. 568186

The Board of Commissioners approved payment of County claims in the amount of \$1,467.15 for accounts payable.

APPROVED CLAIMS ORDER NO. 568190 TO 568197

The Board of Commissioners approved payment of County claims in the amount of \$4,585.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 568198 TO 568204

The Board of Commissioners approved payment of County claims in the amount of \$2,604.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 568132 TO 568185

The Board of Commissioners approved payment of County claims in the amount of \$288,617.64 for accounts payable.

APPROVED CLAIMS ORDER NO. 568187 TO 568189

The Board of Commissioners approved payment of County claims in the amount of \$3,227.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 568081 TO 568131

The Board of Commissioners approved payment of County claims in the amount of \$15,250.49 for accounts payable.

APPROVED CLAIMS ORDER NO. 567948 TO 567983

The Board of Commissioners approved payment of County claims in the amount of \$107,996.62 for accounts payable.

APPROVED CLAIMS ORDER NO. 568205 TO 568213

The Board of Commissioners approved payment of County claims in the amount of \$31,084.99 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:33 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 the upcoming schedule with staff. Commissioner Van Beek requested a meeting regarding the Roderic Lewis case in Nampa as it appears all conditions have not been met. Following discussion it was determined follow-up is required with DSD Director Tricia Nilsson before a meeting is scheduled. Commissioner Van Beek asked if there is a reason why the HR Department is not open. She has been informed that the office is locked and staff is working from home, which concerns her given that all Board departments are up and running. Commissioner Dale and Commissioner White believe the office is open and staff is providing services, although they may be working on a rotating shift. Commissioner Van Beek wants to see staff's work schedule. Commissioner White said perhaps some staff members are working from home as they could have been exposed to COVID-19. Commissioner Dale reported on a recent property tax meeting he attended. The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF PUBLIC HEARING - REQUEST BY WEATHERBY ESTATES SUBDIVISION FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, CASE NO. SD2019-0053

The Board met today at 9:03 a.m. to conduct a continuation of the public hearing regarding the request by Weatherby Estates Subdivision for a preliminary plat and an irrigation and drainage plan, Case No. SD2019-0053. Present were: Commissioners Pam White, Tom Dale, and Leslie Van

Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida and Matthew Graham with T-O Engineers. Today's hearing was continued from October 22, 2020 to get clarification on a *deferral* versus a *waiver* of the City of Nampa's requirements for subdivision improvements, and to review language on a plat note regarding proximity to the airport. Ms. Almeida submitted additional exhibits and since the hearing was closed on October 22nd, a motion to reopen is necessary. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to reopen the public record. Ms. Almeida reported that the Nampa City Council's denial of the deferral agreement was also meant as a denial of the waiver, meaning their desire is to have the subdivision construct the improvements. They did not grant any sort of waivers of improvements or any deferrals. She also spoke of communication she had with Nampa staff regarding a plat note regarding proximity to the airport, specifically regarding restrictions placed on the height of structures. Following her report, Ms. Almeida responded to questions from the Board. Matthew Graham offered testimony on behalf of the applicant regarding subdivision improvements noting that the applicant was not anticipating doing them. Board discussion ensued about subdivision improvements and the costs associated with those items, and the uniformity of standards the Board has applied to other subdivisions in the County. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale is not in favor of imposing city requirements on this project because it is a rural subdivision with one-acre lots and he thinks it should be developed as a rural subdivision according to County standards. Commissioner Van Beek supports those comments and said the onus is on the engineer representing this case. It's not within the Board's best interest to apply standards differently in rural subdivisions and she is in favor of allowing the development to move forward. She said it seems we should eliminate Item No. 7 on the conditions of approval, and note for the record that the property owner is willing to participate in some cost share for maintaining the historic irrigation lateral drains and flow patterns through the property. Commissioner White wants there to be a condition for the owner to maintain landscaping/grass up to the internal public road right-of-way. Commissioner Van Beek suggested a requirement for a stub street, but Commissioners White and Dale did not agree. Staff will prepare language for the proposed conditions and present the findings of fact, conclusions of law and order to the Board at a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to November 6, 2020 at 10:00 a.m. The hearing concluded at 9:54 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES DEPARTMENT FOR A DEMONSTRATION OF A LAND USE TRACKER

The Board met today at 9:56 a.m. for a demonstration of a newly created online land use tracker where people can track development activity. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, IT Director Greg Rast, IT Development Mgr. Rick Fisher, IT GIS Administrator Hannah Burgard, and Deputy Clerk Monica Reeves. Director Nilsson demonstrated how the tracker will work with the CAPS program (Canyon Application

Processing System). Director Rast said Tony Almeida in DSD created this program where you input the parcel information and information is then pulled, extracted and displayed in real time. Director Rast said CAPS is a big application that was written by Rick Fisher and it tracks the heartbeat of DSD, the P&Z Commission, and impact fees. Director Nilsson is looking for direction on how to announce this new program. She plans to forward the information to PIO Joe Decker to prepare a press release so the public is aware it is available and on the County's website. She said other groups want to announce it as well. Commissioner Van Beek had questions about what kind of training will be provided to the front office staff so they are competent in using the program. Rick Fisher spoke of the plans he has to train staff. Commissioner Van Beek asked about the use of the program for code enforcement issues. Director Rast said they are enhancing the code enforcement side of this next. Hannah Burgard, who will serve as a backup to Ms. Almeida, spoke of her work experience. The Board was very impressed with the online tracker. The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JESSE PRATHER FOR A REZONE, CASE NO. RZ2020-0005

The Board met today at 2:02 p.m. to conduct a public hearing in the matter of a request by Jesse Prather of JRP Properties, LLC, for a rezone of approximately 38.66 acres from an "A" (Agricultural) zone to an "M-1" (Light Industrial) zone, Case No. RZ2020-0005. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Jesse Prather, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida and Dylan Bonds. Jennifer Almeida gave the oral staff report. There is a conditional use permit that allowed the operation of an irrigation supply business on the property which is designated as industrial on the future land use map. The property is located within Greenleaf's area of city impact and it lies within area that's anticipated for industrial uses. The conceptual plan depicts eight industrial lots, and a plat will be required if the rezone is approved. Staff is recommending approval of the rezone request. Jesse Prather testified he wants to develop the property into a light industrial park for primarily agricultural businesses; one lot will potentially go to a turbine well rebuilder, and one to an irrigation wholesaler. He had to change the conceptual plan slightly to appease Simplot with a 500-foot barrier. Following his testimony Mr. Prather responded to questions from the Board. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale said this area is planned for this type of use and it fits within the parameters for light industrial which brings business and jobs. He then made a motion to approve the rezone for Case RZ2020-0005. Commissioner Van Beek seconded the motion and said she believes this area, specifically Highway 19, is a good layout for industrial development. The motion carried unanimously. (Ordinance No. 20-033.) The hearing concluded at 2:10 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM
CALDWELL, IDAHO NOVEMBER 3, 2020

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

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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. Dan Blocksom (left at 9:16 a.m.), Deputy P.A. Zach Wesley (arrived at 9:09 a.m.), Director of Juvenile Detention Sean Brown (left at 9:16 a.m.), Chief Public Defender Aaron Bazzoli participated via Webex (left at 9:18 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Canyon County Juvenile Detention Housing agreement with Owyhee County: Director Brown explained this is just a renewal and that the only change this year is that the cost went from \$191 to \$210. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County Juvenile Detention Housing agreement with Owyhee County (see agreement no. 20-154).

Consider signing independent contractor agreement for Public Defender conflict counsel with Preston Atamancyk: Mr. Bazzoli provided a background of Mr. Atamancyk and what kind of cases he'll be handling. At the request of Commissioner White, Mr. Bazzoli spoke briefly about the reports that have been received recently from the attorneys providing conflict counsel services which needs to be provided to the PDC as part of their required reporting. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the independent contractor agreement for Public Defender conflict counsel with Preston Atamancyk (see agreement no. 20-155)

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 Dale 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 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 9:57 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 APRIL BIBBINS FOR A REZONE, CASE NO. RZ2020-0014

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by April Bibbins for a rezone, Case No. RZ2020-0014. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and April Bibbins. Dan Lister gave the oral staff report. The request is for a rezone of Parcel R33835011 from an A" (Agricultural) zone to an "R-1" (Single Family Residential) zone. The 4.7-acre property is located at 23412 Lansing Lane in Middleton. The P&Z Commission recommended approval on September 17, 2020; staff is recommending the Board approve the rezone as well. Following his report, Mr. Lister responded to questions from the Board. April Bibbins testified in support of the request and stated they purchased the property so their daughters and families could build on the property. The plan is for the daughters to build on one-acre lots on the back side of the property, and she will keep the rest of the property. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the findings of fact, conclusions of law, and order as well as the ordinance approving the rezone request by April Bibbins, Case No. RZ2020-0014. (Ordinance No. 20-034.) The hearing concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINAL PLAT FOR BARNES ESTATES (SD2020-0012) AND KALOS PLACE (SD2020-0004)

The Board met today at 2:01 p.m. to consider the final plat for Barnes Estates, Case No. SD2020-0012, and the final plat for Kalos Place, Case No. SD2020-0004. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Planner Dan Lister, other interested persons, and Deputy Clerk Monica Reeves. The plats were considered as follows:

Final plat for Barnes Estates

Dan Lister reported the preliminary plat was approved by the Board on September 10, 2020 and all conditions have been met for this one-lot subdivision. All necessary signatures on the plat have been obtained 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 Barnes Estates.

Final plat for Kalos Place

Mr. Lister said the preliminary plat for this two-lot subdivision came before the Board in September of 2020 and it was approved subject to seven conditions. He reviewed the conditions noting they have been met. Mr. Lister responded to questions from the Board. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Kalos Place.

The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING DEVELOPMENT AGREEMENT AND ORDINANCE REGARDING THE SLAGEL CONDITIONAL REZONE, CASE NO. CR2020-0006

The Board met today 2:26 p.m. to consider signing a development agreement and ordinance regarding the David and Verna Slagel conditional rezone, Case No. CR2020-0006. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Planner Dan Lister, David and Verna Slagel, and Deputy Clerk Monica Reeves. The Board heard this case on October 1, 2020 and approved the request but delayed the signing of the development agreement and the ordinance because the applicant needed to sign a release document. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the development agreement. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the ordinance. (Agreement No. 20-133 and Ordinance No. 20-030.) An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 4, 2020

PRESENT: Commissioner Pam White, Chair - Out of the office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 2103

The Board of Commissioners approved payment of County claims in the amount of \$1,771,084.64 for a County payroll.

No meetings were held this day.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 5, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$34,970.00 for the Information Technology Department
- ZOHO Corporation in the amount of \$1,210.00 for the Information Technology Department
- HP, Inc., in the amount of \$7,760.00 for the Information Technology Department
- Pro Vision in the amount of \$1,722.00 for the Sheriff's Office
- Caldwell Glass in the amount of \$3,012.40 for the Facilities Department

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Sean Johnson, Application Support Analyst I, and for Dawn Mathis, Administrative Specialist.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross.

Case no. 2021-0072 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue approval on the case as read into the record.

Case nos. 2020-1143, 2020-1146, 2021-0117, 2020-1141, 2020-1138, 2020-1055, 2021-0099, 2021-0100 and 2020-1129 do not 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 initial denials on the cases as read into the record.

Liens and CAT assignments were presented for Board signatures.

The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-630

The Board met today at 9:00 a.m. to conduct a medical indigency hearing for case no. 2020-630. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Timothy Ryan with St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to approve the case with the parameters she outlined. The motion was seconded by Commissioner Dale for discussion. A vote was taken with Commissioners Dale and Van Beek voting in favor of approving the case and Commissioner White voting in opposition. The motion carried in a 2-to-1 split vote. The hearing concluded at 10:38 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY MATTERS

The Board met today at 10:39 a.m. to consider medical indigency matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale and Deputy Clerk Jenen Ross. Case no. 2020-365 meets the eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with written decision to be issued within 30 days. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING 2020 LOCAL DISASTER EMERGENCY DECLARATION – COVID 19 – NOVEMBER 5 EXTENSION THROUGH DECEMBER 3

The Board met today at 10:50 a.m. to consider signing the 2020 Disaster Emergency Declaration - COVID-19 - November 5 extension through December 3, 2020. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, PIO Joe Decker, EOM Christine Wendelsdorf, and Deputy Clerk Monica Reeves. The extension keeps the County eligible for COVID funds; to date the County has received just over \$1 million in emergency funds. There was discussion regarding the storage of PPE and the City of Caldwell's decision to allow the County to store PPE at O'Connor Fieldhouse. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the extension of the declaration to December 3, 2020. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 6, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Curtis Blue Line in the amount of \$1,188.00 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 568218

The Board of Commissioners approved payment of County claims in the amount of \$7,625.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 568030 to 568080

The Board of Commissioners approved payment of County claims in the amount of \$56,995.82 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 11/21/20 for the Gem State Cutting Horses Association.

CONTINUATION OF PUBLIC HEARING - REQUEST BY WEATHERBY ESTATES SUBDIVISION FOR A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, CASE NO. SD2019-0053

The Board met today at 10:04 a.m. for a continuation of the public hearing to consider the preliminary plat and irrigation and drainage plan for Weatherby Estates Subdivision, Case No. SD2019-0053. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Today's hearing was continued from November 2, 2020 so that staff could work on the conditions of approval. Director Nilsson reviewed the conditions of approval and noted they reflect the decision of the Board at the underlying hearing. Following comments from the Board, Commissioner Dale made a motion to sign the findings of fact, conclusions of law, and order for Case No. SD2019-0053. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 9, 2020

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

APPROVED CLAIMS ORDER NO. 568351 to 568400

The Board approved claims 568351 to 568400 in the amount of \$29,026.29

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

The Board met today at 9:07 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, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following:

- The HR department is continuing to work on open enrollment; they have had several Webex sessions to review enrollment options with employees and the generalists have been meeting with offices and departments individually as necessary.
- Approximately 160 people have done health screenings but the number of flu shots that have been given are not yet available.
- 32 employees participated in Walktober this year which is down from last year.
- Discussion ensued regarding the work schedule of the HR department; Ms. Baumgart has not heard any complaints about response times but would appreciate people coming to her with any concerns. Staff is mostly in the office and rotating working from home, there are always 3 people in the office.
- She has been in working with Ron Price on supervisor training as she would really like to do that training in person vs. online. There are 40 supervisors so bringing them all together in one space can't happen at this time and she just doesn't think it would be as beneficial to do it virtually. At this point Director Baumgart would rather delay the training than mandate masks for the training or do it virtually. Quarterly training will continue with the directors but she will reach out to the other directors on how they feel about going forward and how they'd like the training conducted - either in-person, virtually or postponed for the time being.

The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:33 a.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 and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution reappointing Patrick Williamson to the P&Z Commission: Director Nilsson said Mr. Williamson is the vice-chair this year and is willing to continue serving. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution reappointing Patrick Williamson to the P&Z Commission (see resolution no. 20-167).

Consider signing a resolution granting a refund to Dallas and Alicia Riley for a permit fee: Director Nilsson explained that the Riley's applied for a building permit for an accessory structure but once it was reviewed it was determined that they qualify for an ag exemption. DSD is recommending a refund of the plan review fee. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a refund to Dallas and Alicia Riley for a permit fee (see resolution no. 20-168).

Director Nilsson updated the Board on the following:

Budget and personnel update: October was very busy especially with building permits. In response to a question from Commissioner White, Director Nilsson spoke about impact fees for the county. She said that the budget for Elizabeth Connors was held over from FY2020 in order to have a facilitated conversation among the elected officials to scope out the CIP. Commissioner White would really like to see this move forward. Commissioner Dale would like to have an evaluation done to determine what the collected fees could be used for. The Code Enforcement officer has given notice. Commissioner Van Beek said when she met with them recently they indicated to her that they didn't have the proper equipment to do their job; Director Nilsson said she hadn't heard anything from them regarding their concerns. She wants to meet with the other Code Enforcement Officers find the best path to move forward as this feels like a very "clunky" task for the Development Services Department.

P&Z public hearings: Director Nilsson needs to work with EOM Christine Wendelsdorf and Facilities Director Paul Navarro to determine a set-up plan for the public meeting room for the hearings and questioned how disregard of health district guidelines and security issues will be addressed. Director Nilsson said her priority is to keep her staff and the Commissioners safe even if there isn't a mandate in place.

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

RESCHEDULE PUBLIC HEARING REGARDING A REQUEST BY EPIC HOLDING LLC, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND A CONDITIONAL REZONE, CASE NOS. OR2020-0005 AND CR2020-0005

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Epic Holding, LLC, for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2020-0005 and CR2020-0005. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Todd Lakey, Alan Mills, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Truman Mathews, Barbara Dopp, Jarron Langston, and Todd Campbell. Prior to the start of today's hearing, DSD staff advised Mr. Lakey that the subject property was not posted and in order to meet the posting requirements we need to reschedule the hearing to at least seven days from today's date to comply with the posting

requirements. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to reschedule the hearing to November 19, 2020 at 1:30 p.m. The proceeding concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:30 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale (arrived at 1:32 p.m.), Judge Southworth, TCA Doug Tyler, Deputy Judicial Marshal Jim West, Assistant TCA Benita Miller and Deputy Clerk Jenen Ross. The following items were discussed:

- Jim West has been working with Director Navarro to find more space for personnel. The Board is supportive of the TCA and Marshal working with Facilities on renovations to an old, unused jury room. Additionally, there is another space available they would like to renovate for storage/organization for jury related supplies.
- Judge Southworth said they have not been able to have jury trials and just heard that with the COVID numbers going up the Supreme Court is going to issue a new order which he believes may delay jury trials until the first of the year.
- Discussion ensued regarding how COVID is affecting offenders and the arrangements that are being worked out, court programs available to change behavior of repeat offenders and the decriminalization of hard drugs in Oregon. There was also discussion regarding the need for additional support staff and office space if the Supreme Court provides additional judges to Canyon County and the letter of support from the Board that would be necessary.

The meeting concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO CONSIDER AN ACTION ITEM

The Board met today at 2:15 p.m. with the Parks Director 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, Parks Director Nicki Schwend, Deputy P.A. Zach Wesley (left at 2:24 p.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing resolution reappointing Mathew Andrew to the George W. Nourse Gun Range Advisory Board: Director Schwend said Mr. Andrew has been great on the Board. At some point in

the future they will probably look to replace a member of the board whose term has expired. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution reappointing Mathew Andrew to the George W. Nourse Gun Range Advisory Board (see resolution no. 20-169).

Lori Berry who works as both camp host and maintenance technician at Celebration Park has made a request to use a county vehicle to move her RV closer to the museum which will be a better placement all around. The camp host position is a volunteer position but the maintenance position is a paid county employee position. Discussion ensued regarding a release of damage for both her RV and the county vehicle and who would actually drive the vehicle. The Board is in favor of allowing Ms. Berry to use the vehicle to move her RV.

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 2:25 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. 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, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:34 p.m. with no decision being called for in open session.

At the conclusion of the executive session Director Schwend updated the Board on the following:

- Virtual fieldtrip success
- Crossroads Museum exhibit
- Director Schwend and Laura Barbour will take over the Crossroads magazine for the time being
- BLM Victory Roads Improvements
- New camp host site
- Sun sail pole repair
- Dormitory outdoor shower
- Cement repair at the visitor center
- Display monitors in Crossroads Museum and classroom
- Kiosks and signage
- Safety features at the new office
- HPC meeting will take place tomorrow night

The meeting concluded at 2:55 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS THE ORIGINAL CARES ALLOCATION AND PUBLIC SAFETY PAYROLL

The Board met today at 3:01 p.m. to discuss the original CARES allocation and public safety payroll. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Coroner Jennifer Crawford, Assessor Brian Stender, EOM Christine Wendelsdorf, Sheriff Kieran Donahue, Treasurer Tracie Lloyd, Southwest District Health Director Nikki Zogg, and Deputy Clerk Monica Reeves. Commissioner White said the Board received information from the PA's Office and the Controller's Office identifying a potential opportunity for the County to max out the use of the original CARES funding of \$5.6 million. Controller Wagoner believes we have an opportunity to receive an additional \$3 million to \$3.5 million of our original allocation of CARES Act dollars, and in referring to a document (on file with this day's minute entry) he reviewed the detail on how the CARES Act funds have trickled down to Canyon County. \$282 million was made available to Tribal and local governments and it was split into two pieces, one piece was \$188 million tied to the Governor's public safety property tax initiative and those monies were only available for those entities that were willing to offset or reduce their property tax. Out of that \$282 million, \$94 million was allocated based on population and was split between county, city, governments, special purpose taxing districts, and tribal governments. A total of \$44 million was allocated between Idaho's 44 counties. Canyon County was allocated \$5.6 million based on our population, and in response to that we created a specific code to track eligible Coronavirus relief fund spending and there has been great cooperation to identify and track eligible spending under the CARES Act. Approximately \$2 million of the original \$5.6 million has been spent. The deadline to submit requests is December 11, 2020 and the state controller's office has communicated that any unspent funds will be reviewed for possible reallocation or return to the federal government. They estimate to have roughly \$3.5 million available in unspent original allocation as of December 2020, and public safety payroll costs are eligible for that reimbursement. Commissioner White asked if it is no longer specific to COVID because that was the sticking point. Controller Wagoner said another sticking point was the requirement to offset the revenue with property tax reduction, but that requirement is no longer tied to this money. Sheriff Donahue said this is different than COVID money and the restrictions are not tied to it and though that was a sticking point for him, this is different because it comes from the original CARES money. Controller Wagoner said based on our public safety functions, the payroll associated with that is eligible for reimbursement out of the original allocation of \$5.6 million. The monies are good through December 30, and there are still a few bills we need to get some specifics on, but he would like to ensure that the County requests up to the maximum of the \$5.6 million. Clerk Yamamoto said the Elections Office will take a fair amount of it. Controller Wagoner said we are not out of the woods but given the uncertainty with federal legislation the goal is to get the cash into the County's bank account and then in January or February if something comes up the cash will be in our account. Treasurer Lloyd said she is 100% behind this; it's the original allocation that we are taking from, we are not providing property tax relief as the CARES Act prohibits, and what was intended with the Governor's safety protection which she was strongly opposed. Clerk Yamamoto does not have any conflict with requesting the funds. He said no Board action is

required, but they need to be aware that the Auditor's Office will include it in our reimbursement. Assessor Stender said whether we use it today or in the future, it will offset a purchase that taxpayers will not have to pay for and that is a good deal. Commissioner Dale is comfortable moving forward, and Commissioner White appreciates everyone weighing in. The meeting concluded at 3:24 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 10, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek - Out of office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 568401 to 568421

The Board approved claims 568401 to 568421 in the amount of \$28,970.96

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board signed a replacement alcoholic beverage license for Mariscos El Viejon LLC, dba Mariscos El Viejon. Original license signed on 05/12/2020 was misplaced.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ZoHo in the amount of \$4,150.00 for Information Technology department
- Quadient, Inc. in the amount of \$19,349.80 for Information Technology department

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

The Board met today at 8:35 a.m. with the Director of Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross. The following updates were provided to the Board:

- Microsoft Office 2019 upgrade: IT is working to get everyone updated. One issue has been discovered in the Prosecutor's Office and the Public Defender's office with some of the applications they use so they will continue to use Microsoft Office 2016 until some of the bugs can be worked out.
- Phones: This weekend there was an issue with the Skype system that took them offline for the weekend. Microsoft is phasing out Skype so a replacement will need to be found. With Mr. Jensen's help, Director Rast would like to either move to Avaya, like is used in the Sheriff's Office, or Cisco. They anticipate the Skype system being phased out over the next couple of years so the process of finding a new system needs to start now.
- Landfill: Working with them on an automated outbound scale.
- Celebration Park: Museum display screen project should be done in the next couple of weeks, they will then start working with facilities on cameras.
- Case management system for the Coroner's Office: This is a system that was written in-house but there have been some features that Ms. Crawford would like added including asset tracking which would also be beneficial to the Treasurer and Indigent Services. IT will be meeting with Ms. Crawford to determine her needs and how the program can be revised to accommodate her requests. Director Rast spoke about meetings he's been a part of in which there has been an effort to create a decedent workflow in an effort to streamline the process between the Coroner's Office, Treasurer's Office, Indigent Services and funeral homes.
- Nemo Q: Working with the vendor to get the system in place at the DMV. The server is 4-5 weeks out but IT will bring in an interim server to get the system up and running.

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 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 Tom Dale, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley (left at 9:07 a.m.), Chief Deputy Sheriff Marv Dashiell, Director of Court Operations Kennel (left at 9:09 a.m.), Director of Juvenile Detention Sean Brown (left at 9:07 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020-21 juvenile detention housing agreements with Gem County, Payette County, Valley County and Malheur County: Mr. Wesley said the agreements with the Idaho counties are all the standard agreement that is used and the only change is the rate increase. The agreement with Malheur County is a new agreement and because they are located in Oregon there is some

language in the contract to reflect Oregon law; the rate and indemnification language is the same as the standard contract. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the 2020-21 juvenile detention housing agreements with Gem County, Payette County, Valley County and Malheur Counties (see agreement nos. 20-156 – 20-159).

Consider signing independent contractor agreement for interpreter services with Farnoush Davis and Leslie Davis: Ms. Kennel reviewed the languages each interpreter speaks. Leslie Davis is certified so her rate is slightly higher. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the independent contractor agreements for interpreter services with Farnoush Davis and Leslie Davis (see agreement nos. 20-160 and 20-161).

Consider signing Traffic Enforcement Grant Project Agreement (TEGPA) with Idaho Transportation Department Office of Highway Safety: Chief Dashiell said this is a renewal of a grant used for overtime reimbursement during targeted enforcement projects. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Traffic Enforcement Grant Project Agreement (TEGPA) with Idaho Transportation Department Office of Highway Safety (see agreement no. 20-162).

Consider signing amendment no. 6 to food services agreement with Summit Food Services: Chief Dashiell said this is an annual renewal; the same rate scale as last year was used. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the amendment no. 6 to food services agreement with Summit Food Services (see agreement no. 20-163).

At the request of Commissioner Dale, Chief Dashiell gave a brief update on Pod 6. The ADS team is working well with the Facilities department. They are looking at possibly replacing all the doors as there are continued issues with the hinges and locks.

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

PUBLIC HEARING – REQUEST BY MATTHEW AND CHRISTINE TRAVIS, CASE NO. RZ2020-0011

The Board met today at 2:30 p.m. to conduct a public hearing in the matter of a request by Matthew and Christine Travis for a rezone, Case No. RZ2020-0011. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Present via Webex: Matthew Travis, Christine Travis, and William Mason. Jennifer Almeida gave the oral staff report. The applicants are seeking a rezone of 10.69 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone. The future land use map designates the property

as residential and the rezone complies with that designation. The property is within Nampa's impact area and is designated as medium-density residential. The property lies within a nitrate priority area and health district requirements will be required during the development of the site. The Nampa Engineering Department does not oppose the rezone but they did indicate there is a water main along the west boundary that could be utilized for development purposes if an agreement for connectivity was established between the owner and the city. The P&Z Commission recommended the request be approved and staff recommends as approval as well. William Mason testified in support of the request. The property is a flag lot bounded by canals; they do not anticipate more than 7 or 8 lots on the site. He gave testimony regarding the water situation and the possibility of tying into the city water main in the future. Matthew Travis testified that he and his wife purchased the land to create a micro neighborhood with larger lots. He responded to questions regarding the water situation and wells, and he said they will look at the total cost of connecting to city services and if they can make it work it will be on their list. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the rezone request for Matthew and Christine Travis for Case No. RZ2020-0011. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to approve the findings of fact, conclusions of law and order, and the ordinance. (Ordinance No. 20-035.) The hearing concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 12, 2020

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

APPROVED CLAIMS ORDER NO. 568422 to 568455

The Board approved claims 568422 to 568455 in the amount of \$57,892.49.

APPROVED CLAIMS ORDER NO. 568219 to 568277

The Board approved claims 568219 to 568277 in the amount of \$515,596.24.

APPROVED CLAIMS ORDER NO. 568278 to 568300

The Board approved claims 568278 to 568300 in the amount of \$11,011.81.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Grainger in the amount of \$3,614.63 for the Facilities Department
- R&H Wholesale Supply in the amount of \$1,480.37 for the Facilities Department

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:46 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2021-6, 2021-7, 2020-1158, 2020-1159, 2020-1148, 2021-2, 2021-9 and 2020-1160. 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.

Liens were presented for Board signature.

Director Baker spoke of a case previously before the Board involving Altrua which is a medical share program. Altrua has denied the claim and the county/indigent services is at the point they would like to speak with Altrua and their CEO in hopes of reversal of their denial and to explain how the county is the payer-of-last-resort. Mr. Blocksom has prepared a letter explaining how the county indigent program works and that the county is not a resource. A request was made to go into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 8:54 a.m. pursuant to Idaho Code, Section 74-206(1) (b) 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, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury and

Deputy Clerk Jenen Ross. The Executive Session concluded at 9:15 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.

Canvass November 3, 2020 Election - Canyon County Elections Office

The Board canvassed election results for the November 3, 2020 General Election. The official documents were presented by Elections staff and were signed in the Elections Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 10:30 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, Deputy P.A. Brad Goodsell (left at 10:42 a.m.), Treasurer Tracie Lloyd (left at 10:42 a.m.), DSD Director Tricia Nilsson, DSD Planner Dan Lister and Deputy Clerk Jenen Ross.

Mr. Goodsell spoke about the tax sale logistics in regard to the potential of the Governor's roll back to stage 2 and limited space in the meeting room. Discussion ensued about some of the options which may include use of the large super courtroom, limiting the number of people and/or mandate of masks for anyone attending the auction.

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

EXECUTIVE SESSION – 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 10:42 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 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. Zach Wesley, Director of DSD Tricia Nilsson, DSD Planner Dan Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:11 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 COUNTY AGENT TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:32 p.m. with the County Agent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Commissioner Leslie Van Beek arrived at 1:35 p.m., County Agent Jerry Neufeld, Carrie Johnson, Nick Ysabel and Deputy Clerk Jenen Ross. The follow updates were provided to the Board:

Mr. Ysabel gave a review of his past year in Master Gardner program, spoke about gardening in relation to the virus this year, how landscaping can improve home value and the pest alert network.

Mr. Neufeld spoke about conducting programming online vs. in-person this year. They are conducting them virtually so that people can still obtain their certifications. They are following general safety protocols such as limiting the number of people, mask and plexi-glass.

Ms. Johnson spoke about the 4-H program and changes that had to be made during the pandemic. They are still trying to do community outreach – looking at other ways to conduct meetings such as online, hybrid or meeting outdoors. She spoke about the fair and the market livestock sale this year. 4-H enrollment started October 1st.

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

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 13, 2020

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

APPROVED CLAIMS ORDER NO. 568482 to 568517

The Board has approved claims 568482 to 568517 in the amount of \$18,305.22.

APPROVED CLAIMS ORDER NO. 568456 to 568481

The Board has approved claims 568456 to 568481 in the amount of \$27,128.03.

EXECUTIVE SESSION – CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D); INTERVIEW AND CANDIDATE EVALUATION FOR COMMISSIONERS’ OFFICE SENIOR ADMINISTRATIVE SPECIALIST POSITION

The Board met today at 8:55 a.m. for an Executive Session to interview and evaluate candidates for the Commissioners’ Office Senior Administrative Specialist position. Commissioner White made a motion to go into Executive Session at 8:55 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 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, and Deputy Clerks Jenen Ross and Monica Reeves. Terri Salisbury joined the session from 8:56 a.m. to 9:20 a.m. Jaquelyn Garay joined the session from 9:24 a.m. to 9:55 a.m. Cheri Good joined the session from 10:01 a.m. to 10:28 a.m. Kelsee Hale joined the session from 10:55 a.m. to 11:17 a.m. The Board took a break at 11:22 a.m. and resumed the session at 1:30 p.m. Cassandra Silver arrived at 1:31 p.m. and left at 1:50 p.m. The Executive Session concluded at 2:03 p.m. with no decision being called for in open session.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 16, 2020

PRESENT: Commissioner Pam White, Chair – out of office
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – via teleconference
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 568518 to 568550

The Board has approved claims 568518 to 568550 in the amount of \$43,253.18.

APPROVED CLAIMS ORDER NO. 568301 to 568350

The Board has approved claims 568301 to 568350 in the amount of \$63,810.92.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Safariland LLC in the amount of \$1790.00 for the Sheriff's Office

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 a.m. for an office staff meeting. Present were: Commissioner Tom Dale, Commissioner Leslie Van Beek via conference call, Deputy Clerks Jenen Ross and Monica Reeves. Chief Civil Deputy PA Sam Laugheed and PIO Joe Decker arrived at 8:44 a.m. The Board reviewed this week's schedule with staff. Commissioner Van Beek referenced emails the Board received regarding impact fees, a capital improvement plan, and communication from the Fleet Director to drive the 2020 Ford F350 that was purchased with COVID funds to assist with the transporting of PPE. The Board has no problem with the request from Director Tolman. Sam Laugheed and Joe Decker were present to answer questions regarding Governor Little's recent order returning the State of Idaho to Stage 2. There was discussion regarding the Board sending communication to its department heads asking them to review their operation plans. Mr. Laugheed asked if the Board is amenable to setting up Webex meetings more frequently; the Board is amenable to that request, staff will schedule all meetings via Webex. The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

CANYON COUNTY ELECTED OFFICIALS' AND MAYORS' COVID-19 MEETING

Canyon County's elected officials and local mayors met today at 1:33 p.m. in the public meeting room of the administration building located at 111 No. 11th Avenue. Present were: Sheriff Kieran Donahue, Chief Civil Deputy PA Sam Laugheed, Prosecutor Bryan Taylor, Judge Davis VanderVelde, PIO Joe Decker, Commissioner Tom Dale, Coroner Jennifer Crawford, EOM Christine Wendelsdorf, Clerk Chris Yamamoto, SWDH Director Nikki Zogg, Treasurer Tracie Lloyd, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Present via Skype: Commissioner Leslie Van Beek, Kirk Carpenter from the City of Nampa, Parma Mayor Angie Lee, Nampa Mayor Debbie Kling, Caldwell Mayor Garret Nancolas and Melba Mayor Cory Dickard. The group met today to review the Governor's order that was issued on November 13, effective November 14, 2020, and highlights from the discussion were as follows:

Director Nikki Zogg reported on the increase in COVID cases and hospitalizations and the concern about how the surge in cases will impact the healthcare system. Vaccine shipments should arrive

mid-month to early December and doses will be going to hospitals. Health districts in Idaho could see 7,000 doses in the first shipment.

While noting that it's important to continue economic activities Sheriff Donahue asked how the ice-skating rink at the Indian Creek Plaza will adhere to social distancing requirements. Director Zogg said she has not reviewed the plan but is confident her team has. Any plans that were approved under the previous order, which said there could be exceptions to gathering sizes for events that were approved by health districts that are scheduled before November 22 could continue. The Winter Wonderland starts on Friday, November 20, and the ice rink will continue to be monitored as we move forward. It's outdoors so it's likely a safer activity.

Mayor Nancolas said they have been in constant contact with SWDH about the Winter Wonderland event which is outside where the transmission rate is much lower. They have eliminated a majority of the events including the creek lighting and most of the congestion points. Their advertisements say *come with your household, wear a mask, and social distance*. The Mayor noted he has not been involved with the ice skating plans.

In referring to sports activities throughout the state, Sheriff Donahue said groups such as the athletic association who have the authority on activities, need to use that authority rather than passing it off to the Governor or to law enforcement or to elected officials.

Sam Laugheed said there is not a lot of direct guidance for boots on the ground operations and he asked if SWDH has recommendations for local government operations. Director Zogg said no, not specifically, but they are happy to provide consultation with anybody who would like it. The mitigation strategies are pretty broad. She spoke of a statewide call she will participate in with the Governor's Office to talk about getting clarity on events, particularly those that have an economic effect and whether the Governor will allow exemptions for events with vendors. She noted sports activities have been a hot topic because they are contributing to spread in the community.

Sheriff Donahue spoke about remote work conditions. He estimates the Sheriff's Office has 15 employees out today with COVID and they are seeing people bringing it to work from outside activities such as family events and public events. There are not a lot of cases in the jail. He spoke about the significant increase in inmate transports and he noted the state has transported people out of the jail in the last 2-3 weeks.

Christine Wendelsdorf said she has the ability to check online test results for the Canyon County workforce that come into the state lab. Sam Laugheed asked for more information and noted the importance of individual patient privacy issues. EOM Wendelsdorf will work with Legal and HR to make sure we are covered entirely.

Sheriff Donahue and EOM Wendelsdorf reported on the recent purchase of a Hyster, trailer and pickup truck to help facilitate the moving and storage of PPE into one location, the O'Connor Fieldhouse in Caldwell.

Prosecutor Taylor spoke about the recent Supreme Court order vacating all trials through the rest of the year. They will revisit the issue on January 4, 2021. The Prosecutor's Office has been working with the TCA and ADJ for more clarity on what court proceedings are going to look like – some are in-person, some are not. 94% all hearings are done via Zoom. Regarding the Governor's order, Prosecutor Taylor's office has revisited their original plan that was submitted to EOM Wendelsdorf and they are continuing with the plan adopted when we were in a stage red 4. Sam Laugheed spoke about the need to revisit the plans we put in place at the beginning of pandemic and review what we have learned and what the benefit of experience has given us about what things work and what things did not in terms of signage, doors being opened to the public, etc. He asked if SWDH has any recommendations about County employees wearing masks in public spaces. Director Zogg said SWDH mandates face coverings for their staff, and they do health screenings of all staff and visitors, and they require visitors to wear face coverings with the exception of community rooms. They also try to limit the number of people in breakrooms. She said they have not had any spread from staff-to-staff although more staff is out with exposures that occur outside the workplace.

Sheriff Donahue proposed the elected officials meet again the week after Thanksgiving to review what we had in place and decide how to move forward.

Judge VanderVelde anticipates the Courts will operate on the status quo as far as in-person hearings. Even if the Supreme Court order were to go away the Governor's limitation of 10 people would eliminate the potential for jury trials at least at the district court level until the number changes. He said defense attorneys have worked well with the Prosecutor's Office to attempt to resolve as many cases as possible short of trials and he doesn't believe they are too far behind. He noted there are trials that have been delayed that need to move forward.

Commissioner Dale reported that the Board will encourage people to participate in public hearings via Webex. He asked if there is any desire to have marshals at the doors the administration building to direct patrons where to go. Sheriff Donahue said the manpower is allocated from the courts. Treasurer Lloyd supports the idea. The Treasurer's Office will not be shutting down. Staff is able to social distance while at their desks, and if they are waiting on customers they will wear masks. Clerk Yamamoto said his offices will not be shutting down. He does not object to having marshals at the entrances to the administration building and noted that having less traffic in the building and fewer people in the restrooms will be helpful. He gave an election update and spoke of his belief that there was fraudulent activity in certain states. Assessor Stender is not opposed to the marshals being in the building either. Treasurer Lloyd will coordinate with the Sheriff on when to have marshals at the administration building.

Assessor Stender reported on the severe wait times that persist at the DMV. He and Sheriff Donahue expressed frustration with the Idaho Transportation Department's software program which they believe was rolled out too soon the result of which continues to cause substantial wait times for customers frustrating both staff and citizens. Assessor Stender will need more staff to help with the workload. He said ITD has been assisting with the backlog of title work that needs

to be done. There are plans to have a queuing system for the driver's license side and vehicle registration side that allows people to check in and then return to the vehicles (so they don't have to wait outside in the weather) and when it's time for their transaction they will get a text telling them to come inside. Sheriff Donahue said the software program has been a catastrophic failure and he has complained to the Governor about it.

Commissioner Van Beek and Commissioner Dale both spoke of plans for the Board to meet with its directors and review the strategic plans and revisit the protocols for each department and see if revisions are needed.

Treasurer Lloyd reported that the November 18, 2020 tax deed property sale has been cancelled and she is working with the Prosecutor's Office on the possibility of having an online auction after the first of year.

Kirk Carpenter from the City of Nampa said there are small clusters of employees who have COVID and so they are reminding employees to stay home when sick and if they live in the same house as someone who is ill. Mayor Nancolas said the City of Caldwell has employees who are working from home and they have closed some city buildings to the public other than by appointment only. Mayor Lee said the City of Parma is trying to tighten the reins on protocols. Melba Mayor Dickard said the Christmas event in Melba has been cancelled.

Upon the motion of Clerk Yamamoto and the second by Commissioner Dale the meeting adjourned at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 17, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman – afternoon meetings only
 Commissioner Leslie Van Beek – remote – via Webex
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Terri Salisbury, Sr. Administrative Specialist.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- NTOA in the amount of \$1722.00 for the Sheriff's Office

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

The Board met today at 9:08 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioner Pam White, Commissioner Leslie Van Beek via conference call, Deputy P.A. Dan Blocksom left at 9:23 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:23 a.m., EOM Christine Wendelsdorf left at 9:23 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing legal notice of entering into personal services contract with Preston Atamanczyk with the Public Defender: Dan Blocksom explained that publishing of the legal notice is in the event the service goes over \$10K in the year; the contract was signed last week. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the legal notice of entering into personal services contract with Preston Atamanczyk.

Consider signing 2020 Emergency Management Performance Grant Sub-recipient agreement: Christine Wendelsdorf said this grant covers half the salary for the Emergency Operations Manager and the service portion of the Motorola contract for the towers. The award amount for this year is \$146,761.86. Discussion ensued regarding some of the dates noted in the grant. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2020 Emergency Management Performance Grant Sub-recipient agreement (see agreement no. 20-164).

Consider signing 2020 State Homeland Security Program Sub-recipient agreement: This grant is available to fund projects for first responders. The award amount for this year is \$278,909.00. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2020 State Homeland Security Program Sub-recipient agreement (see agreement no. 20-166). Chief Dashiell and Ms. Wendelsdorf spoke about some of the projects that the grant monies are used for. Funding and tracking of the projects are managed by the Emergency Operations Manager.

Consider signing 2017 Pre-Disaster mitigation grant agreement articles CFDA# 97.047 (extension): Ms. Wendelsdorf said this grant started with her predecessor but due to the COVID pandemic meetings and work were halted so they are requesting an extension to March 2021 to turn in the work they've done. The grant amount is \$52,008.00. Upon the motion of Commissioner Van Beek

and second by Commissioner White the Board voted unanimously to sign the 2017 Pre-Disaster Mitigation grant agreement articles CFDA# 97.047 – extension (see agreement no. 20-165).

Consider signing letter of support for Project Trade: Commissioner Van Beek is in support of sending the letter as that is what the Board has committed to doing. The letter lays out the parameters that the Board is able to work within based on the ordinance but makes no other commitments. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the letter of support for Project Trade. A copy of the letter is on file with this day's minutes.

A brief discussion ensued regarding a draft letter to the City of Middleton regarding the Parks and Recreation District impact fees. Zach Wesley will attend the legal staff meeting on Thursday to discuss further with the Board.

The meeting concluded at 9:30 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 10:45 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioner Pam White, Commissioner Leslie Van Beek participated via teleconference, Director of Juvenile Detention Sean Brown, Assistant Director of Juvenile Detention Shawn Anderson and Deputy Clerk Jenen Ross. Director Brown updated the Board on the following:

- This month they've ranged from having 20 to 29 juveniles in the facility. 11 are from Canyon County but the rest are from various other counties and agencies.
- Gloves they use for the pat-down searches are getting hard to find and the cost has doubled. In response to a question from Commissioner Van Beek, Director Brown said he is not sure at this point how this will affect his budget; currently costs are being charged to the COVID budget.
- One juvenile recently took the GED test and CWI is helping with that process.
- The dishwasher in the facility is about 25 years old and has finally given out; parts are no longer available and it's no longer serviceable. Their supplier has a minimally used one that can be purchased for \$1500 which is a fraction of the cost of a new one. Director Brown has checked with the Controller and the purchase can be run thru the cigarette tax line item. Commissioners White and Van Beek are in favor of the purchase so Mr. Brown will contact the supplier.

- They have 2 candidates that are in the background phase of the hiring process so employee status change forms will be coming to the Board soon if the background checks go thru.
- His department was recently able to attend a training and due to it being virtual everyone in his department was able to take part unlike in previous year where only a few were able to attend.

The meeting concluded at 10:58 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 AND TO CONSIDER ACTION ITEMS

The Board met today at 11:03 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioner Pam White, Commissioner Leslie Van Beek via Webex, Director of Misdemeanor Probation Jeff Breach, Chief Juvenile Probation Officer Elda Catalano, Controller Zach Wagoner, TCA Doug Tyler and Deputy Clerk Jenen Ross. Via Webex: Judge Onanubosi (left at 11:28 a.m.) and HR Director Sue Baumgart. The action items were considered as follows:

Consider approving FY2020 budget adjustments: Controller Wagoner explained these adjustments do not increase the 2020 budget it is just transferring between the 'A' and 'B' budgets and something that happens on an annual basis. Mr. Wagoner responded to several questions regarding details of the adjustments and reviewed the 3 adjustments being made which are as follows:

- PIO: \$100 from 'A' budget to 'B' budget for subscription costs
- HR: \$9000 from 'A' budget to 'B' budget for professional services including human capital and benefit management and evaluations
- Elections: \$10,500 from 'B' budget to 'A' budget for elections activities including a City of Caldwell runoff election.

Commissioner Van Beek made a motion to sign the resolution approving FY2020 budget adjustments. The motion was seconded by Commissioner White and carried unanimously. See resolution no. 20-171.

Consider signing the Juvenile Justice Annual Report: Ms. Catalano reviewed the report which shows the funds that were allocated in FY2020 from the Juvenile Corrections Act Fund, Tobacco Tax and Lottery Tax funds and how those monies were spent. All of the funds were spent this year so there is no carryover. Additionally, the secondary portion of the report was reviewed which details supervised diversion, supervised probation, petitions filed during reporting period and recidivism. Commissioner White made a motion to sign the Juvenile Justice Annual report. The motion was

seconded by Commissioner Van Beek and carried unanimously. A copy of the report is on file with this day's minutes.

Consider signing a resolution adopting changes to three (3) job descriptions in the Misdemeanor Probation department: Director Breach reviewed the three positions to be revised which has been done to more closely match the duties that are being done. There is no change to the pay scale or the current pay of the positions. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution adopting changes to three (3) job descriptions in the Misdemeanor Probation department. See resolution no. 20-170.

The meeting concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING FOR JACK'S PLACE, LLC, REQUEST FOR A REZONE AND PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN APPROVAL FOR JACK'S PLACE SUBDIVISION, CASE NOS. RZ2020-0004 AND SD2020-0006

The Board met today at 1:31 p.m. to go on the record to reschedule the public hearing in the matter of the request by Jack's Place, LLC, for a rezone and a preliminary plat and irrigation and drainage plan for Jack's Place Subdivision, Case Nos. RZ2020-0004 and SD2020-0006. Present were: Commissioners Pam White and Tom Dale, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. Ms. Almeida said the applicant wishes to have all Board members present for their hearing. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to reschedule the hearing for Jack's Place to December 15, 2020 at 1:30 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 18, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – remote for morning meeting
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- A-Gem Supply Inc., in the amount of \$2472.00 for the Parks Department

APPROVED CLAIMS ORDER NO. 2104

The Board of Commissioners approved payment of County claims in the amount of \$1,776,579.99 for a County payroll.

APPROVED CLAIMS ORDER NO. 568705 to 568720

The Board has approved claims 568705 to 568720 in the amount of \$60,640.28.

APPROVED CLAIMS ORDER NO. 568679 to 568704

The Board has approved claims 568679 to 568704 in the amount of \$6,657.37.

APPROVED CLAIMS ORDER NO. 568721 to 568740

The Board has approved claims 568721 to 568740 in the amount of \$11,721.00.

APPROVED CLAIMS ORDER NO. 568654 to 568678

The Board has approved claims 568654 to 568678 in the amount of \$20,125.28.

CONSIDER SIGNING A RESOLUTION AUTHORIZING THE GRANTING OF REAL PROPERTY TO OTHER POLITICAL SUBDIVISION OR TAXING DISTRICT

The Board met today at 10:04 a.m. to consider a resolution authorizing the granting of real property to other political subdivision or taxing district. Present were: Commissioners Pam White and Tom Dale, Treasurer Tracie Lloyd, Mike Greenewald, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Leslie Van Beek and Deputy P.A. Brad Goodsell. Today the Board considered the transfer of two parcels as follows:

To the Caldwell Housing Authority

PIN: 04450503 0

Address: 502 Joliet Street, Caldwell

Legal Description: 22-4N-3W NE Northside Mobile Manor Lt 4 Blk 1

Acres: 0.20

Previous owners: Michael and Brenda Greenewald

To the City of Caldwell

PIN: 04087000 0

Address: 0 Beech Street, Caldwell

Legal description: 35-4N-3W NW Mountain View Subdivision 1 E 30' of the S 132.15' Blk V

Acres: 0.09

Previous owners: Decia Kiser Cole

Michael Greenewald attended today's meeting and asked for a grace period to the end of the week or the end of the month because he and his wife are in the process of getting a \$12,000 payment which will be used to pay the tax bill for their property located at 502 Joliet Street in Caldwell. Treasurer Lloyd said the Greenewalds have been notified for four years that there were delinquent taxes. Last year they made payments prior to the tax deed being issued, but this year that did not happen so she followed through with the tax deed proceedings as required by law. The Caldwell Housing Authority has requested the property be transferred to them and that transfer is what the Board is considering today. The property is in Canyon County's name. Commissioner Dale was hoping to see some documentation from the Greenewalds proving the \$12,000 payment is coming; however, he does not object to extending today's action. Commissioner Van Beek questioned why the Greenewalds waited until today when they have had prior notice of the delinquency. Mr. Greenewald spoke of the hardships he has faced but is confident he will soon have the funds to pay the taxes. Brad Goodsell said the practical effect of continuing this matter for a week or a month is it just maintains the status quo and extends the redemption period. He does not think either the city or the housing authority is that worried about getting the properties today. Commissioner Dale said there is a tax bill that is due and the Greenewalds have allowed themselves to get into this position by a continued pattern of irresponsibility and it is contingent upon them to come up with the funds to pay the tax bill. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to continue this process to December 4, 2020 at 10:00 a.m. for both parcels being considered today. The meeting concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

SURPLUS PROPERTY AUCTION - *CANCELLED*

NOTICE: Due to the Governor's order issued November 13, 2020, limiting gatherings to 10 persons, the surplus property auction scheduled for November 18, 2020, has been cancelled. The auction will be rescheduled for a later time and notice will again be published as required by law.

PUBLIC HEARING – REQUEST BY ROGER HOWELL FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE NO. OR2020-0006 AND RZ2020-0013

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Roger Howell for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2020-0006 and RZ2020-0013. Present were: Commissioners Pam White and Tom Dale, Roger Howell, Jay Howell, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and William Mason. Dan Lister gave the oral staff report noting this matter came before the Board previously as a request for a comprehensive plan map amendment and rezone with the idea of

splitting the 9-acre parcel into 4 lots. At the underlying hearing it was decided that a map amendment couldn't be supported but the applicant was willing to do a development agreement and conditional rezone to allow this to be divided once into two properties and once it's rezoned they can do a land division application and they will not have to go through the platting process. The lot will be split into two lots, with one lot remaining over 5 acres in size so it could in the future be used for agricultural purposes and could also qualify for an agricultural exemption. The development agreement has conditions that state the applicant will need to go through a land division application after this is approved and will only have one division after that, no further divisions will be allowed unless they come back with another application. Mr. Lister said if the Board wishes to approve this request, the action will be to deny the comprehensive plan amendment, and if it agrees with the conditions the Board can approve the FCO's for the conditional rezone and sign the development agreement and ordinance. Roger Howell testified he agrees with the development plan and the conditions presented by staff. He will do one division creating two parcels; one lot will be over five acres and the other is just over three acres. Following testimony, Commissioner White made a motion to close public comment. The motion was seconded by Commissioner Dale and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to deny the comprehensive plan map amendment for Case OR2020-0006. 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 conditional rezone for Case No. RZ2020-0013 and sign the findings of fact, conclusions of law, and order as well as the ordinance and development agreement. (See Ordinance No. 20-036 and Agreement No. 20-167.) The hearing concluded at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 19, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek – remote via Webex
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI, Inc. in the amount of \$1,023.10 for Information Technology
- Smart Deploy in the amount of \$4000.00 for Information Technology

- Idaho Tower Construction Co. in the amount of \$2,248.80 for Information Technology (PO #4582)
- Idaho Tower Construction Co. in the amount of \$2,248.80 for Information Technology (PO #4604)
- Apple Store in the amount of \$3,780.00 for Information Technology
- Brady in the amount of \$1,500.00 for Juvenile Detention

APPROVED CLAIMS ORDER NO. 568598 to 568653

The Board has approved claims 568598 to 568653 in the amount of \$37,034.03.

APPROVED CLAIM ORDER NO. 565018

The Board has approved claim 565018 in the amount of \$7,642.02.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:47 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Case Manager Terri Salisbury, Case Manager Kelsee Hale, Case Manager Jenniffer Odom and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2021-51, 2021-142, 2021-40, 2021-57, 2021-39 and 2021-101. 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.

Liens were presented for Board signatures.

Commissioner Dale made a motion to continue case no. 2020-994 to December 17, 2020. The motion was seconded by Commissioner White and carried unanimously.

Case nos. 2020-881 and 2020-915 have both been withdrawn and 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 issued final approvals with written decisions within 30 days on case nos. 2019-532 and 2019-1232. 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 AN ACTION ITEM

The Board met today at 10:00 a.m. for a meeting with county attorneys for a legal staff update and to consider signing the Treasurer's tax charge adjustments by PIN for October 2020. Present were: Commissioners Pam White and Tom Dale, Commissioner Leslie Van Beek participated via Webex (left at 10:39 a.m.), Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson 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 10:00 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 10:02 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, 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, Commissioner Leslie Van Beek via Webex, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:39 a.m. with no decision being called for in open session.

At the conclusion of the executive session the action item of considering the Treasurer's tax charge adjustments by PIN for October 2020 was taken up. Commissioner Dale made a motion to approve the tax charge adjustments. The motion was seconded by Commissioner White and carried unanimously. A copy of the document is on file with this day's minutes.

As a ministerial item, a letter to Tim O'Meara of the Greater Middleton Parks and Recreation District and Middleton Mayor Steve Rule was signed by the Board. Commissioners White and Dale noted that Commissioner Van Beek gave her permission during the executive session to use her signature stamp on the letter.

The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY EPIC HOLDINGS, LLC, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE NO. OR2020-0005 AND CR2020-0005

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Epic Holdings, LLC, for a comprehensive plan map amendment and a conditional rezone, Case Nos. OR2020-0005 and CR2020-0005. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, Todd Lakey, Alan Mills, Jarron Langston, Truman Mathews, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Leslie Van Beek, DSD Planner Dan Lister, Barbara Dopp, David Tilson, Dean Waite, Todd Campbell, and Jerome Mapp. Dan Lister gave the oral staff report. The applicant is requesting a comprehensive plan map amendment to change the future land use designation of Parcels R34252, R34263012, R34263010, R34263, and R34263011 from “Agricultural” to “Residential”. The properties consist of approximately 108 acres and are located on Northside Boulevard in Caldwell. The application also includes a request for a conditional rezone of approximately 98 acres from an “A” (Agricultural) zone to an “R-1” (Single Family Residential) zone, and approximately 10 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. A development agreement is included with the conditional rezone to restrict residential development on the 98 acres within the “R-1” zone to 48 lots. The City of Nampa said this is near their residential community, mixed use and they are not opposed to it. Staff noted this area is for high-density residential and even though the City of Nampa did not oppose this staff finds it’s not compatible with the City of Nampa’s comprehensive plan. The City of Caldwell opposes the request because they feel it is inconsistent with the comprehensive plan and without connecting city services and infrastructure they feel it is premature development. Mr. Lister noted that the P&Z Commission voted unanimously to approve the application; however, DSD staff is recommending the application be denied for the following reasons: the property is zoned agricultural and has been divided multiple times and there are no more splits available; staff feels an approval would promote rural density sprawl in an area that is projected to be medium and high-density residential commercial uses in the future without connectivity to services or infrastructure. Staff believes this is not consistent with the comprehensive plan; it is not more appropriate than the agricultural zone; it would not be compatible with surrounding uses; and it would negatively affect the character. Staff believes it would be more appropriate for it to be an R-R zone with five-acre lots or greater to retain the agricultural land and allow for redevelopment in the future, and work with the city to establish easements to allow future stubbing of services. Following his report Mr. Lister responded to questions from the Board. Todd Lakey testified on behalf of the applicant and stated the P&Z Commission appreciated the larger residential estates lots with the quality custom homes that will be built in this project which provides a good transition between the higher density development that’s coming from the west and that may be coming from the south and the east. The neighbors much prefer this over the high-density city subdivisions. The County’s comprehensive plan, not the City of Caldwell’s comprehensive plan, applies to this property. He referred to annexed properties and existing zoning in the area. There are planning designations and zoning that fits their request. He spoke of the collector design. The proposal fits with the existing character of the area, but the city density does not. Following his testimony Mr. Lakey responded to questions from the Board regarding the demand for larger lots and quality custom homes, traffic impacts, and the character of the area. Alan Mills testified in favor of the request and spoke about the demand for this type of rural

development. Jerome Mapp from the City of Caldwell testified in opposition to the request and asked the Board to deny the application and let the City of Caldwell do what it is supposed to do, which is plan for orderly growth. Todd Lakey offered rebuttal testimony noting the request received a unanimous recommendation of approval from the P&Z Commission. They recognize there is a value in preserving the integrity and quality of the development in the area and this project does that. It's on the edges of Nampa's and Caldwell's impact areas, it does provide a good transition for that higher density development. Mr. Lakey said if this develops on individual well and septic systems it doesn't change the sewer plan because the plan was not to run sewer through the project, it was simply to stub it based on the topography for the site. This property can endure on the individual wells and septic systems. The project will not have a negative impact on the character of the area, the existing agricultural operations, and rural nature. It is not viable for commercial development. The project provides a good transition, diversity, quality, and has less impact than a higher density development that's coming from the west. Mr. Lakey responded to questions from the Board following his testimony. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek likes this project. She said page 1 of the staff report is used as an argument to deny but when considering the surrounding land uses, higher density would significantly change the character of the area. It has an agricultural feel that is growing and would support the kind of proposal that's being made today. She agrees there is a demand for 1.8 acre residential lots and there appears to be a hole that could be filled by this kind of development which is significantly more compatible on a long-term plan, not discounting Mr. Mapp's testimony for the City of Caldwell. She commends the land owners for taking an interest in wanting to see how this develops. Commissioner White spoke of the need to have housing for doctors and professionals. The landowners have given good service of the land and when they get to a place where they can sell it she thinks they should realize the full value of the property. She would like to see five-acre lots, but doesn't know how that works for the owner. She hopes quality homes will be built in this subdivision as was testified to today. Commissioner White believes the City of Caldwell will realize the benefit of a development like this. Commissioner Dale said this is prime farm ground and we don't want to see it disappear but this is an area that has been designated by Caldwell to be a highway commercial zone which could potentially have very high density. He appreciates Jerome Mapp's testimony, but the deciding factor for him is looking at this in the long-term and he believes this will be a benefit to the County. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the request by Epic Holding, LLC for a comprehensive plan map amendment and to sign the resolution for Case No. OR2020-0005. Director Nilsson asked for a brief recess to confer with Mr. Lakey regarding exhibits to the development agreement. After a short break the Board went back on the record. Director Nilsson said for the development agreement we have the conceptual site plan and updated concept plans from Todd Lakey and those will be Exhibit C versus the older version in the agreement. The location of the collector is subject to the highway district requirements so when looking at condition of approval E, that will cover it. She wants it on the record that the location of the collector is subject to the highway district. Dan Lister said all four owners are not present to sign today so we will have to postpone the signing of the development agreement. Commissioner Dale said the Board can approve the agreement but it won't become official until it has been signed by the parties, and then he made a motion to approve the conditional rezone for

Case No. CR2020-0005 and approve the ordinance and development agreement that has been described by and modified by DSD Director Nilsson. The motion was seconded by Commissioner Van Beek. The motion carried unanimously. The Board signed the findings of fact, conclusions of law and order for the rezone and for the findings of fact, conclusions of law and order, as well as the resolution approving the comprehensive plan map amendment. The ordinance and development agreement will be brought back at a later date. (See Resolution No. 20-172.) The hearing concluded at 3:24 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS USE OF CARES ACT FUNDING TO PURCHASE COVID-19 PUBLIC SERVICE ANNOUNCEMENTS ON LOCAL SPANISH RADIO

The Board met today at 3:31 p.m. to discuss the use of CARES Act funding to purchase COVID-19 public service announcement on local Spanish radio. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker explained he has been part of a COVID-19 task force in conjunction with SWDH, City of Nampa, City of Caldwell, Department of Health and Welfare, Hispanic Chamber of Commerce along with several other agencies and organizations. They've done some video PSAs that Idaho Department of Health and Welfare purchased commercial air on Telemundo for. Additionally, they'd like to get on some of local Hispanic radio stations. Mr. Decker has spoken with Controller Wagoner about using CARES monies for this purchase. Mr. Wagoner indicated that this would be a good use of the CARES money and exactly what it is designed for. A couple of proposals have been received from Radio Rancho; the most fitting proposal would be \$1000 for 35 weekly commercials starting next week thru December 27th and Radio Rancho would match that running an additional 35 commercials on their other radio station. They are also hoping to do a couple of segments with a bilingual doctor allowing people to call in with any questions. Commissioners White and Dale are in support of moving forward with this. The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 20, 2020

PRESENT: Commissioner Pam White, Chair - out of office (approving claims remotely)
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek- out of office (approving claims remotely)
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 568741 to 568743

The Board has approved claims 568741 to 568743 in the amount of \$22,039.96.

APPROVED CLAIMS ORDER NO. 568551 to 568597

The Board has approved claims 568551 to 568597 in the amount of \$59,328.66.

No meetings were held this day.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 23, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek - out of office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 568891 to 568947

The Board has approved claims 568891 to 568947 in the amount of \$18,659.00.

APPROVED CLAIMS ORDER NO. 568784 to 568833

The Board has approved claims 568784 to 568833 in the amount of \$45,188.34.

APPROVED CLAIMS ORDER NO. 568834 to 568890

The Board has approved claims 568834 to 568890 in the amount of \$8,550.00.

APPROVED CLAIMS ORDER NO. 568744 to 568783

The Board has approved claims 568744 to 568783 in the amount of \$34,574.18.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Western States CAT in the amount of \$2517.51 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Alyson Overton, part time juvenile detention.

No meetings where held this day.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 24, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek - out of office
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 568981 to 568991

The Board has approved claims 568981 to 568991 in the amount of \$9,048.00.

APPROVED CLAIMS ORDER NO. 568948 to 568980

The Board has approved claims 568948 to 568980 in the amount of \$28,592.25.

APPROVED CLAIMS ORDER NO. 568992 to 569116

The Board has approved claims 568992 to 569116 in the amount of \$26,522.00.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- H.P. in the amount of \$1,832.00 for Information Technology
- Hiddleston Drilling & Pump Co. in the amount of \$14,770.00 for Solid Waste
- Hiddleston Drilling & Pump Co. in the amount of \$21,315.00 for Solid Waste
- Western States in the amount of \$14,370.00 for Solid Waste

FILE TREASURER'S REPORTS IN MINUTES

The Board filed the Treasurer's monthly report for September 2020, and the quarterly report for July 1, 2020 thru September 30, 2020, and the annual report for October 1, 2019 thru September 30, 2020

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:46 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Case Manager Jenniffer Odom and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county: 2020-1144, 2021-104, 2021-120, 2021-189, 2021-86, 2021-74, 2021-95, 2021-75, 2021-59 and 2021-87 and 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.

Case no. 2019-331 has been pulled from suspension for initial approval and case no. 2019-741 has been pulled from suspension for final approval. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue approvals with written decisions to be issued 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 a legal staff update and to consider action items. Present were: Commissioners Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown left at 9:04 a.m., Chief Deputy Sheriff Marv Dashiell, Director of DSD Tricia Nilsson left at 9:02 a.m., Controller Zach Wagoner and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Conditional Use Permit waiver for Celebration Park: Director Nilsson explained that the Parks Department needs an updated CUP for the RV improvements being done at Celebration Park. Director Schwend has requested the fee of \$850 be waived. Upon the motion of

Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Conditional Use Permit fee waiver for Celebration Park (see resolution no. 20-173).

Consider signing Memorandum of Agreement between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections: Director Brown said this is the memorandum with Ada County and the State of Idaho in case there was an evacuation at one of the locations juveniles could be moved to another facility. This MOA has been in place for about 8 years and there are no changes in the contract. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the Memorandum of Agreement between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections (see agreement 20-169).

Consider signing extension notice of temporary detention facility equipment lease agreement: As part of the agreement with All Detainment Solutions they require the county give notice of continuation of the lease. This letter lets ADS know that we will continue with the lease for another year. The lease amount was included in the FY2021 budget. In response to a question from Commissioner Dale, Chief Dashiell said that ADS is on location to address the door/hinge issues and working with the facilities team on any other items that need addressing. Upon the motion of Commissioner Dale and second by Commissioner White. A copy of the letter

The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The following items were discussed:

Fair Building rental: At this time they are going to pause scheduling events due to the Governor's moving the state back to stage 2. The only event that is really affected is the weekly barrel races but the director of that event has a proposed solution along with protocols that are already in place. Last week Director Sinner was not comfortable holding events but with these protocols in place she feels slightly more comfortable. She asked for guidance from the Board as the ultimate goal is to have a 2021 fair even if that means pausing events now. Commissioner Dale feels this is a good plan and that these events can continue to move forward; if the doors are open on both ends of the building it will create air movement and would be a low chance of transmission. Commissioner White is still a little nervous about continuing with the events.

Fair Expo Building: This project is scheduled to go to bid on January 6, 2021. A meeting was held last week with the City of Caldwell, Caldwell Night Rodeo and the College of Idaho to discuss the fencing and gate requirements. Director Sinner has been working with Parks Director Schwend regarding outdoor benches, picnic tables and trash cans.

2021 Canyon County Fair: All of the main stage concerts have been finalized. They are working on the date to announce, developing promotional material and have been in contact with radio stations for announcements.

The International Fairs and Expositions Convention will be held virtually next week and Diana Sinner and Nicole Brock will be attending.

The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:36 p.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 via Webex and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following:

- Office policy regarding COVID-19 safety protocols.
- All jury trials have been cancelled until 2021, however, they are doing what they can with the cases they have. Conversation ensued regarding 'right to a speedy trial'. Some very specific cases are being held in person with safety protocols in place.
- His office is remaining fully open and functioning but has rolled back to his stage two plan. They are working on a rotation of in-office and remotely. He is going to purchase some devices in order to do virtual conferencing with their clients.
- A brief review of the FY2020 budget was given; his department came in significantly under budget.
- The year-end report has been submitted to the Public Defense Commission.
- Comparison review of 2019 case numbers to 2020 case numbers which were about equal, only about 600 case difference.
- They will be hiring a new person and will be submitting paperwork to change one job description.
- Based on a question from Commissioner Dale, a conversation ensued regarding concerns that have been mentioned about parking around the administration building.

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 2:00 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Tom Dale, Director Solid Waste David Loper and Deputy Clerk Jenen Ross. The following items were discussed:

- Waste amounts were up 5.84% in October.
- Next week an application packet for DEQ and the health district will be presented for Board signatures for the site certification.
- The following three purchase orders were discussed and presented for Board signatures. All of the costs were budgeted for in FY2021 and the POs were signed by Commissioners White and Dale.
 - Western States in the amount of \$14,370.00 for an extended 3 year/3000 hour powertrain warranty on the scraper.
 - Hiddleston Drilling & Pump Co. in the amount of \$14,770.00 for the well on the Stuart property.
 - Hiddleston Drilling & Pump Co. in the amount of \$21,315.00 for the well on the Stuart property.

The Board briefly went off the record and back on at 2:23 to discuss a trapped fox that was found at the motorcycle park and how the issue was dealt with. Director Loper is working with the Prosecutor's Office on the rights and responsibilities of the county in this situation.

The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2020 TERM
CALDWELL, IDAHO NOVEMBER 25, 2020

PRESENT: Commissioner Pam White, Chair –out of the office
 Commissioner Tom Dale, Vice Chairman – out of the office
 Commissioner Leslie Van Beek-out of office –out of the office

Deputy Clerks Monica Reeves/Jenen Ross

No meetings were held this day.

NOVEMBER 2020 TERM

CALDWELL, IDAHO NOVEMBER 30, 2020

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

No meetings were held this day.

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 18th day of February, 2021.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek

Commissioner Keri K. Smith

Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: Jenen Ross, Deputy Clerk

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 1, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569117 to 569154 in the amount of \$40,624.49
- The Board has approved claims 569199 to 569240 in the amount of \$203,491.19
- The Board has approved claims 569155 to 569198 in the amount of \$52,395.82

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- BOE in the amount of \$8,154.00 for Information Technology
- Best Buy in the amount of \$3,959.48 for Information Technology
- A-Gem Supply, Inc., in the amount of \$2,198.40 for the Facilities Department

FILE IN MINUTES THE SHERIFF'S UNCOLLECTIBLE DELINQUENT PERSONAL PROPERTY TAXES FOR 2019

The Board filed the Sheriff's report on uncollectible delinquent personal property taxes for the second half of 2019.

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

The Board met today at 8:30 a.m. with the Director Facilities to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Facilities Paul Navarro and Deputy Clerk Jenen Ross. The following items were discussed:

- Review of November projects: The grounds crew worked to get the county campus properties winterized; they've stocked up on ice melt in anticipation of icy weather; the Commissioners' front office remodel was completed with the exception of the store front portion which should be done within the next couple weeks; the DMV was remodeled to add two new work stations, IT is working to install the necessary equipment; facilities has been working with the Emergency Operations Manager to prepare the courtrooms for

court – all 20 courtrooms are now ready and 3 have been set up for jury trials once they begin.

- Review of December projects: Public Defender Aaron Bazzoli has requested a remodel for one more hard-walled office; both scale houses at the landfill will be remodeled as they are run down and not as functional as they should be; the new fencing for the fair has arrived so demolition of the old fencing began yesterday; Director Navarro displayed pictures and renderings showing new placement of the ticket booth, revised fence placement and landscaping; gates will be automated and will use either a badge or code for entry and exit.
- Completion of the fencing at the gun range will begin once the fencing at the fair is complete; the gun range will be closed for a couple of weeks in order for Director Loper and the landfill staff to do some work on the shooting lanes.
- There have been some issues to work thru in getting the Fair Expo Building project ready to go to bid but it is finally ready and will be put out for bid on January 6th with bids due on February 3rd.
- Discussion ensued regarding cleaning protocols and additional disinfecting requests.
- Commissioner Van Beek asked about concerns pertaining to parking around the administration building. Director Navarro has spoken with the city about the street parking around the building and it will be discussed at the city's traffic commission meeting this week. If the city approves of changes the county will pay for and install signage designating limited parking time and paint the curbs once the weather permits. Additionally, there has been discussion about putting the word out to employees not to park in those locations and possibly a parking control system for employees.

The meeting concluded at 8:56 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, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Via Webex: Deputy P.A. Brad Goodsell. The action items were considered as follows:

Consider signing Pickles Butte site certification application and notice: Director Loper explained this project is part of the landfill expansion process. Along with submitting this application to the state, notice will need to be published to allow the public to offer comment. An original and two copies of the application will need to be submitted to the DEQ and a copy will be available in the Commissioners' Office for public review. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Pickles Butte site certification application and notice.

Consider signing resolution granting a new alcoholic beverage license to Family Dollar #30025: Commissioner Van Beek has concerns about the location of this retailer being within 300 feet of a church. A motion was made to continue this action item to tomorrow. The motion was seconded by Commissioner White and carried unanimously. **Due to lack of quorum on Wednesday, December 2, 2020 this matter will be considered on Thursday, December 3, 2020**

The meeting concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES STAFF TO CONSIDER MATTERS RELATED TO LAND USE HEARINGS

The Board met today at 9:21 a.m. with Development Services staff to consider matters related to land use hearings. Present were: Commissioners Pam White and Leslie Van Beek, DSD Planner Dan Lister, DSD Planner Jennifer Almeida, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. An unknown call-in user participated via Webex. The action items were considered as follows:

Consider signing ordinance and development agreement for Epic Holdings, case no. CR2020-0005: Mr. Lister explained that this case was approved on November 18th and that there was only a minor change to the development agreement based on the Board's discussion to not lock-in the conceptual plan and allow the applicant to work with the highway district on the road system. Additionally, the applicant's representative worked with Mr. Wesley regarding ownership changes and the signature lines have been revised to reflect those changes. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the ordinance and development agreement for Epic Holdings (see ordinance no. 20-037 and development agreement no. 20-168).

Consider signing ordinance for Mathew and Christine Travis, case no. RZ2020-0011: Ms. Almeida said this was signed in November but there was an error on case number so this is to correct that and re-record the document. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the ordinance for Mathew and Christine Travis (see ordinance no. 20-035).

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

PUBLIC HEARING – REQUEST BY ALVIN SCHNELL FOR A CONDITIONAL REZONE, CASE NO. CR2020-0008

The Board met today at 10:08 a.m. to conduct a public hearing in the matter of a request by Alvin Schnell for a conditional rezone, Case No. 2020-0008. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, LeAnn Badiola, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister. Commissioner Tom Dale arrived at 10:15 a.m. Dan

Lister gave the oral staff report. The applicant is requesting a conditional rezone of Parcels R25037010 and R25037012 from an “A” (Agricultural) Zone to a “CR-R-R” (Conditional Rezone – Rural Residential) Zone. The request includes a development agreement that limits development to one division for residential development. The property is located at 5023 Bear Lane, Caldwell. The applicant wants to keep Parcel C for himself and make it a larger parcel than he currently has. Parcel B will be sold to the adjacent owner to the south who needs a buildable lot in order to obtain lending. On October 15, 2020, the Planning and Zoning Commission recommend approval of the request. Staff recommends the Board approve the request subject to the conditions of approval agreed upon by the applicant. The development agreement has not been signed by the applicant so it, along with the ordinance, will have to be considered at a later date. Mr. Lister responded to questions from the Board following his report. LeAnn Badiola, a local real estate agent, testified on behalf of the applicant. She spoke of the changes in lending laws that have occurred due to COVID-19 and the lenders’ apprehension with approving lending on agricultural parcels that do not have building permits. Following testimony, Commissioner Van Beek made a motion to close the public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Following the Board’s deliberation Commissioner Dale made a motion to approve the findings of fact, conclusions of law and order for Case No. 2020-0008. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:25 a.m. An audio recording is on file in the Commissioners’ Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 2, 2020

PRESENT: Commissioner Pam White, Chair - Worked remotely
 Commissioner Tom Dale, Vice Chairman – Worked remotely
 Commissioner Leslie Van Beek – Worked remotely
 Deputy Clerks Monica Reeves/Jenen Ross

*The Commissioners were scheduled to attend the Associated Taxpayers of Idaho Conference today.

APPROVED CLAIMS ORDER NO. 2105

The Board of Commissioners approved payment of County claims in the amount of \$1,648,568.57 for a County payroll.

APPROVED CLAIMS

The Board has approved claims 569241 to 569284 in the amount of \$73,212.12

The Board has approved claims 569285 to 569312 in the amount of \$75,838.07

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 3, 2020

PRESENT: Commissioner Pam White, Chair - Worked remotely
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek - Attended the *2C Kids Succeed Event* this morning
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Samantha Mosqueda, Juvenile Detention Officer.

APPROVED CLAIMS ORDER

The Board has approved claims 569461 to 569467 in the amount of \$2,742.90.

APPROVED CATERING PERMIT

The Board approved catering permit for Boyzee Inc. DBA Capital City Event Center to be used December 9, 2020 at High Desert Station catering for a cocktail reception.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:46 a.m. to consider matters related to medical indigency. Present were: Commissioner Tom Dale, Commissioner Pam White participated via teleconference, Case Manager Kelsee Hale, Case Manager Jenniffer Odom and Deputy Clerk Jenen Ross.

Case nos. 2021-97, 2021-200, 2020-895, 2021-98, 2021-93, 2020-976, 2020-1072, 2020-1081, 2021-102, 2021-186, 2020-869, 2021-103, 2021-143 and 2021-225 do not meet the eligibility criteria for county assistance. Commissioner White 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 Dale and carried unanimously.

Commissioner White made a motion to issue final approvals with written decisions within 30 days on case nos. 2018-446 and 2020-540. The motion was seconded by Commissioner Dale and carried unanimously.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-895

The Board met today at 9:06 a.m. to conduct a medical indigency hearing for case no. 2020-895. Present were: Commissioner Tom Dale, Commissioner Pam White participated via teleconference, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case manager Kelsee Hale, Attorney Bryan Nickels for St. Alphonsus and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a final denial on the case with a written decision within 30 days. The hearing concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-1081

The Board met today at 9:11 a.m. to conduct a medical indigency hearing for case no. 2020-1081. Present were: Commissioner Tom Dale, Commissioner Pam White via teleconference, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Director of Indigent Services Yvonne Baker, Case Manager Kelsee Hale, Attorney Mark Peterson for St. Luke's 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 January 21, 2021. The hearing concluded at 9:13 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:15 a.m. to consider indigent matters. Present were: Commissioner Tom Dale, Commissioner Pam White participated via teleconference, Director of Indigent Services Yvonne Baker, Hearing Manager Kelsee Hale and Deputy Clerk Jenen Ross.

Neither the hospital nor the applicant appeared for case no. 2020-976 and upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue a final denial with written decision within 30 days.

Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to continue case no. 2020-1072 to January 7, 2021.

Case no. 2020-1032 meets the eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a final approval with written decision within 30 days.

Case no. 2020-869 has been withdrawn and upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to issue a final denial with written decision within 30 days.

The meeting concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER EXTENDING THE COVID-19 EMERGENCY DECLARATION

The Board met today at 10:03 a.m. to consider extending the COVID-19 emergency declaration. Present were: Commissioner Tom Dale, Commissioner Pam White via conference call, EOM Christine Wendelsdorf, PIO Joe Decker, and Deputy Clerk Monica Reeves. The declaration is an administrative tool that allows resources to be shared more easily. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to extend the COVID-19 emergency declaration to January 5, 2021. The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ELECTED OFFICIALS TO DISCUSS COVID-19 UPDATES

The elected officials met today at 2:32 p.m. to discuss COVID-19 updates. Present were: Commissioner Tom Dale left at 3:30 p.m., PIO Joe Decker, Clerk Chris Yamamoto, EOM Christine Wendelsdorf, Sheriff Kieran Donahue, Chief Deputy P.A. Sam Laugheed, Treasurer Tracie Lloyd, Assessor Brian Stender, Judge Southworth and SWDH Director Nikki Zogg. Prosecutor Bryan Taylor, Michael Stowell with Canyon County Ambulance District, Coroner Jennifer Crawford, Steve Blados with Canyon County Ambulance District, Commissioner Pam White joined at 2:40 p.m., Commissioner Leslie Van Beek joined at 3:00 p.m. and Deputy Clerk Jenen Ross participated via teleconference. The following topics were discussed:

- **SWDH Director Nikki Zogg:**
 - They are currently short staffed and have stopped contact tracing for the time being; they are encouraging people to do their own contact tracing instead. Members of the National Guard have been on hand to help where necessary.
 - Hospital numbers continue to rise and some hospitals are experiencing strained resources.
 - There are only two long term care facilities in the Treasure Valley accepting COVID patients once they are released from the hospital which is proving problematic and spoke about some of the issues and logistics the facilities are dealing with.
 - There is a lot more access to testing right now which the National Guard is also helping with.
 - The positivity rate for Canyon County is just over 21%, ideally, it should be under 5%.
 - The health district will be receiving about 3000 vaccine doses around December 15th. The vaccine is a two-part vaccine and at this point they will just be receiving the first part. Discussion ensued about the plan and tier system for distribution. At this point the system has been determined at the federal level with the priority being healthcare workers in hospitals and long-term care facilities. Sheriff Donahue

expressed his concerns about first responders, specifically law enforcement, not being included in the first tier.

- **EOM Christine Wendelsdorf:**
 - All PPE has been moved to one location and she is working with departments to get them what they need.
 - The EOC group is making preparations for the vaccine rollout.
- **Judge Southworth:**
 - Counts have been able to do about 85% of their work via Zoom; they are just not able to do jury trials until at least January 4th.
- **Chief Deputy P.A. Sam Laugheed:**
 - Employees protections are set to come to an end at the end of the month along with CARES act funding; everyone is hoping those things will be extended.
- **Commissioner Tom Dale:**
 - The emergency declaration was signed today extending it to January 5, 2021.
 - He understands that congress is very close on compromised bill to extend COVID aid.
- **Treasurer Tracie Lloyd:**
 - They are still working to get marshals at the doors for some additional security at the admin building.
 - The drop boxes have been helpful but they are still getting a lot of people into the office.
 - A parking issue around the admin building is still being worked on. They are trying to get employees to park in the designated areas instead of on the street around the building.
- **Assessor Brian Stender:**
 - Issues at the DMV are still being worked thru. In regard to the queuing system, IT has the county side ready to go they are just waiting on implementation by the vendor and hoping to have is up and running next week. Currently they are cutting off the line by 1:30 in order to make sure they are able to serve everyone. Sheriff Donahue said issues at the DMV will be a topic discussed at the Idaho Sheriff's Association meeting tomorrow.
- **Canyon County Paramedics Deputy Chief Steve Blados:**
 - They are back to being fully staffed and completely operational.

Clerk Yamamoto made a motion to adjourn the meeting which was seconded by Sheriff Donahue. The meeting concluded at 3:48 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 4, 2020

PRESENT: Commissioner Pam White, Chair - Out of the office
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Bethany Fahey, Legal Support Specialist I in the Public Defender's Department.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems Inc., in the amount of \$4,519.17 for Information Technology
- SHI in the amount of \$2,590.11 for Information Technology
- Hess Construction in the amount of \$24,900.00 for the Facilities Department

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:01 to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd, The Greenewalds and Deputy Clerk Jenen Ross. Deputy P.A. Brad Goodsell participated via Webex. The action items were considered as follows:

Consider signing a resolution authorizing the granting of real property to other political subdivision or taxing district: Treasurer Lloyd explained this a continuation of a meeting from November 18, 2020 to consider transferring two pieces of property - the Beech St. property to the City of Caldwell and the Joliet St. property to the Caldwell Housing Authority. Commissioner Dale suggested taking the properties separately and began with the Beech St. property which is PIN 04087000 0, the total outstanding as of today that will be forgiven is \$244.38. Commissioner Van Beek made a motion to issue the quitclaim deed. The motion was seconded by Commissioner Dale. Mr. Goodsell explained that there really doesn't need to be a motion on the quitclaim deeds as they become a

ministerial matter as follow up to the resolution. The resolution is the part that makes the property transfer official.

The Greenewalds explained they are still trying to get the necessary information from GMAC and are looking into grants or funding thru HUD. They have been in arrears since 2016. Treasurer Lloyd said she can see where they filed for the Circuit Breaker in years past and she can see in the system that the Circuit Breaker reminder had been sent out but returned as undeliverable with no forwarding address. Treasurer Lloyd reiterated that there was opportunity prior to the tax deed occurring for them to apply for hardship which they did not do. The Greenewalds were unaware a hardship had to be filed for every year. Treasurer Lloyd disagreed stating that they do everything in their power to not take these properties for tax deed. They were given opportunity to provide the information to the Board for the hardship to be considered which was not done. The Greenewalds said they've also had issues with the postal service not delivering their mail and have not gotten the notices that were posted to their fence by the Treasurer's Office. Ms. Lloyd said the Greenewalds have been in her office several times and were aware of the situation.

Commissioner Dale made clear to the Greenewalds that they no longer own the property, that it has been taken by the county for tax deed and at this point the county is trying to determine what to do with it, either transfer it to the Caldwell Housing Authority or include it as part of the tax deed auction when it is rescheduled.

Mr. Goodsell suggested that it may be worthwhile to get in contact with the housing authority to see if they are still interested in the property knowing the issues that may surround it. If they housing authority no longer wants the property it will be included in the tax sale. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue the action item to December 15, 2020 with legal staff in order for contact to be made with the housing authority and for a revised resolution to be prepared if necessary. No documents were signed at today's meeting.

Consider signing resolution granting a new alcoholic beverage license to Family Dollar #30025:

Commissioner Van Beek initially had question about this being located within 300' of a church but the sale of alcohol is for consumption offsite and thus that portion of the ordinance does not apply. Commissioner Van Beek then made a motion to sign the resolution granting a new alcoholic beverage license to Family Dollar #30025. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-174). This action item was originally on the agenda for consideration Tuesday, December 1st when Commissioner White was in the office and was signed by her at that time.

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

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

APPROVED CLAIMS

- The Board approved claims 569313 to 569371 in the amount of \$38,252.74
- The Board approved claims 569396 to 569430 in the amount of \$53,251.52
- The Board approved claims 569372 to 569395 in the amount of \$18,030.05
- The Board approved claim no. 569535 in the amount of \$1,438.96

PUBLIC HEARING – PRELIMINARY PLAT FOR SPRING HILL RANCH SUBDIVISION, CASE NO. SD2020-0010

The Board met today at 9:01 a.m. to conduct a public hearing in the matter of a request by Ed Bowman for approval of the preliminary plat and irrigation and drainage plan for Spring Hill Ranch Subdivision, Case No. SD2020-0010. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Kurt Smith, Ed Bowman, Penelope Constantikes, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Ben Kneadler and Brian Rallens. Dan Lister gave the oral staff report. The project consists of 27 lots and two common area lots and will have an average lot size of 1.11 acres. The property, which consists of 35.86 acres, was conditionally rezoned in 2019. There are special setbacks along the property. Mr. Lister provided a history of the property and he reviewed the agency comments associated with this project. Staff is recommending approval of the request. Following his report Mr. Lister responded to questions from the Board. Penelope Constantikes gave testimony on behalf of the applicants and stated they agree with the staff report and the conditions of approval. She gave testimony regarding the fencing that will be included in the project. Kurt Smith gave testimony as the project engineer and responded to questions from the Board. He stated they are working with the highway district and will comply with their requirements, and will allow for the widening of the road for future improvements. He testified regarding the flood plain, grading plan and irrigation plan. The applicant will install fencing to alleviate one of the neighbor's privacy concerns. Ed Bowman testified that as the developer he is required to pay impact fees for future development of a section of the road. With regard to the fencing requirement, Mr. Bowman said to have a stark white fence on one section of the property negates what that homeowner wants because he will be looking at a white fence instead of looking through. Mr. Bowman does not want to provide fencing in that section, but if it is required he does not want to be bound by the color white. Following testimony, Commissioner Dale made a motion to close the public comment. The motion

was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek likes what has been proposed, but she wants to remove the requirements for additional setbacks in the northeast corner and the fencing requirement in the southeast corner because she doesn't see the point for 27 people to be subject to 2 people. Director Nilsson said the additional setbacks are part of a development agreement, it is not a requirement of the plat. Commissioner Dale supports the project but he does not like the idea of putting a solid vinyl fence along the eastern boundary section. He wants to remove that condition and it leave it up to the homeowners and the developers. Following additional comments about the setbacks, the Board decided to leave them in place as noted in the development agreement. Commissioner White supports the project and believes it will be a very well designed subdivision. Following the Board's deliberation Commissioner Dale made a motion to approve the preliminary plat and the irrigation and drainage plan for Spring Hill Ranch Subdivision and to sign the findings of fact, conclusions of law and order, with the removal of the fencing requirement which was identified as Condition #10. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

ROUNDTABLE DISCUSSION REGARDING FIRE SAFETY

The Board met today at 1:33 p.m. for a roundtable discussion regarding fire safety. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Spencer Kofoed, John Carpenter, Dale Sample, Alan Mills, and Deputy Clerk Monica Reeves. Present via Webex: Building Official David Curl, Greg Timinsky, Senator Todd Lakey, Rep. Jeff Agenbroad, John Cotner, Caldwell Fire Chief Mark Wendelsdorf, Nampa Fire Chief Kirk Carpenter, Nampa Fire Marshal Johnson, Dale Jeffers and Eddy Martineau from the Upper Deer Flat Fire District, P&Z Commissioner Rick Fried, Deputy PA Zach Wesley, Brian Baughman from the Hartwell Corporation, and Kassa Hartley from Pacific Crest Insurance Company. Director Nilsson gave a PowerPoint presentation on overview of the land use authorities in Canyon County and how the County deals with fire safety in land use decisions. (A copy of which is on file with this day's minute entry.) Spencer Kofoed presented detailed information from the National Fire Protection Association (NFPA). A roundtable discussion ensued on the following topics: Can fire sprinklers be mandated on any house; what a lender expects; the building inspector's perspective; the average cost to install a sprinkler system is \$7,500 (in a 2,800 square foot home); smoke detectors are the biggest life safety measure; residential fire sprinklers are not designed to save the house – they are meant to provide assistance in getting people out; the fire chiefs spoke about state law dictating that they cannot force fire sprinklers in single-family homes, but water supply and fire sprinklers are an acceptable alternative to that. The fire chiefs said we cannot just lean on smoke detectors and fire walls. The County needs to enforce the water supply on homes in subdivisions and then the fire districts can work with developers on the process. There was discussion about expensive claims being made to insurance companies when sprinklers leak. Director Nilsson said she needs direction and clear standards on whether water supply is required by the County. Discussion ensued regarding whether the requirements are excessive. Alan Mills said there currently is not an ordinance that mandates sprinklers, nor is there an ordinance mandating alternative water sources. He suggested a committee be formed to discuss the issue of fire safety requirements and

come to a reasonable solution. Chief Carpenter said the issue is about enforcing a state code for water supply requirements and the fire districts need to know if Canyon County is going to enforce the fire code. There was discussion regarding the fire flow requirements, homes that are exempt from the requirement, and fire insurance rates. Senator Todd Lakey prefers to give landowners a choice and he is in favor of having a committee formed to begin looking at the issues. Commissioner Dale agrees with the idea to form a committee. Director Nilsson will prepare a GIS map showing the exempt areas and the areas of impact with property sizes, etc. Her concern is that the property owner know what they have. As the fire chiefs have said do we want to require water supply or not, and how do we determine acceptable water supply. We need to improve our process so it's clear for everybody. Let's start with a map and form a committee. Commissioner White said there has been good discussion and it's a good place to start. To the earlier question that was asked, Commissioner Van Beek said we cannot require something we don't understand or know what the parameters are so until we get the information nailed down the answer has to be "No" because we don't know what that looks like yet. It would be good to have a well-rounded board for discussion that's represented by the same type of groups that participated today. The meeting concluded at 3:10 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 8, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569431 to 569460 in the amount of \$41,371.48
- The Board has approved claims 569536 to 569585 in the amount of \$119,093.07
- The Board has approved claims 569468 to 569510 in the amount of \$154,725.25

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Edy Business Solutions in the amount of \$1,870.20 for Information Technology
- HP Inc. in the amount of \$2,300.00 for Information Technology
- Hyland Software, Inc. in the amount of \$5,492.00 for Information Technology
- Carbon Networks LLC in the amount of \$1,815.00 for Information Technology
- Acco Engineered Systems in the amount of \$2,398.00 for the Facilities Department

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

The Board met today at 9:04 a.m. for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing resolution to grant a refund to Brian Jemmett on behalf of JEM Farms LLC for withdrawn permit: Commissioner Dale read into the record the notes from DSD as to the reason for the refund. A temporary use permit for farmworker housing was applied for but upon review it was discovered that a permit was already available. Staff is recommending a refund of \$300. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the refund to Brian Jemmett on behalf of JEM Farms LLC (see resolution no. 20-175).

There were no 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 HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:02 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, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The following items were discussed:

- Over the next few weeks Director Baumgart will be reviewing both personal and department goals for 2020 and setting goals for 2021.
- Discussion regarding an annual sexual harassment and anti-bullying training with the possibility of doing it virtually this year. It would again be a mandatory training for employees under the Board and optional for other elected officials. The Board is in favor of some kind of training happening again this year.
- HR has been working on announcements and getting the word out to employees about the new uses for the HRA. FSA/HRA cards will be going out this month to employees who do not already have one.
- Career day at CWI will be taking place this Thursday and Canyon County Sheriff's Office will be the only law enforcement agency represented this year.
- Director Baumgart asked about director evaluations as far as how that should look and/or move forward as it was paused for a while and hasn't received direction from the Board on how or if they'd like to continue. Commissioner Dale said he believes evaluations should be done even if it is done by Survey Monkey again. Commissioner White likes having an

outlet for employees to voice concerns about leadership. Commissioner Van Beek said she feels there will be expanded opportunities and ways to move forward in January; she believes the Board needs to be more involved in the evaluations but that they still need to be done.

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

PUBLIC HEARING – REZONE REQUEST FOR CALLISTER, LLC, CASE NO. RZ2020-0006; AND PRELIMINARY PLAT AND GRADING AND DRAINAGE PLAN FOR C-3 SUBDIVISION, CASE NO. SD2020-0011

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Callister, LLC, for a rezone from "A" (Agricultural) to "R-1" (Residential-Single Family), Case No. RZ2020-0006; and a preliminary plat and grading and drainage plan for C-3 Subdivision, Case No. SD2020-0001. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Julianne Shaw, David Callister, Matt Graham, and Rory Hendricks. Julianne Shaw gave the oral staff report. The site is approximately 32.15 acres and is located 800' north of Foothill Road. The subdivision is proposed to have 29 lots consisting of 26 buildable lots with an average lot size of 1 acre and 3 common lots. Located on the southeast corner of Quail Haven Way and Lansing Lane. The P&Z Commission recommended approval of the rezone request and the subdivision application. Following her report, Ms. Shaw responded to questions from the Board. Matt Graham with T-O Engineers gave testimony as the design consultant. The developer plans to comply with all conditions and agency requirements. Mr. Graham responded to questions from the Board. The applicant, David Callister, was available to answer questions if needed. (Commissioner Tom Dale joined the hearing at 2:08 p.m.) Following testimony, Commissioner White made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner White likes the project; Commissioner Van Beek likes the design for roadways and the layout of the project; and Commissioner Dale noted this is a high-growth area and he believes it will be a good subdivision. Director Nilsson suggested a change to Condition 11 which currently states Lot 20 shall have a building envelope. In order to provide some wiggle room for the lot owner she suggested there be a plat note requiring an individual grading plan for Lot 20 at the time of building. In reviewing the documents to be signed it appeared there is a discrepancy in the language so Director Nilsson suggested the hearing be postponed to get clarification on the conditions. Commissioner Van Beek wants to remove Condition No. 6 which states the development shall comply with Middleton Rural Fire District requirements which require 1,550 gallons of fire flow. She said the Board recently decided it would not impose that condition. Director Nilsson wants to review all conditions and bring the documents back at a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to continue the hearing to December 10, 2020 at 3:00 p.m. The meeting concluded at 2:33 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR TO ADDRESS POSSIBLE INCREASE IN DMV STAFF

The Board met today at 3:02 p.m. with the Assessor to address a possible increase in DMV staff. Present were:

Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, DMV Supervisor Kimbra Asqueta, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Assessor Stender spoke of the long wait times that have been occurring since the state rolled its new computer system for title transactions and registrations. The wait time can be up to four hours so he is looking to add additional staff at DMV and one way to facilitate that is to increase the administration fee with the following proposals:

Proposal #1

Increase the current \$4.00 administration fee to \$5.00

Hire four (4) additional employees and purchase equipment

Proposal #2

Increase the current administration fee to \$6.00

Hire four (4) additional employees

Acquire a second DMV location in Nampa

(A copy of the Assessor's outline of the numbers associated with both proposals is on file with this day's minute entry.) With Proposal #2 they would move a portion of the staff to a new facility in Nampa, but that will take some time to hire/train and obtain a second location so until the system performs better it might be better to have everybody all in one location. Joe Cox said they want to make sure they have the Board's approval and that financing is in place before they begin negotiating on space. With the additional staff they will be able to do a split shift and start earlier in the morning and it will provide an overlap during the day giving relief during lunch hours and allow more latitude on longer hours to do the processing. Assessor Stender said once he has the Board's approval he will come back with a formalized plan. Controller Wagoner spoke of the tremendous inconveniences the state's system has created by having citizens wait for hours on end and it is unfortunate residents may see a slight increase in the fee, but it will create an increased service. He thinks a second location would increase efficiencies and decrease wait times and it would be tremendous step in the right direction. The Board indicated its support for Proposal #2. The meeting concluded at 3:21 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 9, 2020

PRESENT: Commissioner Pam White, Chair

Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 569586 to 569633 in the amount of \$69,511.88

PUBLIC HEARING – SHORT PLAT REQUEST FOR HARMONY ACRES SUBDIVISION, CASE NO. SD2020-0017

The Board met today at 10:05 a.m. to conduct a public hearing to consider a short plat (preliminary plat and final plat) request for Harmony Acres Subdivision, Case No. SD2020-0017. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, TJ Wellard, and Tim Mathson. Dan Lister gave the oral staff report. The request is for two residential lots on 5.21 acres with an average lot size of 2.61 acres. There was a review of agency comments; staff recommends approval of the preliminary plat subject to conditions. A code enforcement issue had been raised previously, but the property was sold and staff believes the issue has been removed. The majority of conditions have been met; two conditions remain: 1) the applicant must obtain a letter from the irrigation district, and 2) the applicant must prepare a water users maintenance agreement. The final plat cannot be signed until all conditions have been met. Following his report, Mr. Lister responded to questions from the Board. TJ Wellard gave testimony regarding the irrigation system and spoke of the accessibility and delivery. He noted that streetlights, sidewalks, and curb/gutter requirements have been waived by the City of Nampa. The applicant's attorney is finalizing the water users' maintenance agreement, and the letter from irrigation district is taking some time but the applicant will take care of it. In response to questions from Commissioner Van Beek, Tim Mathson said his 2.6 acre had a "normal amount" of weeds, although he is not familiar with the status of the other lot. He has plans to develop his lot for residential use. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale believes the request makes total sense and is compatible with what exists in the area. Commissioner Van Beek indicated her support for the application. Following the Board's deliberation Commissioner Dale made a motion to approve the request with the understanding that the letter from the irrigation district, and the water users' maintenance agreement will be completed as conditioned. The motion was seconded by Commissioner Van Beek and carried unanimously. The final plat will be signed at a later date. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 10, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- TracksNTeeth, Inc. in the amount of \$4,869.20 for the Solid Waste Department

MEDICAL INDIGENCY DECISIONS

The Board met today at 8:47 a.m. to consider matters related to medical indigency decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Jenniffer Odom, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance and 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 following cases: 2021-114, 2021-119 and 2021-215.

Case nos. 2021-195 and 2021-211 meet the eligibility criteria for county assistance. Commissioner Van Beek made a motion to issue initial approvals with written decisions within 30 days on the cases as read into the record. The motion was seconded by Commissioner White and carried unanimously.

Liens and lien releases were presented for Board signatures.

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 9:03 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. Dan Blocksom, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing designated examiner agreement with Dr. Chad Christensen, Psy.D.:

Mr. Blocksom and Ms. Baker said Dr. Christensen's credentials meet the statutory obligations and Region 3 qualifications. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the designated examiner agreement with Dr. Chad Christensen, Psy.D. (See agreement no. 20-170).

Commissioner White requested that there be an executive session to discuss a letter that was received from the state about land they are selling in which the Board has the opportunity to object to.

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 9:13 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, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:19 a.m. with no decision being called for in open session.

The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY MATT WILKE OF WHITE BARN REAL ESTATE ON BEHALF OF L&J INVESTMENTS IDAHO, LLC FOR A REZONE, CASE NO. RZ2020-0015

The Board met today at 10:03 a.m. to conduct a public hearing in the matter of a request by Matt Wilke of White Barn Real Estate on behalf of L&J Investments Idaho, LLC, for a rezone, Case No. RZ2020-0015. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Vivian Ferkin, Jake Fillmore, Matt Wilke, April Wilke, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 11:28 a.m. Those present via Webex: Kassi Chadwick, Marnie Fillmore, Sonnie House, Byron Morgan, Kerri and William Wells, Jessica Stutzman, and Michelle Van Lith. Dan Lister gave the oral staff report. L&J Investments Idaho, LLC, is requesting a rezone of Parcels R36382 and R36382012 from an "A" (Agricultural) zone to an "M-1" (Light Industrial) zone. The property is located at 18542 Lower Pleasant Ridge Road. The request will allow the applicant to relocate his existing tree service business which includes equipment storage, tree clippings and firewood sales to an area more suitable for the use. The property will also be used for other future businesses. Mr. Lister gave a review of the property

and referred to a number of letters of opposition which expressed concerns about traffic, air pollution, noise pollution, and safety issues as well as impacts to property values, surrounding uses, and the existing character of the area. The P&Z Commission hearing ended with a deadlock vote where three Commissioners felt this is an area where the future land use plan is showing industrial and it will eventually go that way, and three other Commissioners felt this is a transition area and it would be better to have a development agreement that locked down the uses they want for this area and maybe restrict some of the uses and come up with some mitigation measures for potential impacts. The applicant's representative submitted a letter requesting the hearing be tabled to a later date so they can submit a development agreement that would lock in certain uses they see on the property and eliminate ones that could be impactful and come up with measures to reduce the noise, or put noise-generating uses farther away from properties. Mr. Lister and Director Nilsson responded to questions from the Board.

The following people testified in support of the request:

Matt Wilke appreciates the comments from the neighbors because it has helped the applicants get an idea of what they want to see on the property. He referenced a list of uses provided by staff that included: transit trucking terminal, mineral extraction batch plants, impound yard, food processing, and fertilizing plants and said that is not what the owners want to do so that's why they want to do a development agreement. The question is maybe the manufacturing, assembly and fabricating whether they can still do the cabinet business inside a building. They don't anticipate there being noise from that. Between Parker Tree Service and a proposed cabinet company that wants to come in they have \$3.75 million in job creation with those two businesses and that wouldn't even take up the whole site. They have a lot of interest for properties like this in the valley and it's a great opportunity to bring more business into Canyon County. He said there is a lot of worry from neighbors regarding heavy truck traffic but he doesn't see that being an issue in the future with what the owners want to do. They want to look at the letters that have come in and make a strong determination on what they want to see on the site. They have not yet decided where the tree service will be located on the property. They need to speak with the highway district and ITD; they may be able to approach off of Weitz Road to avoid traffic on Lower Pleasant. There are a lot of options to make the site productive and protect the neighborhood at the same time. Following his testimony, Mr. Wilke responded to questions from the Board. Director Tricia Nilsson spoke about the process pertaining to a development agreement. Staff will work with Mr. Wilke, based on the testimony and direction of the Board, to prepare a development agreement. They will re-notice a hearing and everybody will have the draft document provided to them. She said the development agreement has to be mutually agreeable to both. There are other conditions to help mitigate impacts that staff will listen for or suggest in drafting the development agreement. She doesn't need too many details because there is plenty on the record with the letters and Mr. Wilke's testimony.

The following people testified in opposition to the request:

Vivian Ferkin lives on Lower Pleasant Ridge Road approximately 8/10 of a mile from the subject property and her concerns include: the number of employees who will be on site; how much traffic will be generated; what type of trucks will the business utilize; and what other businesses are proposed for this site. She said there is already immense light and noise pollution in the area from the existing manufacturing businesses and she's concerned about the negative impacts to the neighboring property values and the rural way of life.

Jake Fillmore lives directly west of the property and he is opposed to the request. He spoke of the businesses in the industrial park on Pinto Road that have been there for a long time. He believes the developers have no consideration for the neighbors and is worried their proposal will encroach on the neighbors. This is an agricultural area and he fears the change in zoning will ruin the neighbors' way of life and impact their residential property values.

Marnie Fillmore testified that her biggest concern is the unknown; she wants to know what will be done on the property and how it will affect the area.

Kassi Chadwick testified that tradition and heritage are important as her family homesteaded in this area. She is concerned the industrial zoning will impact her way of life and negatively impact her property value.

Jessica Stutzman testified that she purchased her property to the southwest of the site with the intention of raising pack goats and meat rabbits, and she is concerned the proposal will negatively impact the agricultural character of area.

Matt Wilke offered rebuttal testimony and stated the applicants chose this property because of the future land use map. He said the applicants hear the concerns, but they also think the property should be zoned M-1 as shown on the future maps. He noted that a lot of opposition is outside of the 600-foot radius of the property. Mr. Wilke said they are doing their best to have a nice outcome for the neighbors, but on the other hand the landowners have property rights too and this property is in the future zone which is why they chose this site.

Director Nilsson said there will be a whole new hearing and the options before the Board are to approve or deny the request, or, it may choose to modify conditions. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public hearing. Commissioner Dale is in favor of putting this on hold. He hears the concerns of the neighbors and the desires of the people who bought the property in good faith seeing it was designated on the future land use map as M-1 light industrial. There is an expressed willingness from Mr. Wilke to take into consideration all of the concerns that have been expressed. There is opportunity within a development agreement in a conditional rezone to narrow down the types of uses and to put restrictive conditions on the type of lighting that can happen, the hours of operation, and noise mitigation. There are opportunities to work this out where it benefits the people in the area and does not negatively impact those who live there. Commissioner Van Beek is in favor of an expanded discussion and to look at the things that will satisfy all parties. A careful look at land use planning is a worthwhile investment. Commissioner White is opposed to the

request due to compatibility concerns and the unknowns, but she will go along with the suggestion to move it forward so they can work on a development agreement to address restrictions. Commissioner Van Beek said having a developed plan is different and it helps mitigate some fear factors. She also said there has to be enough information to evaluate at the next hearing. Dan Lister said the next step is to have an application submitted for the fee of the development agreement, and then the request will be re-noticed and re-heard with the development agreement. Or, the Board can ask the applicant to go through the entire process again. Commissioner Dale said it's not conducive to efficiency to deny the application and make them start over so he wants to table the matter and come back for another public hearing once the development agreement has been prepared. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to table the decision and instructed staff to work with the applicant to go through the process to create a development agreement and come back at a later date. The hearing concluded at 11:44 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REZONE REQUEST FOR CALLISTER, LLC, CASE NO. RZ2020-0006; AND PRELIMINARY PLAT AND GRADING AND DRAINAGE PLAN FOR C-3 SUBDIVISION, CASE NO. SD2020-0011

The Board met today at 3:03 p.m. to once again take up the issue of the request by Callister, LLC, rezone request from "A" (Agricultural) to "R-1" (Residential-Single Family), Case No. RZ2020-0006; and a preliminary plat and grading and drainage plan for C-3 Subdivision, Case No. SD2020-0001. Today's hearing was continued from December 8th so staff could provide clarification on the conditions. Today staff presented the Board with FCO's for both the rezone request and the subdivision request, as well as an ordinance directing amendments to the zoning map. Julianne Shaw reviewed the conditions of approval for C-3 Subdivision. Ms. Shaw and Director Nilsson responded to questions from the Board. Following review and discussion, Commissioner Dale made a motion to approve the rezone for Callister, LLC, Case No. RZ2020-0006, including the findings of fact, conclusions of law, and order. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-038.) Commissioner Dale made a motion to approve the C-3 Subdivision, Case No SD2020-0011. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 3:18 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 11, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office
Commissioner Tom Dale, Vice Chairman

Commissioner Leslie Van Beek – Out of the office
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 569634 to 569667 in the amount of \$67,457.27
- The Board has approved claims 569668 to 569698 in the amount of \$82,426.51

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mountain Home Auto Ranch in the amount of \$31,148.00 for the Fleet Department

No meetings were held this day.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 14, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569725 to 569774 in the amount of \$25,277.14

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Boise Appliance in the amount of \$2,662.94 for the Facilities Department
- HP Inc. is the amount of \$6,790.00 for Information Technology
- BOE in the amount of \$2,820.00 for Information Technology

MEETING WITH COMMISSIONERS' OFFICE STAFF TO REVIEW UPCOMING CALENDAR EVENTS

The Board met today at 8:36 a.m. with office staff to review upcoming calendar events. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sr. Administrative Specialist Terri Salisbury and Deputy Clerk Jenen Ross. The Board reviewed this week's schedule with staff. Commissioner Van Beek referenced a letter received from the Sheriff regarding marshals at the

entry/exit doors during the morning and afternoon times when employees are arriving and exiting. Discussion ensued regarding the cell phone and accessories for Commissioner-elect Smith; the Board is in favor of Ms. Smith being allowed to purchase thru IT the iPhone mini she requested for \$250.00 along with accessories such as a case and screen protectors. Commissioner Van Beek said all off these items were allocated for in budget line item 577121. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:06 a.m. to consider several action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Treasurer Tracie Lloyd (left at 9:16 a.m.), John Cotner for LS Ranch Subdivision (left at 9:12 a.m.) and Deputy Clerk Jenen Ross. DSD Planner Jennifer Almeida participated via Webex. The action items were considered as follows:

The final plat is for LS Ranch Subdivision, Case No. SD2019-0050: Jennifer Almeida provided a staff report stating that this property is zoned R-1 (single family residential), the preliminary plat was approved on August 28, 2019. Phase 1 contains 24 residential lots which will utilize individual septic systems, domestic water will be provided by the City of Caldwell and pressurized irrigation will be owned and maintained by the HOA. Since the preliminary plat was approved in 2019 the developer has complied with all 7 conditions of approval. Staff recommends signing the final plat; it has already been signed by the City of Caldwell. All of the city improvements have been completed with the exception of the streetlights and there is a financial guarantee with the City of Caldwell. Commissioner Dale made a motion authorizing the Board to sign the final plat for LS Ranch Subdivision. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing the Treasurer's tax charge adjustments by PIN for November 2020: Treasurer Lloyd explained the adjustments are for assessment revisions after BOE closure and before tax bills are sent out. The total amount adjusted is <\$96,124.60>. Commissioner Dale made a motion to sign the Treasurer's tax charge adjustments by PIN for November 2020. The motion was seconded by Commissioner White. A vote was taken on the motion with Commissioners White and Dale voting in favor. Commissioner Van Beek did not vote on the motion. A copy of the report is on file with this day's minutes.

Consider signing alcohol license transfer from Chonies Sports Bar to The Titled Ace: Commissioner Dale made a motion to sign the alcohol license transfer from Chonies Sports Bar to The Titled Ace. The motion was seconded by Commissioner Van Beek. After the motion was made it was discovered that there is a discrepancy in the name of the bar. Commissioner Dale withdrew his motion and staff will do some additional research. Once the issue has been resolved this resolution can be reagendized.

The meeting concluded at 9:22 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 9:30 a.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, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following:

- Her department is very busy right now with a very heavy workload. Land use hearings are scheduled out to April at this point. She is looking to schedule some additional hearing dates and may possibly look into a hearing examiner to help alleviate some of the workload. Director Nilsson doesn't know the exact logistics at this time but she is working thru those and will come back to the Board once she has some additional information. As a point of reference, 68 building permits and 17 single family residential permits were issued in November of 2019 and in November 2020, 101 building permits and 37 single family residential permits were issued. Commissioner Dale suggested Director Nilsson may want to come before the Board for help as the budget can be amended to account for additional personnel. Commissioner Van Beek requested a project tracking/workload report, Director Nilsson said she will bring that to her next meeting.
- Eric Arthur is working with Nick Edwards on a whitepaper exploring different structures for code enforcement. They have identified 3 ideas and are researching to determine pros and cons of each alternative. They will then meet with the PA and Sheriff to get their thoughts on each idea. After that a meeting will be scheduled with the Board to choose an alternative. Mr. Arthur will do some research as to how other area agencies are structured.
- Building code adoption is scheduled for Thursday. Dave Curl feels he'll have the authority to abate. Discussion ensued regarding code violations and what the consequence is for a violation.
- A reminder will be sent to the fire districts asking if they have any changes to their CIP. In response to a question from Commissioner Van Beek about transportation impact fees, Director Nilsson said the committee will be meeting in mid-January. They are waiting on a report from Canyon Highway District's consultant.
- Director Nilsson spoke about a call she received from a Middleton resident regarding a broken sewer line running thru her property and that she hasn't been able to get anywhere with area agencies. Director Nilsson said she would do some additional research in hopes of being able to assist the resident and/or getting her pointed to the agency that can help.

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 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, Controller Zach Wagoner, Judge Southworth, Judge Bever, TCA Doug Tyler, Assistant TCA Benita Miller, Deputy Judicial Marshal Jim West and Deputy Clerk Jenen Ross. Rachel Spacek with the Idaho Press participated via Webex. The following items were discussed:

- Judge Southworth said the Supreme Court is in need of a letter of support from the county indicating that it will support additional staff and facility space for new magistrate and district judges. Mr. Tyler will send a draft letter to the Board for review.
- With the absence of jury trials this year there has been a great savings and Judge Southworth would like to use some of that savings to pay for part-time marshals outside of the CARES monies expiring at the end of the year. Mr. West spoke about the role the marshals' play, cost and responsibilities and Judge Bever spoke about the "customer service" that the marshals provide. Judge Southworth would like to have a meeting with all the stakeholders to discuss courthouse security. Commissioner Dale is in favor of continuing with the marshal service even once the CARES monies expire. Controller Wagoner spoke about the funding for this stating that a budget is a plan and sometimes plans change and evolve. He believes this can be accomplished within the bounds of what was approved for their overall 2021 budget. It will likely require a transfer from the 'B' budget to the 'A' budget. He believes there needs to be longer-term conversation about this and thinks it may be something to be considered in the FY2022 budget.

The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER ACTION ITEMS

The Board met today at 2:14 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, Deputy P.A. Zach Wesley (left at 2:23 p.m.) and Deputy Clerk Jenen Ross. Prior to Director Schwend providing her monthly report to the Board the action item was considered as follows:

Consider signing Historic Preservation agreements with Melba Valley Historical Society, Friends of the Caldwell Public Library and American Legion Joseph H. Murray Post 18: Director Schwend gave a brief overview of each project and Commissioner Dale reviewed each amount being awarded. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted

unanimously to sign the Historic Preservation agreements with Melba Valley Historical Society (agreement no. 20-171), Friends of the Caldwell Public Library (agreement no. 20-173) and American Legion Joseph H. Murray Post 18 (agreement no. 20-172).

Director Schwend updated the Board on the following items:

- Deer Flat National Wildlife Refuge funding and updated MOU. A draft MOU is currently being worked on.
- RV upgrades at Celebration Park are complete and the camp host has moved into that location.
- The East End RV project has run into some roadblocks so they are working thru those to find other options.
- Commissioner Van Beek asked about the completion of the mezzanine at Celebration Park with some of the savings realized in other projects. Director Schwend spoke about ways they are looking to collect fees such as with the East End RV improvements and the dorms at Celebration Park. The cost to complete the mezzanine is approximately \$46,000.
- Discussion ensued regarding the Scenic Highway Plan and grants that have been applied for to assist with this.

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

MEETING TO DISCUSS COUNTY PARKING ISSUES AND POTENTIAL SOLUTIONS

The Board met today at 3:01 p.m. to discuss County parking issues and potential solutions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Clerk Chris Yamamoto (arrived at 3:30 p.m.), Chief Deputy Marv Dashiell, Deputy Judicial Marshal James West, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Rachel Spacek with the Idaho Press participated via Webex. There has been a request made to the City of Caldwell to modify parking around the Administration Building. The city has asked that the county look into putting some 30 minute-only parking in front of the Albany St. side of the building as well as the 11th Street side from the alley-way to Albany and from the corner of 11th to the parking entrance at the rear of the building. Director Navarro has spoken with representatives for the city who took it to the traffic commission. The city noted that 30 minute-only parking would require someone to police it and the city does not want to do that, nor does the Sheriff's Office or the security division of the Facilities Department. Director Navarro said the city also requested a parking analysis be done, however, this was done several years ago and he will provide a copy to the city. At a minimum the county needs 645 spaces at a maximum 1186 spaces; currently the county has 723 spaces which includes on-street parking. Additionally, the city has asked what the county is trying to do on a larger basis, which Director Navarro agreed needs to be another conversation. There are some line-of-site issues when cars are parked close to the corner at 11th & Albany, 12th & Chicago and both sides of 12th Street so there is the possibility of adding red curbing in those areas to keep cars from parking there. The Caldwell Traffic Commission has requested that the county broadcast an email to employees asking them not to park in certain areas and the reason why. Director Navarro has also had some communication with

Sam Laugheed who suggested that perhaps it's time to start registering employee vehicles so that if a vehicle were parked in a prohibited area it could be determined if it belongs to an employee and that employee could be contacted. Director Navarro explained that the badge access program has a field to include vehicles so tracking could be maintained thru that. Commissioner Dale is in favor of maintaining a database of employee vehicles. Treasurer Tracie Lloyd stated she is also in favor of a vehicle database and indicated that she has notified her employees as to where they should not be parking.

Further discussion ensued regarding ADA parking. Director Navarro said there are 3 ADA parking spaces behind the Admin Building, based on the code he believes that they can make use of a path immediately adjacent to the Admin Building that is ADA compliant that a wheelchair could take to the 11th Street door where he feels a marshal could be stationed. There could still be signage posted on the backdoor noting a phone number to the marshal's desk if a reasonable request is made for entry at the back of the building. He feels this would comply with ADA requirements and the request for additional security at the building and suggested having Joe Decker draft an email notifying employees of the parking changes. The Board is in favor of Director Navarro working with the city in regard to red-lining some of the curbs for line-of-site issues. Based on a question from Commissioner Dale, Prosecutor Taylor said it would be a good idea to agendize a meeting to further discuss the collection of employee vehicle information and perhaps a good starting point would be an email to the employees explaining the parking situation. Additionally, he noted it may be helpful to send an email, which would include a map, to all the EOs so that everyone is on the same page. The meeting concluded at 3:39 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 15, 2020

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

APPROVED CLAIMS

- The Board approved claims 00510001 to 00510841 in the amount of \$1,745,112.36 for county payroll
- The Board approved claims 569700 to 569724 in the amount of \$18,418.78

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Salt Lake Wholesale in the amount of \$40,410.13 for the Sheriff's Office

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 and Leslie Van Beek, Treasurer Tracie Lloyd, Controller Zach Wagoner, Deputy P.A. Brad Goodsell, Mike and Brenda Greenewald and Deputy Clerk Jenen Ross. Commissioner Tom Dale (joined at 9:11 a.m. and left at 9:34 a.m.) and Deputy P.A. Brad Goodsell participated via Webex. The action items were considered as follows:

Consider signing resolution authorizing transfer of county property by quitclaim deed to the City of Caldwell: Treasurer Lloyd explained this is a small sliver of land that the city is going to use to help resolve a drainage issue. This is for parcel no. 04087000 0 located at 0 Beech Street, Caldwell. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the transfer of county property by quitclaim deed to the City of Caldwell (see resolution no. 20-176).

Brenda and Mike Greenewald presented a letter to Treasurer Lloyd, which was also emailed to Commissioner Dale, from a paralegal named Cheyenne Wolverton, outlining the struggles the Greenewald's have encountered in receiving a check from GM. At the previous meeting a copy of the contract was requested but as of today that has not been provided. The Greenewald's have indicated that a refund check on a repossessed vehicle was mailed but mailed to an old, inactive PO Box. The check was returned to GM and the Greenewald's have struggled to communicate with GM to get a new check sent to the correct address. Tax deed was taken on this property in July. Mr. Greenewald said they were not aware they did not have the exemption and that it needed to be applied for the each year. Mr. Goodsell sent an email to Mike Dittenber at the Caldwell Housing Authority but neither he nor Treasurer Lloyd have heard anything back. Mr. Greenewald reiterated the issues he's had in communicating with GMAC and how he's been unable to get the information necessary. Commissioner Van Beek made a motion to adjourn into executive session in order for a phone call to be placed to GMAC in hopes of gaining additional information as to the Greenewald's situation. The motion died for lack of a second. At the request of Commissioner Van Beek, Treasurer Lloyd said that since no one has heard back from Caldwell Housing and know it will be an issue if the property is transferred at this time she suggests not transferring it. Once it is determined how the county is going to move forward with the other properties taken for tax deed and the tax sale that will occur after the first of the year then the situation with this property can be revisited. Commissioner Van Beek made a motion to sign the resolution authorizing the transfer of county property by quitclaim deed to the Caldwell Housing Authority, parcel no. 04450503 0 located at 502 Joliet St. Caldwell. The quitclaim deed will be held until January 29, 2021 which will give the Greenewald's approximately 6 more weeks to redeem the property. *Note for the minutes: An email was received on December 21, 2020 from Deputy P.A. Brad Goodsell notifying the Board that the Greenewald's had redeemed their property on December 18, 2020. A copy of the redemption deed 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.

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

The Board met today at 10:07 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 Sean brown, Juvenile Detention Asst. Supervisor Zach Barrier, Juvenile Detention Officer Samantha Mosqueda and Deputy Clerk Jenen Ross. Director Brown updated the Board on the following:

- He has had conversations with the Public Defender's department about putting kiosks inside the facility giving juveniles the opportunity to complete necessary information. The plan would include one kiosk and three laptops which would all have a secured connection. Mr. Bazzoli has received a grant in which these devices would be purchased from. Commissioner Van Beek stated she is in favor of the idea.
- The annual Christmas party for the juveniles will take place on the 23rd with all COVID safe protocols in place.
- Currently there are 20 juveniles in detention and Director Brown provided a breakdown on each entity they're from.
- He is looking into adding another court/hearing room as the Canyon County courts are overlapping with other area courts. The additional space will also allow for parental visitation.
- They are waiting on one last agreement from Washington County and then they will all be received.
- One employee has requested to work part-time which will open a full-time position that they will look to fill.
- Zach Barrier and Samantha Mosqueda were introduced to the Board.

The meeting concluded at 10:22 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 10:22 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.

Ms. Catalano updated the Board on the following:

- Currently they have 260 in the community that her department is supervising; 12 kids from Canyon County are committed to Department of Juvenile Corrections.
- Several staff have either had COVID or been exposed but the workload has been manageable. They are still not entering homes, instead they will meet with people outside or at an alternative location. They are working with law enforcement on the high-risk offenders.
- She is conducting performance reviews with all staff and would be happy to review with the Board. Once they are complete they will be sent to HR to be added to personnel files.
- About 3 years ago a memorandum of agreement was entered into with Oregon Social Learning which is an organization that conducts research, in turn they promote best practices with different populations. They are currently conducting research on the best way to motivate youth and families. Juvenile Probation is paid \$250 for each PO who participates in the program.

Director Breach updated the Board on the following:

- A review of the numbers was provided: 1144 active supervision cases, 520 bench warrant cases – both of which are increased from last month. 305 offenders in community service which remains steady. So far in the new fiscal year the cost of supervision revenue is at \$57,791.
- An Odyssey update will happen on January 18th where they will move to a new platform. Staff has been doing some virtual training in order to get ready.
- The breath analyzer machine is in need of replacement at a cost of approximately \$4000. It wasn't budgeted for this year but Director Breach said he has funds allocated for radios that can be used. Idaho State Police will set up the machine and there is an employee in his department who is trained to calibrate the machine monthly. The Board is supportive of this purchase.

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

PUBLIC HEARING – REZONE REQUEST FOR JACK'S PLACE, LLC; AND PRELIMINARY PLAT AND IRRIGATION AND DRAINAGE PLAN FOR JACK'S PLACE SUBDIVISION, CASE NOS. RZ2020-0004 AND SD2020-0006

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a rezone request for Jack's Place, LLC, and a preliminary plat, and irrigation and drainage plan for Jack's Place Subdivision, Case Nos. RZ2020-0004 and SD2020-0006. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Kent Brown, Jane Suggs, Fred DePold, Shawn Brownlee, Chad Collins, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Anna-Marie Eldeen, Charles Eldeen, Barbara Kightlinger, Maryon Evans, Mark Cork, Zach Marble, and Lance Cornell. Jennifer Almeida gave the oral staff report. The property consists of 38.47 acres and is within the Nampa impact area. The request is to rezone from rural

residential to R-1 single family residential. The applicant is also seeking approval of Jack's Place Subdivision which consists of 89 residential lots. The property is designated as residential on the future land use map and a rezone would comply with that designation. The City of Nampa designates the property as medium-density residential on their future land use plan. The P&Z Commission recommended approval of both the rezone and preliminary plat. Staff has found the rezone to R-1 single family residential is consistent with the zoning ordinance and the future land use plan and map, and is also consistent with the City of Nampa's plan for the area. Staff is recommending approval of both the rezone and the preliminary plat.

The following people testified in support of the request:

Kent Brown testified that part of the reason they picked this site is because a sewer line runs through the property. They looked at the surrounding area and started their design with the intent of having CC&Rs and restrictions that will exceed those in the nearby Castleton Subdivision. They will have tree-lined streets, minimum house square footage requirements, and they will address issues to calm traffic. Jane Suggs testified about the developers' efforts to make Jack's Place a nice development. She spoke of issues relating to access, landscaping plans, existing plans that called for this property to be developed, and square footage requirements where single-story homes must be a minimum of 2,100 square feet, and two-story homes must be a minimum of 2,500 square feet. Ms. Suggs said the project meets the requirements of Canyon County and the City of Nampa. Mr. Brown and Ms. Suggs responded to questions from the Board following their testimony. Fred DePold supports this request as it will be a benefit to the neighborhood as it fits perfectly within the comprehensive plan.

The following people testified in opposition to the request:

Chad Collins testified the proposed lot size is not commensurate to any of the neighboring properties. He has concerns about the traffic impact and said development should pay for development. Charles Eldeen testified about traffic concerns and road safety issues. Barbara Kightlinger is concerned about the extension of Castleton into the proposed subdivision and the increase in traffic. Maryon Evans testified about concerns regarding lot sizes, and the impacts to traffic and irrigation. Zach Marble had to leave the hearing prior to his turn to testify but he offered written comments (through the chat feature on Webex) regarding his concerns about traffic and the proposed density of the project. Rebuttal testimony was offered by Kent Brown and Jane Suggs. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale supports the request noting that water and sewer are available, and he likes the plans for this project. Commissioner Van Beek is in favor of a proactive developer who tries to mitigate the neighbors' concerns, and she likes that there is a voluntary agreement to provide a minimum square footage. There is also a landscape plan and sidewalks, and in the absence of those things she would not vote for this project. She wants there to be voluntary compliance and some agreement about quality. This is not to say she likes the density; she likes the presentation and the willingness to help alleviate some of the fears. Commissioner White said there will be tree-lined streets and detached sidewalks and she likes the connectivity and community feeling. She is expecting nice designs, not cookie cutter houses. Commissioner Van Beek asked about the follow-through to make sure the developers do what they said they will do. She objects to the sentiment

to some of the builders that are included with Trilogy, that flavor of development that intimidates people and causes them to question what it will look like. Director Nilsson said adoption of design review standards belongs to the city, not the county; it is not part of the Board's decision. Following the Board's deliberation Commissioner White made a motion to approve the rezone request by Jack's Place, LLC from an "R-R" (Rural Residential) zone to an "R-1" (Single Family Residential) zone. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioner Van Beek voting against the motion to approve. The motion carried by a two-to-one split vote. Commissioner Dale made a motion to approve the findings of fact, conclusions of law and order, as well as the ordinance to change the zoning. The motion was seconded Commissioner White. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote. (See Ordinance No. 20-309.) Commissioner Dale made a motion to approve the preliminary plat, irrigation and drainage plan, and to sign the findings of fact, conclusions of law and order. The motion was seconded Commissioner White. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote. The hearing concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 16, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569511 to 569534 in the amount of \$56,057.11

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Staats in the amount of \$1,593.86 for the County Fair

RESCHEDULE PUBLIC HEARING – SHORT PLAT FOR GOFF SUBDIVISION, CASE NO. SD2020-0028

The Board met today at 9:01 a.m. to conduct a public hearing to consider a request by Roger and Donna Goff for the short plat for Goff Subdivision, Case No. SD2020-0028. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. DSD Planner Dan Lister participated via Webex. Mr. Lister reported that the applicants have requested

a continuance so they can make a minor change to their plat. Commissioner Van Beek made a motion to reschedule the public hearing to January 12, 2021 at 3:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ERICK AND TRISTANN MCLAUGHLIN FOR DEL ROSARIO ESTATES
SUBDIVISION NO. 2, CASE NO. SD2020-0032

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Erick and Tristann McLaughlin for a short plat for Del Rosario Estates Subdivision No. 2, Case No. SD2020-0032. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Erick McLaughlin, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister and Ruth Volkert. Dan Lister gave the oral staff report. Staff is recommending approval subject to conditions. The Board cannot sign the final plat until all conditions are met and all signatures have been obtained. Once the final plat is ready to be signed it will be placed on the Board's agenda. Erick McLaughlin testified about his frustration with the amount of fees he has had to pay and the time it has taken to get through the process and the delays that have occurred with various agencies. He spoke about an irrigation easement and his efforts to work with the irrigation district. He has obtained half of the required signatures on the final plat but still needs the signature of the health district and the County Treasurer. Commissioner Van Beek acknowledged his frustrations and said those are issues the County looks at. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the findings of fact, conclusions of law and order for the short plat for Erick McLaughlin for Case No. SD2020-0032. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 17, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569961 to 569962 in the amount of \$15,855.00

- The Board has approved claims 569919 to 569960 in the amount of \$31,942.67
- The Board has approved claims 569803 to 569849 in the amount of \$133,469.10
- The Board has approved claims 569775 to 569802 in the amount of \$86,513.56

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Axon Enterprises, Inc. in the amount of \$21,200.00 for the Sheriff's Office
- Lifeloc Technologies in the amount of \$3,564.81 for Misdemeanor Probation
- Lifeloc Technologies in the amount of \$285.69 for Misdemeanor Probation

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:49 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Jenniffer Odom, Case Manager Camille Tilden and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2021-136, 2021-208 and 2021-151. 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.

Case no. 2021-257 meets the eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with written decision within 30 days.

The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:02 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Case Manager Jenniffer Odom, 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 issue final denials with written decisions to be issued within 30 days on case nos. 2020-994 and 2020-1068.

Commissioner Van Beek made a motion to issue final denials on case nos. 2020-826 2020-1061 with written decisions to be issued within 30 days. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Dale made a motion to continue case no. 2020-9 to March 25, 2021 and case no. 2020-1052 to March 11, 2021. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

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

The Board met today at 10:02 a.m. with county attorneys for a legal staff update and to consider agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Building Official Dave Curl, Director Juvenile Detention Sean Brown left at 10:15 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing summary and amendment to the Canyon County Building Code Ordinance: Mr. Wesley noted that this amendment is a result of state mandated changes made by the legislature during the 2020 session. Director Nilsson said this is an effort to get all municipalities on the same platform to accept the 2018 state international building codes. Mr. Wesley said this is not a discretionary change, the county building code will be out of compliance if we don't adopt these changes as it is a mandate from the legislature. The Board does not feel they have had adequate time to review the documents and asked if the BCA had opportunity to offer comment on the changes. Mr. Curl said there are members of the BCA who sit on the Building Code Board. Director Nilsson read into the record persons who sit on the Building Code Board. A section by section review of the document was done and discussion ensued regarding different items within several sections. Upon the motion by Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the summary and amendment to the Canyon County Building Code ordinance (see ordinance no. 20-040).

Consider signing 2021 Canyon County Juvenile Detention Housing agreement with Washington County: This is a standard agreement that is the same as what has been signed with other counties. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the 2021 Canyon County Juvenile Detention Housing agreement with Washington County (see agreement no. 20-174).

Consider signing alcohol license transfer from Chonies Sports Bar to The Tilted Ace: Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the resolution granting a transfer license to The Tilted Ace (see resolution no. 20-178).

The meeting concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:33 p.m. for an elected officials' meeting to discuss COVID-19 updates. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Chief Civil Deputy PA Sam Laugheed, Assessor Brian Stender, Administrative District Judge Southworth, Dr. Nikki Zogg from SWDH, Nampa Mayor Debbie Kling and Amy Bowman from the City of Nampa, Michael Stowell and Steve Blados from the Ambulance District, and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto joined at 1:50 p.m. Today's meeting, which was chaired by Sheriff Donahue, took place in the public meeting room of the of the administration building.

Dr. Nikki Zogg reported that community spread is off the charts throughout the state and the investigation teams are struggling to keep up with the backlog of lab results. Hospitalizations and ICU and in-patient cases continue to be concerning. Most hospitals have discontinued elective procedures while some have been at capacity and on divert meaning they cannot take any new patients and that seems to fluctuate hour-by-hour and day-by-day. They are rolling out a saliva-based test that will be geared towards schools primarily in the early shipments, which should arrive today. They have a tent/shelter at the SWDH facility for drive-thru testing for the priority groups and they are hoping to expand that to other groups as there is more capacity. They will likely use that facility for vaccinations, but not for a little while because of the lack of amount of vaccine they are receiving. National Guard members are being deployed to the facility to help with testing, contact tracing, and vaccination distribution support. Dr. Zogg reported that a board of health meeting was held earlier this week and they initially had a lot of concern about security, but the meeting was well managed. The region received its first vaccine shipment this morning and it was just under 2,000 doses the district. (In three weeks they will get the second doses for those.) The shipment will be redistributed tomorrow to local hospitals and some clinics in the region. Next week they will get another shipment of the Pfizer and Moderna vaccines if the emergency use authorization is approved. Priority group for those doses will be long-term care facilities residents and staff. There is a federal arrangement with Walgreens and CVS to help support the deployment of those vaccinations. Not all facilities opted into that so SWDH is working on other options for other facilities that did not go that route. They are planning on weekly shipments. The third tier in that prioritization group is EMS workers. The timing of the second doses for Pfizer and Moderna are three weeks and four weeks, respectively. The vaccines are not biologically the same, each one is a little different.

Administrative District Judge Southworth reported they had a new order from the Supreme Court indefinitely suspending jury trials. They will try to give 4-6 weeks' notice prior to the start of trials so they can bring in jurors. The only agenda item they are going to the legislature with this year is three new judgeships in Canyon County; one district judge and two magistrate judges to try to lower the caseloads and get more in compliance with the rest of the state. He needs a letter of support from the Board of Commissioners for personnel and facilities for the new judges. Prosecutor Taylor spoke of how Canyon County has managed court cases, and the new judge positions will have a trickledown effect. He has no objection as long as revenues are there and he has the necessary personnel. Commissioner Van Beek said the Board has been in communication

with the trial court administrator and been presented with numbers by the Controller. Before adding additional staff she wants to look at it from the PA and courts side. Sheriff Donahue said it's something that will affect many offices.

EOM Wendelsdorf reported she has been working with the health district in putting together a rapid plan for when the vaccine is available for EMS services. The three groups include red, yellow, and blue in order to lessen the strain on the agencies in terms of personnel.

Joe Decker reported on the work that's been done on the public service announcements (PSA's) for the task force for education and collaboration in getting messages out.

Prosecutor Taylor said his office will monitor the federal guidelines and whether Congress will extend employee benefits.

Assessor Stender gave an update on the DMV where the state's system has caused long wait times for customers. He hopes to have a function soon where they can notify people via text that way they can wait in their vehicles (out of the weather). Sheriff Donahue voiced his continued frustration with the state for not putting proper systems in place which has resulted in county assessors and sheriffs and their staff taking the brunt of it. Looking to hire more staff and at the consideration of having a second DMV location in Nampa.

Commissioner Dale expressed his appreciation to law enforcement for the way they conducted themselves at a recent board of health meeting where a group of 50 people were present. One person was arrested. He said there was a discussion lead by Chairman Elliott regarding a possible mask mandate, but there was not support for that mandate. He said Dr. Summers would like to see it, but the other board members did not support it.

Clerk Yamamoto said his office is trying to wind down the outside audit; he and the Controller are working on property tax issues in regards to legislative work and he will be talking to the elected officials about it. He has heartburn with a program the state intends to put in place because it cannot be put in a form that will work for anyone outside of government to understand what's going on.

Michael Stowell said the ambulance district has been working with EOM Wendelsdorf and SWDH to be prepared for when the vaccine rolls out. Sheriff Donahue said he appreciates the services the ambulance district has offered for the vaccine distribution. He has intermittent staff members test positive but thankfully nothing significant. The numbers remain low at the jail based on the good work by the medical provider, guidelines from SWDH and the CDC and all the protocols they follow. He spoke of the partnerships with law enforcement to limit the potential exposures of people being brought to the jail.

Prosecutor Taylor suggested the next elected officials' meeting scheduled for December 31 be vacated. The next meeting will take place on January 14th. He asked about the plans being made for the January 11 swearing-in ceremony and reminded everyone we need to comply with the

Governor's order. Clerk Yamamoto said the best route might be if he contacts each person to be sworn in and see what they want to do and perhaps do it at their office.

Commissioner Dale expressed his appreciation for his time serving as a County Commissioner. His last day in office will be the morning of January 11, when new Commissioner, Keri Smith, is sworn in. Commissioner White asked the group to save the date for Friday, January 8th for Commissioner Dale's retirement reception. Commissioner Dale made a motion to adjourn. The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 18, 2020

PRESENT: Commissioner Pam White, Chair - Out of the office
 Commissioner Tom Dale, Vice Chairman – Out of the office
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 569963 to 569971 in the amount of \$4,823.00
- The Board has approved claims 569984 to 569993 in the amount of \$48,590.41
- The Board has approved claims 569972 to 569979 in the amount of \$6,265.00
- The Board has approved claims 569980 to 569983 in the amount of \$4,312.00

There were no meetings held this day.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 21, 2020

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

APPROVED CLAIMS

- The Board has approved claims 569994 to 570036 in the amount of \$54,235.50
- The Board has approved claims 569850 to 569899 in the amount of \$71,073.59
- The Board has approved claims 569900 to 569918 in the amount of \$62,084.47

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Quadient Inc. in the amount of \$1,203.60 for Information Technology
- Dell EMC in the amount of \$32,956.10 for Information Technology
- SHI in the amount of \$13,128.16 for Information Technology
- Premier Wireless in the amount of \$2,083.00 for the Sheriff's Office

MEETING WITH COUNTY AGENT STAFF

The Board met today at 9:00 a.m. with staff from the County Agent's office. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Carrie Johnson with the County Agent's office, members of the Vallivue 4-H Club and Deputy Clerk Jenen Ross. Members presented the Board with their 'Friend of 4-H' award and expressed their appreciation for the dedication of the Board to move the Fair forward in the best way possible this year with innovative solutions. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:23 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of DSD Tricia Nilsson, DSD Planner Dan Lister left at 10:25 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing the resolution regarding a plat vacation for Lansing Meadows Subdivision to remove plat note #4 (VAC2020-0001): Mr. Lister said this was a case that was before the Board on October 26th and this is the last step to complete the process to remove a restrictive setback requirement. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution vacating plat note #4 for Lansing Meadows Subdivision (see resolution no. 20-179).

Consider signing resolution to grant a refund to Blue Raven Solar for withdrawn permit: Director Nilsson said this permit was applied for but the client cancelled the job. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Blue Rave Solar (see resolution no. 20-181).

Consider signing resolution to grant a refund to Hess Properties for a withdrawn permit: This permit was for a proposed storage unit on Purple Sage Rd. but it was met with resistance from the surrounding neighbors and have requested refund. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Hess Properties (see resolution no. 20-180).

Consider signing resolution granting a new alcoholic beverage license to TNT's Dynamite Bar & Grill LLC: Commissioner Dale stated he's reviewed the document and doesn't see any reason to deny the application, he then made a motion to sign the resolution granting a new alcoholic beverage license to TNT's Dynamite Bar & Grill. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-182).

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

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 22, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Intrado Life & Safety Solutions Corp. in the amount of \$17,125.00 for the Sheriff's Office

APPROVED AUGUST 2020 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of August 2020 were read and approved and found to be a proper record of the proceedings of the Board of 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 TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Pam White and Leslie Van Beek, Case Manager Jenniffer Odom and Deputy Clerk

Jenen Ross. Case nos. 2021-270 and 2021-219 do not meet the eligibility criteria for county assistance. 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. Liens were presented for Board signatures. 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 left at 9:06 a.m., Deputy P.A. Zach Wesley, Fair Director Diana Sinner, DSD Director Tricia Nilsson, Chief Deputy Sheriff Marv Dashiell left at 9:06 a.m., Lt. Ray Talbot left at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution authorizing the trade-in of obsolete Taser equipment: Chief Dashiell said that they will use the Byrne JAG for the bulk of this purchase and have been given the option to trade in some obsolete equipment for \$220 per unit. The cost of a new unit is \$1800. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing the trade-in of obsolete Taser equipment (see resolution no. 20-183).

Consider signing agreement with Romeo Entertainment Group for the 2021 Canyon County Fair: This is a similar agreement to what is used every year for booking of the mainstage entertainment. The mainstage act has been selected but this agreement is the first step to finalize those agreements. At the request of Commissioner Van Beek, Mr. Wesley answered several questions posed by Commissioner Van Beek. Commissioner Dale made a motion to sign the agreement with Romeo Entertainment Group for the 2021 Canyon County Fair. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 20-175). At the request of Commissioner Van Beek, Director Sinner reviewed changes to the barrel racing events and how that is going.

Consider signing a resolution approving a fee waiver request for the City of Middleton: Director Nilsson explained that the City of Middleton has made this request in order to do a land division for a piece of land they'd like to sell a portion of. Based on a question from Commissioner Dale, Mr. Wesley said he doesn't feel that any precedent is being set, these sorts of requests are at the Board's discretion. The amount of fee to be waived is \$380.00. Commissioner Van Beek asked questions regarding the benefit to the city and county, reduction of easement width and the City of Middleton's comprehensive plan in regard to this area. She feels additional information is necessary for this request. Commissioner Dale stated that although the information may be valid and useful is not pertinent to the fee waiver being considered today. Commissioner White made a motion to sign the resolution approving the fee waiver requested by the City of Middleton. The motion was seconded by Commissioner Dale. A vote was taken with Commissioners White and

Dale voting in favor and Commissioner Van Beek choosing to abstain from voting. The motion carried.

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

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

The Board met today at 9:30 a.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley left at 9:49 a.m., Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

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 9:30 a.m. for a monthly meeting with the Fair Director. 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 (f) 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 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, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:49 a.m. with no decision being called for in open session.

At the conclusion of the executive session Director Sinner updated the Board on the following:

- Barrel racing events are continuing to move forward with 10 or less people and taking all necessary precautions. Other events have cancelled in January and February but the barrel race promoter is willing to fill in gaps in the schedule.
- IAFE convention recently took place virtually and several staff were able to participate.
- In regard to the 2021 Fair they are starting to move forward with individual artist agreements and putting tickets on sale although they may wait until there is a better idea of what 2021 will look like.

- Director Sinner is planning to visit a fair/carnival in Florida in January to get a feel of the lay out. She may also attend a cattle show early in the year to see how it runs.
- At this point planning for the 2021 Fair is continuing with considerations to spacing requirements, how it may look and what can be done. Scheduling of events will continue to be more spaced out.

The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 23, 2020

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

No meetings were held this day.

DECEMBER 2020 TERM

CALDWELL, IDAHO DECEMBER 28, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office (approved claims remotely)
 Commissioner Tom Dale, Vice Chairman – Out of the office (approved claims remotely)
 Commissioner Leslie Van Beek
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board approved claims 570087 to 570116 in the amount of \$34,793.79
- The Board approved claims 570037 to 570086 in the amount of \$118,729.75
Commissioner Van Beek approved with the following exceptions: Bursar, U of I Invoice 200611
Invoice incorrect amount of \$39,842 for 4-H Program Coordinator Salary
Should be \$31,842
Corrected in claim batch 570118-570169

No meetings were held this day.

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 29, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office (approved claims remotely)
Commissioner Tom Dale, Vice Chairman – Out of the office (approved claims remotely)
Commissioner Leslie Van Beek
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 00630001 to 00530839 in the amount of \$1,660,327.01 for county payroll.

No meetings were held this day.

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 30, 2020

PRESENT: Commissioner Pam White, Chair – Out of the office (approved claims remotely)
Commissioner Tom Dale, Vice Chairman – Out of the office
Commissioner Leslie Van Beek
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claim no. 570117 in the amount of \$17,310.83

No meetings were held this day.

DECEMBER 2020 TERM
CALDWELL, IDAHO DECEMBER 31, 2020

PRESENT: Commissioner Pam White, Chair - Out (approved claims remotely)
Commissioner Tom Dale, Vice Chairman - Out
Commissioner Leslie Van Beek
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 570118 to 570169 in the amount of \$129,159.50
- The Board has approved claims 570170 to 570216 in the amount of \$179,365.85
- The Board has approved claims 570261 to 570275 in the amount of \$18,138.00

No meetings were held this day.

THE MINUTES OF THE FISCAL TERM OF DECEMBER 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 26th day of February, 2021.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek
Commissioner Keri K. Smith
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: Jenen Ross, Deputy Clerk