

APPROVED CLAIMS

- The Board has approved claims 592535 to 592550 in the amount of \$8,524.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Idaho POST in the amount of \$1,200.00 for the Sheriff's Office
- ConvergeOne in the amount of \$6,642.63 for the Information Technology department
- Right! Systems Inc. in the amount of \$5,723.17 for the Information Technology department
- Hess Construction in the amount of \$4,875.00 for the Facilities department
- Hess Construction in the amount of \$12,180.00 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Bryce Moore, Sergeant – CCNU; Tammy Bartlett, Sergeant – Field Service Admin; Jace Thompson, Sergeant – Inmate Control; and Ray Talbot, Captain.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Danelion Brewery to be used 3/11/23.

APPROVED MINUTES

The Board approved the minutes for the September 2022 and October 2022 terms.

MEETING WITH EIDE BAILLY TO RECEIVE THE FISCAL YEAR 2022 FINANCIAL AUDIT

The Board met today at 10:02 a.m. to receive the Fiscal Year 2022 Financial Audit from Eide Bailly. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Mercado, COO Greg Rast, Audit Supervisor Sarah Winslow, Jody Daugherty and Kailey Holt from Eide Bailly, Michael Stowell from the Ambulance District, and Deputy Clerk Monica Reeves. Controller Wagoner provided a copy of the County's annual comprehensive financial report which is on file with this day's minute entry. He spoke about the good working relationship with Eide Bailly who is the source of accurate, reliable information for governmental auditing and accounting, and said there's a reason they audit the City of Meridian, City of Nampa, City of Caldwell, Ada County, Canyon County, etc.

Jodi Daugherty began her review by recognizing that Canyon County's financial report is a high-quality product and is the best one she's had the privilege of reviewing. The following financial highlights were noted:

- Independent Auditor's report on Page 10 notes the biggest change is related to the Canyon County Ambulance District where the district needs to be brought into the County's financial statements. *The district will be included but not blended with the activity of the County.* The look of the letter is very different than it has in the past because the standards changed.
- A new standard was implemented this year related to leases.
- Noted the required supplementary information and the fact they do not give an opinion on that information. Reviewed the regular supplementary information that is in the financial statement and they do give an opinion as it relates to the basic financial statements.
- The State of Idaho requires all governments have an audit in accordance with Government Auditing Standards and the fact that Canyon County receives money from the federal government also makes it so that the County is required to have an audit in accordance with Government Auditing Standards.
- The letter on Page 121 is Eide Bailly's report in accordance with Government Auditing Standards. They are required to look at controls over financial reporting and so they look at those controls as they are auditing. They are not giving an opinion on the effectiveness of the controls, but they do look at them in relation to their testing and if they had come across something they considered to be a control deficiency then they would evaluate whether it was a significant deficiency or a material weakness. Eide Bailly did not have any control deficiencies that they came across that they needed report in the letter.
- The letter on Page 123 talks about the audit they perform over the federal programs. There are no findings with respect to their audit of the federal awards. There was a single audit of the COVID-19/Coronavirus State and Local Fiscal Recovery Funds. (The money the County received from ARPA.)

Commissioner Brooks asked if Eide Bailly looks at more in-depth internal controls. Ms. Daugherty said they not do that as part of their audit, but if the County wants an additional engagement or service provided where they bring a team in to do an in-depth dive either into the IT side of it, the finance side of it, or both, that is something Eide Bailly can provide. Kailey Holt said they look at reconciliations that are prepared by the Treasury and they look at journal entry reports to make sure there is no management override, and they look at cash reconciliations, cash disbursements, to make sure they are seeing evidence of reviews and that there are controls are in place.

Kailey Holt's review was as follows:

- Page 14 - Management's Discussion and Analysis - is the most user-friendly way to read the financial information and see major highlights and things management felt were important enough to call out specifically. It also provides a year-over-year comparison to FY2021.
- Page 26 is the Basic Financial Statements and includes the addition of the component unit for the ambulance district is new this year.
- Total assets for the County increased by \$20.7M primarily due an increase in cash and investments held by the County. The LGIP (Local Government Investment Pool) is held by the Idaho State Treasury Department and had some good interest earnings.
- Total liabilities increased by \$69M but \$45M of that is the net pension liability which is the requirement by GASB to report on the balance that's managed by PERSI. Last year it was in an asset position because the markets were doing well, but they have since taken a turn and that's where the \$45M liability came from; however, that liability amount does not represent any future commitment by the County. The requirement of the County is to continue paying the employer contributions to PERSI.
- The ending net position of the County is in a very strong position showing an overall increase from 2021 of \$5.6M.
- Page 27 is the Income Statement which shows an overall increase in revenues of \$9.7M primarily for operating grants and contributions, and about \$6M is through the ARPA money. It's nonrecurring and is a onetime grant as a result of COVID-19.
- Expenses increased by \$23.9M and a lot of that comes from the investment in the personnel. Controller Wagoner clarified that there is a distinct difference in accounting between an expense and an expenditure. The expenses we're talking about include the changes in the net pension liability and because the stock market had a brutal year what was previously an asset became a \$45M liability that also influenced expenses.
- Page 28 is the Balance Sheet of the major funds. This will be the last year the indigent fund will be reported for the County. For FY2023, public defender has been transferred to the justice fund and whatever is remaining form indigent medical is in the current expense fund.
- Page 30 is the Statement of Revenues, Expenditures, and Changes in Fund Balances and Controller Wagoner believes it's the most useful page for the County as far as what we do and what we deal with on a day-to-day basis. It represents the actuals. For our governmental funds in total, total revenues are \$105M; total expenditures are \$98M. The increase in fund balance is \$7.5M to an ending balance of just over \$66M, which is approximately 66% of what was spent for all governmental funds. The total capital outlay in 2022 was over \$9M and the majority of that was for the Fair Expo building.
- Page 32 is the Statement of Net Position for Solid Waste Management Fund and the Self-Funded Health Insurance Fund. The landfill ended in a strong positive net position of \$19.6M.
- Review of summary of footnotes:

- Note 1: Summary of Significant Accounting Policies. The addition of the lease payable footnote which is a result of the implementation of a new GASB 87 for the addition of leases. That's the biggest change from previous financial statements.
- Note 3: Cash and Investments
- Note 8: Capital Assets (Land, Buildings and Equipment)
- Note 9: Leases Payable - This is the new footnote as result of the new accounting standard and the lease required to be reported is the lease for the County jail trailers of \$2.8M.
- Note 14: Pension Plan is the information behind the estimates of the net pension liability amount.
- Note 17: Discreetly Presented Component Unit highlights the important footnotes that are in the ambulance district's financial statement.

Commissioner Brooks asked if it's possible next year to receive the report 3-4 weeks in advance of the meeting because there is a lot of information to review. Controller Wagoner said they are committed to providing the information as quickly and accurately as they can to the Board and they can work towards providing more time to review the information before the meeting with Eide Bailly. Ms. Holt said next year will have another major accounting standard on the horizon (GASB 96) which pertains to subscription-based technology agreements and bringing those arrangements onto the balance sheet. Clerk Yamamoto said they could come back at a later date so the Board could have more time to digest the information and formulate questions. The Clerk and Controller are scheduled to meet with the Board once a month and are happy to discuss any part of the report.

Ms. Daugherty reviewed Eide Bailly's letter dated February 22, 2023 which talks about what their responsibilities were with the audit. This is where they would communicate with the County if they had difficulties during the audit or had disagreements with management they would tell the Board but they didn't have any. There was one uncorrected misstatement pertaining to the LGIP adjustment. The letter states management decided this wasn't material in its aggregate to post. (This letter is on file with this day's minute entry.) Clerk Yamamoto expressed his appreciation to the Controller and others who have worked on the report. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER A RESOLUTION ISSUING A REFUND TO RIGHT NOW HEATING AND COOLING, AND A RESOLUTION ISSUING A REFUND TO MRCT, LLC

The Board met today at 11:00 a.m. to consider a resolution issuing a refund to Right Now Heating and Cooling and a resolution issuing a refund to MRCT, LLC. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Office Manager Jennifer Almeida, COO Greg Rast, and Deputy Clerk Monica Reeves. The refunds were considered as follows:

***Right Now Heating and Cooling:*** Upon the motion of Commissioner Van Beek and the second by Commissioner Holton the Board voted unanimously to issue a refund in the amount of \$324.00 to Right Now Heating and Cooling for fees associated with a commercial mechanical permit. (Resolution No. 23-031.)

***MRCT, LLC:*** Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board voted unanimously to issue a refund of \$1,582.50 to MRCT, LLC, for fees associated with a withdrawn conditional rezone and subdivision applications. (Resolution No. 23-032.)

The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING: REQUEST BY TONY ELORDI FOR A DEVELOPMENT AGREEMENT MODIFICATION, CASE NO. DA2022-0003

The Board met today at 1:31 p.m. to go on the record to reschedule the public hearing for Tony Elordi, Case No. DA2022-0003. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Planner I Samantha Hammond, DSD Planner III Michelle Barron, COO Greg Rast, and Deputy Clerk Monica Reeves. Samantha Hammond said staff met with the applicant to make sure they were going to move forward with the BOCC versus going back to the P&Z Commission and they have decided to move forward with the original plan to bring it to the BOCC. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the request to reschedule the public hearing in the matter of the request by Tony Elordi for a development agreement modification associated with Case No. PH2016-30 to April 13, 2023 at 1:30 p.m. The meeting concluded at 1:32 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 2, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- MinXray, Inc in the amount of \$42,250.00 for the Coroner's Office

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Tamara Lynne Meyer, Comm. Officer Dispatch.

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

The Board met today at 9:32 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown (left at 9:37 a.m.), Director of Facilities Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider Signing Juvenile Detention Housing Agreement with Ada County:*** Director Brown said this agreement is specific to conflict of interest situations which he will work with the PA's Office on in determining. The agreement language is similar to other housing agreement contracts with other counties but is reciprocal with Ada County and fees are waived. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Juvenile Detention Housing agreement with Ada County (see agreement no. 23-026).

***Solicitation of Interest Discussion - Canyon County Preliminary Design Roster for Architects & Engineering Services:*** Mr. Laugheed explained that this draft document was created at the request of the Board and a copy was sent out recently for review. Following discussion regarding what the statutory limits may need to be and what kinds of projects this would be used for it was decided that the threshold would remain at \$50,000. The primary purpose for this kind of solicitation is to obtain qualifications for different kinds of projects and to take away the perception of bias toward certain companies.

The meeting concluded at 10:06 a.m. and an audio recording is on file in the Commissioners' Office.

## MEETING WITH CORONER REGARDING PURCHASE OF AN X-RAY MACHINE

The Board met today at 10:30 a.m. with the Coroner regarding the purchase of an x-ray machine. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Coroner Jennifer Crawford, COO Greg Rast and Deputy Clerk Jenen Ross. Coroner Crawford explained that Canyon County has never had its own x-ray machine and has been contracting with St. Alphonsus for x-ray services. The machine she'd like to purchase is a slim portable design that she feels will work well for her office with a lifespan of 5-10 years or possibly even longer. Once the PO is received by the company they will start the build and the machine should arrive in 2-3 weeks. Commissioner Van Beek asked about sharing the cost with Owyhee County as part of the contracted services. Ms. Crawford thought this may be something to consider with the next agreement renewal. The Board is supportive of the purchase and a purchase order is on file with this day's minutes. The meeting concluded at 10:40 a.m. and an audio recording is on file in the Commissioners' Office.

### CONSIDER TAX CHARGE ADJUSTMENTS BY PIN FOR JANUARY 2023

The Board met today at 11:00 a.m. to consider tax charge adjustments by PIN for January 2023. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Treasurer Tracie Lloyd, COO Greg Rast and Deputy Clerk Jenen Ross. Treasurer Lloyd explained that the majority of the adjustments are homeowner exemptions that came in after the deadline for the Board of Equalization. The total adjustment is \$157,868.46. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the tax charge adjustments by PIN for January 2023. The meeting concluded at 11:03 a.m. and an audio recording is on file in the Commissioners' Office.

### JOINT MEETING WITH THE P&Z COMMISSION AND DSD STAFF

The Board met today at 4:33 p.m. for a joint meeting with the Planning and Zoning Commission and DSD staff for a general workshop. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Operating Officer Greg Rast, DSD Director Sabrina Minshall, DSD Planners Jenna Petroll, Samantha Hammond, Maddy Vander Veen, Ivan Kowalczyk, Debbie Root, and Michelle Barron, DSD Office Manager Jennifer Almeida, P&Z Commissioners: Miguel Villafana, Harold Nevill, Robert Sturgill, Brian Sheets and Patrick Williamson, Keri Smith, George Crookham and other interested citizens, as well as Deputy Clerk Monica Reeves. Director Minshall presented the following discussion topics for the meeting:

- Introductions
- BOCC expectations of P&Z Commission
  - What does the BOCC need from P&Z Commission?
  - Direction around evidence-based findings
  - Ex-parte communication, conflict of interest, and site visits
  - Any Feedback to P&Z Commission from request for reconsiderations and/or cases the BOCC did not follow the P&Z recommendation?
  - Changes in applications between P&Z and BOCC – process
- 2040 Comprehensive Plan Update
- P&Z Commission composition and membership

No Board action was required or taken. The meeting concluded at 5:56 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 3, 2023

APPROVED CLAIMS

- The Board has approved claims 592551 to 592594 in the amount of \$135,373.95
- The Board has approved claims 592595 to 592642 in the amount of \$229,613.52

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 6, 2023

APPROVED CLAIMS

- The Board has approved claims 592643 to 592694 in the amount of \$38,753.67
- The Board has approved claims 592742 to 592789 in the amount of \$115,246.58
- The Board has approved claims 592695 to 592741 in the amount of \$27,497.38
- The Board has approved claim 592840 US Bank in the amount of \$7,339.45
- The Board has approved claim 592841 ADV in the amount of \$2,400.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- American Jail Association in the amount of \$1,800.00 for the Sheriff's Office
- Curtis Blue Line in the amount of \$14,552.00 for the Sheriff's Office
- Avolve Software Corp., in the amount of \$50,329.00 for the Development Services Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Fenris Anderson, P/T Interpretive Specialist.

BOCC STAFF WORKSHOP

The Board met today at 9:03 a.m. for a BOCC staff workshop. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, PIO Joe Decker, Deputy Clerk Jenen Ross, and Deputy Clerk Monica Reeves. Below is an outline of today's discussion topics:

General Discussion

- BOCC Budget Update – FY2023



- Projected “A” Budget Unspent even with BOCC salaries reinstated - \$79,233 (Budget - \$778,024)
- Projected “B” Budget if spending remains steady - \$8,847 (Budget - \$40,300)
- Upcoming Meetings
  - 03/06/2023 – Meeting with City of Caldwell (Zoning District)
  - 03/06/2023 – TRUST Resolution, Discussion, and Adoption (PIO is working on communications)
  - 03/07/2023 – Quarterly DA Meeting Updates (JJC Departments)
  - 03/07/2023 – Ada/Canyon COO Meeting (Compare Notes)
  - 03/08/2023 – CCAD / COO Meeting with Controller – ARPA
  - 03/09/2023 – Monthly DA Meeting (Led by COO – Public Administration Building Meeting Room)
  - 03/09/2023 – Quarterly DA Meeting Updates
  - 03/10/2023 – Monthly Controller Budget Status
- SWAC Update – Director Loper is contacting all the individuals and working with legal on the resolutions for the BOCC appointments.

Vehicle Use Policy – Would like to get a final draft to legal on 3/10/2023

PIO’s update:

- Demo and Discussion of County Website - Test environment
  - 2C Communications
  - Open Government

There was Board discussion regarding community input meetings which will resume in June and will be restructured to an informational format about key topics of concern such as the comprehensive plan, budget, and jail, for example. Also discussed was the Board’s desire to have the terms of office for each elected official posted on the County’s website. Mr. Decker will contact the elected officials. The meeting concluded at 10:00 a.m. An audio recording is on file in the Commissioners’ Office.

BOARD OF COUNTY COMMISSIONERS PROPOSAL TO SIGN A RESOLUTION TO ADOPT THE TRUST ACRONYM AND 5-CORE VALUE DEFINITIONS

The Board met today at 2:30 p.m. regarding the proposal to sign a resolution to adopt the TRUST acronym and 5-core value definitions. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, PIO Joe Decker, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Rast read into the record the words associated with the TRUST acronym and each of their definitions. Mr. Rast and Commissioner Van Beek each spoke about Board collaboration in creating the acronym and definitions. Commissioner Van Beek made a motion to approve the resolution and adopt the TRUST acronym and 5-core value definitions. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-033). The meeting concluded at 2:36 p.m. An audio recording is on file in the Commissioners’ Office.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CS Techs in the amount of \$3,496.60 for the Facilities Department
- ACCO in the amount of \$10,000.00 for the Facilities Department
- Advance Cleaning Equipment in the amount of \$25,705.68

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for James Siewart, Temporary Elections worker.

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

The Board met today at 9:34 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Facilities Director Rick Britton, CCSO Financial Manager David Ivers (left at 9:45 a.m.), Controller Zach Wagoner, Solid Waste Director David Loper (left at 9:48 a.m.), Representatives from Desert View Construction and Showalter Construction (left at 9:41 a.m.), COO Greg Rast, Chief Deputy Assessor Joe Cox (arrived at 9:46 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Bid Opening for FY2023 Pickles Butte Sanitary Landfill Dust Control System Project Solicitation of Bids:***

Three bids were received for this project as follows:

- Desert View Construction, received 3/7/23 at 8:53 a.m. via email, bid amount of \$214,945.00
- Showalter Construction, received 3/7/23 at 9:11 a.m., bid amount of \$339,942.20
- Terra Co Excavation & Demo, received 3/6 at 1:40 p.m., bid amount of \$235,098.00

Each of the proposals will be sent to Director Loper to be reviewed for compliance with the solicitation.

***Consider Resolution Authorizing an Increase in the Canyon County Sheriff's Office Driver's License Division's Petty Cash Account:*** The petty cash amount will be increased from \$1700 to \$3800. A memo from Sheriff Donahue is included with the resolution providing an explanation of this request. Controller Wagoner has reviewed the request and provided his support for the change. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted

unanimously to sign the resolution authorizing an increase in the Canyon County Sheriff's Office Driver's License Division's petty cash account (see resolution no. 23-034).

***Consider Resolution Authorizing an Increase in the Canyon County Sheriff's Office Civil/Records Division's Petty Cash Account:*** The petty cash amount will be increased from \$210 to \$750. A memo from Sheriff Donahue is included with the resolution providing an explanation of this request. Controller Wagoner has reviewed the request and provided his support for the change. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing an increase in the Canyon County Sheriff's Office Civil/Records Division petty cash account (see resolution no. 23-035).

***Consider Signing Agreement for Exclusive Option to Purchase and Right of First Refusal:*** This property is proximal to the landfill and the land owners have signed an agreement stating that in exchange for \$20,000 they will not enter into any option, sale or lease with regard to the property except with the county for a term of one-year. Thereafter, the county has an exclusive right of first refusal according to terms outlined in the agreement for 19-years. Mr. Laugheed said there is no legal reason not to move forward and there are plenty of policy, financial and operational reasons to move forward. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement for exclusive option to purchase and right of first refusal (see agreement no. 23-027). A claim for \$20,000 has been prepared for Board signatures in order to expedite payment.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding acquisition of an interest in real property and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Facilities Director Rick Britton, Controller Zach Wagoner, COO Greg Rast and Chief Deputy Assessor Joe Cox. The Executive Session concluded at 10:33 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:35 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Zach Brooks, Case Manager Kellie George and Deputy Clerk Jenen Ross.

Ms. George spoke about case no. 2023-55 which is a request for cremation. In the course of the investigation of assets by Indigent Services a bank account and a vehicle were discovered. The lowest possible value for the vehicle would be \$575 but they were not able to verify the amount in the bank account. Social Security benefits were paying \$1422 and the nursing home the decedent passed in was receiving payment from Medicaid; it is unknown where the social security monies are or went. A letter was received from the adult child of the decedent stating they did not have the funds to pay for the cremation or funeral home fees but failed to provide requested documentation to the Indigent Services office after multiple requests. Discussion ensued regarding options for probate or public administration either of which would have to be initiated by the funeral home or family of the decedent. Commissioner Van Beek made a motion to deny the case. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:34 p.m. for a quarterly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Zach Brooks and Leslie Van Beek, Juvenile Detention Director Sean Brown, Juvenile Probation Director Elda Catalano, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Brad Holton arrived at 1:40 p.m. The discussion topics were as follows:

##### Population/Staffing/Training

- The center has 25 kids with 3 DJC, 1 Gem County, and 1 Malheur County
- In the last three months they have housed up to 37 kids
- Down 2 positions with a 3<sup>rd</sup> coming soon
- Hiring procedures and time length
- 4 employees are at POST which ends March 24
- 3 employees are going to ILEETA training March 20-24
- Teamwork training May 9 and 12

##### School

- Rob King has worked with over 50 16/17-yr.-olds in developing action plans upon release which he shares with probation
- Working with probation department to help with 90-day follow-up
- Guest speakers from CWI, Life's Kitchen, Dept of Labor, and Express Employment

- GED testing. Last year 18 took the test and 16 passed. This year 4 have taken the test and 4 have passed.
- Working with CWI to get the GED study guides on APEX.
- Mikayla Bishop, social worker for Caldwell Schools, is meeting with kids to make their transitions to schools better. She also teaches groups.

#### Programs

- Garden is going well, starting seeds under light. Crookham Seed Company donated 200 sweet corn seeds, and Zamzows donated fertilizer.
- Advocates Against Family Violence, and Caldwell Fine Arts (w/Mayor Wagoner) will be attending March 16. Wise Guys.

#### Information

- State inspection March 28
- PREA Audit May 15-18
- Boards/Committees Director Browns sits on: Chair of the standards committee, Vice President of Detention for Idaho Assoc. of County Juvenile Justice Administrators
- Plans to put his name in for the Juvenile Training Council as a voting member for the juvenile detention administrator open position.
- IT is working on a calendar project for the department
- Full review of policy and procedure
- FTO title change

#### Senate Bill S1121

- Rule of 80 for supervisors
- Me Too Movement

No Board action was required or taken. The meeting concluded at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

#### QUARTERLY MEETING WITH THE DIRECTOR OF JUVENILE PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:10 p.m. for a quarterly meeting with the Director of Juvenile Probation to discuss general issues, set policy and give direction. Present were: Commissioners Zach Brooks, Brad Holton, and Leslie Van Beek, Juvenile Probation Director Elda Catalano, COO Greg Rast, and Deputy Clerk Monica Reeves. The discussion topics were as follows:

#### Juvenile Probation Mission Statement

To reduce the risk that juvenile offenders continue to violate the law by holding them accountable and providing opportunities for competency development while protecting the community.

### Current Workload

- IDJC youth 8
- Probation & IA 231
- Diversion 97
- COR 39
- Average # of youth referred the last three months: 77
- Agreement with United Way to be fiscal agent for the Truancy Event in August
  - Director Catalano will ask the PA Civil Division to review agreement in April and put on the agenda for consideration. Event is 8/12/23. Griffiths Park
- Contract Renewal with DocuSign
  - Being reviewed by PA Civil and should be put on the agenda. Budget \$3,200, for renewal
- Partnership with Hispanic Cultural Center of Idaho
  - Grant application to address gang issues. Contributions will be guidance and stats
- Schools
  - Setting up meetings with PA, SRO's and schools to discuss Mediation services.
- Senate Bill no. 1121 Amends membership to Rule of 80
  - Did not receive a "do pass" in Senate yesterday and sent back for a rewrite
- Juvenile Justice Stakeholder Meeting in Canyon County
  - There has not been a meeting in years to collaborate. Issues Director Catalano has seen in court and requested a meeting with PA, PD, and Court. No date set yet.

At 2:41 p.m., Commissioner Van Beek requested the Board go into Executive Session, which was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 2:41 p.m. to discuss records exempt from public disclosure, pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Holton and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Juvenile Probation Director Jeff Breach, and COO Rast. The Executive Session concluded at 2:51 p.m. with no decision being called for in open session.

No Board action was required or taken. The meeting concluded at 2:51 p.m. An audio recording of the open portion of this meeting is on file in the Commissioners' Office.

QUARTERLY MEETING WITH THE DIRECTOR OF MISDEMEANOR PROBATION TO DISCUSS  
GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 2:53 p.m. for a quarterly meeting with the Director of Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Misdemeanor Probation Director Jeff Breach, COO Greg Rast, and Deputy Clerk Monica Reeves. The discussion topics were as follows:

Department Leadership

Organizational Chart

Hiring Update for 2 Vacant PO Positions

- Working to fill these positions for the past 6 months
- Limited number of applicants
- Applicants have limited qualifications and education
- 4 applicants have failed the background investigation

Impacts of the 2 Vacant Positions

- The Director and Assistant Director are now carrying caseloads
- The 6 remaining PO's have also absorbed additional defendants, court coverage, and treatment provider coverage
- Assistant Director is also absorbing court coverage

Weekly Court Coverage Requirements

- Judge Michaelson – Monday afternoon
- Judge Schelstrate – Monday afternoon
- DUI Court – Monday afternoon
- Veterans Court - Monday afternoon
- Judge Gulstrom – Tuesday afternoon
- Judge Bever – Wednesday afternoon
- Judge Burrows – Wednesday afternoon
- Judge Orr – Wednesday afternoon
- Judge Dowell – Thursday morning
- Judge Sullivan – Thursday afternoon
- Judge Thompson – Thursday afternoon

2022 Probation Offender Population

3 Largest Categories of Offenses

- Driving Under the Influence (DUI)
- Domestic Violence Related Offenses

- Reduced Felonies

Demographics of Offenders who Entered Probation in 2022 by Gender and Race

2022 Probation Completion Status Types

Community Service Program Participant Numbers of 2022

2022 Community Service Completion Status

Supervision Strategies

- Define success as recidivism reduction
- Tailor conditions of supervision
- Focus resources on higher risk offenders
- Frontload supervision resources
- Implement earned discharge
- Supervise offenders in their communities
- Engage partners to expand intervention capacity
- Assess criminal risk & need factors
- Balance surveillance & treatment
- Involve offenders in the supervision process
- Engage informal social controls
- Use incentives & rewards
- Respond to violations with swift & certain sanctions

Department Project/Issues

- Continuing to increase Sr. PO responsibilities.
- FTO Manual re-write completed.
- Revision of the Department policy manual/handbook is underway.
- Rule of 80 for supervisors has been introduced into Senate Committee.
- Continuing paperless push
- Receiving subpoena duces tecum's from the Public Defender's Office on all probation violations.
- SCOAP with Nampa Police Department.
- I'm on the Grant Review Council.
- I'm working on a subgroup of the Administrators Association for statewide standards.
- Medicaid Expansion at the Statehouse

Upcoming Trainings for Department Staff

- Interstate compact refresher
- First Aid



- LSI-R Refresher
- Motivational Interviewing refresher
- IJJA Conference
- 2 Days in June (domestic violence conference)
- We're preparing ourselves for a possible transition to a mandatory 20 hours of annual training to maintain POST certification

#### Cost of Supervision Revenue

- FY23 Projected: \$420,000
- FY23 YTD Actual: \$224,976

No Board action was required or taken. The meeting concluded at 3:21 p.m. An audio recording is on file in the Commissioners' Office.

#### MARCH 2023 TERM

CALDWELL, IDAHO    MARCH 8, 2023

#### APPROVED CLAIMS

- The Board has approved claims 592822 to 592839 in the amount of \$48,166.91
- The Board has approved claims 592790 to 592821 in the amount of \$72,971.89
- The Board has approved claim 592845 ADV in the amount of \$42,250.00

#### APPROVED PAYROLL MARCH 10, 2023

The Board approved the March 10, 2023 payroll in the amount of \$2,299,380.20.

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Tate Jensen, P/T Interpretive Specialist; and Justin Donovan, Misdemeanor Probation Officer.

#### MEETING TO CONSIDER BALLOT FOR CONFIRMATION OF APPOINTMENT OF GEM COUNTY BOARD OF HEALTH MEMBER TO THE SWDH BOARD OF HEALTH

The Board met today at 10:02 a.m. to consider the ballot for confirmation of appointment of Gem County Board of Health member to the SWDH Board of Health. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. Commissioner Brooks explained that Mr. Elliot was previously the chairman of the SWDH Board but stepped down as he is no longer a seated Gem County Commissioner. Gem County has decided that they would still like Mr. Elliot to serve as their representative on the SWDH Board. Upon the motion of

Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the ballot confirming the appointment of Gem County Board of Health Member to the SWDH Board of Health. The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

#### DISCUSS PROPOSAL FOR A MINOR REMODEL OF THE FACILITIES DEPARTMENT OFFICE SPACE

The Board met today at 11:03 a.m. to discuss a proposal for a minor remodel of the Facilities Department office space. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Facilities Rick Britton, COO Greg Rast (joined the meeting at 11:08 a.m.) and Deputy Clerk Jenen Ross. Director Britton would like to put a door in his office where there is already an existing window. The primary purpose is for ease of access for contractors that regularly stop by to meet with him. The bid cost from Architectural Glass & Glazing is \$8565.00 and there is money available in his budget as the BOCC storefront is no longer going to be done this fiscal year. The Board is supportive of this project moving forward. Commissioner Holton made a motion to proceed with the proposal as presented with a 10% margin for any unknowns. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 11:09 a.m. and an audio recording is on file in the Commissioners' Office.

#### CONTINUATION OF PUBLIC HEARING REGARDING THE APPEAL BY MATT AND CHRISTY PERRY OF THE HEARING EXAMINER'S APPROVAL OF CASE NO. CU2022-0029

The Board met today at 1:32 p.m. for a continuation of the public hearing in the matter of the appeal by Matt and Christy Perry of the Hearing Examiner's approval of a conditional use permit (CUP) to allow for a telecommunications facility. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Planner I Maddy Vander Veen, DSD Planner III Michelle Barron, Christy Perry, Chief Operating Officer Greg Rast, and Deputy Clerk Monica Reeves. The Board held a public hearing on February 22, 2022 and voted unanimously to approve the appeal by Matt and Christy Perry and overturn the Hearing Examiner's approval of a CUP for Case No. CU2022-0029. The record was closed and staff was directed to prepare amended FCO's to be considered by the Board on March 8, 2023. Today Deputy PA Wesley gave a recap of the Board's basis for its decision to overturn the Hearing Examiner's decision. He reviewed the amended FCO's and noted the addition of the evidence in the discussion, as well as the removal of certain language contained in the draft FCO's that were submitted at the previous hearing. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the appeal and overturn the decision by the Hearing Examiner for Case No. CU2022-0029, and deny the request for a conditional use permit which would allow a telecommunications tower on tax parcel R29681122B subject to conditions of approval. The hearing concluded at 1:45 p.m. at which time Commissioner Holton said the Board would recess and reconvene in a few minutes. 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

Commissioner Van Beek made a motion to go into Executive Session at 1:47 p.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 the legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks and carried unanimously. The motion carried unanimously. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, and COO Greg Rast. The Executive Session concluded at 2:59 p.m. with no decision being called for in open session.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 9, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Architectural Glass in the amount of \$8,565.00 for the Facilities Department

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Parks Director Nicki Schwend (left at 9:49 a.m.), Facilities Director Rick Britton (left at 9:34 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Commissioner Van Beek asked about changes to the original document within the ESIS addendum. Mr. Laugheed explained that the document was prepared by ESIS and that the content of it shows the replacement language and what is being replaced. On the version Commissioner Van Beek has, the first big paragraph is the replacement language and the second paragraph is what is being replaced.

***Consider Signing FY23 Canyon County Preliminary Design Services Roster Solicitation of Interest and Legal Notice for same:*** This is to begin the RFQ process for architects. A full discussion on this topic was had on March 2<sup>nd</sup>. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FY23 Canyon County Preliminary Design

Services Roster Solicitation of Interest and Legal Notice. A copy of the solicitation of interest and notice are on file with this day's minutes.

Commissioner Van Beek had questions [in regard to the ESIS addendum] about the professional liability insurance and asked for there to be discussion regarding the end of the Fair Expo project including any change orders and/or exposures, points of negotiation. Mr. Laugheed felt that Mr. Wesley and Director Britton could work together to make sure they have all the proper communication and then it could be brought back in a legal staff for further discussion. Mr. Wesley said he would defer to Mr. Britton on this topic. Further discussion ensued regarding Commissioner Van Beek's questions and comments about some of the change orders. Mr. Wesley will work with Directors Britton and Sinner to determine what the remaining issues are.

***Consider Deed of Gift by Julia Anderson for The Crabtree Points:*** Director Schwend gave a brief history of this gift and the importance of it. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the deed of gift by Julia Anderson for The Crabtree Points (see agreement no. 23-029). Additionally, the Board initialed the 1<sup>st</sup> page of the agreement noting that there are 19 points being donated, not 20 as originally indicated.

***Consider ESIS Contract Addendum No. 1:*** Mr. Laugheed explained this is the 3<sup>rd</sup> party administrator contract that was required by Munich Re Insurance in order for the county to have the policy for the non-property items – this covers the personnel/employment liability, the police and jail liability – they help administer those claims. The original contract was signed December 2, 2022, retroactive to October 1, 2022. In February there was a request to amend the contract. Mr. Laugheed had a few concerns, mostly in regard to the policies underlying this contract, the request is that they provide services for the life of their contract as opposed to the life of the underlying policy. Mr. Baughman with The Hartwell Corp. sent an email earlier this week explaining that ESIS had simply made an administrative error, the language they used was more suitable for workers comp. claims that run an extended period. The county doesn't have any negotiating leverage or reason to negotiate, it is a change to the life of the contract instead of the life of the claim but Mr. Laugheed thinks that given the current circumstances it is necessary that the county sign. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the amendment to the risk management service agreement contract as presented by legal and on behalf of ESIS (see agreement no. 23-028).

Discussion ensued regarding policies still being held by Munich Re for review.

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

#### MEETING WITH CODE ENFORCEMENT OFFICER TO PRESENT CERTIFICATES OF NON-COMPLIANCE

The Board met today at 10:32 a.m. with the Code Enforcement Officer for presentation of certificates of non-compliance. Present were: Commissioners Leslie Van Beek, Brad Holton and

Zach Brooks, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officer Gary Westerfield, COO Greg Rast and Deputy Clerk Jenen Ross.

Certificates of Non-Compliance for the following properties were considered:

- 703 W. Dooley Lane, Nampa (Parcel R29262)
- 6236 E. Willow Avenue, Nampa (Parcel R26855)
- 5445 McDermott Road, Kuna (Parcel R28925)
- 15303 Lake Shore Drive, Caldwell (Parcel R29997)
- 0 Happy Valley Road, Nampa (Parcel R29748010A)
- 0 Freezeout Road, Caldwell (Parcel 22072011)

Last week the Commissioners were each presented with a packet regarding each of the properties detailing the issues and actions that have been taken to this point. The Board had no questions regarding any of the properties presented. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue certificates of non-compliance on the above listed properties. Copies of each of the recorded certificates of non-compliance are on file with this day's minutes.

The meeting concluded at 10:39 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Brooks made a motion to go into Executive Session at 11:00 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication, and to communicate with county's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Van Beek. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed Deputy P.A. Alex Klempel, Brian Baughman and Shannon Kinney with the Hartwell Corp. and COO Greg Rast. The Executive Session concluded at 11:34 a.m. with no decision being called for in open session.

EXIT INTERVIEW WITH RON AMAREL

The Board met today at 1:30 p.m. for an exit interview with Ron Amarel. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Ron Amarel, and Deputy Clerk Monica Reeves. Mr. Amarel recently resigned from the P&Z Commission and wanted to meet with the Board and discuss his service on the Commission as well as thoughts and concerns he has with

regard to site visits for land use applications. Discussion ensued about policy, communication, and state statute pertaining to site visits. He also had comments regarding the comprehensive plan. The meeting concluded at 2:18 p.m. No Board action was required or taken. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:33 p.m. for a weekly meeting with the Director Development Services to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, Deputy PA Zach Wesley, COO Greg Rast, Matt Wilke, April Wilke, and Deputy Clerk Monica Reeves. Director Minshall said there is a time sensitive need to respond to and engage with the City of Nampa on their most recent request to increase their area of city impact. They have two (2) sub-area plans they have adopted and Director Minshall said as we are having a broader conversation about how to address areas of city impact in comprehensive planning and how to work with the cities it would be good to have a dialogue and follow-up work sessions. Deputy PA Wesley prepared a presentation on the state law and how it applies to us so we know what parameters we are operating under. The PowerPoint presentation was as follows:

Idaho Code 67-6526(d)

- Existing areas of impact are fixed until both governing boards agree to renegotiate.
- Renegotiations shall begin within thirty (30) days after written request by the city or county and shall follow the procedures for original negotiation provided in this section.
- "Original negotiation" procedure:
  - Agree on area of impact terms.
  - Both governing bodies adopt agreed upon a map, plan and ordinance through regular zoning hearing process.

Idaho Code 67-6526(e)

- Prior to renegotiation of areas of city impact, plan, and ordinance requirements, the governing boards shall submit the questions to the planning, zoning, or planning and zoning commission for recommendation.
- Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board.

Nampa Area of Impact Ordinance

- CCO 09-11-27.
- Procedure agreed upon in 2005 to amend map and ordinance:

- ▶ Either governing body may request to renegotiate in writing. (March 1, 2023).
- ▶ Within thirty (30) days of written an initial meeting between the two (2) jurisdictions should occur.
  - ▶ Nampa requested joint meeting between BOCC and City Council.
  - ▶ Regular agenda item for both governing bodies.
- ▶ If agreement is reached, both governing bodies adopt agreed upon a map and ordinance through regular zoning hearing process.

I.C. 67-6526(b)/CCO 09-11-27(1)

- ▶ If agreement is not reached:
  - ▶ Either governing body can make a written demand “Committee of Nine” procedure.
    - ▶ County Commissioners (3)
    - ▶ Three elected city officials designated by Mayor, confirmed by City Council (3)
      - ▶ City has 30 days to select members from date of demand.
    - ▶ Three city or county residents selected by County Commissioners and City members (3)
      - ▶ City/County Six have 30 days to select citizen members from date of City Council confirmation of City members.
    - ▶ “Committee of Nine” has 180 days from selection of citizen members to make recommendation on map, plan, ordinance to governing bodies by majority vote.
    - ▶ City/County has 60 days to “act upon” recommendation, which would have to go through regular zoning hearing process to be adopted.

I.C. 67-6526(b)

- ▶ Factors to be considered in evaluating area of impact:
  - ▶ (1) trade area;
  - ▶ (2) geographic factors; and
  - ▶ (3) areas that can reasonably be expected to be annexed to the city in the future.

I.C. 67-6526(b)

- ▶ If recommendation is not adopted by either governing body:

- ▶ Either party can ask the District Court to set map, plan and ordinance by judicial review/declaratory judgment.
- ▶ Star:
  - ▶ County made a demand pursuant to I.C. 67-6526(b) to establish initial area of impact.
  - ▶ “Committee of Nine” recommendation was adopted by both governing bodies.
  - ▶ New Star area overlapped with existing Middleton area invoking I.C. 67-6526(c):
    - ▶ Cities to negotiate.
    - ▶ If can’t reach agreement cities ask County Commissioners for recommendation.
    - ▶ If either city objects to County recommendation then electors in overlapping area determine which area of impact controls.
    - ▶ Election result is binding.

There was discussion regarding the City of Nampa’s impact area request as well as their sub-area plans where they are planning for different comprehensive plan designations. Director Minshall referred to their impact area update map and the future land use map. (The letter and the two maps are on file with this day’s minute entry.) A joint meeting with the City of Nampa will be scheduled to talk about their intent, why the city is looking at certain areas, and talk about the comprehensive plan designations. Planning Official Lister said the city is requesting a boundary change on the southwest, they are not asking for an amended agreement at this point, although they want to do that. There was further discussion about fully understanding what the changes will look like for the County; the need for discussion and negotiation with the cities; protecting agricultural ground; looking at the sub-areas and determining who can service the areas; the balancing of property rights; and long-range planning. Director Minshall said the City of Caldwell is going to submit an area of impact expansion primarily because the urban renewal district they are planning on servicing through sewer and water is outside of their current area of impact, and so regardless of the bill that is proposed by Senator Todd Lakey there is a workaround because even if it’s not about area of impact, the County could still do an overlay and have a joint agreement about how development is going to be processed. The County has the ability to require the cities to show their capital improvements plans of how they are going to service the area before it’s approved. Planning directors have expressed to her a willingness to consider pulling back areas of impact if they cannot be serviced. Because the County needs to meet with Nampa, we need to focus on adding their area and what does that mean and then be able to say in a broader context how can we work together in the future about a sub-area plan and keep those things going. Commissioner Van Beek proposed the idea of the Board touring the areas and looking at what is proposed so there can be informed decision-making. Commissioner Holton likes that idea. Next week Director Minshall should have Nampa’s capital improvement plan and she suggested a city planner be invited to the tour to narrate what they are thinking. The Nampa



planning director told her they could pull back their request and resubmit if the County needs additional time although the statutory requirement could be met given that Director Minshall and Planning Director Ashby have already met. Perhaps the County should start arranging meetings with all of the cities in Canyon County, including the City of Star, so the Board can have an overview of what the cities have going on. Director Minshall will coordinate the meetings. The meeting concluded at 3:29 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 10, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for John Brandel, Shop Technician.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Parma Ridge Wine & Spirits Co., LLC dba Parma Ridge to be used 3/11/23.

BUDGET STATUS UPDATE MEETING

The Board met today at 10:01 a.m. for a budget status update meeting. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. In response to Eide Bailly's report that they will need subscription updates, per GASB reporting standards, Controller Wagoner asked for a list of all software agreements to show we are doing our due diligence to identify what needs to be reported for this new standard. Mr. Rast will assist with the compilation of the information. Controller Wagoner presented the Board with a 5-page document showing budget information which is highlighted as follows:

**Revenue and Funding Sources - FY2023 Budget**

- FY2023 revenue budget \$107,043,973
- FY2023 expenditure budget \$132,746,090

Difference (Allocated use of fund balance): \$25,702,117

**Revenues - Year-Over-Year Actuals**

- Property tax revenue is down \$8.6M (This was anticipated because when you lower property taxes \$14M you will receive less property tax revenue)

- Intergovernmental Revenue is down \$350,000
  - ARPA revenue is down \$3.3M. In 2022 we allocated ARPA revenues for inmate medical services, and more day-to-day purchases, and we didn't do that in 2023
  - Sales tax revenue is up year-over-year \$2.7M (\$2.3M of that is new sales tax money allocated for public defense; other sales tax is up \$400,000 compared to FY2022)
- Charges for Services Revenues is down \$569,000
  - Recorder fees are down \$350,000
  - Landfill fees are down \$128,420
  - Motor vehicle fees down \$140,000
- Permits, Licenses and Misc. is down \$1.2M
  - Development Services revenue is down \$250,000
  - FY2022 included a one-time settlement payment of \$1.25M
  - Interest revenue is up \$220,000

Three of the offices/department being hit are hard with revenue changes are Recorder, Motor Vehicle, and Development Services:

	<u>Revenues</u>	<u>Expenditures</u>	<u>Net</u>
Recorder	\$420,325	\$249,452	\$170,873
Motor Vehicle	\$386,288	\$526,424	\$(140,136)*
Development Services	\$848,171	\$1,012,529	\$(164,358)*

\*Revenues are not sufficient to cover the direct expenses.

#### **Revenues - Actuals and FY2023 Budget**

- Total for FY2023 is \$107,043,973 (we are at 40% of what was budgeted); for FY2022 was \$43,629,091 (50% of what was budgeted)

Controller Wagoner has concerns on revenues, and hopefully with the change in the admin fee for DMV, and hoping the change in weather the DSD revenues will move upward. At this point in the fiscal year he was hoping for better revenue numbers.

#### **Expenditures - FY2023 Actuals and Budget**

- We are approximately 40% through the fiscal year
  - Spent 35% of what was budgeted on salaries and benefits
  - Spent 32% of what was budgeted for other operating expenditures

#### **Expenditures - Year-Over-Year Actuals in comparing FY2023 to FY2022**

- Salaries and benefits spending has increased 16%
- Other operating spending has increased 25%
- Expenditure Changes for salaries and benefits:
  - Current expense fund up \$1.3M or 14%
  - District court fund up \$500,000 or 15%
  - Justice fund up \$1.6M or 16%
  - Dispatch fund up \$145,000 or 21%
  - Landfill fund is up \$125,000 or 17%

- Other operating expenditures:
  - Capital expenditures are up \$1.7M
    - \$1.0M for Fair Expo Center and site improvement project
    - \$285,000 for a landfill excavator
    - \$350,000 for vehicles
  - Professional liability insurance is up \$460,000 - previously split in 2 annual payments
  - Southwest District Health contribution is up \$583,000 - increased mid-FY2022
  - Computer and minor equipment is up \$325,000
  - Inmate medical services is up \$183,000
  - Indigent medical services is down \$348,000

Controller Wagoner said we entered this year in fantastic financial shape, and we are still in excellent financial condition and he has no immediate concerns although we do need to look closely at our revenue budget trends and dial in to the best possible estimate. We also need to look at whether the fees fair and are covering costs.

There was discussion regarding retiring property tax exemptions, and the Caldwell Revenue Allocation Area for urban renewal which is expiring and will allow the County to potentially increase our property tax request. Previously those dollars were going to the URA but that will cease. We will be able to capture some new construction. There needs to be a focus on what the correct total dollars are to request for property tax. There needs to be a statement to the legislature that it's not local government that's driving homeowner property tax increases, it's the value of homes.

There was discussion regarding Bill 292 which is going to be a seismic disruption to counties because it dramatically impacts online sales tax revenue that comes to the counties. The state has siphoned off online sales tax into a separate account and the counties do not receive a share; the portion that would have come to the counties goes into a property tax relief fund. Initially the plan was that in FY2025 the counties would get a share, but the bill 292 removes that. The online sales tax revenue to the state has skyrocketed and if that trend continues and we are cut out of the revenue stream there could be some serious long-term financial implications to counties and cities because sales tax is a significant portion of our revenue. The state has taken some of the responsibility for funding public defense away in exchange for the counties giving up online sales tax in its entirety. Commissioner Van Beek said Mike Moyle was adamant that counties would receive that benefit and she questioned what has changed. Further discussion ensued. The bill will be considered on Monday, March 13, 2023 at 9:00 a.m. and it would be beneficial for the BOCC to testify against it. Commissioner Van Beek will plan to testify.

There was discussion regarding the County's opioid funds totaling \$457,000, specifically the previous Board's commitment to provide funding to SWDH for a youth crisis center/teen assessment center. SWDH had requested \$600,000 and the former BOCC Chair had suggested \$150,000 could be taken from the current expense fund. This Board has questions about the use

of the funds and if they have to follow through with the commitment. What can the funds be used for if not for the teen assessment center? Controller Wagoner said the monies were received via a settlement and it included specific guidelines that are very narrow. Commissioner Brooks sits on the SWDH board of health and has questions regarding the long-term funding commitment for the center and said we need a greater understanding of the cost vs. the return benefit. Controller Wagoner said there have been conversations and conclusions have been arrived at, but nothing has been formally budgeted or entered on the County's financial records for a specific dollar commitment to this project. We have a trust account where the monies are being deposited but nothing has been allocated formally to this project. It is SWDH's interpretation that opioid funds can be used for the teen crisis center and he agrees the center would be an appropriate use of opioid monies. Commissioner Holton cannot see how a suicide prevention facility is 100% opioid driven and he needs legal counsel to help connect the dots for that. Clerk Yamamoto said the idea was to give the funds to SWDH and have them report back with what they are going to do. He suggested settlement monies - and no other County funds - be used for the center. It was decided through the budgeting process that they would get the settlement money, and there was the potential of adding \$150,000 to the amount but that did not happen. He suggested the Board require SWDH to produce an itemized report for what the monies are being used for to make sure they fit within the guidelines of the settlement. Commissioner Holton said he's hearing reports there is no way SWDH can foreseeably fund the center and he doesn't want Canyon County to be stuck with the bill. COO Rast offered to contact the Attorney General's consumer division and ask about guidelines and whether the proposal fits and have the AG provide, in writing, if they support what we are doing with the money. Commissioner Brooks said the larger question is whether the County wants to send the funds for this project.

Commissioner Van Beek said Hope's Door deals with domestic violence and drug-related issues and have requested \$26,000 for a construction project and she would like to use a portion of the opioid funds to help that organization. Controller Wagoner said he needs more detail on the request and wants to look at the guidelines for the opioid monies. We have until the end of March to decide if we're going to participate in more settlement agreements so we need to schedule a meeting and decide if we want to participate in those. The funds are sitting in a trust account and we are scheduled to receive the funds over the course of 18 years. Commissioner Van Beek said the money that goes to Hope's Door to house victims comes from property tax, and if we had opioid funds we could see if they qualify for the funding. Commissioner Holton said he will not stand in the way of the \$26,000 request if it is legal and we can do it otherwise we have to get it from another source. Commissioner Brooks is okay with it for the moment, but said if we're going to look at what organizations qualify for opioid funds we should look at the entire list of agencies/organizations to determine who can receive the funds because it's a larger discussion than saying if the money was contractually obligated. COO Rast will contact the AG's office and report back to the Board. Controller Wagoner said we need to have a discussion about the new opioid settlement agreements and determine if we want to participate and find out if they come with the same stipulations as the original monies. The Board will schedule a meeting next Friday for the opioid settlement agreements. The meeting concluded at 11:20 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 13, 2023

APPROVED CLAIMS

- The Board has approved claims 592846 to 592879 in the amount of \$271,924.98
- The Board has approved claims 592880 to 592889 in the amount of \$4,695.00
- The Board has approved claim 592890 ADV in the amount \$416.00
- The Board has approved the February Jury claim in the amount of \$7,466.39

No meetings were held this day.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 14, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Idaho Power in the amount of \$21,092.00 for the Facilities department

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for 1918 Lounge to be used 4/6/23; Craft Lounge to be used 4/21/23.

MEETING WITH COUNTY TREASURER TO CONSIDER ACTION ITEMS

The Board met today at 10:32 a.m. with the Treasurer to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Approve February 2023 Tax Charge Adjustments by PIN:*** The majority for 2019 adjustments are fees and the majority of 2022 are warrants of distraint. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the February 2023 tax charge adjustments by PIN.

***File Treasurer's Monthly Report for January 2023:*** Treasurer Lloyd gave review of what the report contains. No motions were necessary, the report is for informational purposes only.

Copies of both documents are on file with this day's minutes.

The meeting concluded at 10:39 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR RED COW FOLD SUBDIVISION, CASE NO. SD2021-0040

The Board met today at 10:45 a.m. to consider the final plat for Red Cow Fold Subdivision, Case No. SD2021-0040. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, Hans and Connie Bruijn, and Deputy Clerk Monica Reeves. Dan Lister gave a brief report on the case which came before the Board on February 21, 2023 where the preliminary plat was approved with conditions. All conditions have been met and the final plat is ready to be signed. Commissioner Van Beek referenced an email the Board received on March 7, 2023 from someone in opposition who said the roadway development standard has not been met. Mr. Lister said during the public hearing it was determined that the applicant only has to construct the road to the minimum requirements for under 100 average daily trips and the reason why is the primary use of the private road only serves six houses including this division. The concern is that the nearby Lexington Meadows Subdivision also has access to it but that is not their main access, it's more like an emergency access. The subdivision already shows their main access is through Arabian Way which is paved and meets the requirements. If they were to use that they would have to show it on the plat as a main access and it would have to be improved at that point, but they don't currently show that so that's why staff didn't say they need to meet the paving standards. Mr. Lister said they requested the Board consider that, but the Board did not consider it. Nampa Highway District waived their requirements for paving so it meets their minimum standards. Commissioner Van Beek had follow-up questions for staff. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to accept the findings from DSD which state the applicant has met their requirements, and to authorize the Board Chair to sign the final plat for Red Cow Fold Subdivision, Case No. SD2021-0040. The meeting concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER RESOLUTIONS ISSUING DSD REFUNDS FOR CERTAIN FEES

The Board met today at 10:56 a.m. to consider resolutions issue refunds for certain fees charged by the Development Services Department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. The resolutions were considered as follows:

**Fluent Solar** is requesting a refund of their building permit fees. Staff is recommending an 80% refund in the amount of \$254.40. (Resolution No. 23-036.)

**Jason Martin** is requesting a refund of the fees associated with an administrative level variance. Staff is recommending a 50% refund in the amount of \$300.00. (Resolution No. 23-037.)

**Hillebrand and Connie Hill Bruijn** are requesting a refund for fees associated with a property boundary adjustment. The planning official recommends a full refund in the amount of \$330.00 be issued because staff did not complete any work on this. (Resolution No. 23-038.)

**TPA Group** is requesting a refund of fees associated with a conditional rezone. Staff is recommending an 95% refund in the amount of \$1,190.00. (Resolution No. 23-039.) Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to issue refunds for each case as recommended by staff and as noted above. Supporting documentation for each case is on file with this day's minute entry.

The meeting concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 15, 2023

#### APPROVED CLAIMS

- The Board has approved claim 593023 ADV in the amount of \$27,488.92
- The Board has approved claims 593024 to 593025 in the amount of \$1,831.75

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Interstate Electric in the amount of \$2,163.86 for the Facilities Department
- Western Building Supply (WBS) in the amount of \$5,329.73 for the Facilities Department
- L&W Supply in the amount of \$5,049.58 for the for the Facilities Department
- J. Higgins in the amount of \$1,644.24 for the Sheriff's Office
- Webstaurant Store in the amount of \$2,204.61 for the Sheriff's Office

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 5/6/23, 7/21/23, 10/20/23, and 11/24/23.

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

The Board met today at 10:03 a.m. for a quarterly meeting with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton

and Zach Brooks, Fair Director Diana Sinner and Deputy Clerk Jenen Ross. Commissioner Van Beek left the meeting at 10:10 a.m. Director Sinner gave a PowerPoint presentation to the Board and provided an overview on the follow topics:

- Mission statement
- Fair by the numbers
- Entertainment
- Food concessionaires
- Commercial vendors
- Carnival
- Sponsors
- Open class exhibits
- Youth livestock
- Market livestock sale
  - Discussion ensued regarding the relationship with the extension office in regard to the market livestock sale, proceeds from the sale and ability to show and sell across county lines (specific to Owyhee County)
- Team 2C Fair
- Facility map and information
- 2023 Fair preview

Ms. Sinner said in the near future there will be follow-up meetings regarding the fair advisory board and fee resolutions.

The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH CANYON COUNTY MOSQUITO ABATEMENT DISTRICT TO DISCUSS THE 2023 WORK PLAN & 2022 ANNUAL REPORT

The Board met today at 11:00 a.m. with the director of the Canyon County Mosquito Abatement District to discuss the 2023 work plan and the 2022 annual report. Present were: Commissioners Brad Holton and Zach Brooks, Director Jim Lunders, Chris Osagetta from CCMAD, Board members Doug Shinn, Liz Mamer, Tammy Dittenber, Scott Robison and Norm Brown, and Deputy Clerk Monica Reeves. Topics of discussion were as follows:

- Mosquito control at Lake Lowell and the Deer Flat National Wildlife Refuge
- Monitoring of West Nile Virus
- Reclamation criteria for vacated gravel pits
  - Commissioner Holton asked for the district's help in working with DSD to develop criteria for vacated gravel pits so that pools do not produce larva
  - Rapid development in the County is causing issues (flood irrigated pastures near residential



- developments)
    - Let's collaborate and work together for the health of the population
- The District is making a big effort to modernize the program and use as many tools (technology and equipment) to get more done with fewer people (labor)
- Monitoring for disease-tracking so they can treat areas
- Expansion of programs
- PIO Decker helps the district with press releases; County Print Shop assists with printing information as well
- Review of service requests
- Staffing: Explore option to co-share manhours/employee times with County departments to see if it helps to retain seasonal employees

The annual report and work plan are on file with this day's minute entry. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

#### QUARTERLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:33 p.m. for a quarterly meeting with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend gave a PowerPoint presentation to the Board and provided an overview on the follow topics:

- Mission statement
- Map of Canyon County parks across the county
  - Discussion ensued regarding security/protection of Map Rock; an expanded archeological district around Celebration Park thru historic preservation; potential growth of parks areas.
  - An additional position for a person with an archeological background may be necessary to assist Director Schwend with historic preservation issues.
- Department staffing structure
  - Additional staffing may be necessary
  - Possible property acquisition
- Programs overview
- Field trips
- CP staffing – training and programs available
- Interpretive specialist staffing & training update
- Winter desert ecology field trip & BLM
- Rangeland Without Borders at Celebration Park
- FY23 Employee evaluations are being worked on

- Creation of department manuals and timelines
  - Program lesson plan materials for interpretive specialists are being updated
- Celebration Park fee evaluation
  - Director Schwend's recommendation is that if there is a change to fees that it happens in the next fiscal year or start of new calendar year in order for her to get proper signage and notification in place.
  - Director Schwend will do more research on enforcement of county ordinances and fees charged at other parks not associated with the county.
- Celebration Park east end speed limit & parking changes
- Improvements to signage is continuing
- Crossroads Museum mezzanine & layout
- Celebration Park emergency siren quarterly testing
- Non-motorized fishing access #1 dock – Celebration Park East End
- Review of May Archaeology month events
- Lake Lowell major inventory & prep for April 15<sup>th</sup> lake opening
- Volunteer camp host, HPC workshops, masterplan, site visit
- Discussion ensued regarding the relationship with BLM/ Bureau of Reclamation

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

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

Commissioner Van Beek made a motion to go into Executive Session at 2:58 p.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding acquisition of an interest in real property and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek and Parks Director Nicki Schwend. The Executive Session concluded at 3:43 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.

MARCH 2023 TERM  
CALDWELL, IDAHO    MARCH 16, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Scottco Distributors in the amount of \$1269.92 for the Parks department
- Headsets Direct in the amount of \$4679.60 for the Sheriff's Office

#### APPROVED CLAIMS

- The Board has approved claims 592891 to 592941 in the amount of \$63,640.98
- The Board has approved claims 592942 to 592992 in the amount of \$34,369.18

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Landfill Director David Loper, COO Greg Rast and Deputy Clerk Jenen Ross.

***Opening Bids for FY2023 Pickles Butte Sanitary Landfill Gas Collection System and Flare Station Component Electrical Installation Project Solicitation of Bids:*** Mr. Laugheed explained with this type of solicitation of bids every effort needs to be made to obtain three (3) bids. Director Loper, along with Tetra Tech, have been in communication with vendors they thought possibly qualified to do this kind of work. Three vendors were identified for the solicitation to be sent. Only one bid was received from Southern Idaho Electric via email at 8:39 a.m. today in the amount of \$78,650. Director Loper noted that it appears he missed a call from Quality Electric at 8:48 a.m. this morning but he is unsure if it pertains to the bid process. Mr. Laugheed asked Mr. Loper to notify himself and the Board if it does indeed pertain to this solicitation as the process does allow for county discretion. The bid that was received will need to be validated and a recommendation will be made to the Board at a later time.

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

#### EXECUTIVE SESSION – RECORDS EXEMPT AND ATTORNEY-CLIENT COMMUNICATION

Commissioner Van Beek made a motion to go into Executive Session at 9:37 a.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex

Klempel and Landfill Director David Loper. The Executive Session concluded at 10:18 a.m. with no decision being called for in open session.

An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:32 a.m. with the HR Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Director Kate Rice, COO Greg Rast and Deputy Clerk Jenen Ross. Director Rice gave a PowerPoint presentation to the Board and provided an overview on the follow topics:

- FY23 Turnover year-to-date numbers
- ADP/new hire process improvements
- Preferred provider for occupational medicine
  - Threshold of county tolerance of impairment still needs to be determined
- I-9 audit
- Employee Appreciation Day
- Employee handbook updates and corrections
  - Discussion ensued regarding laid-off employees and future employment with Canyon County
- Updated vehicle use policy & agreement
- Appreciation of HR team
- Mr. Rast and Ms. Rice will work together on department administrator evaluations

The meeting concluded at 11:13 a.m. An audio recording is on file in the Commissioners' Office.

#### EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) REGARDING RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:00 p.m. pursuant to Idaho Code, Section 74-206(1)(d) regarding records exempt from public disclosure. The motion was seconded by Commissioner Brooks and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Prosecutor Bryan Taylor, Deputy PA Zach Wesley, COO Greg Rast, and HR Director Kate Rice. The Executive Session concluded at 1:30 p.m. with no decision being called for in open session.

#### EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D) REGARDING PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Brooks made a motion to go into Executive Session at 1:36 p.m. pursuant to Idaho Code, Section 74-206(1)(b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Compensation/Benefits Manager Bosco Baldwin, Deputy PA Deputy PA Oscar Klaas, Deputy PA Alex Klempel, Deputy PA Zach Wesley, and Facilities Director Ricky Britton. The Executive Session concluded at 2:28 p.m. with no decision being called for in open session.

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

The Board met today at 2:31 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, Office Manager Jennifer Almeida, Building Official Tom Crosby, COO Greg Rast and Deputy Clerk Jenen Ross.

Tom Crosby was introduced to the Board and an overview of his background was provided

Director Minshall and Mr. Crosby gave a PowerPoint presentation to the Board and provided an overview on the follow topics:

- Review of the building division within DSD
- Review of the building division team
- Overview of what the division does
- Review of numbers FYTD numbers (10/1/22 – 2/28/23) and 2022 (10/1/21-2/28/22)
- Successes within the division
  - Approval for electronic plan review
  - Online application submittal/payment and inspection results in early stages
  - Positions that have been filled
  - Improved communication at application submittals, over-the-counter permits
  - Better documentation, consistency and transparency
  - Employee training
- Top issues and concerns
  - Employee training and certifications
  - Combination inspectors
  - Change in positions – plans review classifications
  - On-call commercial plans review services
- Top issues and concerns
  - Application processes
  - Permit fees and minor revisions review
  - Temporary certificates of occupancy (CO)
  - Consistent facilitation of partner agency's conditions being met for issuance of CO

- Emerging Issues
  - Unsafe structures for occupancy
  - Ag exempt building – applicability
  - Private roads

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

MEETING WITH THE SHERIFF'S OFFICE FOR PRESENTATION OF A PATROL STUDY

The Board met today 3:36 p.m. for a meeting with the Sheriff’s Office for a presentation of a patrol study. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, COO Greg Rast, Captain Harold Patchett, Captain Ray Talbot, Emergency Management Coordinator Christine Wendelsdorf, Communications Manager Roxanne Wade, Lt. Travis Engle, Lt. Brian Crawforth, and Deputy Clerk Monica Reeves. The Sheriff’s Office has done in-depth study which includes their most critical needs as well as historical data over the last 25 years. A PowerPoint presentation was given by Chief Deputy Sheriff Hart which is summarized as follows:

**Wage and Compensation Program**

- The program has had a dramatic positive effect on the CCSO. Prior to its implementation the turnover rate was 25%; they have not had a single deputy resign since that time.
- In a short period of time the compensation plan has made tremendous difference with the quality of candidates CCSO has been able to bring in and retain.

**Background**

- For the past 25 years they’ve had 8 deputies per patrol team. The staffing level on patrol has not changed in 25 years while the County’s population has risen 85%.
- Impacts of population growth

**Call Data and Staffing Shortages**

- Over the past years the workload for patrol deputies has increased 32% based on call volume.
- While staffed at 8 deputies per team they have been operating at 6-7 deputies per team. Last year CCSO was able to transfer four deputies from jail to patrol
- Impactful for deputies to have increased workload over time without relief
- Are now in position where patrol is staffed. Only have five vacancies in the jail.
- Crashes have increased 25% on average in the past five years

**Proposal for additional patrol deputies**

- CCSO is seeking 16 new positions brought on at a rate of four per year for the next four years. With the intention of pulling deputies from the jail and given them the opportunity for advancement and different jobs.

Commissioner Holton looks forward on collaborating on how to get this implemented in the budget and make a plan that staffing can reply upon. Kieran Donahue said the team is in the process of preparing a 3-year strategic plan for the Board's review. Command staff has been tasked with producing a strategic plan on the needs from a functional operational standpoint of every division in CCSO, with the information to be provided to the Board by mid-May.

No Board action was required or taken as today's meeting was held for informational purposes only. The meeting concluded at 4:08 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 17, 2023

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Creative Awards in the amount of \$6653.90 for the Fair
- W-W Mfg. Co., Inc. in the amount of \$9191.35 for the Fair

#### APPROVED CLAIMS

- The Board has approved claims 592993 to 593022 in the amount of \$37,448.20

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Amber Oquendo, P/T Interpretive Specialist; Parker Allen Smith, Deputy Sheriff – Inmate Control 51003.

#### MEETING TO DISCUSS CONSIDERATION OF OPIOID MONIES AND TO CONSIDER AN ACTION ITEM: PARTICIPATION AGREEMENTS IN CONTINUED RESOLUTION OF THE OPIOID LITIGATION SETTLEMENT PROCESS

The Board met today at 1:01 p.m. for a meeting to discuss consideration of opioid monies, and to consider the following participation agreements as proposed by the Idaho Attorney General and Crueger Dickinson in continued resolution of the opioid litigation settlement process: Walmart,

CVS, Walgreens, Teva Pharmaceutical Industries, and Allergan. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Oscar Klaas, Deputy PA Alex Klempel, Controller Zach Wagoner, Sheriff Kieran Donahue, Lt. Martin Flores, Executive Director of SWDH Nikki Zogg, COO Greg Rast, other interested persons, and Deputy Clerk Monica Reeves. Deputy PA Klempel said the PA's Office does not see any legal reason not to sign the agreements. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted to sign the participation agreements as proposed by the Idaho Attorney General and Crueger Dickinson in continued resolution of the opioid litigation settlement process with Walmart, CVS, Walgreens, Teva Pharmaceutical Industries, and Allergan. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to authorize the Chairman to sign the agreements. Controller Wagoner said in the first round of participation agreements, Idaho's share of the settlement was \$120 million that was divided between the state, cities and counties that chose to participate and of that amount Canyon County's projected share was \$2.2M. With the most current agreements the statewide allotment is \$90M, and Canyon County's projected share is \$1.5M. COO Rast said in a previous meeting there was a question of whether Advocates Against Family Violence qualified for opioid monies and according to the Attorney General's Office they do not qualify because they are not considered an opioid crisis or a program for prevention. Controller Wagoner reported that to date the County has received \$472,000 in opioid settlement monies. There were conversations with the previous Board that the initial monies received would be allocated SWDH to assist with a youth crisis center, however, because there wasn't an official motion or agreement there needs to be a meeting with the current Board to make a decision. The funds are being held in a trust account. A meeting will be scheduled for Director Zogg to present a plan to the Board. The meeting concluded at 1:16 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 20, 2023

#### APPROVED CLAIMS

- The Board has approved claims 593026 to 593065 in the amount of \$26,986.70
- The Board has approved claims 593066 to 593108 in the amount of \$71,169.62
- The Board has approved claims 593109 to 593132 in the amount of \$13,295.00
- The Board has approved claims 593133 to 593171 in the amount of \$100,768.18
- The Board has approved claims 593260 to 593304 in the amount of \$35,783.93

#### DISAPPROVED CLAIMS



- The Board disapproved approved claims 593232 to 593259 in the amount of \$400,006.11. *Commissioner Van Beek wants to meet with Facilities Dept., Legal, Fair Director and Paradigm regarding the claim for the Fair Expo. Commissioner Brooks acknowledged her comment, and said in the future, it would be great to be able to single out individual payments so the entire batch is not held up.*

#### APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Apex Integrated Security Solutions in the amount of \$1,190.00 for the Facilities Department

#### BOCC STAFF WORKSHOP

The Board met today at 9:04 a.m. for a BOCC staff workshop. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Deputy Clerk Jenen Ross, PIO Joe Decker, and Deputy Clerk Monica Reeves. Topics of discussion were as follows:

- 3/20/2023 – IT – Microsoft call for negotiations of the new triennial agreement (23-26)
- Budget elected official meeting “needs” discussion – middle of April
- Working on a list of department “Legal” projects for PA Civil Department
  - Investigate OnBase for the workflow process. PA will review Ada County workflow and report
- Vehicle use policy under review – PA Wesley committed by April 3, 2023
- Handbook update revision – HR presentation of 7 changes – BOCC workshop
- Schedule a Fairgrounds County Expo Center tour
- Jail strategy meeting #2 scheduled with the Sheriff (Holton/Rast – 3/27/2023)
- TRUST postcard completion this week
- April 6, 2023 – HR will present to the BOCC a compensation strategy

Update from PIO Decker on the following:

- Website demo and discussion – Test environment
- 2C Communications
- Open Government
- Commissioner Holton Picture re-take for website

The staff meeting concluded at 9:48 a.m. An audio recording is on file in the Commissioners’ Office.

MEETING TO CONSIDER INDEPENDENT CONTRACTOR AGREEMENTS FOR PUBLIC DEFENDER CONFLICT COUNSEL

The Board met today at 1:30 p.m. to consider independent contractor agreements for Public Defender conflict counsel. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assistant Chief Public Defender Scott James, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. James provided a brief background on each of the independent contractors. Both contractors have been interviewed by Mr. Bazzoli and the contract rate of \$70/hour is well within the average range of what needs to be paid in order to conflict out the cases. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the independent contractor agreements for Public Defender conflict counsel with Andrew Jenkins (see agreement no. 23-035) and Nielson McCrea Law, PLLC (see agreement no. 23-036). The meeting concluded at 1:35 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING NOTIFICATION OF LOW BID REGARDING FY23 PICKLES BUTTE SANITARY LANDFILL DUST CONTROL SYSTEM PROJECT

The Board met today at 2:01 p.m. to consider signing a notification of low bid regarding FY23 Pickles Butte Sanitary Landfill Dust Control System Project. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, COO Greg Rast and Deputy Clerk Jenen Ross. A letter to the potential bidders and explanation letter from Director Loper was presented for Board consideration. The low bid was received from Desert View Construction, Inc in the amount of \$214,945.00. The recommendation from Director Loper and legal is to proceed. Commissioner Van Beek made a motion to sign the contract [*notification letter of low bid*] with Desert View Construction, Inc. – Benji Young, with a submitted bid price of \$214,945.00 on the dust control project. The motion was seconded by Commissioner Brooks and carried unanimously. A copy of the letter will be sent to each potential bidder and is on file with this day's minutes. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (A), (B) AND (D) REGARDING PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND CONSIDERATION OF AN ACTION ITEM

Commissioner Van Beek made a motion to go into Executive Session at 2:04 p.m. pursuant to Idaho Code, Section 74-206(1) (a), (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Facilities Director Rick Britton, HR Director Kate Rice and COO Greg Rast. The Executive Session concluded at 2:30 p.m.

At the conclusion of the executive session the action item was considered as follows:

***Consider assignment of duties for employee(s) on leave(s) of absence:*** Director Mondor is out for an indeterminate amount of time so in his absence Director Britton will assume interim Director responsibilities until Mr. Mondor returns. Commissioner Van Beek made a motion to appoint Rick Britton, Director of Facilities, as interim Director for Pest division until such time as Director Mondor is able, or not to, fulfill his duties. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Holton suggested it would be a good idea for Director Britton to go out to the weed and pest office to update staff on the changes.

Ms. Rice noted that Mr. Britton will need to be compensated if he remains in the interim position for more than a short period of time.

Commissioner Brooks made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 21, 2023

The Commissioners attended Board of Equalization Training in the Canyon County Public Meeting Room, Administration Building.

#### APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 3/31/23.

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Tarpomatic, Inc. in the amount of \$5,800 for the Landfill
- Motorola Solutions in the amount of \$17,880 for the Sheriff's Office

#### APPROVED CLAIMS

- The Board has approved claims 593172 to 593198 in the amount of \$167,867.60
- The Board has approved claims 593199 to 593231 in the amount of \$158,482.58
- The Board has approved claims 593305 to 593347 in the amount of \$69,709.67

### APPROVED PAYROLL MARCH 24, 2023

The Board approved the March 24, 2023 payroll in the amount of \$2,158,343.85

### MARCH 2023 TERM

CALDWELL, IDAHO MARCH 22, 2023

### APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- DataBank IMX in the amount of \$1440.00 for the Information Technology department

### APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Caleb Freitag, Deputy Sheriff – Patrol; Taylor Collins, Misdemeanor Probation Officer; Lony Thompson, Lead Investigator; Sam Laugheed, Civil Deputy IV; mason English – System Administrator II.

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

The Board met today at 1:31 p.m. with the Director of Facilities to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Facilities Office Manager Becky Kearsley, Facilities Customer Service Specialist Jodi Edwards, COO Greg Rast and Deputy Clerk Jenen Ross. Director Britton gave a PowerPoint presentation to the Board and provided an overview on the following topics:

- Construction projects in progress
  - BOCC digital agenda display screen
  - TCA main office
  - Marshals' office remodel
  - CID locker room being changed over to an interview room
  - Celebration Park mezzanine
  - PA's split office remodel
  - JJC countertops
  - Cabinets and countertops in the PA's office

- DHDC and JDC 24/7 operations
- Grounds projects
  - Expo Center landscaping wrap-up
  - Park's Story Trail
  - Courthouse sprinkler system
  - Docks and buoys at Lake Lowell
  - Grounds and parks fertilizing
  - Grounds pruning trees and bushes
- Security
  - Celebration Park cameras
  - Fleet shop camera upgrades
  - County panic buttons
  - Courthouse stairwell cameras
  - Lock upgrades
- Housekeeping
  - Daily routines
  - Project clean-up
- Projects in progress with legal
  - CMGC contract with Beniton for the new warehouse and animal shelter re-roof
  - RFQ/RFP for A&E for the new elections and CMGC
  - RFQ/RFP for A&E for new admin building and CMGC
  - DHDC kitchen dishwasher
  - IFB for Fair Expo fence
  - Purchase of property
  - SOI for preliminary design services roster
  - IFB for Sheriff's hub at Lake Lowell Upper Dam
- Staffing
  - 15 Facilities
  - 6 Grounds
  - 2 Security
  - 12 Housekeeping
  - 3 Office
  - 1 open HVAC position
- Facilities project book – timeframes and costs
  - Sheriff's admin desk and bookshelf
- Brief overview of the FORT program used to track project costs and manhours. The Board requested specific tracking on Pod 6.
- Commendation of staff

- A framer and a drywaller have taken on additional tasks and director Britton would like to convert their titles to specialist which is journeyman level which is the work they've been doing. The Board is open to evaluating those positions.

The meeting concluded at 2:31 p.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:34 p.m. with the IT Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, IT Director Eric Jensen, IT Project Manager Shawn Adamson, COO Greg Rast and Deputy Clerk Jenen Ross. Director Jensen gave a PowerPoint presentation to the Board and provided an overview on the following topics:

- General Discussion
  - CCIT staffing
  - Scanning
- Current Projects
  - Transition from Skype to Avaya phone system
  - Financial workflow
  - Open government – the Board would like to review the GIS portion prior to going live on the website
  - Facilities management program (FORT)
- Review of Year End Report
  - Processed mail
  - Printer click count
  - Print shop printer click count
  - Service desk tickets
  - Calls to operator
  - Instant message count
  - 2021 vs. 2022 Website comparison
    - Views on the site
    - Top pages visited
    - Locations of users
    - Types of devices
  - Lists of projects completed/closed and in-progress
  - 2021 and 2022 total project hours

The meeting concluded at 3:12 p.m. and an audio recording is on file in the Commissioners' Office.

#### CANVASS MARCH 14, 2023 ELECTION - CANYON COUNTY ELECTIONS OFFICE

The Board canvassed election results for the March 14, 2023 Consolidated Election. The official documents were presented by Elections staff and were signed in the Elections Office. A copy of the documents are on file with this day's minutes.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 23, 2023

APPROVED CLAIMS

- The Board has approved claims 593232 to 593259 in the amount of \$129,376.78

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Carl Ericson, Chief Civil Deputy.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, P.A. Administrative Supervisor Melinda Longoria (left at 9:34 a.m.), HR Director Kate Rice (left at 9:34 a.m.), HR Generalist Demi Etheridge (left at 9:34 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider a resolution adopting changes to the title and salary range of one (1) position in the Prosecuting Attorney's Office:*** Ms. Longoria explained that they have one long-term employee who has been performing the same duties as their counterparts so this is just to make each title equivalent. There is no request for a change in pay for this individual at this time. Director Rice said that HR is in agreement with Ms. Longoria's recommendation. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution adopting changes to the title and salary range of one (1) position in the Prosecuting Attorney's Office (see resolution no. 23-040).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:35 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 Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy P.A. Alex Klempel. The Executive Session concluded at 10:02 a.m. with no decision being called for in open session.

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

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

The Board met today at 2:00 p.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Fleet Director Mark Tolman, COO Greg Rast and Deputy Clerk Jenen Ross. Director Tolman gave a PowerPoint presentation to the Board and provided an overview on the following topics:

- Fleet department mission statement
- Organization chart – Director Tolman has been reviewing job descriptions for the Assistant Director and Service Writer positions; it has been 5-6 years since other job descriptions have been updated.
- Vehicle use policy
  - Completion of the updated vehicle use policy
  - Policy will be overseen by the Fleet Director and HR Investigator
  - The updated policy can be found on the employee portal
- Service provided by the Fleet department
  - Vehicle acquisition to disposal
  - Vehicle criteria ranking
  - Customer interaction
  - Introduction of hybrid vehicles
  - Computer monitoring of shop/tech productivity
  - Fuel ordering, monitoring & reconciliation
  - Telematic monitoring
  - Vehicle accident subrogation & mitigation
  - Motor pool services
- Vehicle maintenance services provided



- Small to heavy equipment repairs
- Lube, oil, safety inspections
- Vehicle upfitting and teardown
- Radio installation
- Tire installation & repair
- Telematic installation
- Ongoing tech training
- Radar certification

Commissioner Van Beek spoke about how she would like to see all vehicle purchasing budget monies in the Fleet budget vs. being included in individual budgets.

- Carwash project – still awaiting the arrival of a door system otherwise the carwash is up and running
- Review of the on-site fueling system and nitrogen generating system

Director Tolman spoke about how as the county grows, the support needs to grow too in regard to personnel and equipment. There may need to be a reconsideration of doing work for outside agencies – Mr. Tolman is looking for input from the Board on this; Commissioner Holton asked him to communicate this in writing to Mr. Rast so that there can be follow-up with the Board.

The meeting concluded at 2:29 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:33 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, DSD Engineer Devin Krasowski, COO Greg Rast, Alan Mills and David Ferdinand and Deputy Clerk Jenen Ross.

Director Minshall explained she would like to use today's meeting to review some of the items that have been addressed in previous meetings to get either direction or closure.

- **Nampa AOI Request**
  - ***Acknowledgement letter*** – the letter will be revised to remove the originally scheduled meeting date/time of March 31<sup>st</sup> at 8:15 a.m. as the Board is unable to make that meeting time.

- *Update on scheduling of joint meeting*
- *Agenda for joint meeting* – a review of the proposed agenda was provided to the Board. Commissioner Holton wondered why the entire focus is on the availability and timeframe on water and sewer infrastructure when there is so much more going on in an area of city impact. Mr. Lister spoke to the other factors that the city needs to address in regard to their expansion request. Director Minshall suggested that in the portion where the city has been asked for an overview, they could be asked to specifically address the criteria of the state law.
- *Tour* – the Board still has an interest in touring the area and would like to conduct it prior to the meeting.
- **P&Z Recruitment** – at the last workshop meeting the Board requested that the P&Z commission have 7 members.
  - *Application*
  - *List of current members, terms, locations and experience* – Mr. Lister reviewed the code that outlined guidelines for member residency. There are currently 3 Board members located within an area of city impact, therefore, the remaining 2 seats need to be filled by residents outside an area of city impact.
  - *Draft recruitment*
  - *Approval of timeline and process with deadline*
    - The Board is supportive of the draft recruitment letter and timelines outlined.
- **Water Workshop** – representation from DEQ, IDWR and SWDH will be in attendance for the meeting on April 20<sup>th</sup>. General goal is to understand where responsibilities and authorities end at the state level and begin at the land use planning entity level.
  - *Draft agenda* – Mr. Krasowski provided an overview of the tentative agenda. A copy is on file with this day's minutes.
  - *Input on topics* – the Board wants to make sure that state statute/IDAPA rules are included – specifically in regard to well construction standards. Additionally, they'd like to see clarification in the mapping depicting aquifer data.
  - *Format*
- **Partner Agency Topical meetings**
  - A spreadsheet was provided denoting potential BOCC/DSD workshops and a draft timeline. Director Minshall feels there may be some conflicting priorities and wanted to check in with the Board for clarification on their priorities. The priorities she has outlined include the 2040 comp. plan, joint meetings with the cities, school districts, irrigation districts and soil conservation district and other topical meetings which include water/wastewater, transportation, floodplain and certificates of

occupancy. Mr. Rast and Ms. Minshall work together to find a time schedule that will work for the Board.

- A brief discussion ensued regarding bill 1073 and house bill 43 regarding accessory dwellings.

The meeting concluded at 3:59 p.m. and an audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 24, 2023

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Legends Sports Pub & Grill to be used 4/29/23.

#### APPROVED CLAIMS

- The Board has approved claims 593349 to 593355 in the amount of \$3,342.70

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Kristin Elam, Juvenile Detention Officer; and Shantra Hannibal, Legal Assistant II (Civil).

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 27, 2023

#### ATTEND TREASURE VALLEY PARTNERSHIP MEETING

The Board attended a Treasure Valley Partnership meeting today. This was not a Commissioner meeting; there were no motions, action items, or Board direction entertained or given.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1)(B) REGARDING PERSONNEL MATTERS

The Board met today at 1:30 p.m. for a scheduled executive session regarding personnel matters. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Attorney Jake Naylor, Attorney Tyler Williams, and Deputy Clerk Monica Reeves. Commissioner Holton wanted the Board to consider authorizing legal counsel to share communication with any elected officials that might attend today's executive session. Commissioner Van Beek made a motion to allow Tyler Williams and Jake Naylor the ability to share communication, per their discretion. Tyler Williams said because they represent the County they believe their privilege extends to the elected officials so it's not necessary to waive anything or grant that discretion. Commissioner Van Beek then rescinded her motion. Commissioner Van Beek made a motion to go into Executive Session at 1:31 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Brooks and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Attorney Jake Naylor, and Attorney Tyler Williams. The Executive Session concluded at 2:25 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.

MARCH 2023 TERM  
CALDWELL, IDAHO    MARCH 28, 2023

APPROVED CLAIM

- The Board has approved claim 593356 ADV in the amount of \$21,092.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI International Corp in the amount of \$4,581.25 for the Treasurer's Office
- Chefs Deal Restaurant Equipment in the amount of \$42,321.20 for the Facilities department
- A Gem Supply Inc. in the amount of \$4725.00 for the Facilities department
- Superior Gutter Company in the amount of \$1988.00 for the Facilities department
- EWM in the amount of \$7000 for the Development Services department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Connie Doan, Clerk I; Kim Dickson, Data Analyst Technician – Admin 41001; Ronald Humphrey, Spillman App Assistant – 41001; Doug

Robinson, Systems Specialist – 39000; Braden Graham, Deputy Sheriff – Patrol 41006; Daniel Beck, Deputy Sheriff – Patrol 41006; Veronica Seder, Comm. Officer/Call Taker – Dispatch 41012; Kira Anna Valentine – Comm. Officer/Call Taker – 41012; Vincent Howard, Marine Deputy – Seasonal 80700; Brookelyn Zavala, Corporal – Inmate 51003.

#### APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used 4/4/23, 4/8/23, 4/15/23, 4/22/23, 4/24/23, 4/27/23 and 4/29/23.

#### FILE IN MINUTES THE TREASURER'S MONTHLY REPORT FOR FEBRUARY 2023

The Board filed the Treasurer's monthly report for February, 2023

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Alex Klempel, Assistant Director of Juvenile Detention Shawn Anderson (left at 9:33 a.m.), Director of Juvenile Probation Elda Catalano (left at 9:35 a.m.), Fair Director Diana Sinner (left at 9:37 a.m.), Landfill Director David Loper (left at 9:41 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider Juvenile Detention Housing Agreement with Baker County Oregon:*** This is the standard agreement with the same rates as similar agreements. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the MOA with Baker County Oregon for juvenile housing (see agreement no. 23-037).

***Consider Canyon County Agreement with DocuSign for Juvenile Probation:*** This service is shared with juvenile detention although the cost is budgeted to Juvenile Probation. As part of the agreement there is a set amount of transactions and both departments combined are staying within the allotted amount. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement with DocuSign for Juvenile Probation (see agreement no. 23-038).

***Entertainment Contracts with Wilma June Madison, Tyler Messina - Idaho Reptile Zoo and Carol Grabner for the 2023 Canyon County Fair:*** There were no questions from the Board regarding any of the contracts and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the entertainment agreements for the 2023 Canyon County Fair with Wilma June Madison (see agreement no. 23-039), Tyler Messina – Idaho Reptile Zoo (see agreement no. 23-041) and Carol Grabner (see agreement no. 23-040).

***Addendum No. 1 to the Invitation for Bid for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill:*** Director Loper addressed the Board's question regarding the timeline stating that some dates have been revised to allow for more time. The bid due date and opening has been revised to April 6, 2023. Several attachments have been included in the addendum to address questions that were submitted. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign addendum no. 1 to the Invitation for Bid for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill.

Mr. Rast let Ms. Klempel know that he will review the draft version of the vehicle use policy and get it back to her today. Commissioner Holton noted that he has some questions about some of the edits that have been included regarding policy and budgeting. It was decided that legal and Chief Rast would work thru some of the clerical items within the document and a meeting would be scheduled at a later time for Board review.

Mr. Rast asked about giving Director Sinner authority to sign off on some of the smaller entertainment contracts. Ms. Klempel will speak with Mr. Wesley about coming up with some parameters.

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

CONSIDER RESOLUTION FOR CHANGES TO A JOB DESCRIPTION AND PAYGRADE OF A POSITION IN THE JUVENILE PROBATION DEPARTMENT

The Board met today at 10:32 a.m. to consider a resolution for changes to a job description and paygrade of a position in the Juvenile Probation Department. Present were: Commissioners Brad Holton and Leslie Van Beek, Director of Juvenile Probation Elda Catalano, HR Director Kate Rice, Controller Zach Wagoner, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Catalano wants to reclassify a project coordinator position, which has been vacant for a year, to an assistant director position to assist with the management of the department. The salary difference between the two positions will be an increase of approximately \$14,000. She plans to retire next year and part of her succession plan includes having the assistant director position as well as reclassifying some other positions within the department. Controller Wagoner advised that the FY2023 budget included the funding for the position upgrade. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to approve the job title, job description and pay grade for the assistant director position in Juvenile Probation with a salary range minimum of \$67,264.99 – Mid \$77,992.77 - Max \$92,253.24. (Resolution No. 23-041.) The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY AND ASSOCIATED ACTION ITEMS

The Board met today at 10:49 a.m. to consider matters related to medical indigency and associated action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider approval/denial of indigent decisions and signing of liens:***

Case no. 2023-56 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the case as presented.

Case no. 2023-57 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the case as presented.

***Consider State Catastrophic Fund Reimbursement Assignments:***

Director Baker requested the Board sign State Catastrophic Fund Reimbursement assignments in order for a proportional share of payments that are made to the county be sent to the catastrophic fund. Payments will be made on behalf of the following cases: 2014-1095, 2015-448, 2015-574, 2015-595, 2013-303, 2015-573, 2016-492, 2015-1001, 2015-1600, 2016-1520, 2017-343, 2017-434, 2017-1307, 2017-517, 2018-1426, 2018-1192, 2019-297, 2019-1247, 2019-1345, 2020-378, 2010-1386, 2019-362, 2022-172 and 2021-819. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the State Catastrophic Fund reimbursement assignments.

The meeting concluded at 10:55 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:03 p.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Leslie Van Beek and Brad Holton, ADJ Judge Davis VanderVelde, TCA Jamie Robb, COO Greg Rast and Deputy Clerk Jenen Ross. The following items were discussed with the Board:

- Ms. Robb spoke about she is the custodian of records for the courts and any records requests in regard to the courts need to come thru her. The Board would like to see a flowchart created in order to make sure the correct chain is followed.

- Remodel of the TCA office continues to be worked on and is nearly complete.
- Ms. Robb requested input from the Board on what kinds of topics they'd like her to address at future meetings.
- Commissioner Holton asked about the Magistrate Commission as he currently sits on it as the Mayor of Greenleaf, however, it is also generally the Board Chair who sits on the Commission on behalf of the county. Ms. Robb will contact the governor's office for their recommendation as Mayor's are appointed by his office.
- In response to a question from Ms. Robb regarding the budget process this year, the Board said they plan to be much more involved but it may not affect her presentation or request process.

The meeting concluded at 2:25 p.m. and an audio recording is on file in the Commissioners' Office.

#### QUARTERLY MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES

The Board met today at 2:45 p.m. for a quarterly meeting with the County Agent to discuss general issues. Present were: Commissioners Brad Holton and Leslie Van Beek, COO Greg Rast, County Agent Tasha Howard, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 2:50 p.m. The following topics were discussed:

##### Update on Office Remodel Project

- New carpet, paint, and wiring
- Installed a wall to create a larger office space

##### Staffing/Departments

- Moving forward with four educators; a fifth position (crops educator) is still open
- One employee will go on leave in May; neighboring counties will help during the busy times

##### Horticulture

- Master gardener program
  - Plant sale will be held on April 29

##### Family Consumer Sciences

- New Programs
  - Dementia Friends - Focused on making community friendly to older population who may be experiencing dementia
  - Received a \$10,000 innovative project grant from U of I to focus on youth mental health
    - 4-H program: Building Fencings
  - Student-led project from College of Idaho and Caldwell High School to support the mental health of first-generation college students



4-H

- Day camps for youth
- Afterschool programs
- Workshops

The Board thanked Ms. Howard for the information. No Board action was required or taken as today's meeting was held for informational purposes only. The meeting concluded at 2:57 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 29, 2023

#### APPROVED CLAIMS

- The Board has approved the March elections claim in the amount of \$27,572.00

#### APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Darr Anderson, Deputy Sheriff – Patrol 41006; Cameron Witgenstein, Deputy Sheriff – Patrol 41006; Johnny Carrillo – Court Clerk I.

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Idaho Post in the amount of \$3,000 for the Sheriff's Office
- Neurilink in the amount of \$2,033.66 for the Information Technology department
- Code Group in the amount of \$1,995.00 for the Information Technology department
- Tikker Engineering in the amount of \$8,775.00 for the Facilities department

#### EMERGENCY MEETING AMENDMENT TO AGENDA, PURSUANT TO IDAHO CODE, SECTION 74-204; AND EXECUTIVE SESSION, PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) AND (F)

The Board went on the record at 9:45 a.m. with Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, as well as COO Greg Rast, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves in attendance. Deputy PA Zach Wesley presented an emergency meeting motion and order form for the Board to consider pursuant to Idaho Code Section 74-204, and involves a matter that came up this morning that the Board needs counsel on immediately so he requested today's meeting agenda be amended to add a 9:45 a.m. Executive Session, pursuant to Idaho Code, Section 74-206(1)(d) and (f). The basis for this is that the emergency likely involves injury or damage to persons or property or immediate financial loss, and that 24-hours' notice is impractical or would increase the likelihood or severity of the injury, damage, or loss because it would harm the Board's ability to respond. No media entities have requested notification of the Board's emergency meetings. At 9:47 a.m. Commissioner Van Beek made a motion to amend the agenda

for March 29, 2023, and add an Executive Session pursuant to I.C. Section 74-204, and I.C. Section 74-206(1)(d) and (f) to discuss records exempt from public disclosure and to discuss pending or likely litigation and is to protect County financial interest and damage to persons or property, as stated by Deputy PA Wesley. The motion was seconded by Commissioner Brooks and carried unanimously. Present for the Executive Session were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, and Deputy PA Zach Wesley. 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.

QUARTERLY MEETING WITH THE PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND TO RECEIVE THE PUBLIC DEFENSE COMMISSION ANNUAL REPORT AND UPDATE

The Board met today at 10:11 a.m. for a quarterly meeting with the Public Defender to discuss general issues, set policy and give direction and to receive the Public Defense Commission annual report and update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, COO Greg Rast, PDC Regional Coordinator Jennifer Roark via teleconference and Deputy Clerk Jenen Ross.

Ms. Roark provided an overview of the work she does, the purpose of the PDC and available trainings. Currently they are conducting annual reviews of every county in the state which will culminate in a report provided to counties in mid-April. A financial assistance application will be sent out the end of this week and will be due back May 15<sup>th</sup>. Ms. Roark received an email from Mr. Bazzoli yesterday regarding case numbers and she believes there may need to be an amendment to those numbers as the county's workload financial assistance is directly based on the numbers provided. In regard to Ms. Roark's question about delaying the financial assistance application, the Board confirmed they would like to delay receiving that so that Mr. Bazzoli has an opportunity to review the caseload numbers. Mr. Bazzoli feels the numbers are somewhat accurate and referred to a letter of explanation that was provided to the PDC. Ms. Roark addressed several questions from Commissioner Van Beek regarding how caseload numbers are calculated. In response to a question from Ms. Roark, the Board confirmed that they are not aware of any changes to public defense over the next year. And at this point, there isn't any assistance needed from the PDC in regard to indigent defense; Mr. Bazzoli said the grant will be worked on again this year to be sent out as early as possible. He explained that based on the PDC providing funding for an additional attorney last year there has been another attorney assigned to the juvenile system since there has been such a large increase in juvenile cases especially over the past couple of years.

As part of the Public Defenders regular update meeting, Mr. Bazzoli gave a brief review of the following:

- Budget numbers

- Discussion regarding parity between the Public Defender's office and the Prosecutor's Office and what may happen on October 1, 2024 when the state takes over indigent defense.
- Monthly case type count over the past few years.
- Review/summary of HB236
- Discussion regarding replacement for Tyler Technologies

The meeting concluded at 11:00 a.m. and an audio recording is on file in the Commissioners' Office.

QUARTERLY MEETING WITH THE SOLID WASTE DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 11:05 a.m. for a quarterly meeting with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Solid Waste Director David Loper, COO Greg Rast and Deputy Clerk Jenen Ross. Director Loper provided an agenda to the Board and provided a review on the following:

- Waste amounts and tonnage numbers are down
- Update on SWAC:
  - There will need to be a public hearing to appoint/interview SWAC members; Director Loper will work with Mr. Rast to coordinate scheduling a time.
  - Topics that will need to be addressed by the SWAC include MSW rates and a transfer station.
- Director Loper recently attended and spoke at the Idaho Solid Waste Association conference.
  - Director Loper has been invited to tour the transfer station in Kootenai County; he has available lodging in the area and is just looking for Board support for the costs of a plane ticket, rental car and per diem. The Board is supportive of Director Loper taking this trip which is planned for mid-April.
- The well drilling project was completed sooner than anticipated.
- The addendum is out for the landfill gas project and the electrical contract will be finalized soon.
- Dust Control System: the contract is being put together to get the project started.
- Property procurement: Mr. Payne has indicated that he should be able to have a document to Director Loper late this week or early next week.
- Free day: will take place April 22<sup>nd</sup> in conjunction with Earth Day. Director Loper works with some of the outlying cities who will hold 'free day' the same day and any collection will be hauled to the landfill on Monday. Director Loper anticipates working with DSD Code

Enforcement on site clean-up issues for properties with active code enforcement violations.

- Hardscape Asphalt project: no bids were received from the IFB process so it was changed to direct solicitation. Director Loper has spoken with Central Paving who've provided a bid. Due to some other projects taking precedent and Central Paving's scheduled this project may be moved out to next fiscal year.
- FY24 Heavy Equipment budget: Director Loper spoke about the logistics with Western States CAT of purchasing a new scraper and the rebuild of an older scraper in FY24.
- Director Loper addressed several of Commissioner Van Beek's questions about budget line items.

The meeting concluded at 11:57 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY LEAVITT & ASSOCIATES ENGINEERS, INC., REPRESENTING DAN LARDIE, FOR A CONDITIONAL REZONE FROM AN AGRICULTURAL ZONE TO A SINGLE-FAMILY ZONE, AND A PRELIMINARY PLAT FOR DEMBI ESTATES SUBDIVISION, CASE NOS. CR2021-0006/SD2021-0032

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Leavitt & Associates Engineers, Inc., representing Dan Lardie, for a conditional rezone from an agricultural zone to a single-family zone, and a preliminary plat for Dembi Estates Subdivision, Case Nos. CR2021-0006/SD2021-0032. Present were: Commissioners Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Planner III Michelle Barron, DSD Planner I Samantha Hammond, and Deputy Clerk Monica Reeves. Planner Barron advised there has been a significant change to the case so today's hearing has been cancelled and the case will be rescheduled to be heard by the P&Z Commission at a later date. No Board action was required or taken. The meeting concluded at 1:33 p.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Brooks made a motion to go into Executive Session at 2:02 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, and Chief Deputy Assessor Joe Cox. The Executive Session concluded at 2:49 p.m. with no decision being called for in open session.

## MEETING WITH PARADIGM FOR FINAL REPORT ON THE FAIR EXPO BUILDING

The Board met today at 3:16 p.m. for a meeting with Paradigm for a final report on the Fair Expo Building. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Fair Director Diana Sinner, Facilities Director Rick Britton, Maintenance Superintendent Carl Dille, Cole Coba from Paradigm, and Deputy Clerk Monica Reeves. Highlights from the PowerPoint presentation were as follows:

### **Project Scope for The Center at Canyon County Fair**

- Canyon County Expo Center - Development of a 3-acre site, constructing a new 45,000 square foot facility. Building consists of 30,000 sf PEMB structure for assembly use, with attached offices, common space, restrooms & exterior courtyard and greenspace
- Base Construction Cost: \$7,696,580
- URA budget: \$2,477,810
- Defined substantial completion date: 11/18/2022

### **Work Remaining**

#### Site Construction Milestones

- Concrete decking on bridges                      Completed in Mid-March
  - Completion of work was delayed due to weather conditions
- Asphalt/ADA ramp connection                      End of March/April
  - Subcontractor correction of work, completion is delayed due to weather conditions
- Asphalt Striping    End of March/April
  - Completion of asphalt striping delayed due to weather conditions
- Landscaping Improvements                      End of March/April
  - Completion of landscaping improvements delayed due to weather conditions
- SWPPP Close-out
  - SWPPP close-out cannot take place until landscaping improvements has established over 70% of site. Subcontractor is performing required minimum inspections and reports through this duration.

### **HC Construction Cost Summary - Per Pay Application #21**

- HC Base Contract                                      \$7,696,580.00
  - Executed Change Orders                      \$1,158,761.65
- HC Revised Contract Total                      \$8,855,341.65
- Total Cost Earned to Date                      \$8,826,861.48
- Less 2.28% Retainage                              (\$201,547.93)
- Total cost earned less retainage:              \$8,625,313.55

- Percentage complete: 97.54%
- Balance to finish, including retainage: \$ 230,028.10
- \*Portion of cost billed from URA funds: \$ 568,599.26

### Construction Change Orders

- Total cost of approved change orders \$1,170,009.42
- Notable change orders: \$1,059,863.05

### URA Cost Summary

- URA budget \$2,477,810
- URA funds spent to date \$1,560,911
- URA remaining funds \$ 916,818
  - Review of URA projects completed/in progress

### Review of Canyon County Performed Work

- Construction cleaning Flooring
- Landscaping & topsoil Toilet partitions/restroom accessories
- Site furnishings Interior/exterior signage
- Concrete polishing Fire extinguishers/cabinets
- Hollow metal doors Electrical conduit/cablings & electrical fixtures (Aux. bldg)
- Wood doors Low voltage systems conduit/cablings & devices
- Door hardware Casework/3/4" rough framing sub tops
- Plumbing fixtures Controls to B.A. fans
- Door lite kits Power across Wilson Creek
- Painting interior/exterior

Notes from discussion: The temporary C of O could be in place for a year until the work is completed but it will not affect any events, and we can fully occupy the building.

If not for the pedestrian bridges, which resulted in delays and extra fees the project would have been completed in November 2022.

Commissioner Van Beek had questions about the architect's involvement and input regarding the seal/soffit. She also wanted to know if there is anything left from Cole Architects that's negotiable as far as payment or change orders. Mr. Coba said the remaining item would be the final completion certificate but he doesn't believe they would ask for fees for that, however, there is

potential where they could ask for hourly costs. Director Britto said if there was to be a fee it would be from January 18, 2023 until now and it should be minimal.

The meeting concluded at 4:04 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 30, 2023

#### APPROVED CLAIMS

- The Board has approved claims 593357 to 593396 in the amount of \$79,997.46

#### APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Kathy Husted, Sr. Administrative Specialist – Code Enforcement

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

The Board met today at 9:31 a.m. for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, COO Greg Rast and Deputy Clerk Jenen Ross. Administrative Supervisor Monica Reeves joined the meeting at 10:05 a.m.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy P.A. Alex Klempel. The Executive Session concluded at 10:05 a.m. with no decision being called for in open session.

After the executive session Mr. Rast asked about procedure for the legal staff meetings. He wondered if there could be a better way for everyone involved to be more on the same page

regarding topics to be discussed (topics not agendized as action items). Ms. Klempel suggested that anyone on the meeting invite could add notes as a reminder of discussion topics.

Commissioner Van Beek asked about the vicious animal ordinance that has been brought to the Board's attention by a citizen (Amy Weidner). Mr. Wesley spoke about how this issue has been forwarded to the criminal side of the prosecutor's office and there needs to be a conversation there. If there is still an issue regarding the interpretation of the ordinance the civil team can help the Board with updating if necessary.

In returning to the earlier conversation regarding the legal staff meeting, Mr. Rast will be in contact with the civil team each Monday and Friday to determine if there are any additional topics to be addressed during those meetings.

In regard to a question from Commissioner Holton about the vicious animal ordinance, Commissioner Van Beek said that based on Mr. Wesley's advice, if there is still a dispute on interpretation after Ms. Weidner's attorney and an attorney from the criminal legal team speak that there could possibly be an amendment of ordinance for clarification.

The meeting concluded at 10:14 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:37 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Office Manager Jennifer, DSD Planning Official Dan Lister, DSD Planner Deb Root, DSD Planner Michelle Barron, COO Greg Rast, Darin Taylor, Alan Mills, Matt Wilke and Keri Smith and Deputy Clerk Jenen Ross. Director Minshall gave a PowerPoint presentation to the Board and provided an overview on the following topics:

- Common goals – what is the why:
  - The 2030 Comprehensive Plan document does not reflect the spectrum of the diverse public input
  - Goals, policies, actions, and land use map have contradictions not aligned to and between the required elements, and/or is inconsistent with past development patterns and data
  - Land Use Map does not adequately recognize past land use decisions, provide for buffering of existing and desired uses, or consider cities' plans and timelines for providing services
  - Adopted actions do not set realistic expectations for implementation. They are not prioritized, may not be the role of government, or the role of Canyon



## County

- The plan horizon is only 7 years in the future. The Plan should be 10-20 years
- Honor the diverse public engagement and input received during 2019-2022
- Appreciate the staff, partner agencies, and interest groups that worked on the 2030 update
- Have a future-focused plan that can be implemented
- Plan should have a horizon year 10-20 years in the future and that acknowledges incremental changes
- Strive for compatibility and collaborative decision making
- Support having updated data and projections to inform the long-range future policies, actions, and maps
- Desire more predictability, consistency, and balance for developers, farmers and the public, specifically in the land use map and subsequent zoning action
- Proposed Scope and Schedule for 2040 Update:
  - Context/Input Elements:
    - Glance back, look around, look forward: data and evidence based
  - Proposed:
    - Staff update evidence and content
    - Pull out Goal, Policies and Actions (GPA) for staff/BOCC workshops (in groups of elements – keep, modify or delete)
- 2040 Update – Proposed:
  - Advisory Committee
    - Limit scope to review and internal alignment of GPA and Land Use element/map
    - Approve a charter with intent, expectation and timeframe
    - 13-15 members
    - Diverse stakeholders focused on constructive and civil dialog, not positions
    - Representative, expectation of 2-way communication with stakeholders
      - 2 large, 1 small city
      - Ag: winery, large farm, small farm
      - Housing/development: realtor, developer, builder
      - Youth voice
      - Other?
- BOCC Direction:
  - Do not repeal 2030 Comprehensive Plan and reinstate 2020 Plan
  - Concurred with general approach, timeline, and schedule for 2040 update
  - Concurrent ordinance updates for critical implementation concepts to make the plan usable
  - Agreed with need to prioritize the “deep dives”
    - Follow-up actions:

- Staff begin work on Phase I: updating of evidence on chapters, identify update priorities for ordinances, partner agency workshops
  - Schedule BOCC workshops for GPA review and approval
  - Staff bring back detailed scope and schedule for BOCC approval
  - Prioritized deep dives (land use)
  - Staff draft charter for advisory group for BOCC approval
  - Advisory Group membership appointed by BOCC
  - RFP/Q for consulting assistance for Phase II
- Now – Collective vision and focus:
  - Find collective concerns and support at a more detailed level
  - Triage – consider for:
    - Remove
    - Concerns
    - Need more information and discussion
    - Supportive but needs some minor adjustments
    - Keep
  - Trade-offs
  - Where do we need more dialog?
  - Follow-up for consistency and meeting legal criteria
- Build – Foundation then detailed work
  - Staff work on evidence and timeframes in chapters
  - BOCC/staff workshops on key elements as revisions are drafted
  - Keep the work in the logical order
  - Engage workgroup in focused input sessions (land use)
  - Interaction and iterations with workgroup and BOCC
  - Recognize phases and try to prevent two steps forward, one step back
- Deep dives, discussion and trade-offs:
  - After the triage and agreement on priorities and level of discussion needed
    - Research
    - Topical workshops
    - Partner agency workshops
    - More “why” work
    - Trade-offs
    - Consistency
    - Time and resources - check back to original concerns and goals
    - Commit to scope, schedule, budget and use of workgroup/public input
    - Workgroup initiated on selected elements and scope
- Install the appliances, trade-offs and change:
  - Format and structure
  - Ordinances with the details to make the plan usable

- Outreach and input on updating concurrent ordinances, iterative but goal focused
  - As we install, may need to revisit and compromise
    - Upgrades and trade-offs
    - With plan or follow-up
  - Area of Impact agreements drafts
  - Don't return to "go"
- Punchlist and revisions:
  - Look at draft outcomes and ordinances
  - Did we meet our goals and address our concerns?
  - What's missing?
  - What meets standards but will be later follow-up?
- Adoption process and proud ownership:
  - Hearing process and schedule
  - Public involvement
  - Listening and focusing any changes
  - Time and resource trade-offs/compromises
  - Focus on implementation
- Collective vision and focus:
  - Find collective concerns and support at a more detailed level
  - Triage
    - Remove
    - Concerns
    - Need more information and discussion
    - Supportive but needs some minor adjustments
    - Keep
  - Trade-offs
  - Where do we need more dialog?
  - Follow-up for consistency and meeting legal criteria
- Instructions and cautions:
  - Purpose is to triage and filter – prioritization of work
  - Purpose to find *alignment*, places for more discussion, and deeper dives
  - Respond to the concepts, not if it is correctly categorized or worded
  - This is your opinion – at this snapshot in time
  - This is not the time to seek outside input or perspectives
  - Not into the details of additional information
  - This work helps us together be confident in our forthcoming scope, schedule and staffing
  - This will help us be clear with external communication of path forward

As follow-up, the Board will fill out their priority worksheets for chapters 1-3 this week and return them to Director Minshall by Tuesday at noon. A copy of the PowerPoint presentation and worksheets for chapters 1-3 are on file with this day's minutes.

The meeting concluded at 3:28 p.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER FINAL PLAT FOR WEATHERBY ESTATES, CASE NO. SD2021-0025

The Board met today at 3:33 p.m. to consider the final plat for Weatherby Estates, SD2021-0025. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Engineering Coordinator Stephanie Hailey, COO Greg Rast, and Deputy Clerk Monica Reeves. Ms. Hailey presented the final plat summary. The preliminary plat for Weatherby Estates was approved by the Board on November 6, 2020, subject to 10 conditions of approval. The development consists of 15 residential lots and 3 common lots. All conditions of approval have been met. She reviewed the conditions and noted that her summary included a reference to Condition #7 regarding the installation of a fence, but her notation was in error - that item was not a condition. (A corrected written summary is on file with this day's minute entry.) Canyon County Engineering reviewed and approved the final plat and construction drawings. The County Surveyor reviewed and signed the final plat. Staff is recommending the Board sign the final plat. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the final plat for Weatherby Estates, Case No. SD2021-0025. The meeting concluded at 3:38 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM  
CALDWELL, IDAHO MARCH 31, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Quality Trailer Sales in the amount of \$13,125.00 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Curtis Graves, Deputy Judicial Marshal; Shireen Rezaei, Deputy Attorney I (limited license).

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE

The Board met today at 2:39 p.m. for a legal staff update and to consider the following action item: *Consider potential disclosure and self-recognition of meeting of quorum of the Board without public notice regarding land use case nos. RZ2020-0019 and SD2020-0035 and declaration that all action taken at or resulting from the meeting are void.* Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. COO Greg Rast arrived

at 2:46 p.m. Today's meeting pertained to a conversation Kim Yanecko and her husband had with Commissioner Van Beek and Commissioner Holton on March 28, 2023 at approximately 12:30 p.m. regarding the Taylor Jene/Ftera Views Subdivision land use case (Case Nos. RZ2020- 0019 and Case SD2020-0035) which was heard by a previous Board on December 21, 2022. A request for reconsideration had previously been filed and we are in the time period where judicial review can be sought. The question was posed to the PA's Office about what the ramification is of that incidental meeting. Deputy PA Wesley said not every impromptu discussion becomes a meeting, generally it's considered a meeting when there is a decision or deliberation. This would potentially be a deliberation. It does not have an immediate action that's pending, but it is in that land use cycle where there are so many potential next steps from judicial review to platting so it likely did qualify as something where a conversation needs to be held at an agendized meeting with minutes. Idaho Code has a policy for the corrective actions where a violation may be cured by the agency upon the agency's self-recognition of a violation. The first step would be a motion from the Board and a disclosure of the conversation and what the information the Board received, followed by a motion of self-recognition that the step occurred. The secondary would be to have a declaration that all actions taken at or resulting from that meeting in violation of the Act would be void. It's Deputy PA Wesley's understanding that there was just information exchanged, there is no official action that is contemplated or planned at this point and there is nothing immediately scheduled. The next phase of this would be judicial review and then platting and the platting will have its own noticed hearings with separate agendized decision points on the judicial review as well and so there is not need for a declaration declaring any actions void at this point. Commissioner Van Beek disclosed that the visit was unsolicited and she did not know the nature of the meeting request. Ms. Yanecko had some specified questions which have been answered numerous times by County staff. She asked the number days the County had to issue FCO's, and if there was new information the Board reviewed. Commissioner Van Beek told Ms. Yanecko that she has a limited ability to respond to questions so there was no commitment. The Yaneckos want to be informed and understand the process so it was easy to draw Commissioner Holton into the conversation and he indicated the case was decided by a previous Board. There was nothing new or promised in the conversation. Commissioner Van Beek said the County is not responsible for costs for retained outside legal counsel and it would be inappropriate to guide anyone in that process, that onus falls to the applicant seeking reconsideration. The meeting caught people by surprise and Commissioners Van Beek and Holton listened to the concerns as a courtesy and the response to her questions was given. Commissioner Holton said the only thing he represented was that Ms. Yanecko had raised questions that he would try to look into. In looking into it some of her arguments are incorrectly assumed and one of the big heartaches she has is on the FCO's, but in the August 2021 hearing they didn't do FCO's because their decision was different than the P&Z Commission's decision which required a second public hearing which occurred in December of 2022 so there were no FCO's between August of 2021 and December of 2022. Ms. Yanecko said it was illogical for there to be FCO's between August of 2021 on December 2022 because the Board was meeting on a different subject and had gone against the decision of P&Z which required that the case either be sent back to the P&Z Commission or create a new public hearing. Commissioner Holton said he did not represent anything he would do other than try to figure out what Ms. Yanecko's concerns were and where we were at with it. Commissioner Van Beek said more than a year had passed between the August of 2021 hearing and the December of 2022

hearing which is unorthodox in that kind of a decision, and normally you would not have that wait time but the applicant did revise their application and the previous Board chose to accept those late exhibits. Commissioner Holton said he was walking past Commissioner Van Beek's office headed to The Chief Operating Officer's office and he was trying to be respectful and recognized the citizens were living in a period of angst about this case and he hates to see that, but in retrospect it would have been best to not participate in the conversation. Commissioner Van Beek said she sat through previous hearings regarding testimony about dry wells and the Board had asked for clarification which was provided but it did not rise to the level of being able to say that was a dry area. Commissioner Van Beek made a motion for the Board of County Commissioners to acknowledge for Case No. Nos. RZ2020- 0019 and Case SD2020-0035 that there was potentially an open meeting violation which is cured by this process today in disclosure of the conversation and the content between the Board and Kim Yanecko, unintentional on both parts, as a citizen seeking answers, and with Commissioners reiterating what's already been stated by Legal and DSD staff with no promise that there would be any part on the County other than to field the questions which she has done and she has took note of what Ms. Yanecko wanted and put those back on the record today. The motion was seconded by Commissioner Holton and carried unanimously. The meeting concluded at 2:57 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF MARCH 2023 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CANYON COUNTY BOARD OF COMMISSIONERS

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

\_\_\_\_\_  
Commissioner Brad Holton

\_\_\_\_\_  
Commissioner Zach Brooks

ATTEST: CHRIS YAMAMOTO, CLERK

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

DRAFT